



REVISED AGENDA AND NOTICE OF THE MEETING OF THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS GOVERNING BOARD
THURSDAY, JUNE 17, 2021 - 4:00 P.M.*

Teleconference Meeting

Zoom Link: <https://zoom.us/j/94370146127>

Livestream Available at: <https://youtu.be/U0J-lk3T0eE>

SGVCOG Officers

President
Margaret Clark

1st Vice President
Becky Shevlin

2nd Vice President
Tim Hepburn

3rd Vice President
Ed Reece

Members

Alhambra

Arcadia

Azusa

Baldwin Park

Bradbury

Claremont

Covina

Diamond Bar

Duarte

El Monte

Glendora

Industry

Irwindale

La Cañada Flintridge

La Puente

La Verne

Monrovia

Montebello

Monterey Park

Pasadena

Pomona

Rosemead

San Dimas

San Gabriel

San Marino

Sierra Madre

South El Monte

South Pasadena

Temple City

Walnut

West Covina

First District, LA County
Unincorporated Communities

Fourth District, LA County
Unincorporated Communities

Fifth District, LA County
Unincorporated Communities

SGV Water Districts

Thank you for participating in tonight's meeting. The Governing Board encourages public participation and invites you to share your views on agenda items.

MEETINGS: *Regular Meetings of the Governing Board are held on the third Thursday of each month at 4:00 PM at the Foothill Transit Office (100 South Vincent Avenue, West Covina, CA 91790).* The Governing Board agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, www.sgvcog.org. Copies are available via email upon request (sgv@sgvcog.org). Documents distributed to a majority of the Board after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

PUBLIC PARTICIPATION: Your participation is welcomed and invited at all Governing Board meetings. Time is reserved at each regular meeting for those who wish to address the Board. SGVCOG requests that persons addressing the meeting refrain from making personal, slanderous, profane or disruptive remarks.

TO ADDRESS THE GOVERNING BOARD: At a regular meeting, the public may comment on any matter within the jurisdiction of the Board during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. There is a three-minute limit on all public comments. Proxies are not permitted, and individuals may not cede their comment time to other members of the public. **The Governing Board may not discuss or vote on items not on the agenda.**

AGENDA ITEMS: The Agenda contains the regular order of business of the Governing Board. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Governing Board can be fully informed about a matter before making its decision.

CONSENT CALENDAR: Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Board member or citizen so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar. If you would like an item on the Consent Calendar discussed, simply tell Staff or a member of the Governing Board.



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 457-1800. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



***MEETING MODIFICATIONS DUE TO THE STATE AND LOCAL STATE OF EMERGENCY RESULTING FROM THE THREAT OF COVID-19:** On March 17, 2020, Governor Gavin Newsom issued Executive Order N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and allows for members of the public to observe and address the meeting telephonically or electronically to promote social distancing due to the state and local State of Emergency resulting from the threat of the Novel Coronavirus (COVID-19).

To follow the new Order issued by the Governor and ensure the safety of Board Members and staff for the purpose of limiting the risk of COVID-19, in-person public participation at the Governing Board meeting scheduled for June 17, 2021 at 4:00 p.m. will not be allowed. To allow for public participation, the Governing Board will conduct its meeting through Zoom Video Communications. To participate in the meeting, download Zoom on any phone or computer device and copy and paste the following link into your browser to access the live meeting: <https://zoom.us/j/94370146127>. You may also access the meeting via the livestream link on the front of the agenda page.

Submission of Public Comments: For those wishing to make public comments on agenda and non-agenda items you may submit comments via email or by Zoom.

- Email: Please submit via email your public comment to Katie Ward (kward@sgvcog.org) at least 1 hour prior to the scheduled meeting time. Please indicate in the Subject Line of the email “FOR PUBLIC COMMENT.” Emailed public comments will be read into the record and will be part of the recorded meeting minutes. Public comment may be summarized in the interest of time, however the full text will be provided to all members of the Governing Board prior to the meeting.
- Zoom: Through Zoom, you may speak by using the web interface “Raise Hand” feature. Wait to be called upon by staff, and then you may provide verbal comments for up to 3 minutes. Public comment is taken at the beginning of the meeting for items not on the agenda. Public comment is also accepted at the beginning of each agenda item.

Any member of the public requiring a reasonable accommodation to participate in this meeting should contact Katie Ward at least 48 hours prior to the meeting at (626) 457-1800 or at kward@sgvcog.org.

PRELIMINARY BUSINESS

5 MINUTES

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment *(If necessary, the President may place reasonable time limits on all comments)*
5. Changes to Agenda Order: Identify emergency items arising after agenda posting and requiring action prior to next regular meeting

CONSENT CALENDAR

5 MINUTES

(It is anticipated that the SGVCOG Governing Board may take action on the following matters)

6. Governing Board Meeting Minutes – Page 1
Recommended Action: Adopt Governing Board minutes.
7. Monthly Cash Disbursements/Balances/Transfers – Page 7
Recommended Action: Approve Monthly Cash Disbursements/Balances/Transfers.
8. Committee/TAC/Governing Board Attendance – Page 11
Recommended Action: Receive and file.
9. 3rd Quarter Financial Report/Treasurer’s Report – Page 21
Recommended Action: Receive and file.
10. Approval of Authorization for Executive Director to Submit Applications Seeking Transit and Intercity Rail Capital Program Funding for the ACE Projects – Page 47
Recommended Action: Adopt Resolution 21-31 authorizing the Executive Director to jointly submit with the ACE Program funding partner agency, the Los Angeles County Metropolitan Transportation Authority (LA Metro), applications consistent with applicable Transit and Intercity Rail Capital Program (TIRCP) guidelines for funding for the Montebello Corridor Project, the Turnbull Canyon Road Grade Separation Project and the Pomona At-Grade Crossings Safety Improvements Project, and the execution of any and all agreements as may be required.
11. State and County Homeless Funds – Page 51
Recommended Actions:
 - (1) Add the Tiny Home Bridge Housing Program as a SGVCOG Pilot Program; and*
 - (2) Reallocate \$150,000 from the Green Pathway Career (GPC) Program to the Tiny Home Bridge Housing Program.*
12. FY 20-21 Budget Amendment #2 – Page 55
Recommendation Action: Adopt Resolution 21-32 amending the FY 20-21 Budget.
13. Contract 21-05 Awarding Badawi and Associates to Perform Financial Audit Services – Page 61
Recommendation Actions:
 - (1) Authorize the Executive Director to execute a professional services agreement and task order with Badawi and Associates to provide financial audit services for the San Gabriel Valley Council of Governments for five fiscal years, with the contract beginning on July 1, 2021 and ending June 30, 2026, in the fixed fee amount of \$262,983.*
 - (2) Authorize the Executive Director to execute task orders for “on-call” assignments of a special nature such as agreed upon procedures on professional services and construction contracts, pre-award reviews, indirect cost rate (overhead) reviews, and other similar auditing, review or evaluation tasks as identified at the time in the Not-to-Exceed (NTE) amount of \$100,000.*
14. SGVCOG Committee and TAC Appointments – Page 89

Recommended Action: Appoint members to the following standing SGVCOG Policy Committees, and Technical Advisory Committees:

- *Capital Projects and Construction Committee:*
 - *Northwest District: Susan Jakubowski (San Marino) - Delegate*
- *FY 21-22 City Managers' Steering Committee Regional Representatives:*
 - *Northeast: Adam Raymond (Glendora), Sergio Gonzalez (Azusa)*
 - *Southeast: Dan Fox (Diamond Bar)*
 - *Central: Gloria Molleda (Rosemead), Rachel Barbosa (South El Monte)*
 - *Southwest: Rene Bobadilla (Montebello), Mark Lazzaretto (San Gabriel)*
 - *Northwest: Mark Alexander (La Canada Flintridge), Kevin Kearney (Bradbury)*
 - *At-Large: Ron Bow (Monterey Park), Bryan Cook (Temple City), Dominic Lazzaretto (Arcadia), Chris Constantin (San Dimas)*
- *Homelessness Committee:*
 - *City of Azusa*
 - *Upper San Gabriel Valley Municipal Water District*

15. AB 61 (Gabriel) – Support – Page 91

Recommendation Action: Adopt Resolution 21-33 supporting AB 61 (Gabriel).

16. SB 314 (Wiener) – Support – Page 105

Recommendation Action: Adopt Resolution 21-34 supporting SB 314 (Wiener).

17. AB 1201 (Ting) – Support – Page 163

Recommendation Action: Adopt Resolution 21-35 supporting AB 1201 (Ting).

18. Mero Strategic Project List – Page 177

Recommendation Action: Adopt Resolution 21-36 adopting the list of San Gabriel Valley regional transportation projects and programs to be included on the Metro Strategic Project List.

19. Los Angeles County Coordination Survey Results – Page 187

Recommendation Action: Receive and file.

20. Governing Board Member Agenda Item Request Process – Page 191

Recommendation Action: Receive and file.

PRESENTATIONS

21. State and Federal Legislative Update: Tim Egan, SGVCOG Legislative Consultant, Capital Representation Group; Paul Hubler, Director of Government and Community Relations, SGVCOG

Recommended Action: For information only.

22. Recognition of SGVCOG President Margaret Clark

Recommended Action: For information only.

LIAISON REPORTS

23. Gold Line Foothill Extension Construction Authority

24. Foothill Transit – Page 193

25. Los Angeles County Metropolitan Transportation Authority

26. San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy

27. San Gabriel Valley Mosquito & Vector Control District

28. Southern California Association of Governments – Page 195

29. League of California Cities – Page 201

30. San Gabriel Valley Economic Partnership

31. South Coast Air Quality Management District – Page 205

PRESIDENT'S REPORT

5 MINUTES

EXECUTIVE DIRECTOR'S REPORT

5 MINUTES

GENERAL COUNSEL'S REPORT

5 MINUTES

COMMITTEE/BOARD REPORTS

10 MINUTES

- 32. Transportation Committee – Page 207
- 33. Homelessness Committee – Page 209
- 34. San Gabriel Valley Regional Housing Trust Board
- 35. Energy, Environment and Natural Resources Committee – Page 213
- 36. Water Committee – Page 215
- 37. Capital Projects and Construction Committee – Page 229

ANNOUNCEMENTS

ADJOURN



SGVCOG Governing Board Unapproved Minutes

Date: May 20, 2021
Time: 4:00 PM
Location: Zoom Virtual Meeting

PRELIMINARY BUSINESS

1. Call to Order
M. Clark called the meeting to order at 4:01pm.

2. Pledge of Allegiance
A. Wu led the Governing Board in the Pledge of Allegiance.

3. Roll Call
A quorum was in attendance.

Governing Board Members Present

Alhambra	Adele Andrade-Stadler
Arcadia	April Verlato
Azusa	Robert Gonzales
Bradbury	Richard Barakat
Claremont	Ed Reece
Diamond Bar	Nancy Lyons
Duarte	Samuel Kang
Glendora	Michael Allowos
Industry	Cory Moss
Irwindale	Albert Ambriz
La Cañada Flintridge	Keith Eich
La Puente	Gabriel Quinones
La Verne	Tim Hepburn
Monrovia	Becky Shevlin
Montebello	Scarlet Peralta
Monterey Park	Peter Chan
Pasadena	Victor Gordo
Pomona	Tim Sandoval
Rosemead	Margaret Clark
San Dimas	Denis Bertone
San Gabriel	Jason Pu
San Marino	Susan Jakubowski
Sierra Madre	Rachelle Arizmendi
South El Monte	Gloria Olmos
South Pasadena	Diana Mahmud
Temple City	Cynthia Sternquist
Walnut	Allen Wu
West Covina	Tony Wu
L.A. County District #1	Andrea Moreno

Absent

Baldwin Park
Covina
El Monte

SGVCOG Staff Present

M. Creter, Executive Director
D. DeBerry, General Counsel
E. Shen, Staff
P. Hubler, Staff
C. Garcia, Staff
C. Sims, Staff
B. Acevedo, Staff
K. Ward, Staff
A. Fung, Staff
S. Matthews, Staff
S. Hernandez, Staff
A. Bordallo, Staff
S. Pedersen, Staff

L.A. County District #4 Lauren Yokomizo
L.A. County District #5 Sandra Maravilla
SGV Water Districts Jennifer Santana

4. Public Comment

No public comments were given.

5. Changes to Agenda Order

There were no changes to the Agenda Order.

CONSENT CALENDAR

6. Governing Board Meeting Minutes

Action: Adopt Governing Board minutes.

7. Monthly Cash Disbursements/Balances/Transfers

Action: Approve Monthly Cash Disbursements/Balances/Transfers.

8. Committee/TAC/Governing Board Attendance

Action: Receive and file.

9. FY 2021-2022 Budget

Action: Adopt Resolution 21-25 approving the FY 2021-2022 SGVCOG budget.

10. SGVCOG Committee and Partner Agency Appointments

Action: Adopt Resolution 21-26 to appoint members to standing SGVCOG Policy Committees, Technical Advisory Committees, and other partner agency appointments.

11. SB 343 (Allen) – Support

Action: Adopt Resolution 21-27 supporting SB 343 (Allen).

12. SB 619 (Laird) Support in Concept

Action: Adopt Resolution 21-28 supporting SB 619 (Laird) in concept.

13. AB 1401 (Friedman) – Oppose

Action: Adopt Resolution 21-29 in opposition of AB 1401 (Friedman).

14. Contract 21-13 Awarding Kimley-Horn and Associates to Conduct Technical Analyses for the San Gabriel Valley Transit Feasibility Study

Actions: Authorize the Executive Director to execute a contract with Kimley-Horn and Associates, Inc. to conduct technical analyses for the San Gabriel Valley Transit Feasibility Study. The period of performance will be one year, beginning on June 1, 2021 and ending May 31, 2022, in the not-to-exceed amount of \$998,989.69.

15. Regional Early Action Planning (REAP) Total Award Amount

Action: Increase the Executive Director's authority to execute an agreement with SCAG for SGVCOG Regional Early Action Planning (REAP) projects by \$100,000, for a total

amount not-to-exceed \$1,582,000.

16. Addendum No. 3 to the Master Funding Agreement (8002R) with Metro for Receiving \$30.5 Million Measure R Funds

Action: Authorize the Executive Director to execute Addendum No. 3 to the Master Funding Agreement 8002R with Los Angeles County Metropolitan Transportation Authority (Metro) to receive \$30.5 million of existing Measure R funds for the Alameda Corridor-East (ACE) projects as identified in the Measure R ordinance approved by the voters in November 2008.

17. Resolution to Reaffirm SGVCOG Mission Statement

Action: Adopt Resolution 21-30 to reaffirm the SGVCOG mission statement.

18. Los Angeles County Coordination Survey Results

Action: Receive and file.

There was a motion to approve consent calendar items 6-12 and 14-17. (M/S: D. Bertone/C. Moss)

[Motion Passed]

AYES:	Alhambra, Arcadia, Azusa, Bradbury, Claremont, Diamond Bar, Duarte, Glendora, Industry, Irwindale, La Cañada Flintridge, La Puente, La Verne, Monrovia, Montebello, Monterey Park, Pasadena, Pomona, Rosemead, San Dimas, San Gabriel, San Marino, Sierra Madre, South El Monte, South Pasadena, Walnut, West Covina, L.A. County District #1, L.A. County District #4, L.A. County District #5, SGV Water Districts
NOES:	
ABSTAIN:	
NO VOTE RECORDED:	Temple City
ABSENT:	Baldwin Park, Covina, El Monte

Discussion on Item 13: AB 1401 (Friedman) – Oppose

- A. Andrade-Stadler requested staff to provide additional background on AB 1401.
- SGVCOG Management Analyst, Alexander Fung, provided a presentation on the item.

There was a motion to adopt Resolution 21-19 in opposition of AB 1401 (Friedman). (M/S: A. Andrade-Stadler/N. Lyons)

[Motion Passed]

AYES:	Alhambra, Arcadia, Azusa, Bradbury, Claremont, Diamond Bar, Duarte, Glendora, Industry, Irwindale, La Cañada Flintridge, La Puente, La Verne, Monrovia, Montebello, Monterey Park, Pasadena, Pomona, Rosemead, San Dimas, San Gabriel, San Marino, Sierra Madre, South El Monte, South Pasadena, Walnut, West Covina, SGV Water Districts
NOES:	

ABSTAIN:	L.A. County District #1, L.A. County District #4, L.A. County District #5
NO VOTE RECORDED:	Temple City
ABSENT:	Baldwin Park, Covina, El Monte

Discussion on Item 18: Los Angeles County Coordination Survey Results

- M. Allawos requested staff to provide an overview of the Los Angeles County Coordination Survey results.
- SGVCOG Management Analyst, Alexander Fung, provided a presentation on the item.
- M. Allawos inquired about the possibility of reopening the survey for the Governing Board with additional time to provide responses and sought clarification on staff’s intention to share the survey with the City Managers’ Steering Committee first. M. Creter responded that the item was previously reviewed by the Executive Committee and it was recommended that the city managers would be able to provide one response from each city that can fully encompasses the perspectives of both city councilmembers and the city manager.
- S. Jakubowski expressed support for reopening the survey for the Governing Board to provide additional responses and commented that supporting cities to seek additional options for animal care and control services may be an action item for the SGVCOG in the near future.
- T. Wu encouraged cities to request the County to provide higher quality services and commented that the survey’s results should drive recommendations for cities and the SGVCOG to resolve the cities’ concerns and issues with the County.
- V. Gordo encouraged the SGVCOG to address cities concerns with the Measure H funding allocation formula. M. Creter responded that the SGVCOG is actively involved in attempting to obtain additional Measure H funds for San Gabriel Valley cities. B. Shevlin added that a White Paper was adopted to highlight issues such as the lack of communication and awarding of funds.
- M. Allawos commented that the survey should lead to actions that can resolve the cities’ concerns with the County’s services.
- M. Clark commented that retrofitting buildings, such as the County’s General Hospital, into housing for individuals with homelessness can be an effective strategy to end homelessness.
- T. Wu concurred with Mr. Allawos, encouraged the SGVCOG to provide a platform for cities to communicate with the County to discuss existing issues, and expressed support for agendizing a discussion on this topic for future discussion.
- M. Allawos inquired whether the SGVCOG has sent a letter to Governor Newsom expressing concerns about homelessness issues. M. Creter confirmed that the letter was sent and commented that the SGVCOG did not receive a response from the Governor.
- M. Allawos recommended staff to consult with the Executive Committee, provide an action plan, and update the Governing Board at a future meeting.

ACTION ITEM

- 19.** FY 21-22 SGVCOG Board Officer Appointments
Action: Appoint the following SGVCOG Officers for FY 21-22 (effective July 1, 2021):

- *President: Becky Shevlin*
- *1st Vice President: Tim Hepburn*
- *2nd Vice President: Ed Reece*
- *3rd Vice President: April Verlato*

There was a motion to appoint Becky Shevlin as President, Tim Hepburn as 1st Vice President, Ed Reece as 2nd Vice President, and April Verlato as 3rd Vice President as the FY 2021-2022 SGVCOG Executive Officers, effective July 1, 2021. (C. Moss/ N. Lyons)

[Motion Passed]

AYES:	Alhambra, Arcadia, Azusa, Bradbury, Claremont, Diamond Bar, Duarte, Glendora, Industry, Irwindale, La Cañada Flintridge, La Puente, La Verne, Monrovia, Montebello, Monterey Park, Pasadena, Pomona, Rosemead, San Dimas, San Gabriel, San Marino, Sierra Madre, South El Monte, South Pasadena, Walnut, West Covina, L.A. County District #1, L.A. County District #4, L.A. County District #5, SGV Water Districts
NOES:	
ABSTAIN:	
NO VOTE RECORDED:	Temple City
ABSENT:	Baldwin Park, Covina, El Monte

PRESENTATION

20. FY 2019-2020 Financial Audit Presentation: Roger Martinez, Partner, Vasquez & Company
 Vasquez & Company Partner, Roger Martinez, provided a presentation on this item.

LIAISON REPORTS

No verbal report was given unless otherwise noted.

21. Gold Line Foothill Extension Construction Authority
22. Foothill Transit
23. Los Angeles County Metropolitan Transportation Authority
24. San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC)
25. San Gabriel Valley Mosquito & Vector Control District (SGVMVCD)
26. Southern California Association of Governments
27. League of California Cities
28. San Gabriel Valley Economic Partnership (SGVEP)
29. South Coast Air Quality Management District (AQMD)

PRESIDENT’S REPORT

SGVCOG President, Margaret Clark, provided a report.

EXECUTIVE DIRECTOR’S REPORT

SGVCOG Executive Director, Marisa Creter, provided a report.

GENERAL COUNSEL'S REPORT

SGVCOG General Counsel, David DeBerry, provided a report.

COMMITTEE REPORTS

30. Transportation Committee
SGVCOG Transportation Committee Chair, Jason Pu, provided a report.

31. Homelessness Committee
SGVCOG Homelessness Committee Chair, Becky Shevlin, provided a report.

32. San Gabriel Valley Regional Housing Trust Board
San Gabriel Valley Regional Housing Trust Vice Chair, Becky Shevlin, provided a report.

33. Energy, Environment and Natural Resources (EENR) Committee
SGVCOG EENR Committee Chair, Denis Bertone, provided a report.

34. Water Committee
SGVCOG Water Committee Vice Chair, Diana Mahmud, provided a report.

35. Capital Projects and Construction Committee
SGVCOG Capital Projects and Construction Committee Chair, Tim Sandoval, provided a report.

ANNOUNCEMENTS

V. Gordo requested staff to collaborate with member cities to hold a discussion on the State's reopening procedures and guidance. T. Sandoval requested additional clarification on the American Rescue Plan's funding allocation method for cities.

ADJOURN

M. Clark adjourned the Governing Board meeting at 5:39pm.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
Selected Asset Account Balances
As of May 31, 2021

Account Number	Description	Balance 4/30/2021	Increase	Decrease	Net Change	Balance 5/31/2021
000-000-000-1010	CBB - 242-118-669 Checking	\$ 1,771,611	\$ 407,449	\$ 163,826	\$ 243,623	\$ 2,015,234
000-000-000-1020	CBB - 242-034-325 CD	\$ 55,758		\$ -	\$ -	\$ 55,758
000-000-000-1030	CBB - 242-034-783 Savings	\$ 1,593	\$ -	\$ -	\$ -	\$ 1,593
000-000-000-1040	CBB - 242-034-953 CD	\$ 54,989		\$ -	\$ -	\$ 54,989
000-000-000-1052	CBB-242-300-597 MM (Homelessness Trust)	\$ 2,325,539	\$ 178	\$ 25,460	\$ (25,282)	\$ 2,300,257
000-000-000-1090	Petty Cash	\$ 400	\$ -	\$ -	\$ -	\$ 400
000-000-000-1100	LAIF 40-19-038	\$ 245,483	\$ -	\$ -	\$ -	\$ 245,483
000-000-000-1101	LAIF Maket Value	\$ 86	\$ -	\$ -	\$ -	\$ 86
000-000-000-1210	Member Receivable	\$ -	\$ -	\$ -	\$ -	\$ -
000-000-000-1220	Grants/Contracts Receivable	\$ 51,483	\$ 463,306	\$ 324,727	\$ 138,580	\$ 190,063
000-000-000-1225	Sponsorships Receivable	\$ -	\$ -	\$ -	\$ -	\$ -
000-000-000-1232	Rental Deposits Receivable	\$ 5,489	\$ -	\$ -	\$ -	\$ 5,489
000-000-000-1291	Receivables - Other	\$ 48,531	\$ -	\$ 48,360	\$ (48,360)	\$ 171
		\$ 4,560,962	\$ 870,934	\$ 562,372	\$ 308,562	\$ 4,869,523

SGVCOG - ACE Capital Projects
Selected Asset Account Balances
As of May 31, 2021

Account Number	Description	Balance 4/30/2021	Increase	Decrease	Net Change	Balance 5/31/2021
000-000-000-1110	CBB General Checking Account	\$ 3,000,000	\$ 16,507,805	\$ 16,507,767	\$ 38	\$ 3,000,038
000-000-000-1121	LAIF Operating (40 19 044)	\$ 347,673	\$ -	\$ -	\$ -	\$ 347,673
000-000-000-1122	LAIF - Debt (11 19 031)	\$ 1,354,327	\$ -	\$ -	\$ -	\$ 1,354,327
000-000-000-1123	Sweep (CBB - Mutual Fund)	\$ 4,903,090	\$ 10,379,978	\$ 6,260,801	\$ 4,119,177	\$ 9,022,267
000-000-000-1124	UPPR Contribution Funds (CBB-MM)	\$ 543,651	\$ 42	\$ -	\$ 42	\$ 543,693
000-000-000-1125	MTA Loan Interest Reimb (CBB)	\$ 1,724,960	\$ 132	\$ -	\$ 132	\$ 1,725,092
000-000-000-1131	Grants Receivable	\$ 421,380	\$ 27,320,140	\$ -	\$ 27,320,140	\$ 27,741,521
000-000-000-1135	Retention Receivable - MTA	\$ 3,291,827	\$ 180,288	\$ -	\$ 180,288	\$ 3,472,115
		\$ 15,586,908	\$ 54,388,386	\$ 22,768,568	\$ 31,619,817	\$ 47,206,725

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
Disbursements Report
May 2021

Transaction Date	Number/Reference	Vendor Name	Description	Amount
5/6/2021	ACH- MLE-JAN-2	Mary Lou Echternach	Contract Srvcs - MTA Board Support	\$11,417.00
5/6/2021	ACH-SOUTH PASA	City of South Pasadena	Housing Homelessness-State-City Plans	\$9,375.30
5/7/2021	EFT-ICMA-PE 5.	ICMA-RC	Empl Ded - 457 Contribution	\$742.31
5/7/2021	EFT-ICMA-PE 5.	ICMA-RC	Intercompany Receivable - Due from ACE	\$5,560.81
5/12/2021	CITIPYMT051221	AT&T	Coyote Implementation Plan - Program Management	\$50.08
5/12/2021	CITIPYMT051221	Wix	Webpage/Software Services	\$4.99
5/12/2021	CITIPYMT051221	USPS.COM	Postage Expense (UA) - SGVCOG Board Mailings	\$7.95
5/12/2021	CITIPYMT051221	AT&T	Utilities	\$43.12
5/12/2021	CITIPYMT051221	Canva	Webpage/Software Services	\$119.40
5/12/2021	CITIPYMT051221	Zoom Video Communiications Inc.	Intercompany Receivable - Due from ACE	\$394.70
5/12/2021	CITIPYMT051221	Zoom Video Communiications Inc.	Webpage/Software Services	\$592.06
5/12/2021	CITIPYMT051221	reMarkable AS	Equipment & Soft Acquisition	\$708.45
5/12/2021	CITIPYMT051221	Wix	Receivables - Other	\$156.00
5/12/2021	CITIPYMT051221	Verizon Wireless	Utilities	\$50.08
5/12/2021	CITIPYMT051221	HP Inc.	Office Supplies	\$13.13
5/12/2021	CITIPYMT051221	Adobe	Intercompany Receivable - Due from ACE	\$1,223.28
5/12/2021	CITIPYMT051221	Adobe	Prepaid Expense	\$1,834.92
5/12/2021	CITIPYMT051221	Wix	Energy Wise - SC Gas Company - Program Mgt	\$47.88
5/12/2021	CITIPYMT051221	Flashbay Inc	Office Supplies	\$218.74
5/12/2021	CITIPYMT051221	Flashbay Inc	Intercompany Receivable - Due from ACE	\$328.10
5/12/2021	CITIPYMT051221	Google	Webpage/Software Services	\$29.82
5/12/2021	CITIPYMT051221	Google	Webpage/Software Services	\$169.32
5/12/2021	CITIPYMT051221	Google	Intercompany Receivable - Due from ACE	\$253.98
5/12/2021	CITIPYMT051221	Paradise Embroidery and Screen Printing	Printing/Publications	\$59.79
5/12/2021	CITIPYMT051221	Wix	Webpage/Software Services	\$4.99
5/13/2021		10177 Employment Development Departm	Employer Payroll Tax Expense	\$167.18
5/13/2021		10178 Woodruff, Spradlin & Smart	SGVRHT-Trust - Legal	\$8,232.00
5/20/2021		10179 City of Glendora	Housing Homelessness - LAC - Preventio	\$124,731.54
5/20/2021	ACH-VASQUEZ	Vasquez & Co., LLP	Contract Services - Accounting/Auditin	\$14,100.00
5/20/2021	EFT-ICMA PE5.2	ICMA-RC	Empl Ded - 457 Contribution	\$742.31
5/20/2021	EFT-ICMA PE5.2	ICMA-RC	Intercompany Receivable - Due from ACE	\$5,560.81
5/27/2021	EFT-CLA	CliftonLarsonAllen	Intercompany Receivable - Due from ACE	\$3,800.00
Total May 2021 Disbursements				\$190,740.04

ACE CONSTRUCTION AUTHORITY
Disbursements Report
May 2021

Transaction	Date	Check Number	Vendor Name	Description	Amount
	5/6/2021	CBBPYMT050621	CBB Cardmember Service	Travel - Employee - Training	\$129.00
	5/6/2021	CBBPYMT050621	CBB Cardmember Service	Computer - Hardware (FA)	\$229.94
	5/6/2021	EFT-CALPERS PE	CALPERS	Intercompany Receivable - Due from SGV	\$17,920.14
	5/13/2021	21160	Federal Express	Postage/Carrier Services	\$196.45
	5/13/2021	21161	Schuff Steel	Fullerton - Construction Management-	\$2,145.00
	5/13/2021	21162	Office Depot	Office Supplies	\$48.50
	5/13/2021	21162	Office Depot	Office Supplies	\$10.53
	5/13/2021	21162	Office Depot	Office Supplies	\$44.09
	5/13/2021	21162	Office Depot	Office Supplies	\$0.10
	5/13/2021	21162	Office Depot	Office Supplies	\$110.59
	5/13/2021	21163	Aflac	Empl Ded - Afflac Suppl Ins.	\$541.84
	5/13/2021	21164	AllyHealth	Empl Ded - Afflac Suppl Ins.	\$10.00
	5/13/2021	21165	Southern California Edison	Puente Avenue - ROW - Property Expense	\$20.84
	5/13/2021	21165	Southern California Edison	Puente Avenue - ROW - Property Expense	\$21.18
	5/13/2021	21166	SWRCB	Fullerton - Construction Management-	\$2,093.00
	5/13/2021	21167	TPx Communications	Telephone - Office	\$808.18
	5/13/2021	21168	Woodruff, Spradlin & Smart	57/60 Project - Construction Legal	\$408.00
	5/13/2021	21168	Woodruff, Spradlin & Smart	Intercompany Receivable - Due from SGV	\$6,600.00
	5/13/2021	21168	Woodruff, Spradlin & Smart	57/60 Project - ROW Legal	\$9,145.50
	5/13/2021	21168	Woodruff, Spradlin & Smart	Intercompany Receivable - Due from SGV	\$1,273.00
	5/13/2021	21169	Dell Business Credit	Computer - Hardware (FA)	\$7,618.51
	5/13/2021	21169	Dell Business Credit	Computer - Hardware (FA)	\$64.67
	5/13/2021	21170	David Lang & Associates	Fairway Drive - CM - PM	\$339.88
	5/13/2021	21171	Paragon Partners Ltd.	Fairway Drive -Betterments PM	\$6.49
	5/13/2021	21171	Paragon Partners Ltd.	ROW Surplus Property	\$15.76
	5/13/2021	21171	Paragon Partners Ltd.	Durfee - ROW - Program Management	\$494.54
	5/13/2021	21171	Paragon Partners Ltd.	Fullerton - Betterment - PM	\$43.59
	5/13/2021	21171	Paragon Partners Ltd.	Fairway Drive -Betterments PM	\$47.13
	5/14/2021	ACH- OLIVER SA	Oliver, Sandifer & Murphy Law	Fairway Drive - ROW - Legal	\$11,687.00
	5/14/2021	ACH-AECOM TECH	AECOM - Technical Services, In	Montebello Grade Sep - Design Constr.	\$68,444.68
	5/14/2021	ACH-ANSER _57/	Anser Advisory	57/60 Project - Construction Managemen	\$38,244.64
	5/14/2021	ACH-CB RICHARD	CB Richard Ellis, Inc	Office - Rent	\$26,827.20
	5/14/2021	ACH-COMM. OUTR	Lee Andrews Group, Inc.	Fairway Drive - CM - PM	\$1,860.66
	5/14/2021	ACH-DAILY JOUR	Daily Journal - CNSB	57/60 Project - Design Advertising	\$2,026.04
	5/14/2021	ACH-DAVID LANG	David Lang & Associates	Fairway Drive - CM - PM	\$6,457.74
	5/14/2021	ACH-EDISON INT	Edison Carrier Solutions	Computer - Internet	\$996.00
	5/14/2021	ACH-JACOBS_SGT	Jacobs Project Management Comp	SG Trench - CM - CM	\$3,026.41
	5/14/2021	ACH-JACOBS_SGT	Jacobs Project Management Comp	SG Trench - CM - CM	\$7,212.96
	5/14/2021	ACH-JACOBS_SGT	Jacobs Project Management Comp	SG Trench - CM - CM	\$2,118.49
	5/14/2021	ACH-JUSTIFACT-	Justifacts Credential Verifica	Other Services	\$149.12
	5/14/2021	ACH-JUSTIFACT-	Justifacts Credential Verifica	Other Services	\$74.56
	5/14/2021	ACH-LACMTA-LOA	LACMTA - Metropolitan Transpor	Interest Expense - MTA Loan	\$67,772.04
	5/14/2021	ACH-LEE ANDREW	Lee Andrews Group, Inc.	Fairway Drive - CM - PM	\$35,352.55
	5/14/2021	ACH-LSA-DURFEE	LSA Associates, Inc.	Turnbull Canyon Rd - Design - PM	\$841.26
	5/14/2021	ACH-LSA-DURFEE	LSA Associates, Inc.	Durfee - Construction - Program Manage	\$1,518.30
	5/14/2021	ACH-LUBKA&WHIT	LUBKA & WHITE LLP	Fullerton - CM - Legal	\$2,628.50
	5/14/2021	ACH-MIRAIAN CA	Miraian Campos	Montebello Corridor Grd Sep-ROW-Reloca	\$13,409.00
	5/14/2021	ACH-MOFFATT&NI	Moffatt & Nichol	Montebello At Grade Crossing-Design-	\$7,030.00
	5/14/2021	ACH-MOFFATT&NI	Moffatt & Nichol	Montebello At Grade Crossing-Design-	\$370.00
	5/14/2021	ACH-MTB-LINO C	Lino Campos Juarez	Montebello Corridor Grd Sep-ROW-Reloca	\$13,409.00
	5/14/2021	ACH-OLIVER SAN	Oliver, Sandifer & Murphy Law	Nogales (LA) - ROW - Legal	\$754.00
	5/14/2021	ACH-OLIVER SAN	Oliver, Sandifer & Murphy Law	Turnbull Cyn Rd - ROW - Legal	\$8,676.25
	5/14/2021	ACH-PARAGON-VA	Paragon Partners Ltd.	Fairway Drive -Betterments PM	\$123.33
	5/14/2021	ACH-PARAGON-VA	Paragon Partners Ltd.	ROW Surplus Property	\$299.41
	5/14/2021	ACH-PARAGON-VA	Paragon Partners Ltd.	Durfee - ROW - Program Management	\$9,396.23
	5/14/2021	ACH-PARAGON-VA	Paragon Partners Ltd.	Fullerton - Betterment - PM	\$828.12
	5/14/2021	ACH-PARAGON-VA	Paragon Partners Ltd.	Fairway Drive -Betterments PM	\$895.43
	5/14/2021	ACH-PRESCIENCE	PreScience Corporation	Durfee - Design -Const Management	\$10,921.53
	5/14/2021	ACH-UPRR-VARIO	Union Pacific Railroad Company	Fairway Drive - Construction - Railroa	\$44,661.15
	5/14/2021	ACH-UPRR-VARIO	Union Pacific Railroad Company	Fairway Drive - Construction - Railroa	\$385,960.37
	5/14/2021	ACH-UPRR-VARIO	Union Pacific Railroad Company	Fairway Drive - Construction - Railroa	\$53,536.72
	5/14/2021	ACH-UPRR-VARIO	Union Pacific Railroad Company	Fairway Drive - Construction - Railroa	\$52,484.29
	5/14/2021	ACH-UPRR-VARIO	Union Pacific Railroad Company	Turnbull Cyn Rd - Design - Railroad	\$139.45
	5/19/2021	EFT-CHOICEBUIL	Choice Builder	Intercompany Receivable - Due from SGV	\$2,951.43
	5/20/2021	21172	Kaykel Investment Properties,	Fairway Drive - Right-of-Way-Acquisit	\$3,190,000.00
	5/20/2021	21173	Schuff Steel	Fullerton - Construction Management-	\$2,415.00
	5/20/2021	21173	Schuff Steel	Fullerton - Construction Management-	\$270.00

ACE CONSTRUCTION AUTHORITY
Disbursements Report
May 2021

Transaction Date	Check Number	Vendor Name	Description	Amount
5/20/2021	21174	Rowland Water District	Fullerton-Construction Mgmt - Metered	\$324.46
5/20/2021	21175	South Montebello Irrigation Di	Maple Ave. Pedestrian-ROW Prop Expense	\$65.20
5/20/2021	21176	Paragon Partners Ltd.	Fairway Drive -Betterments PM	\$26.95
5/20/2021	21177	Office Depot	Office Supplies	\$76.15
5/20/2021	21178	Southern California Edison	Fullerton-Construction Mgmt - Metered	\$915.07
5/20/2021	21178	Southern California Edison	Fullerton-Construction Mgmt - Metered	\$967.61
5/21/2021	ACH-AMY_VCH#16	Amy Hanson	Tuition Reimbursement	\$3,084.00
5/21/2021	ACH-ANDRES REI	Andres Ramirez	Telephones - Cell	\$56.94
5/21/2021	ACH-ANDRES REI	Andres Ramirez	Telephones - Cell	\$80.46
5/21/2021	ACH-ARGUS_APRL	Argus Consulting Group, Inc.	Cloud Base Software Access	\$1,625.00
5/21/2021	ACH-ARGUS_APRL	Argus Consulting Group, Inc.	Cloud Base Software Access	\$687.50
5/21/2021	ACH-DAILY JOUR	Daily Journal - CNSB	Intercompany Receivable - Due from SGV	\$152.73
5/21/2021	ACH-DAILY JOUR	Daily Journal - CNSB	57/60 Project - Design Advertising	\$449.13
5/21/2021	ACH-DAILY JOUR	Daily Journal - CNSB	57/60 Project - Design Advertising	\$2,337.73
5/21/2021	ACH-DAILY JOUR	Daily Journal - CNSB	57/60 Project - Design Advertising	\$4,744.68
5/21/2021	ACH-DAILY JOUR	Daily Journal - CNSB	57/60 Project - Design Advertising	\$3,337.13
5/21/2021	ACH-DAILY JOUR	Daily Journal - CNSB	57/60 Project - Design Advertising	\$2,861.44
5/21/2021	ACH-POWERPLUS_	PowerPlus	Fullerton - Construction Management-	\$222.00
5/21/2021	ACH-SHRED IT-A	SHRED-IT USA LLC	Office Supplies	\$162.70
5/21/2021	EFT-CALPERSPE5	CALPERS	Intercompany Receivable - Due from SGV	\$18,235.21
5/24/2021	ACH-PARAGON_JA	Paragon Partners Ltd.	Fairway Drive -Betterments PM	\$511.99
5/24/2021	ACH-VALASSIS D	Valassis Direct Mail Inc.	Fullerton - Construction Management-	\$1,832.06
5/24/2021	ACH-VALASSIS D	Valassis Direct Mail Inc.	Durfee - Construction - Program Manage	\$1,249.02
5/24/2021	ACH-VALASSIS D	Valassis Direct Mail Inc.	Fairway Drive - CM - PM	\$1,858.54
5/24/2021	ACH-VASQ'Z&COM	Vasquez & Company LLP	Auditing/Accounting	\$3,500.00
5/24/2021	ACH-VASQ'Z&COM	Vasquez & Company LLP	Auditing/Accounting	\$20,000.00
5/24/2021	ACH-VASQ'Z&COM	Vasquez & Company LLP	Auditing/Accounting	\$7,500.00
5/27/2021	21179	Unanet Technologies	Prepaid Other	\$1,984.07
5/27/2021	21180	Southern California Edison	Fullerton-Construction Mgmt - Metered	\$895.04
5/27/2021	21180	Southern California Edison	Fairway Drive-Lemon Ave Bettermen-Mete	\$313.70
5/27/2021	21181	Paragon Partners Ltd.	Fullerton - ROW - PM	\$442.88
5/27/2021	21182	Office Depot	Office Supplies	\$65.04
5/27/2021	21182	Office Depot	Office Supplies	\$44.09
5/27/2021		21183 Rowland Water District	Fullerton-Construction Mgmt - Metered	\$65.12
5/27/2021	ACH- MOFFATT&N	Moffatt & Nichol	Montebello Corridor Grd Sep - Design	\$8,572.50
5/27/2021	ACH-BERG&ASS_M	Berg & Associates Inc.	Fullerton - Construction Management	\$90,923.86
5/27/2021	ACH-BIGGS CARD	Biggs Cardosa Associates Inc.	Fullerton-Construction Management-	\$49,412.81
5/27/2021	ACH-DAILY JO'L	Daily Journal - CNSB	Fullerton - CM - Advertising	\$5,251.88
5/27/2021	ACH-EPIC LAND_	Epic Land Solution, Inc	Nogales (LA) - ROW - PM	\$1,325.27
5/27/2021	ACH-LSA_FEB21	LSA Associates, Inc.	Turnbull Canyon Rd - Design - PM	\$3,158.19
5/27/2021	ACH-MOFFAT&NIC	Moffatt & Nichol	Montebello Corridor Grd Sep - Design	\$162,877.50
5/27/2021	ACH-PARAGON_MA	Paragon Partners Ltd.	Fullerton - ROW - PM	\$8,414.81
5/27/2021	ACH-PRESCIENCE	PreScience Corporation	Durfee - Construction Management - CM	\$145,317.22
5/27/2021	ACH-RIVERSIDE_	Riverside Construction Company	Durfee Construction	\$1,101,384.91
5/27/2021	ACH-RIVERSIDE_	Riverside Construction Company	Durfee Construction	\$122,376.12
5/27/2021	ACH-SCHUFF STE	Schuff Steel	Fullerton - Construction Management-	\$2,415.00
5/27/2021	ACH-URS_OCT20-	URS Corporation	Durfee Construction Management Design	\$28,037.35
5/20/2021		CALPERS		\$28,686.88
5/21/2021		Standard Insurance		\$1,560.39
Total May 2021 Disbursements				\$5,966,543.64

Governing Board Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra		D	D		A		D	D	D	D	D	
Arcadia		D	D	D	D		D	D	D	D	D	
Azusa		D	D	D	D		D	D	D	D	D	
Baldwin Park			D	D			D	A				
Bradbury		D			D		D	D	D		D	
Claremont		D	D	D	D		D	D	D	D	D	
Covina		D	D	D	D		D	D	D	D		
Diamond Bar		D	D	D	D		D	D	D	D	D	
Duarte		D	D	D	D			D	A		D	
El Monte		D	D	D			D	D	D	D		
Glendora		D	D	D	D		D	D	D	D	D	
Industry		A	D	D	D		D	D	D	D	D	
Irwindale		D	D				D	D	D	D	D	
La Cañada Flintridge		D	D	D	D			D	D	D	D	
La Puente		D					D	D	D	D	D	
La Verne		D	D	D	D		D	D	D	D	D	
Monrovia		D	D	D	D		D	D	D	D	D	
Montebello		D			D			D	D	D	D	
Monterey Park		D	D	D	D		D	D	D	D	D	
Pasadena							D	D	D	D	D	
Pomona		D	D	D	D		D	A	D	D	D	
Rosemead		D	D	D	D		D	D	D	D	D	
San Dimas		D	D	D	D		D	D	D	D	D	
San Gabriel		D	D	D	D		D	D	D	D	D	
San Marino		D	D	D	D		D	D	D	D	D	
Sierra Madre		D	D	D	D		D		D	D	D	
South El Monte			D	D	D		D	D	D	D	D	
South Pasadena		D	D	D	D		D	D	D	D	D	
Temple City		D	D	D	D		D	D	D	D	D	
Walnut		D	D	D	D		D	D	D	D	D	
West Covina		D	D	D	D		D	D	D	D	D	
LA County District 1		D	D	D	D		A	A	A	D	A	
LA County District 4		D	D		D		D	D	D	D	D	
LA County District 5		D	D	D	D		D	D	D	D	D	
SGV Water Agencies		D	D	D			D	D	D	D	D	

Major Action Items and Presentations

July (Dark)

August

- Officer Electronic Survey Process and Schedule
- Assignment of Housing Funds
- Housing Navigation Services
- Approval of Selection and Award of On-Call Consulting St

September

- FY 2020-2021 Officer Elections
- SGVCOG Zero Waste Policy
- Approval of Section 115 Trust Account with the California Public Employees' Retirement System
- State and Federal Legislative Update Presentation

October

- Authorize the Executive Director to Execute an Agreement with Metro to Undertake a Transit Feasibility Study for the San Gabriel Valley
- Updated SGVCOG Purchasing and Procurement Policies and Procedures
- Employment Contract with Mark Christoffels for Director of Capital Projects/Extra Help
- Caltrans District 7 City Ambassador Program

November

- Metro Measure R Highway Program Criteria and Measure M Guidelines Letter
- Tentative 2020 Municipal Separate Storm Sewer (MS4) Permit
- Letter Supporting Additional Resources to Address Mental Health Care Needs
- Safe, Clean Water Program Transfer Agreements and Contracts

December (Dark)

January

- Tenth Amended and Restated Bylaws
- SGVRHT Board of Director Appointments
- SGVCOG 2021 Legislative Platform
- SGVCOG Whitepaper on Los Angeles Homeless Services Authority (LAHSA) Reform

February

- Update San Gabriel Valley Regional Housing Trust Board of Directors Appointment Process
- Update SGVCOG Energy, Open Space F
- Measure H Innovation Funds Programming Recommendation Updates
- COVID-19 Vaccine Distribution Update

March

- Update Measure M MSP Subregional Fund Programming
- Appointment of SGVCOG Representatives to the LAX Community Noise Roundtable
- SGVCOG Support Letter for Congressional Funding Requests for Regional Priority Projects/Programs
- Regional Homeless, Mental Health, and Crisis Response Study
- AQMD Warehouse Indirect Source Rule (Proposed Rule 2305)

April

- Eleventh Amended and Restated Bylaws
- SGVCOG Homelessness Programs Funding Reallocation
- Resolution to Condemn Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders
- SB 230 (Portantino)
- AB 818 (Bloom)
- Increasing Behavioral Health Treatment Act (Napolitano)
- AB 1340 (Santiago) Mental Health Services

May

- FY 2021-2022 Budget
- Resolution to Reaffirm SGVCOG Mission Statement
- Los Angeles County Coordination Survey Results
- FY 21-22 SGVCOG Board Officer Appointments
- FY 2019-2020 Financial Audit Presentation

Capital Projects & Construction

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Central District (El Monte)					✓		✓	✓	✓	✓		
COG President	✓		✓				✓	✓	✓	✓		
Industry	✓		✓		✓	✓	✓	✓	✓	✓		
LA County			✓		✓		✓	✓	✓	✓		
Montebello	✓				✓		✓	✓	✓	✓		
Northeast District (La Verne)	✓		✓		✓	✓	✓	✓	✓	✓		
Northwest District (Monrovia)	✓				✓	✓	✓	✓	✓	✓		
Pomona	✓		✓		✓	✓	✓	✓	✓	✓		
Southeast District (Diamond Bar)	✓		✓		✓	✓	✓	✓	✓	✓		
Southwest District (South Pasadena)	✓		✓		✓	✓	✓	✓	✓	✓		

Agenda Topics

July

Adoption of Mitigated Negative Declaration and Mitigation Monitoring Program for the Proposed Modification to the Diamond Bar Golf Course Need for the Proposed Improvements at the SR-57/60 Interchang

Approval of a Construction Management Services Contract with Anser Advisory, LLC for the Turnbull Canyon Road Grade Separation Project

August (Dark)

September

Sole Source Contract to OHL North America Inc. for Emergency Interim Site Maintenance Fullerton Road Grade Separation Project

Approval of Task Order 2 with AECOM for Construction Management Services for the Montebello Blvd. Grade Separation Project

October (Dark)

November

Election of Officers

Design Services Contract with KPFF Consulting Engineers and Task Order No. 1 for the Gold Line Transit Oriented Development Pedestrian Bridge Project in the City of LaVerne

Approval to Reject all Bids Received for the Construction of the Fullerton Road Grade Separation Project

December

Approval of Task Order No. 2 Amendment with CWE

Approval of Contract Amendment with Berg & Associates, Inc

Approval of 2021 Capital Projects Legislative Priorities

January

Approval of Task Order No. 1 Revision to AECOM for Montebello Blvd. Grade

Approval of Quarterly Project Progress Reports

Approval Quarterly Mitigation Monitoring Outreach Reports

EENR Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Claremont		✓	✓	✓	✓		✓	✓	✓	✓	✓	
Covina			✓	✓	✓		✓	✓		✓	✓	
Duarte		✓	✓	✓	✓				✓			
El Monte							✓	✓	✓	✓	✓	
Pasadena									✓	✓	✓	
Pomona							✓	✓	✓	✓	✓	
Rosemead		✓	✓	✓	✓		✓	✓	✓	✓	✓	
San Dimas		✓	✓	✓	✓		✓	✓	✓	✓	✓	
San Gabriel			✓				✓	✓	✓	✓	✓	
Sierra Madre		✓	✓	✓	✓		✓	✓	✓	✓	✓	
Temple City (Ex-officio)		✓					✓		✓	✓		
West Covina		✓	✓		✓		✓	✓	✓	✓	✓	

Agenda Topics

July (Dark)

August

- SGVCOG Zero Waste Policy
- COVID-19 Updates and Flu Season Preparation

September

- Existing Zero Waste Policies, Regulations, and Examples
- Southern California Regional Energy Network (SoCalREN) Program Updates

October

- Los Angeles County Civil Grand Jury Report on Food Waste Reduction
- Proposition 68 Call-for-Projects
- Regional Recycled Water Program

November

- 2021 EENR Legislative Priorities
- Food Waste Recycling Program
- San Gabriel Mountains Transit and Infrastructure Program
- Southern California Regional Climate Adaptation Framework

December (Dark)

January

- Revised SGVCOG Energy, Open Space Preservation, and Solid Waste Policies
- 2021 San Gabriel Valley Energy Champion Awards
- COVID-19 Vaccine Distribution Plan

February

- Clean Power Alliance Overview
- Los Angeles River Master Plan
- Los Angeles County Solid Waste Legislative Updates

March

- Protecting America's Wilderness and Public Lands Act
- Nature for All 2020 Impact Report
- AQMD Warehouse Indirect Source Rule (Proposed Rule 2305)
- AB 33 (Ting)

April

- Legislative Updates: AB 33 (Ting)
- SB 343 (Allen)
- SB 619 (Laird)
- SoCalGas Hydrogen Presentation
- Southern California Regional Energy Network Multifamily Program

May

- 2021 San Gabriel Valley Energy Champion Awards Progress Updates
- AB 1201 (Ting)
- SB 289 (Newman)
- Revised Regional Park and Open Space District Reimbursement Guidelines
- Reopening Procedures and Recommendations from the Los Angeles County Department of Public Health

Water Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Claremont	✓		✓	✓	✓		✓	✓	✓	✓	✓	
Glendora	✓		✓	✓	✓		✓	✓	✓	✓	✓	
Monrovia	✓		✓	✓	✓		✓	✓	✓	✓	✓	
Rosemead	✓		✓	✓			✓	✓	✓	✓	✓	
Sierra Madre								✓				
South Pasadena	✓		✓	✓	✓		✓	✓	✓	✓	✓	
LAC #1												

Agenda Topics

July (Joint Meeting with Water TAC)

H.R. 2 Invest in America Act
 SoCalREN Public Agency Programs
 S.B. 205 (Hertzberg) implementation
 MS4 Permit Regional Coordination

August (Dark)

September (Joint Meeting with Water TAC)

Water Policy Committee elections
 Upper Los Angeles River and Rio Hondo Watershed Area Fire Effects Study
 2020 Municipal Separate Storm Sewer System (MS4) Draft Permit

October (Joint Meeting with Water TAC)

Water TAC elections
 2020 Municipal Separate Storm Sewer System (MS4) Draft Permit
 State Water Resources Control Board Draft Order on Approval of WMPs and an EWMP

November (Joint Meeting with Water TAC)

San Gabriel Valley Greenway Network Strategic Implementation Plan
 Metropolitan Water District Regional Recycled Water Program
 Tentative 2020 Municipal Separate Storm Sewer System (MS4) Permit
 2021 Legislative Priorities

December (Dark)

January (Joint Meeting with Water TAC)

Metropolitan Water District Stormwater Pilot Programs Presentation
 State Water Resources Control Board Second Proposed Order on Approval of Watershed Management Programs
 Safe Clean Water Program Updates
 Legislative Updates - WRDA 2020 Update

February (Joint Meeting with Water TAC)

CASQA Presentation on DTSC Granted Petition on Zinc Tire Content Regulation
 Main San Gabriel Basin Watermaster Presentation on PFAS Updates
 Safe Clean Water Program Updates
 Legislative Updates - AB 377 Update
 Litigation Updates - Duarte/Garden v. State Water Board and Dep of Finance v. Commission of State Mandates

March (Joint Meeting with Water TAC)

Presentation on Appellate Court Decision in Department of Finance v. Commission of State Mandates
 AB 377 (Rivas)
 Financial Capability Assessment (FCA) State Legislation

April (Joint Meeting with Water TAC)

Presentation on Draft Statewide Sanitary Sewer Systems Order Reissuance
 AB 818 (Bloom)
 SB 230 (Portantino)

May (Joint Meeting with Water TAC)

Presentation on Maximizing Impact of Minimum Controls Scientific Study
 Safe Clean Water Program updates
 State Budget and Legislative Updates

Transportation Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra									✓	✓	✓	
Claremont		✓	✓	✓	✓		✓	✓	✓	✓	✓	
Diamond Bar		✓	✓	✓	✓		✓	✓	✓		✓	
Duarte		✓	✓	✓	✓							
Glendora		✓	✓	✓	✓		✓	✓	✓	✓	✓	
Industry		✓	✓	✓	✓		✓	✓	✓	✓	✓	
La Cañada Flintridge		✓	✓	✓	✓		✓	✓	✓	✓	✓	
L.A. County District 1		✓	✓	✓	✓		✓	✓	✓		✓	
L.A. County District 4									✓	✓	✓	
L.A. County District 5		✓	✓	✓	✓		✓	✓	✓			
Monterey Park		✓	✓	✓	✓		✓	✓	✓	✓	✓	
Pasadena									✓	✓	✓	
Pomona				✓	✓		✓		✓	✓	✓	
San Gabriel		✓	✓	✓	✓		✓		✓	✓	✓	
South El Monte			✓	✓	✓		✓	✓	✓	✓	✓	
South Pasadena		✓	✓	✓	✓		✓		✓			
Temple City		✓		✓	✓		✓			✓	✓	
Walnut		✓	✓	✓	✓			✓	✓	✓	✓	

Agenda Topics

July (Dark)

August

- SR-710 North Corridor Mobility Improvements
- Appointment of SGVCOG Representatives to the LAX Community Noise Roundtable
- Recommendation for Governing Board to Advance/Loan MSP Funds

September

- FY 2021 Metro Budget Presentation

October

- Elections of FY 2020-2021 Transportation Committee Chair and Vice Chair
- Metro Fareless System Initiative
- Metro Traffic Reduction Study
- Gold Line (L Line) Extension Construction Updates

November

- San Gabriel Valley Transit Feasibility Study
- Foothill Transit Overview
- Metro North Hollywood-Pasadena Bus Rapid Transit (BRT) Project
- Metro Measure R Highway Program Criteria and Measure M Guidelines

December (Dark)

January

- Metro Subregional Equity Program Guidelines
- 2021 Transportation Legislative Priorities
- San Gabriel Valley Greenway Network Development Project
- San Gabriel Mountains Transit and Infrastructure Program

February

- Regional VMT Mitigation Fee Structure
- Appointment of SGVCOG Representatives to the LAX Community Noise Roundtable
- San Gabriel Valley Metro Service Council Updates

March

- Metro Measure M Multi-Year Subregional Program Project Updates
- Foothill Gold Line Extension Construction Updates
- Metro ExpressLanes Project Updates

April

- Metro Fareless System Initiative
- Metro I-10 ExpressLanes Overview
- Metro FY 2022 Budget Updates

May

- Arrow Highway Multimodal Regional Corridor Plan
- California Department of Transportation District 7 Active Transportation Plan
- Metro FY 2022 Budget

	2020							2021							
	Jul	Aug	Sep 8	Sep 30	Oct	Nov	Dec	Jan	Jan TAC	Feb	Mar	Apr	Apr TAC	May	Jun
Alhambra	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	
Arcadia															
Bradbury	✓			✓	✓	✓				✓		✓	✓		
Covina	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	
Duarte	✓		✓	✓	✓	✓		✓	✓	✓					
Glendora				✓				✓	✓		✓		✓		
Monrovia	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	
Pomona	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	
Sierra Madre	✓			✓	✓	✓		✓	✓	✓	✓	✓	✓		
South Pasadena						✓				✓			✓	✓	
LA County DPW	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	
San Gabriel Valley Municipal Water District	✓					✓		✓		✓		✓		✓	
Upper San Gabriel Valley Municipal Water District	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	
<i>Ex-Officio</i>															
LA County Sanitation Districts	✓		✓	✓	✓			✓	✓	✓	✓	✓	✓		
Main San Gabriel Basin Watermaster	✓		✓		✓	✓		✓		✓		✓		✓	

Agenda Topics

July (Joint Meeting with Water Committee)

- H.R. 2 Invest in America Act
- SoCalREN Public Agency Programs
- S.B. 205 (Hertzberg) implementation
- MS4 Permit Regional Coordination

August (Dark)

September (Joint Meeting with Water Committee)

- Upper Los Angeles River and Rio Hondo Watershed Area Fire Effects Study
- 2020 Municipal Separate Storm Sewer System (MS4) Draft Permit

September (Special Meeting)

- 2020 Municipal Separate Storm Sewer System (MS4) Draft Permit
- Second Proposed State Board Order on WMPs and EWMPs

October (Joint Meeting with Water Committee)

- Water TAC elections
- 2020 Municipal Separate Storm Sewer System (MS4) Draft Permit
- State Water Resources Control Board Draft Order on Approval of WMPs and an EWMP

November (Joint Meeting with Water Committee)

- San Gabriel Valley Greenway Network Strategic Implementation Plan
- Metropolitan Water District Regional Recycled Water Program
- Tentative 2020 Municipal Separate Storm Sewer System (MS4) Permit
- 2021 Legislative Priorities

December (Dark)

January (Joint Meeting with Water Committee)

- Metropolitan Water District Stormwater Pilot Programs Presentation
- State Water Resources Control Board Second Proposed Order on Approval of Watershed Management Programs
- Safe Clean Water Program Updates
- Legislative Updates - WRDA 2020 Update

January (Special Meeting of the TAC)

- Safe Clean Water Program Interim Program Guidelines

February (Joint Meeting with Water Committee)

- CASQA Presentation on DTSC Granted Petition on Zinc Tire Content Regulation
- Main San Gabriel Basin Watermaster Presentation on PFAS Updates
- Safe Clean Water Program Updates
- Legislative Updates - AB 377
- Litigation Updates - Duarte/Gardena v. State Water Board and Dep of Finance v. Commission of State Mandates

March (Joint Meeting with Water Committee)

- Presentation on Appellate Court Decision in Department of Finance v. Commission of State Mandates
- AB 377 (Rivas)
- Financial Capability Assessment (FCA) State Legislation

April (Joint Meeting with Water Committee)

- Presentation on Draft Statewide Sanitary Sewer Systems Order Reissuance
- AB 818 (Bloom)
- SB 230 (Portantino)

April (Special Meeting of the TAC)

- Presentation on Maximizing Impact of Minimum Controls Scientific Study

May (Joint Meeting with Water Committee)

- Presentation on Maximizing Impact of Minimum Controls Scientific Study
- Safe Clean Water Program updates
- State Budget and Legislative Updates

City Managers' Steering Com.

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Arcadia	✓			✓		✓		✓		✓	✓	✓
Alhambra				✓				✓		✓	✓	✓
Azusa	✓			✓		✓		✓		✓	✓	
Baldwin Park	✓			✓		✓		✓		✓	✓	✓
Bradbury				✓		✓		✓		✓	✓	
Diamond Bar	✓			✓		✓		✓		✓	✓	✓
El Monte												
Glendora	✓			✓		✓		✓			✓	✓
La Canada Flintridge				✓		✓		✓		✓		✓
La Verne	✓			✓		✓		✓		✓	✓	✓
Montebello						✓		✓			✓	
Monterey Park	✓					✓					✓	✓
Rosemead						✓		✓		✓	✓	✓
San Marino	✓			✓		✓		✓			✓	✓
Temple City	✓			✓		✓		✓		✓	✓	✓

Agenda Topics

July

FY 20-21 Subregional Representatives to City Managers' Steering Committee

August (Dark)

September (Dark)

October

Update on SGVCOG Projects

Foothill Transit Update

November (Dark)

December

LAHSA Whitepaper

SGV Service Delivery Results

January (Dark)

February

SGV Regional Homeless, Mental Health, and Crisis Response Study

SGVCOG Housing & Homelessness Programs Update

March (Dark)

April

SGVCOG Neighborhood Coyote Program 2020 Recap

County Services Coordination

SGVCOG JOC Pilot Program

State and Federal Redistricting Coordination

May

SCAG Broadband Coordination Update

LA County Survey Coordination Update

June

FY 21-22 Subregional Representatives to City Managers' Steering Committee

Homelessness Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Arcadia		✓	✓	✓	✓	✓	✓	✓		✓	✓	
Baldwin Park		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Claremont		✓	✓	✓	✓	✓	✓	✓		✓	✓	
Duarte			✓			✓	✓	✓	✓		✓	
Glendora		✓	✓	✓	✓	✓		✓	✓	✓	✓	
Irwindale		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Monrovia		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Pasadena										✓	✓	
Pomona		✓	✓	✓	✓		✓	✓	✓	✓	✓	
Rosemead		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
West Covina												
LA County Dist 1		✓				✓	✓					

Agenda Topics

July (Dark)

August

2020 Greater Los Angeles PIT Homeless Count
 SGVCOG Regional Coordination Program
 Measure H FY20-21 Funding Recommendations
 LAHSA COVID-19 Recovery and Funding Plans

September

CAHOOTS (Crisis Assistance Helping Out On The Streets) Program
 DHS Housing for Health Program
 Project Roomkey
 Committee election postponement to May

October

SB 1212
 Pallet Shelter
 Ventura Riverbed

November

Surplus Properties
 DMH Services
 Legislative Priorities

December

Arcadia Resource Hub
 LAHSA Reform White Paper

January

Project Homekey
 Pasadena ADU and Shared Housing Programs

February

El Monte Project Homekey
 Affordable Living for the Aging
 Fighting Homelessness Through Housing and Services Act

March

Redondo Beach Tiny Home Program
 SB 15

April

City of Industry Behavioral Health Urgent Care Center
 Increasing Behavioral Health Treatment Act
 SGVCOG Homelessness Programs Funding Reallocation
 AB 1340 (Santiago) Mental Health Services

May

Introduction to New HI Director
 Updates on Project Roomkey and Project Homekey
 FY 21-22 Measure H Funding Recommendations
 State/Federal Budget and Legislative Updates

Planners TAC Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Alhambra			✓	✓		✓	✓		✓	✓	✓	
Arcadia	✓		✓	✓			✓		✓		✓	
Azusa	✓			✓		✓	✓	✓		✓		
Baldwin Park	✓		✓	✓		✓	✓	✓	✓	✓	✓	
Claremont	✓		✓	✓		✓	✓	✓	✓	✓	✓	
Covina			✓	✓			✓	✓	✓	✓	✓	
Diamond Bar			✓	✓		✓	✓				✓	
Duarte	✓		✓	✓		✓	✓	✓	✓	✓	✓	
El Monte			✓	✓			✓	✓	✓	✓	✓	
Glendora	✓		✓	✓		✓	✓		✓	✓	✓	
Irwindale	✓		✓	✓		✓	✓	✓	✓		✓	
La Verne	✓			✓		✓	✓	✓	✓	✓	✓	
Monrovia	✓		✓	✓		✓	✓	✓	✓	✓	✓	
Montebello	✓											✓
Monterey Park												✓
Pasadena								✓	✓	✓	✓	✓
Pomona				✓		✓	✓	✓	✓	✓	✓	
Rosemead	✓		✓	✓		✓	✓	✓	✓	✓	✓	
San Dimas	✓		✓	✓		✓	✓	✓	✓	✓		
San Gabriel	✓		✓	✓		✓	✓	✓	✓	✓	✓	
Sierra Madre	✓		✓	✓		✓	✓	✓	✓	✓	✓	
South El Monte	✓		✓	✓		✓	✓	✓		✓	✓	
South Pasadena	✓			✓		✓		✓	✓	✓	✓	
Temple City	✓		✓			✓	✓		✓	✓	✓	
West Covina												
L.A. County DRP	✓		✓	✓		✓	✓	✓		✓	✓	

Agenda Topics

July

- Regional Early Action Program (REAP) Projects Discussion
- 2020 San Gabriel Valley Energy Champion Awards
- Los Angeles County Department of Regional Planning FY 2020-2021 Priorities

August (Dark)

September

- San Gabriel Valley Regional Housing Trust Programs
- Housing Element Update Discussion

October

- Metro Traffic Reduction Study
- Telematics in Auto Insurance Ratings

November (Dark)

December

- HCD Housing Planning Technical Assistance Program
- Regional VMT Mitigation Bank
- Metro Open Streets Grant Program Updates

January

- Regional VMT Mitigation Bank/Fee Structure
- Los Angeles County Interim and Supportive Housing Ordinance
- Discussion of SCE Process for Service to Provide Power

February

- Metro MAT Program Cycle 1 Award Recommendation Updates
- 2021 San Gabriel Valley Energy Champion Awards Structure
- Recommendation of Committee Representatives on the Regional VMT Mitigation Fee Structure Technical Evaluation Committee
- Legislative Updates: AB 115 (Bloom) and SB 6 (Caballero)

March

- Arrow Highway Multimodal Regional Corridor Plan
- Metro Measure M Multi-Year Subregional Program (MSP) Cycle 1 Project Updates
- Legislative Updates: SB 9 (Akins, Caballero, Rubio, and Wiener), SB 15 (Portantino), and SB 765 (Stern)
- SB 478 (Wiener)
- 2020-2021 SCAG Sustainable Communities Program Smart Cities & Mobility Innovations Application

April

- Legislative Updates: AB 1401 (Friedman) and SB 478 (Wiener)
- Southern California Regional Energy Network Multifamily Program
- SCAG Housing Element Parcel (HELPR) Tool

May

- AB 787 (Gabriel)
- Affordable Housing Collaborations with Churches and Religious Institutions
- Caltrans District 7 Active Transportation Plan

Public Works TAC Attendance

	2020						2021					
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Arcadia							✓	✓	✓	✓	✓	
Azusa	✓		✓		✓		✓	✓	✓	✓	✓	
Baldwin Park	✓		✓		✓		✓		✓	✓	✓	
Claremont												
Diamond Bar	✓		✓	✓	✓		✓	✓	✓	✓	✓	
El Monte	✓		✓	✓	✓		✓	✓	✓	✓	✓	
Glendora	✓		✓	✓			✓	✓	✓			
Industry	✓		✓	✓	✓		✓	✓	✓	✓		
Irwindale	✓		✓	✓	✓		✓	✓	✓	✓	✓	
La Verne	✓		✓	✓	✓		✓	✓	✓		✓	
Monrovia				✓				✓		✓	✓	
Monterey Park	✓			✓	✓		✓	✓	✓	✓	✓	
Pasadena									✓	✓		
Pomona			✓	✓	✓		✓	✓	✓	✓	✓	
Rosemead	✓		✓	✓	✓		✓	✓	✓	✓	✓	
San Dimas	✓				✓			✓	✓			
San Gabriel												
San Marino	✓			✓	✓		✓		✓	✓		
South El Monte			✓	✓				✓		✓	✓	
South Pasadena					✓				✓		✓	
Temple City	✓		✓	✓			✓	✓	✓	✓	✓	
Walnut	✓		✓	✓	✓			✓	✓	✓	✓	✓
West Covina												
L.A. County DPW	✓		✓	✓	✓		✓	✓	✓	✓	✓	

Agenda Topics

July

- GoSGV Bikeshare Program Launch
- Recommendation for Governing Board to Advance/Loan MSP Funds
- 2020 San Gabriel Valley Energy Champion Awards Progress Report

August (Dark)

September

- Safe Clean Water Program Overview and Progress
- Caltrans District 7 City Ambassador Program

October

- SGVCOG RFP/RFQ Updates
- Metro Traffic Reduction Study
- Franchised Utilities: Elements of a Strong Partnership

November

- San Gabriel Valley Greenway Network Development Project
- Regional VMT Mitigation Bank
- Metro Measure R Highway Program Criteria and Measure M Guidelines

December (Dark)

January

- Caltrans District 7 Quarterly Updates
- San Gabriel Valley Regional VMT Mitigation Fee Structure Updates
- Telematics in Auto Insurance Ratings
- Traffic Signal Synchronization Program

February

- 2021 San Gabriel Valley Energy Champion Awards
- Solid Waste Legislative Review and Updates
- Municipal Best Practice Sharing on COVID-19 Recovery Efforts

March

- Metro Measure M Multi-Year Subregional Program Cycle 1 Project Updates
- Los Angeles County Department of Public Works Job Order Contracting
- 2020-2021 SCAG Sustainable Communities Program
- Recommendation of Committee Representatives on the Regional VMT Mitigation Fee Structure Technical Evaluation Committee

April

- Caltrans District 7 Quarterly Updates
- Rule 20A Undergrounding Utility Infrastructure
- SB 1 Local Streets and Roads Maintenance of Effort Requirement

May

- SB 1 Local Streets and Roads Maintenance of Effort Requirement
- SCAG Broadband Efforts
- Draft Statewide Sanitary Sewer Systems Order Reissuance

REPORT

DATE: June 17, 2021

TO: Governing Board
Executive Committee

FROM: Marisa Creter, Executive Director

RE: **3RD QUARTER FINANCIAL REPORT / TREASURER'S REPORT**

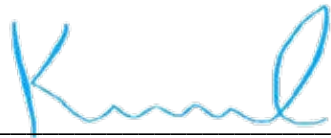
RECCOMENDED ACTION

Receive and file.

BACKGROUND

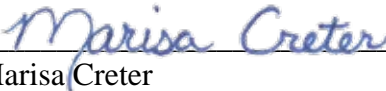
The full 3rd Quarter Financial Reports for the SGVCOG and the ACE Project are included as attachments to the Treasurer's report. The Treasurer's report was prepared by the SGVCOG's Treasurer Renee Graves from CliftonLarsonAllen LLP.

Prepared by: _____



Katie Ward
Senior Management Analyst

Approved by: _____



Marisa Creter
Executive Director

ATTACHMENT

Attachment A – 3rd Quarter Financial Report/Treasurer's Report

**San Gabriel Valley Council
of Governments
and
Alameda Corridor – East
Construction Authority**

Quarterly Report Ended March 31, 2021

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I. Executive Summary

Background and Objective

CliftonLarsonAllen LLP (CLA) was retained by the San Gabriel Valley Council of Governments (SGVCOG) to perform consulting services related to the San Gabriel Valley Council of Governments (COG) and the Alameda Corridor-East Construction Authority (ACE). The objective is for CLA to read and assess SGVCOG's quarterly reports, perform selective ratio analysis, and report to the Executive Committee accordingly. Throughout the consulting engagement, CLA maintained contact with Marisa Creter, Executive Director/ Chief Executive Officer and Rey Alimoren CPA, Director of Finance.

Professional Standards

CLA performed this engagement in accordance with the American Institute of Certified Public Accountants (AICPA) Statements on Standards for Consulting Services. In consulting engagements, the nature and scope of work is determined solely by the agreement between the practitioner (CLA) and the client. The analysis and report does not constitute an audit, compilation, review, agreed-upon procedures or examination in accordance with Standards of the AICPA, the objective of which would be the expression of an opinion on any specified elements, accounts, or items. Accordingly, CLA does not express any such assurance.

Scope of Engagement

General

CLA reviewed the bank reconciliations, trial balance, and quarterly reports regarding financial position for the quarter ended March 31, 2021. CLA created or obtained various electronic files in order to prepare this report to the Executive Committee; the electronic files are available upon request.

Dollar values included in this report have been rounded; therefore, the numbers included here may differ slightly when comparing the values included in this report to the underlying detail.

Results of Procedures Performed

This section summarizes our findings from the analyses and procedures performed. The applicable sections of the report include a more detailed discussion of each area, specific observations, and recommendations, if applicable.

ACE Investments and Cash Balances, including LAIF

CLA was provided with a Fixed Income Investments Portfolio Summary report dated March 31, 2021. The report included the current book value and market values for ACE's: Government Securities, Certificates of Deposit, Corporate Bonds, Government Mortgages, Municipals, and Cash and Cash Equivalents. The trial balance amount was \$24,920,500 at March 31, 2021.

The portfolio's total market value of \$24,920,500 includes an unrealized loss of \$134,879. The book value (cost) balance reported by Citizens Trust is \$25,055,379 for the period ending March 31, 2021. The amount on the *Asset Allocation* report is \$25,055,379. The book value and market value of the Local Agency Investment Fund (LAIF) was substantiated through review of the LAIF balance confirmation as of March 2021. The amounts reported as current book value and market value on the March 31, 2021 Fixed Income Investments Portfolio report were reconciled

ACE's bank account reconciliations and coordinating bank statements were reviewed and corroborated with the trial balance for the quarter ended March 31, 2021.

ACE 3rd Quarter 2021 Report

Expenditures vs. Reimbursements (Exhibit V): Approximately 98% of ACE's Income-to-Date (ITD) Expenditures have been reimbursed; this is consistent with the 98% reimbursement rate at the prior quarter ended December 31, 2020.

Receivables total \$25,090,554 of which \$20,609,322 or 82%, was to be billed after the March 31 balance sheet date. Ratio analysis showed expenditures and reimbursements to be consistent with the prior quarter ended December 2020. Cash increased by 83.4%; the increase can be attributed to the total decrease in investments and receivables from the prior quarter.

Other receivables, surplus property and deferred costs remained relatively flat; the 2021 Q3 balance is \$15.631m while the 2021 Q2 balance was \$15.880m.

Treasury/Banking Investments (Exhibit VII): Report amounts were agreed to the trial balance. Below is a summary of changes between the 2021 Q3 balance and the 2021 Q2 balance.

	Q3 3.31.2021	Q2 12.31.2020	% Inc/ (Dec)
Cash	\$32,387,312	\$17,663,111	83.4%
Investments	\$27,982,779	\$37,295,425	-25.0%
Receivables	\$25,090,554	\$31,214,604	-19.6%
Other Receivables, Surplus Property and Deferred Costs	\$15,630,617	\$15,879,760	-1.6%
Liabilities	\$87,834,399	\$88,728,672	-1.0%
Fund Balance before PERS Liability	\$13,256,863	\$13,324,228	-0.5%

COG Cash Balances, including LAIF

CLA was provided a Comparative Summary Balance Sheet for 2021 Q3 and 2021 Q2. Cash balances and Local Agency Investment Fund (LAIF) were verified with the Citizens Business Bank account statements for the period ended March 31, 2021 and the LAIF statement as of March 2021.

Overall, COG's cash and cash equivalents increased 33.8% since prior quarter (2021 Q2) from \$6,981,047 to \$9,338,446 for the period ended March 31, 2021; the increase can be attributed to the decrease in accounts receivables from the prior quarter.

During 2020 Q2, \$5,625,000 was received for the Housing/Homeless project resulting in the initial increase in cash and liabilities (unearned revenue) from historical balances.

	Q3 3.31.2021	Q2 12.31.2020	% Inc/ (Dec)
Cash	\$9,338,446	\$6,981,047	33.8%
Receivables	\$744,151	\$2,247,962	-66.9%
Prepays and Deferrals	\$175,338	\$160,910	9.0%
Liabilities	\$7,987,174	\$7,846,699	1.8%
Net Position, End of Period	\$2,269,497	\$1,543,220	47.1%

COG's bank account reconciliations and coordinating bank statements were reviewed and corroborated with the trial balance for the quarter ended March 31, 2021.

COG 3rd Quarter 2021 Report

All balances on the Comparative Summary Balance Sheet as of March 31, 2021 were verified against the period trial balance as of March 31, 2021. The Grants Receivable Aging Detail report as of March 2021 was also verified to the trial balance.

Risks and Uncertainties

The Coronavirus Disease (COVID-19) has significantly impacted global markets, supply chains, businesses, and communities. Management has and continues to take appropriate actions to mitigate any negative effects. However, the full impact on the organization from COVID-19 is unknown.

Conclusion

As discussed herein, no instances that would cause concern that the quarterly reports prepared by ACE and COG are inaccurate or inadequate to meet the governance needs of the Executive Committee and the Board of Directors were noted, specifically related to the sections of the Joint Powers Agreement effective March 12, 2007 included herein.

- Section 4. Purpose and Powers of the Council. The Council shall have, and may exercise the powers to:
 - Subsection b(4) utilize member resources or presently existing single purpose public and public/private groups to carry out its programs and projects;
 - Subsection b(8) serve as a mechanism for obtaining state, federal and regional grants to assist in financing the expenditures of the Council;
 - Subsection b(9) make and enter into contracts, including contracts for the services of engineers, consultants, planners, attorneys and single purpose public/private groups;
 - Subsection b(11) apply for, receive and administer a grant or grants under any federal, state, or regional programs;
 - Subsection b(12) receive gifts, contributions and donations of property, funds, services and other forms of financial assistance from persons, firms, corporations and any governmental entity;
- Section 6. Use of Public Funds and Property. The Council shall be empowered to utilize for its purposes, public and/or private funds, property and other resources received from the Members and/or from other sources.
- Section 17. Control and Investment of Council Funds. The Governing Board shall adopt a policy for the control and investment of its funds and shall require strict compliance with such policy. The policy shall comply, in all respects, with all provisions of applicable law.



Renee S. Graves, CPA, CGFM
Principal
CliftonLarsonAllen LLP

II. Background and Scope of Engagement

A. Engagement Background and Objectives

CliftonLarsonAllen LLP (CLA), was retained by the San Gabriel Valley Council of Governments. Throughout the engagement, CLA maintained regular contact with the Marisa Creter, Executive Director/ Chief Executive Officer and Rey Alimoren CPA, Director of Finance.

B. Professional Standards

CLA performed this engagement in accordance with the American Institute of Certified Public Accountants (AICPA) Statements on Standards for Consulting Services. In consulting engagements, the nature and scope of work is determined solely by the agreement between the practitioner (CLA) and the client. The analysis and report does not constitute an audit, compilation, review, agreed-upon procedures or examination in accordance with Standards of the AICPA, the objective of which would be the expression of an opinion on any specified elements, accounts, or items. Accordingly, CLA does not express any assurance.

C. Scope of Engagement

Attachment A to our agreement includes possible consulting procedures to be performed on a monthly basis. Correspondence between Renee Graves of CLA and SGVCOG's Marisa Creter, Executive Director/ Chief Executive Officer and Rey Alimoren CPA, Director of Finance, occurred to clarify the scope of the engagement for the quarter ending March 31, 2021. The following areas were agreed to regarding 3rd Quarter 2021 Reports prepared as of March 31, 2021.

ACE

1. Investments and Cash Balances, including LAIF and CEPPT
2. Review the 3rd Quarter 2021 Report as of March 31, 2021
2. Information reported in the Quarterly Report reconciles to the general ledger

COG

1. Cash Balances, including LAIF and CEPPT
2. Review the 3rd Quarter 2021 Report as of March 31, 2021
3. Information reported in the Quarterly Report reconciles to the general ledger

D. General Disclosures

CLA created or obtained various electronic files in order to prepare this report to the Executive Committee; the electronic files are available upon request.

Dollar values included in this report have been rounded; therefore, the numbers included here may differ slightly when comparing the values included in this report to the underlying detail.

E. Background Information

San Gabriel Valley Council of Governments (COG)

The San Gabriel Valley Council of Governments (SGVCOG) is a regional government planning agency that aims to maximize the quality of life in the San Gabriel Valley. SGVCOG is a joint powers authority that consists of 31 incorporated cities, unincorporated communities in Los Angeles County Supervisorial Districts 1, 4, and 5, and three San Gabriel Valley Municipal Water Districts (San Gabriel Valley Municipal Water District, Three Valleys Municipal Water District, and Upper San Gabriel Valley Municipal Water District).

The SGVCOG is the largest and most diverse sub-regional council of governments in Los Angeles County. It encompasses more than 374 square miles and has more than 2 million residents.

While each community has a unique character and history, they also have many shared issues and have developed a unified voice to maximize resources, achieve sustainable solutions, and advocate for regional and member interests to improve the quality of life in the San Gabriel Valley.

Alameda Corridor-East Construction Authority (ACE)

The Alameda Corridor-East (ACE) Construction Authority was established in 1998 by the San Gabriel Valley Council of Governments (SGVCOG) as a single-purpose construction authority to implement a construction program intended to mitigate the vehicle delays and collisions at rail-roadway crossings resulting from growing freight rail traffic in the San Gabriel Valley. The ACE Trade Corridor rail mainlines through Southern California carry 16 percent of all oceangoing containers in the United States and have been designated by Congress as a Project of National and Regional Significance. With trade volumes through the Ports of Los Angeles and Long Beach projected to grow, train counts through the Valley are expected to increase by 150% by 2042, resulting in additional adverse crossing impacts. In 2017, the SGVCOG was restructured and established the SGVCOG Capital Projects and Construction

Committee, as a successor to the ACE Construction Authority with full responsibility for implementing the ACE Project.

The ACE Project is a comprehensive program of constructing grade separations, where the road goes over or under the railroad, at 19 crossings (resulting in the elimination of 23 at-grade crossings) and safety and mobility upgrades at 53 crossings. Construction has been completed on fourteen rail-roadway grade separations. Three grade separations are under construction with another two grade separations and eight crossing safety projects in the design phase. Jump Start safety improvements have been completed at 40 at-grade crossings.

F. Acronyms Used

ACE - Alameda Corridor-East Construction Authority
CalPERS – California Public Employee’s Retirement System
CEPPT – California Employers’ Pension Prefunding Trust Fund
CM – Construction Management
COG – San Gabriel Valley Council of Governments
GASB – Governmental Accounting Standards Board
LAIF – Local Agency Investment Fund
MTA – Metropolitan Transit Authority
PERS – Public Employee’s Retirement System
RHT – Regional Homeless Initiative
ROW – Right of Way

III. Review of identified areas for ACE

A. Investments and Cash Balances, including LAIF and CEPPT

The March 31, 2021 Fixed Income Investments Portfolio report was verified with the Citizens Trust statement for the period of March 1, 2021 through March 31, 2021 and the LAIF statements as of March 31, 2021. The amounts reported as the market value and the current book value on the March 31, 2021 Fixed Income Investments Portfolio report were reconciled. The allocation of investments within the pool by the type of investment is consistent with the current Investment Policy.

Due to the daily volatility of investments, the balance is reported on a cost basis during the fiscal year and adjusted to fair value during the year end closing process. The applicable balances for the quarter ending March 31, 2021 are:

- Trial balance amount of \$24,920,500 is offset by a “change in market value” balance of \$134,879 for a reported balance of \$25,055,379.
- Cost basis and market value per Citizens Trust Investment Statement is \$25,055,379 and \$24,920,500, respectively. An unrealized loss of \$134,879 is not reflected in the 2021 Q3 reports.
- Exhibit VII Treasury/ Banking Investments Report amount of \$25,055,379.

In October 2020, \$1,227,257 was deposited in an irrevocable trust with CalPERS. The California Employers’ Pension Prefunding Trust (CEPPT) Fund is dedicated to prefunding employer contributions to defined benefit pension systems for eligible California public agencies. ACE’s balance at March 31, 2021 is calculated at \$1,254,173 based on 96.61% of the statement balance of \$1,298,194.

B. Quarterly Report Provided by ACE

Exhibit V ACE Expenditures vs. Reimbursements and Exhibit VII Treasury/ Banking Investments reports as of March 31, 2021 were obtained and verified against the preliminary trial balance as of March 31, 2021.

Exhibit V ACE Expenditures vs. Reimbursements Report

Amounts shown under the reimbursement status for the categories of 1) *Current/ 30 days or less* of \$1.184m; 2) *Aged Receivable* with no balance; 3) *To be billed* of \$20.609m; and 4) *MTA/Caltrans retention* of \$3.297m were verified against the accounts listed on the trial balance. The *Current/ 30 days or less* and *MTA/Caltrans retention* balances are each in separate general ledger accounts. The *To be billed* amount is the aggregate balance of approximately 35 accounts for each individual project by various phases (CM, ROW, Design, Construction, Construction Management and Betterment). These amounts were verified with the accounts listed on the trial balance.

Exhibit VII Treasury/ Banking Investments Report

A. Other Receivables, Unsold Surplus Property and Deferred Costs

Each of the accounts listed on Exhibit VII were verified with the trial balance. Exhibit VII presents *other receivables, unsold surplus property and deferred costs* at the gross aggregate amount of \$15.631m from approximately 10 separate accounts, the most significant accounts being Surplus Property of \$11.1m. The applicable balances for the quarter ending March 31, 2021 are as shown herein.

	March 31, 2021
Other receivables	\$ (6,539)
Notes receivable	150,000
Prepaid expenses	167,433
Intercompany receivable	773,729
Surplus property	11,107,237
Deferred costs - indirect	3,573,636
Unrealized change in investments	(134,879)
	<u>\$ 15,630,617</u>

B. Intercompany Receivables and Payables

Certain expenditures are paid by one entity on behalf of the other. These items are tracked so that the interfund activity will eventually be eliminated and each entity will be made whole. Intercompany accounts are reconciled. However, there are occasions when the intercompany activity does not tie between the entities due to timing differences; these occurrences have been infrequent and for an insignificant amount.

At March 31, 2021, ACE's intercompany balances are:

- Receivable from COG of \$773,729 included in other receivables, unsold surplus property and deferred costs balance of \$16.631m
- Payable to COG of \$423,481 included in payables and other accruals balance of \$1.730m

C. CalPERS Hypothetical Termination Liability

The PERS unfunded termination liability of \$5.867m was obtained from the CalPERS Actuarial Valuation Report as of June 30, 2018, issued July 2019. This liability is not reflected on the trial balance, but is shown on Exhibit VII to reflect the payout that could occur should ACE cease to exist. The actuarially determined PERS net pension liability, including the related deferred outflows and deferred inflows would be reported in the annual audited financial statements in accordance with applicable GASB standards.

IV. Review of identified areas for COG

A. Cash Balances, including LAIF and CEPPT

The March 31, 2021 Bank and LAIF balances reported on the Comparative Summary Balance Sheet were verified against each Citizens Business Bank statement and LAIF statement as of March 31, 2021.

In October 2020, \$43,076 was deposited in an irrevocable trust with CalPERS. The California Employers' Pension Prefunding Trust (CEPPT) Fund is dedicated to prefunding employer contributions to defined benefit pension systems for eligible California public agencies. COG's balance at March 31, 2021 is calculated at \$44,021 based on 3.39% of the statement balance of \$1,298,194.

B. Quarterly Report Provided by COG

Comparative Summary Balance Sheet

As of March 31, 2021, the Comparative Summary Balance Sheet report was verified to the trial balance. Individual balances on the trial balance were verified to reconciled bank statements and to the LAIF statement at March 31, 2021. All amounts reported were verified to the trial balance. The allocation of investments within the pool by the type of investment is consistent with the current Investment Policy.

Certain expenditures are paid by one entity on behalf of the other. These items are tracked so that the interfund activity will eventually be eliminated and each entity will be made whole. Intercompany accounts are reconciled. However, there are occasions when the intercompany activity does not tie between the entities due to timing differences; these occurrences have been infrequent and for an insignificant amount.

At March 31, 2021, COG's intercompany balances are:

- Receivable from ACE of \$423,481 included in receivables - other balance of \$425,948
- Payable to ACE of \$773,729 included in accruals, deferrals and other payables balance of \$3.617m

Grants Receivable Aging Summary

The Grants Receivable Aging Summary report was reconciled to the trial balance. As of March 31, the receivable balance was \$308,250. The most significant receivable is \$211,720 for Caltrans BikeShare (aged 91+ days) for December 2020 activity; the

Finance Department reported this amount was collected subsequent to the March 31 quarter end.

Management believes that all amounts are reasonably expected to be collected. The aged receivable balance is as shown herein.

	March 31, 2021		
Aged 30 days	\$	50,319	16.3%
Aged 31-60 days		7,315	2.4%
Aged 61-90 days		12,556	4.1%
Aged 91+ days		238,060	77.2%
	\$	308,250	

The balance of the remaining receivables of \$96,530 as of the date of this report is a decrease compared to the amount of remaining receivables in the 2021 Q2 report of \$467,831.

Credit Card Charges

Purchases for the period of December 2020 to March 2021 totaled \$16,020. Purchases compared to the prior year quarter and prior year-to-date is shown herein.

	Q3	Q3	% Inc/
	3.31.2021	3.31.2020	(Dec)
Total Credit Card Expenditures - Current Quarter	\$16,020	\$22,266	-28.1%
	YTD	YTD	% Inc/
	3.31.2021	3.31.2020	(Dec)
Total Credit Card Expenditures - Year-to-Date	\$49,336	\$50,960	-3.2%

During the quarter, \$150 was expended on meetings and travel, a 97% decrease from last year's Q3 spending of \$5,542. Year-to-date expenses for meetings and travel is \$626, a 96% decrease from last year's YTD spending of \$14,798.

	<u>Q3</u>	<u>YTD</u>	<u>Q3</u>	<u>YTD</u>
	<u>3.31.2021</u>	<u>3.31.2021</u>	<u>3.31.2020</u>	<u>3.31.2020</u>
Bike Share	\$ 261	\$ 261	\$ -	\$ 109
Contract Services		1,375		
Coyote Program	150	507	6,889	7,088
Dues & Subscriptions	-	196	-	16
Energy Wise - Gas Co	199	2,504	583	1,010
Energy Wise - SCE	-	-	-	589
Equipment & Software	1,793	4,388	1,782	1,896
Homelessness Program	-	8,290	-	300
Interco due from ACE	4,653	11,997	4,469	13,408
Meetings/Travel	150	626	4,974	11,678
Meetings/Travel - Board	-	-	568	3,120
Office Supplies	184	463	556	1,273
Open Streets - El Monte & Heart of Fo	-	-	365	4,057
Postage	109	109	110	165
Postage - Board	-	-	30	133
Prepaid expenses	5,731	7,663	-	1,730
Recruitment	-	-	650	650
SGVCOG Board	23	702		
San Gabriel Valley RHT	15	2,470	-	-
Staff Training	-	-	-	49
Utilities	440	2,290	871	2,608
Webpage/ Software Services	2,312	5,495	419	1,081
	<u>\$ 16,020</u>	<u>\$ 49,336</u>	<u>\$ 22,266</u>	<u>\$ 50,960</u>

Purchases by credit card are utilized for efficiencies in procurement of goods and services.

Budget to Actual Comparison Report

Member Dues comprise approximately 89% of budgeted operating revenue for the 2021 fiscal year. As of March 31, 69% of total Member Dues revenue budgeted for the 2021 fiscal year has been recognized. Of the total 2021 fiscal year budget, the COG has actual year-to-date revenues of 42% and actual year-to-date expenses of 31%, ending the quarter with YTD net income of \$804,883.

A comparison of the quarterly budget, fiscal budget and percent of fiscal budget is presented herein.

	Q3 Actual 2020-21 (Operating)	FY 2021 Budget 2020-21	Year-To-Date % of Budget 2020-21	Q3 Actual 2020-21 (RHT)	FY 2021 Budget 2020-21	Year-To-Date % of Budget 2020-21	Actual 2020-21 (Non-Capital Projects)	FY 2021 Budget 2020-21	Year-To-Date % of Budget 2020-21
Membership Dues	\$ 625,355	\$ 907,674	69%	\$ -	\$ -	0%	\$ -	\$ -	0%
Sponsorships	-	-	0%			0%			0%
Hero Program	495	2,000	25%			0%			0%
Transportation Administration (Local)	-	105,509				0%			0%
Investment Income	2,885	1,000	289%			0%			0%
Grants & Special Projects	-	-	0%	109,000	300,000	36%	2,175,147	5,626,555	39%
Total Revenue	\$ 628,735	\$ 1,016,183	62%	\$ 109,000	\$ 300,000	36%	\$ 2,175,147	\$ 5,626,555	39%
Personnel	\$ 235,165	\$ 518,531	45%	\$ -	\$ 25,000	0%	\$ -	\$ 80,000	0%
Committee & Employee Expenses	22,575	68,100	33%		15,000	0%		11,000	0%
Professional Services	80,014	298,121	27%		56,000	0%		20,000	0%
Other Expenses	62,283	91,224	68%	-	12,000	0%	26,692	62,176	43%
Total Indirect Expenses	\$ 400,037	\$ 975,976	41%	\$ -	\$ 108,000	0%	\$ 26,692	\$ 173,176	15%
Personnel	\$ -	\$ -	0%	\$ 81,148	\$ 142,000	57%	\$ 442,116	\$ 674,703	66%
Program Management	-	-	0%	-	50,000	0%	1,158,006	4,778,676	24%
Total Direct Expenses	\$ -	\$ -	0%	81,148	192,000	42%	1,600,122	5,453,379	29%
Total Expenditures	400,037	975,976	41%	81,148	300,000	27%	1,626,814	5,626,555	29%
Net Income (Loss)	\$ 228,698	\$ 40,207	N/A	27,852	-	N/A	548,333	-	N/A

V. List of Exhibits

2021 3rd Quarter Reports as of March 31, 2021

ACE – Exhibit V – Expenditures vs. Reimbursements
ACE – Exhibit VII – Treasury/ Banking Investments
ACE – Exhibit VII – Asset Allocation (pages 1 and 2)
ACE – Exhibit VII – Investments Portfolio Summary

COG – Comparative Summary Balance Sheet
COG – Grants Receivable Aging Summary
COG – CitiCard Charges
COG – Consolidated Budget to Actual

Exhibit V
ACE Expenditures vs. Reimbursements
As of March 31, 2021

Projects	Reimbursement Status (\$ 000)					
	ITD Expenditures	Received	Current / 30 Days or less	Aged Receivable	To Be Billed	MTA Retention
At Grade Crossing	\$ 4,116	\$ 4,101	\$ -	\$ -	\$ 8	\$ 7
Durfee	68,404	64,930	421	-	2,479	574
Fairway Drive	163,652	158,775	401	-	4,200	276
Fairway-Lemon Betterment	21,932	21,647	-	-	21	264
Fullerton	101,470	92,741	362	-	7,650	717
Montebello	32,031	30,614	-	-	1,258	159
Maple Ave.	618	612	-	-	2	4
Montebello At Grade	500	476	-	-	23	1
Nogales (LA)	120,668	117,086	-	-	3,122	460
Puente Ave.	88,421	88,512	-	-	(194)	104
SG Trench	298,837	298,486	-	-	309	42
Temple	94,722	94,503	-	-	-	219
Turnbull Cyn.	12,586	12,002	-	-	160	425
Baldwin	70,365	70,363	-	-	-	2
Brea Canyon	73,459	73,459	-	-	-	-
Crossing Safety / IRRIS	34,343	34,343	-	-	-	-
EE/Reservoir	78,960	78,960	-	-	-	-
Hamilton	1,789	1,789	-	-	-	-
Nogales (AH)	49,797	49,797	-	-	-	-
Ramona	53,091	53,091	-	-	-	-
Sunset	93,794	93,794	-	-	-	-
Sub-total Projects	\$ 1,463,557	\$ 1,440,081	1,184	-	19,038	3,254
Project Administration	9,350	9,331	-	-	18	-
Total ACE	1,472,906	1,449,412	1,184	-	19,056	3,254
Non-Grade Separation						
Rio Hondo	405	405	-	-	-	-
57/60 Project	1,035	537	-	-	462	37
Gold Line Pedestrian	26	15	-	-	10	2
San Gabriel Transit Study	21	-	-	-	21	-
Grand Total	\$ 1,474,393	\$ 1,450,369	\$ 1,184	\$ -	\$ 19,548	\$ 3,292

**Exhibit VII
Treasury/ Banking Investments
As of March 31, 2021**

	03.31.21	Change	12.31.20
<u>Cash on hand</u>			
Operating Account	2,919,153	\$ (49,726)	\$ 2,968,879
Money Market Account (2)	28,924,552	14,773,768	14,150,785
Money Market (UPRR Contributions)	543,606	159	543,448
Total cash on hand	32,387,312	14,724,201	17,663,111
<u>Investments</u>			
LAIF	1,700,142	2,684	1,697,458
CALPERS - Section 115 Trust	1,227,257	-	1,227,257
CBT - Fixed Income at cost	25,055,379	(9,315,331)	34,370,710
Total investments	27,982,779	(9,312,647)	37,295,425
<u>Current - 30 days or less</u>	1,184,405	(203,187)	1,387,593
<u>Aged Receivable</u>	-	-	-
<u>To Be Billed</u>	20,609,322	(6,101,268)	26,710,590
<u>MTA/CALTRANS Retention</u>	3,296,827	180,405	3,116,422
Total Exhibit V	25,090,554	(6,124,050)	31,214,604
Other receivables, unsold surplus properties, and deferred costs	15,630,617	(249,144)	15,879,760
Total Cash, Cash Equivalents & Receivables	101,091,261	(961,640)	102,052,901
<u>Liabilities</u>			
Payables & other Accruals	1,729,756	(809,446)	2,539,203
Unearned revenues	41,104,643 (a.)	(84,827)	41,189,470
MTA Working Capital Loan	45,000,000	-	45,000,000
Total liabilities	87,834,399	(894,273)	88,728,672
<u>Fund balance</u>			
Resources net of actual liabilities	13,256,862	(67,367)	13,324,229
Less estimated:			
CalPERS - Hypothetical termination liability	5,866,990 (b.)	-	5,866,990
Resources net of estimated liabilities	\$ 7,389,872 (c.)	\$ (67,367)	\$ 7,457,239

- a.) Represents surplus property appraised value, net proceeds from sale of ROW surplus properties, advanced UPRR funding, disallowed retention, and Betterment funds billed in advance to City of Industry for Fairway Drive and Fullerton projects. as well as Rio Hondo payments from cities.
- b.) Updated based on CalPERS's annual valuation report as of June 30, 2018.
- c.) Decrease represents increase in 06/30/2018 hypothetical termination liability and effect of prior year's deficiency of expenses over revenues

ALAMEDA CORRIDOR - EAST CONSTRUCTION PROJECT

Asset Allocation
As of March 31, 2021

Deposit/ Investment Amount 03.31.2021	% of Invest- ments	Bank Deposits	Maximum Maturity	Maximum Percent of Portfolio	Maximum Investment in One Issuer
		Ace deposits are held by Citizens Business Bank (CBB) under a deposit agreement in amounts not to exceed \$50 million. Under the agreement, CBB maintains collateral deposits of at least 110% of the value of all ACE deposits at Bank of New York Mellon in eligible securities. The CBB deposits accounts are:			
\$ 2,919,153		Checking Account			
29,468,159		Money Market Accounts (3) *			
32,387,312		Total Deposits			
		Permitted Investments **			
14,875,823	55.60%	Government Securities (1.15 - 5.00 years)	5 years	50%	15%<=
7,316,317	27.35%	Corporate Bonds (1.47 - 4.93 years)	5 years	30%	10%<=
311,497	1.16%	Gov't Mortgages (4.13 - 4.80 years)	5 years	15%	None stated
1,057,332	3.95%	Municipals (2.65 - 4.84 years)	None stated	None stated	None stated
-	0.00%	CDs (4.00 - 5.00 years)	5 years	30%	10%<=
1,494,411	5.59%	Cash and Cash Equivalents	None stated	None stated	None stated
25,055,379	93.65%	Subtotal Investments - Book value *			
1,700,142	6.35%	State's Local Agency Investment Fund	None stated	None stated	None stated
26,755,522	100.00%	Total Investments			
\$ 59,142,834		Total			

* Note: Includes \$31,549,462 of available unearned revenues

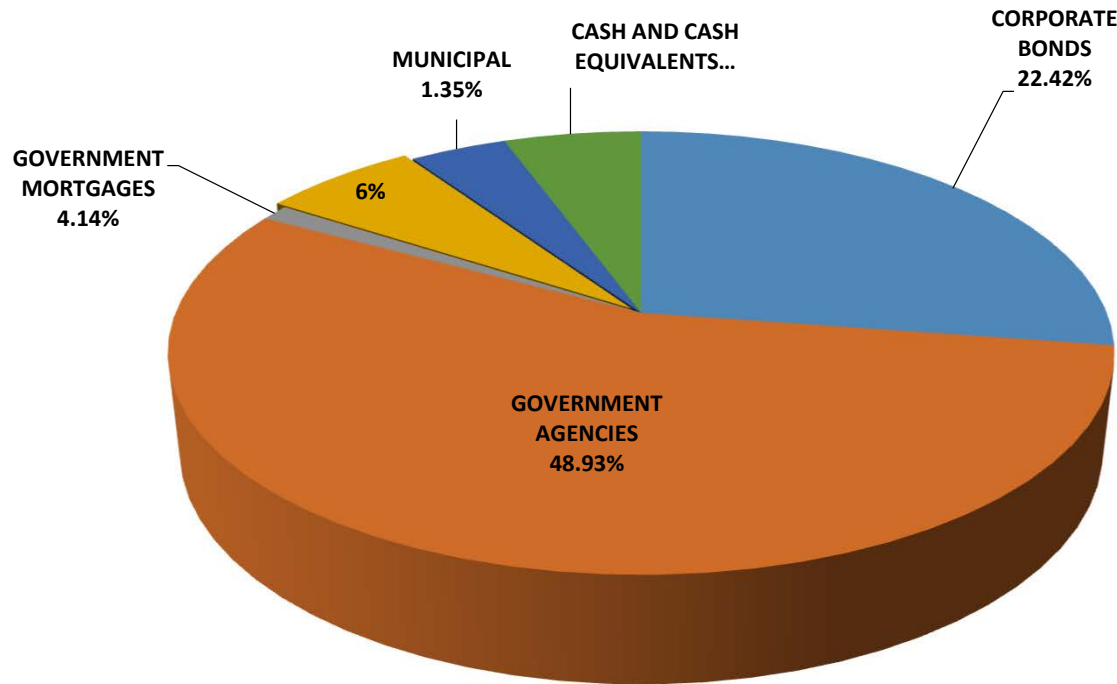
** Complies with SGVCOG Investment Policy



**Alameda Corridor - East Construction Project
Office of ACE Construction Authority Finance Director/Treasurer**

ASSET ALLOCATION

Assets (Dollars)	Current Par Value	Current Book Value	Market Value	Mkt/Book
CORPORATE BONDS	7,139,000	7,316,317	7,311,100	99.93%
GOVERNMENT AGENCIES	14,489,164	14,875,823	14,777,272	99.34%
GOVERNMENT MORTGAGES	282,447	311,497	282,950	90.84%
LOCAL AGENCY INVESTMENT FUND	1,700,142	1,700,142	1,700,142	100.00%
MUNICIPALS	1,010,000	1,057,332	1,054,766	99.76%
CASH AND CASH EQUIVALENTS	1,494,411	1,494,411	1,494,411	100.00%
Totals (Dollars)	26,115,165	26,755,522	26,620,643	99.50%



Fixed Income Composition by Book Value

Par Value: Or face value is the amount of money redeemed to the bondholder once the bonds matures

Book Value : Is the par value or face value plus any unamortized premiums or less any unamortized discounts.

Market Value: Is the current price at which the bond is trading

Mkt/Book: Measures the market value over the book value of a bond.

Fixed Income Investments Portfolio Summary

Quarter 3 Report March 31, 2021 Attachment 5

Cusip	Name	Coupon	Yield to Maturity	Purchase Date	Maturity Date	Current Price	Par Value	Market Value	Current Book Value	
3133EKAK2	Federal Farm Credit Bank	2.53	0.997	9/25/2020	2/14/2022	102.110	225,000	229,748	230,312	
3133EL5J9	Federal Farm Credit Bank	0.30	0.288	9/1/2020	9/1/2023	100.036	1,000,000	1,000,360	999,980	
3133ELT61	Federal Farm Credit Bank	0.34	0.339	7/16/2020	1/13/2023	100.002	500,000	500,010	499,650	
3133EMHF2	Federal Farm Credit Bank	0.60	0.939	11/24/2020	11/24/2025	98.348	700,000	688,436	700,000	
3134GW3W4	Freddie Mac	0.41	0.548	10/28/2020	10/28/2024	99.456	200,000	198,912	200,000	
3134GWL20	Freddie Mac	0.30	0.323	9/16/2020	9/15/2023	99.932	360,000	359,755	360,000	
3134GWTL0	Freddie Mac	0.30	0.287	9/28/2020	9/28/2023	100.040	1,000,000	1,000,400	1,000,000	
3134GWUG9	Freddie Mac	0.57	0.789	9/24/2020	9/24/2025	98.928	1,000,000	989,280	1,000,000	
3134GWVJ2	Freddie Mac	0.40	0.525	9/30/2020	9/30/2024	99.505	1,000,000	995,050	1,000,000	
3134GWYS9	Freddie Mac	0.60	0.841	10/15/2020	10/15/2025	98.820	900,000	889,380	900,000	
3134GXEA8	Freddie Mac	0.20	0.225	11/30/2020	11/23/2022	99.951	500,000	499,755	500,000	
3135G06M0	Fannie Mae	0.50	0.542	12/16/2020	12/16/2024	99.834	500,000	499,170	500,000	
3135GA3W9	Fannie Mae	0.60	0.922	11/25/2020	11/25/2025	98.428	500,000	492,140	500,000	
3136AHA65	Fannie Mae	3.33	1.938	11/12/2019	10/25/2023	105.270	136,277	143,458	141,812	
3136G4J53	Fannie Mae	0.60	0.858	8/18/2020	8/18/2025	98.738	1,000,000	987,380	1,000,000	
3137BS6F5	FHLMC Series KSMC Class	2.74	1.515	9/25/2020	9/25/2025	105.858	595,000	629,854	651,472	
3137F5LM9	FHLMC Series KSMC Class	3.00	1.733	5/26/2020	3/25/2025	105.849	903,477	956,321	964,543	
3137F5LQ0	FHLMC Series KSMC Class	3.17	2.325	9/25/2020	6/25/2025	103.778	475,880	493,860	499,589	
3137FEU99	FHLMC Series KSMC Class	3.45	2.758	9/25/2020	9/25/2024	102.614	63,609	65,272	65,388	
3137FHQ22	FHLMC Series KSMC Class	3.37	1.986	9/21/2020	7/25/2025	106.360	135,000	143,586	145,769	
31381K7C7	Fannie Mae Pool FN 469621	5.14	2.449	5/29/2020	10/1/2024	111.027	246,567	273,756	285,864	
3138EJNY0	Fannie Mae Pool AL2206	3.73	3.025	9/18/2019	7/1/2022	101.864	40,806	41,567	41,763	
3138L45T6	Fannie Mae Pool AM4457	3.89	1.262	9/21/2020	10/1/2023	107.783	364,529	392,900	393,691	
3138L4R70	Fannie Mae Pool AM4109	3.73	2.650	8/13/2013	8/1/2025	110.999	131,353	145,801	148,594	
3138L5VP2	Fannie Mae Pool AM5121	3.85	1.260	9/25/2020	1/1/2024	108.268	268,463	290,659	294,219	
3138L7GY6	Fannie Mae Pool AM6514	3.26	1.645	9/10/2019	9/1/2024	107.691	304,135	327,526	321,717	
3138L85M2	Fannie Mae Pool AM 8051	2.68	2.191	9/16/2020	2/1/2025	102.031	167,400	170,800	173,207	
3140HS5L1	Fannie Mae Pool BL1750	3.58	1.460	9/21/2020	6/1/2025	109.589	171,667	188,129	190,508	
880591ER9	Tenn Valley Authority DTD	2.88	1.184	1/21/2020	9/15/2024	107.637	1,100,000	1,184,007	1,167,746	
55.60% Government Securities (1.15 - 5.00 years)								14,489,164	14,777,272	14,875,823
140420YS3	Capital One Bank Medium	1.60	-	5/4/2016	5/4/2021	-	-	-	-	
254672W20	Discover Bank DTD	1.85	-	12/14/2016	12/14/2020	-	-	-	-	
0.00% CDs (4.00 - 5.00 years)								-	-	-
037833DC1	Apple Inc	2.10	1.425	9/25/2018	9/12/2022	102.593	500,000	512,965	491,921	
037833DL1	Apple Inc	1.70	0.972	9/11/2019	9/11/2022	102.149	150,000	153,224	153,279	
06406RAA5	Bank of NY Mellon Corp	2.60	2.162	10/18/2017	2/7/2022	101.793	511,000	520,162	512,427	
09247XAJ0	Blackrock Inc	3.38	1.235	9/17/2020	6/1/2022	103.598	500,000	517,990	522,729	
166764AT7	Chevron	2.41	2.039	7/26/2017	3/3/2022	101.626	370,000	376,016	370,829	
207597EF8	CONNECTICUTE LIGHT & PWR DTD	2.50	1.233	5/19/2020	1/15/2023	103.306	223,000	230,372	229,558	
24422ERT8	John Deere Capital	2.80	1.071	6/16/2020	1/27/2023	104.450	100,000	104,450	105,646	
24422EUH0	John Deere Capital	3.45	1.072	9/18/2020	6/7/2023	106.353	330,000	350,965	355,338	
67021CAG2	NSTAR Electric Co	2.38	1.153	9/18/2020	10/15/2022	102.497	1,158,000	1,186,915	1,199,314	
69351UAQ6	PPL Electric Utilites DTD	2.50	1.264	9/18/2020	9/1/2022	102.377	557,000	570,240	572,525	
69371RQ41	PACCAR Financial Corp	1.90	0.724	9/22/2020	2/7/2023	102.768	965,000	991,711	994,727	
69371RQ90	PACCAR Financial Corp	0.35	0.393	9/18/2020	8/11/2023	99.877	1,000,000	998,770	1,000,447	
87236YAE8	TD Ameritrade Holding Corp	2.95	1.497	9/17/2020	4/1/2022	102.199	650,000	664,294	672,802	
89236TDW2	TOYOTA MOTOR CREDIT CORP	2.90	1.916	4/17/2017	4/17/2024	106.421	125,000	133,026	134,775	
27.35% Corporate Bonds (1.47 - 4.93 years)								102,411	7,311,100	7,316,317
3137ABFH9	Freddie Mac	3.99	3.948	9/7/2016	6/25/2021	100.178	282,447	282,950	311,497	
1.16% Gov't Mortgages (4.13 - 4.80 years)								100,178	282,447	311,497
13063DGA0	California State Dept of Water Resources PWI	2.80	2.800	4/25/2018	4/1/2021	100.000	100,000	100,000	100,001	
13066YTZ2	California State Dept of Water Resources PWI	2.00	1.525	1/22/2018	5/1/2022	101.958	150,000	152,937	148,668	
13077DHL9	Univ of California Revenues	2.08	0.780	8/1/2020	11/1/2023	104.158	100,000	104,158	104,691	
801181CY2	Santa Ana CLG	0.74	1.053	9/28/2020	8/1/2025	98.545	95,000	93,618	95,183	
91412G2U8	Univ of California Revenues	2.52	0.827	9/18/2020	5/15/2023	104.435	40,000	41,774	41,823	
91412GDY8	Univ of California Revenues	5.05	1.880	9/18/2020	5/15/2025	114.071	50,000	57,036	58,442	
91412GM28	Univ of California Revenues	2.22	0.769	9/18/2020	5/15/2023	103.807	45,000	46,713	46,719	
91412GU94	Univ of California Revenues	3.06	1.175	9/17/2020	7/1/2025	108.769	325,000	353,499	356,156	
91412HGE7	Univ of California Revenues	0.88	0.876	9/24/2020	5/15/2025	100.030	105,000	105,032	105,649	
3.95% Municipals (2.65 - 4.84 years)								104,432	1,054,766	1,057,332
31607A703	Fidelity Government Portfolio	1.00	-	-	-	100.000	1,494,411	1,494,411	1,494,411	
Cash										
5.59% Cash and Cash Equivalents								1,494,411	1,494,411	1,494,411
TOTAL (Dollars)								\$ 24,415,023	\$ 24,920,500	\$ 25,055,379

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Comparative Summary Balance Sheet

As of March 31, 2021

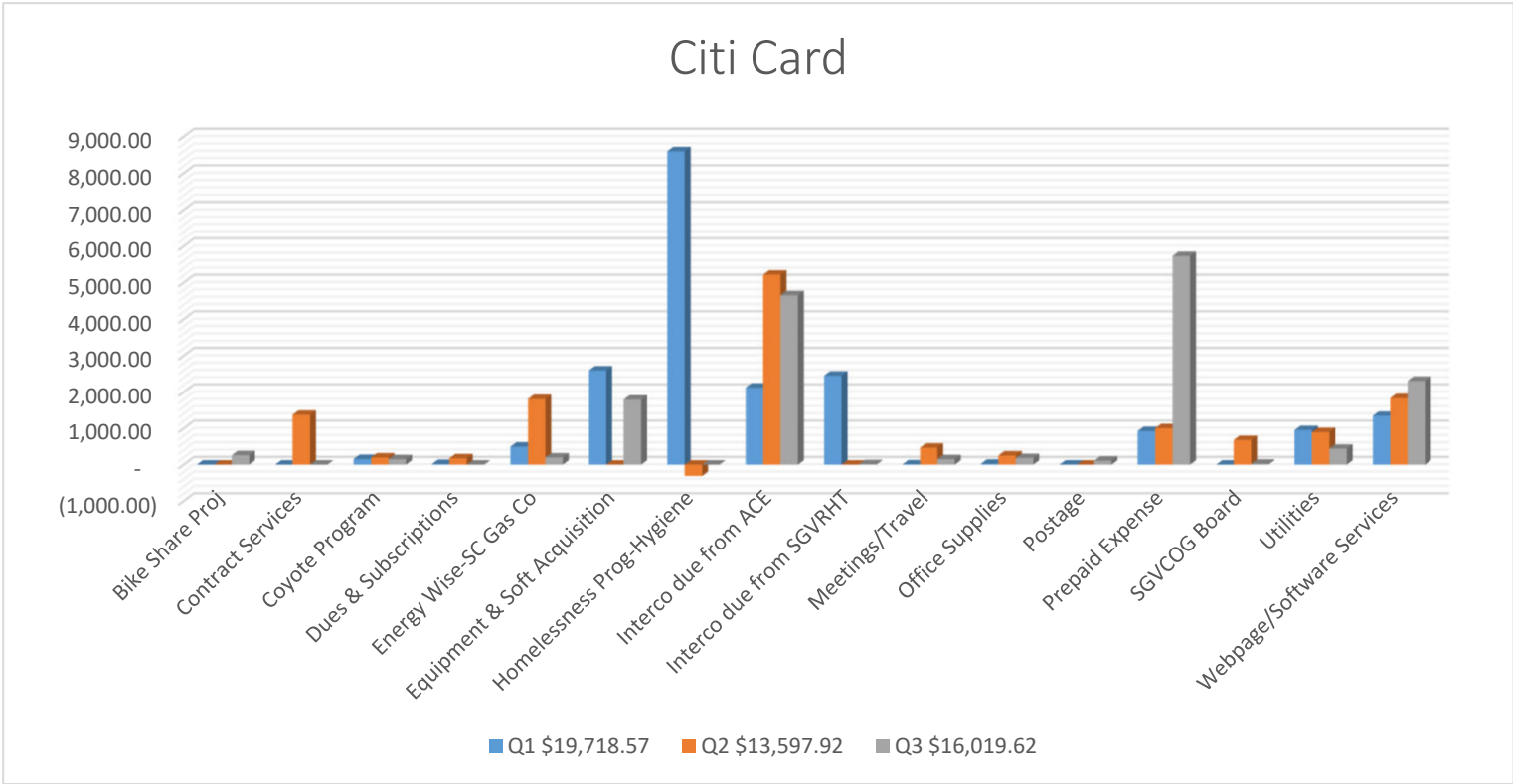
	03.31.21	Change	12.31.20
CBB - Checking	\$ 4,190,890	2,568,896.58	\$ 1,621,993
CBB- 242-034-325 CD	55,758	7	55,751
CBB - 2783 Savings	1,593	0	1,593
CBB -242-034-953 CD	54,989	7	54,982
CBB - 242-300-597 Money Market	4,051,722	(207,194)	4,258,916
CBB - 103-501-0361- Investment	694,527	(4,895)	699,422
CalPERS Section 115 Contribution	43,076	-	43,076
CBB - Payroll - 242-122-747 (Combined)	-	-	-
Petty Cash	400	-	400
LAIF	245,215	387	244,828
LAIF Market Value	86	(0)	86
FSA Advance Payment	190	190	-
Cash and equivalents	<u>9,338,446</u>	<u>2,357,399</u>	<u>6,981,047</u>
Member Receivable	(0)	(230,163)	230,163
Grants/Contracts Receivable	308,250	(1,128,681)	1,436,931
Sponsorships Receivable	-	-	-
Rental Deposit Receivable	5,489	-	5,489
Unbilled Grant Receivable	4,463	(201,372)	205,835
Receivables - other	425,948	56,404	369,544
Receivables	<u>744,151</u>	<u>(1,503,812)</u>	<u>2,247,962</u>
Prepays and deferrals	175,338	14,428	160,910
Total assets	<u>10,257,934</u>	<u>868,015</u>	<u>9,389,919</u>
Accounts Payable	35,586	(111,386)	146,972
Citi Bank Card	6,134	(577)	6,711
Payroll Payable	(794)	(633)	(161)
Accrued Vacation	56,263	11,446	44,817
Unearned Revenues - Member Cities Dues	282,319	(173,313)	455,632
Unearned Revenues - Housing/Homelessness	3,990,204	(120,118)	4,110,322
Unearned Revenues - SGVRHT	-	-	-
Accruals, deferrals and other payables	3,617,459	535,054	3,082,405
Total liabilities	<u>7,987,171</u>	<u>140,473</u>	<u>7,846,698</u>
Net Position, beginning of period **	1,464,613	0	1,464,613
Change in net position	804,884	726,277	78,607
Net Position, end of period	<u>\$ 2,269,497</u>	<u>\$ 726,277</u>	<u>\$ 1,543,220</u>



San Gabriel Valley Council of Governments
 Grants Receivable Aging Summary
 As of March 31, 2021

Month	SC Gas - Energy Wise	MTA - Board Suppt	LA County - Homelessness Planing Grant	Housing Homeless - City of Pomona	MTA - Measure M	Caltrans - BikeShare	Various Cities - Service Delivery Cost Study	MTA - Open Streets	Various Cities - VMT	LA County- SGVRHT	Coyote Management Implementation Plan	SoCAL REN	ULAR CIMP Stormwater	Totals
May-20	-				-	-	-	-						-
June-20	-				3,303	-	-							3,303
July-20											-			-
Aug-20				-										
Sept-20	-				-	-	-	-	-					
Oct-20														-
Nov-20														-
Dec-20	23,037					211,720				-		-		234,757
Jan-21												12,556		12,556
Feb-21												7,315		7,315
Mar-21	10,349	16,908			23,061									50,319
	\$ 33,386	\$ 16,908	\$ -	\$ -	\$ 26,364	\$ 211,720	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,871	\$ -	\$ 308,250

**San Gabriel Valley Council of Governments
Credit Charges July 1, 2020 - March 31, 2021**



SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
Consolidated Budget to Actual
 FY 2021 Third Quarter Report
 As of March 31, 2021

	Jul 20 - Mar 21 Actual (Operating)	FY 2021 Budget	% of Budget	Jul 20 - Mar 21 Actual (RHT-Local)	FY 2021 Budget	% of Budget	Jul 20 - Mar 21 Actual (Non-Capital Projects)	FY 2021 Budget	% of Budget
1 Revenue									
2 Operating									
3 Member Dues	\$ 625,355	\$ 907,674	69%						
4 Hero Program	495	2,000	25%						
5 Transportation Administration (Local)	-	105,509	0%						
6 Investment Income	2,885	1,000	289%						
7 <i>Subtotal Operating Revenue</i>	\$ 628,735	\$ 1,016,183	62%						
8 Non-Capital Projects									
Local (Homelessness, Energy, Mear M, Transportation, Stormwater, Coyote)**				109,000	300,000	36%	2,175,147	5,626,555	39%
9 <i>Subtotal Revenue</i>	\$ -	\$ -	0%	109,000	300,000	0%	\$ 2,175,147	\$ 5,626,555	0%
Total Revenue	\$ 628,735	\$ 1,016,183	62%	109,000	300,000	36%	\$ 2,175,147	\$ 5,626,555	39%
Expenditure									
Indirect Expenses									
Personnel	\$ 235,165	518,531	45%	-	25,000	0%		80,000	0%
Committee & Employee Expenses (Meetings/Travel, Dues & Subscription)	22,575	68,100	33%		15,000	0%		11,000	0%
Professional Services (Audit, Legal, Conslt, MTA Supp)	80,014	298,121	27%		56,000	0%		20,000	0%
Other Expenses	62,283	91,224	68%		12,000	0%	26,692	62,176	43%
<i>Total Indirect Expenses</i>	\$ 400,036	\$ 975,976	41%	-	108,000	0%	\$ 26,692	\$ 173,176	0%
Direct Expenses									
Personnel/Construction Direct Labor				81,148	142,000	57%	442,116	674,703	66%
Program Management **					50,000	0%	1,158,006	4,778,676	24%
<i>Total Direct Expenses</i>	\$ -	\$ -	0%	81,148	192,000	0%	\$ 1,600,122	\$ 5,453,379	29%
Total Expenditures	\$ 400,036	\$ 975,976	41%	81,148	300,000	0%	\$ 1,626,814	\$ 5,626,555	29%
Net income (Loss)	\$ 228,699	\$ 40,207	N/A	27,852	-	0%	\$ 548,333	\$ -	N/A

** Includes Bike Share

REPORT

DATE: June 17, 2021

TO: Governing Board

FROM: Marisa Creter, Executive Director

RE: **APPROVAL OF AUTHORIZATION FOR EXECUTIVE DIRECTOR TO SUBMIT APPLICATIONS SEEKING TRANSIT AND INTERCITY RAIL CAPITAL PROGRAM FUNDING FOR THE ACE PROJECTS**

RECOMMENDED ACTION

Adopt Resolution 21-31 authorizing the Executive Director to jointly submit with the ACE Program funding partner agency, the Los Angeles County Metropolitan Transportation Authority (LA Metro), applications consistent with applicable Transit and Intercity Rail Capital Program (TIRCP) guidelines for funding for the Montebello Corridor Project, the Turnbull Canyon Road Grade Separation Project and the Pomona At-Grade Crossings Safety Improvements Project, and the execution of any and all agreements as may be required.

BACKGROUND

Authorized by Sections 75220 through 75225 of the California Public Resources Code, the TIRCP is a discretionary grant program administered by the California State Transportation Agency (CalSTA) to provide funding for the construction of capital improvements to California's intercity, commuter, and urban rail systems, and bus and ferry transit systems. As part of the \$11-billion transportation funding investment proposed as a component of Governor Newsom's California Comeback Plan, \$500 million in general funds is proposed to be administered through the TIRCP for investment in high-priority, construction-ready rail-roadway grade separations and at-grade crossing safety improvements throughout California.

Following a meeting on May 26, 2021 with CalSTA Secretary David Kim and his staff to discuss the proposal, SGVCOG staff submitted to members of the state Legislature a letter of support for the Administration's proposal. If general fund revenues are provided, a TIRCP call for applications this year would present the opportunity to fund the construction phases of the Montebello Corridor Project (inclusive of the Montebello Boulevard Grade Separation, Maple Avenue Pedestrian Bridge, and At-Grade Traffic Safety Improvements at Vail Avenue and Greenwood Avenue), Turnbull Canyon Road grade separation projects as well as the Pomona at-grade pedestrian crossing safety improvement projects. All crossings proposed to be improved carry combined Metrolink regional commuter rail and Union Pacific Railroad (UPRR) freight rail service under agreement between Metrolink and UPRR.

CURRENT ISSUES

If the TIRCP funds are provided in the current State budget, SGVCOG staff will coordinate submittal of a joint application with LA Metro staff, similar to past applications seeking funds

from discretionary state and federal grant programs. This approach was recommended by CalSTA staff in discussions with SGVCOG and LA Metro staff.

FISCAL IMPACT

Unknown, but likely relatively minor, costs for consultant services under the special tasks provisions of existing contracts for engineering services to prepare funding applications for the three projects. Costs would be reimbursable from local sales tax funds committed by LA Metro.

Prepared by: Paul R. Hubler
Paul Hubler
Director of Government and Community Relations

Reviewed by: Eric C. Shen
Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by: Marisa Creter
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – Resolution 21-31

RESOLUTION NO. 21-31

RESOLUTION OF THE OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) AUTHORIZING THE FILING OF APPLICATIONS FOR TRANSIT AND INTERCITY RAIL CAPITAL PROGRAM FUNDS

WHEREAS, the Transit and Intercity Rail Capital Program (TIRCP) authorized by Sections 75220 through 75225 of the California Public Resources Code is a discretionary grant program administered by the California State Transportation Agency that provides funding for the construction of capital improvements to California's intercity, commuter, and urban rail systems, and bus and ferry transit systems, and

WHEREAS, as part of the \$11-billion transportation funding investment proposed as a component of Governor Newsom's California Comeback Plan, \$500 million in general funds is proposed to be administered through the TIRCP for investment in high-priority, construction-ready rail-roadway grade separations and at-grade crossing safety improvements throughout California, and

WHEREAS, the San Gabriel Valley Council of Governments has submitted a letter requesting the state Legislature support the Administration's proposal for state general fund revenues for the TIRCP which would present the opportunity to provide well-paying construction jobs and boost California's economic recovery while delivering long-lasting and regionally significant safety improvements at rail lines used by inter-city and inter-county passenger rail in California, and

WHEREAS, the San Gabriel Valley Council of Governments is completing design of several high-priority grade separation and at-grade crossing safety projects in Los Angeles County with shared Metrolink regional commuter rail and freight rail service which could commence construction in 2022 if budget shortfalls can be overcome through the opportunity to seek TIRCP funds.

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the San Gabriel Valley Council of Governments hereby authorizes the Executive Director to jointly submit with its funding partner agency, the Los Angeles County Metropolitan Transportation Authority, applications consistent with applicable TIRCP guidelines for funding for the Montebello Corridor Grade Separation Project, the Turnbull Canyon Road Grade Separation Project and the Pomona At-Grade Crossings Safety Improvements Project, and the execution of any and all agreements as may be required.

PASSED AND ADOPTED by the Governing Board of San Gabriel Valley Council of Governments, County of Los Angeles, State of California, on the 17th day of June 2021.

San Gabriel Valley Council of Governments

Margaret Clark, President

Attachment A

Attest:

I, Marisa Creter, Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Governing Board held on the day of June 17, 2021, by the following vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

Marisa Creter, Secretary

REPORT

DATE: June 17, 2021
TO: Governing Board Delegates and Alternates
FROM: Homelessness Committee
RE: **STATE AND COUNTY HOMELESS FUNDS**

RECOMMENDED ACTION

Recommended Actions:

- (1) Add the Tiny Home Bridge Housing Program as a SGVCOG Pilot Program;
and
- (2) Reallocate \$150,000 from the Green Pathway Career (GPC) Program to the Tiny Home Bridge Housing Program.

BACKGROUND

On June 27, 2019, Governor Newsom signed the 2019 Budget Trailer bill which contained \$5,625,000 in funding for homeless programs for the San Gabriel Valley to be administered by the SGVCOG. On September 10, 2019, the County Board of Supervisors (BOS) approved a motion by Supervisors Barger and Solis directing the carryover of \$6,000,000 in Measure H “Innovation Funds” for the County’s Councils of Governments. The SGVCOG received an allotment of \$1,541,876, proportionate to the region’s share of the County’s point-in-time homeless count. SGVCOG staff subsequently worked with member agencies’ staff to develop program recommendations for the use of the funding.

In November 2019, the Governing Board approved the funding categories for the use of the State Homeless Funds and Measure H Innovation Funds. One of the approved funding categories was for \$300,000 for the implementation of pilot programs that implemented innovative direct homeless solutions with demonstrable outcomes. The SGVCOG solicited pilot program applications through a competitive program, and, in June 2020, the Governing Board ultimately recommended the award of funding to five projects:

City	Project	Not-to-Exceed Award Amount
Arcadia*	Pop-up Homeless Services Center	\$150,000
Claremont	Roommate Matching Program	\$50,000
Covina	Mobile Hygiene Program	\$60,000
La Verne (Baldwin Park, Duarte, Irwindale, West Covina)	Green Path Career (GPC) Transition Age Youth (TAY) Workforce Development Program	\$200,000
Monrovia*	Emergency COVID Housing Impact Program (“eCHIP”)	\$150,000

*Received an additional \$25,000 in funding through the City additional homeless plan implementation funds as approved at the April Homelessness Committee and Governing Board meetings

The remaining project application, submitted by the City of Baldwin Park, has been integrated into the SGVCOG's regional coordination program.

To accommodate the project demand, the Governing Board reallocated \$310,000 from the Master Leasing Program, another program originally approved by the Governing Board, to the Pilot Programs Program. With this action, up to \$610,000 was available for the implementation of the approved pilot programs. All funding was originally required to be expended by June 30, 2021; however, that deadline has now been extended to December 2021.

DISCUSSION

Since the Governing Board approved the pilot programs, the San Gabriel Valley Regional Housing Trust (SGVRHT) has initiated a pilot program to support the construction of two to four tiny home emergency shelter sites with 5-25 shelters per site. This approach – which was initiated after the Homelessness Committee heard a presentation from Pallet Shelter in October 2020 – would provide tiny-home style shelters that can serve as emergency shelters. Such shelters provide a single, lockable unit that contains basic elements like a bed, lighting, electricity, safety features, and climate control. This model provides non-congregate interim housing that reduces the risk of the spread of COVID-19, allows for faster construction than other interim housing models, and allows for smaller-scale sites.

In late 2020, the SGVRHT Board of Directors authorized the creation of the Tiny Home Pilot Program. At its February 2021 meeting, the SGVRHT Board of Directors approved a not-to-exceed project budget of \$835,000 and authorized the Executive Director to execute agreements with cities and necessary vendors. This funding would provide capital funding for the tiny home shelters and other necessary site infrastructure, including restrooms. Additional funding would be secured for operations. When operational, a service provider would also provide on-site services for the residents living at the tiny home sites.

To identify potential city participants for the SGVRHT pilot program, the SGVRHT solicited letters of interest from member cities. Four member cities submitted Letters of Interest to participate in the pilot program, and the SGVRHT is working with staff from these cities to select and develop appropriate sites and secure ongoing operational funding. The SGVRHT also completed a competitive procurement to identify qualified shelter vendors and to select vendors for the sites. At this time, a shelter vendor has also been selected for two of the sites. The SGVRHT also released an RFP for construction management support to provide technical assistance to the SGVRHT and member city staff and selected SRK Architects, Inc. (SRK) as the construction management firm. Staff will also be procuring restroom and shower facilities for the site. Staff will also work with staff from participating cities on the approval of sites by the respective city councils and execution of memorandums of agreement (MOAs) between the cities and the SGVRHT. Sites are anticipated to be operational by Fall 2021.

The SGVCOG Regional Homelessness Coordination Team has been assisting the SGVRHT in procuring a services provider for the site and in identifying potential operational funding for the sites. As such, staff is recommending that the SGVCOG add the Tiny Home Bridge Housing Pilot Program as an additional pilot program.

The SGVCOG and SGVRHT have initiated conversations with LA County Supervisorial Districts 1 and 5 and the LA County Homeless Initiative to secure matching funds to operate the site. These conversations are ongoing. To ensure that funding gaps do not delay the launch of the sites in Fall of 2021, staff is also recommending that \$150,000 in excess SGVCOG pilot programs funding be allocated to the Tiny Home Bridge Housing Pilot Program.

Staff is recommending that \$150,000 in excess funding from the Transition Age Youth (TAY) Workforce Development Program – known as the Green Pathways Career (GPC) Program – be reallocated to the Tiny Home Bridge Housing Pilot Program. The GPC is a partnership between the SGVCOG, the applicant cities, the Southern California Regional Energy Network (SoCalREN), Hathaway-Sycamores, and the LA County Department of Workforce Development, Aging and Community Services (WDACS), that provides subsidized home energy audit training, workforce skills training, paid work experience, and assistance in obtaining job placements in the energy efficiency field for TAY. It was anticipated that more than 60 San Gabriel Valley TAY would be able to participate in this program by June 2021, the funding deadline. This funding deadline was subsequently extended to December 2021.

The program kicked-off in late 2020, and, to date, one 10-person cohort has completed the home energy audit training. GPC partners are supporting work experience and placements for those cohort participants. Two additional 10-person cohorts are also expected to begin in the coming weeks.

This progress was slowed due to delays related to the COVID-19 pandemic, and SGVCOG staff does not anticipate that the training for more than 60 San Gabriel Valley TAY will be completed by the funding deadline. In addition, the County of Los Angeles has additional funding resources to support the continuation of the program through the end of 2020 and beyond. As such, staff is recommending that \$150,000 in excess funds be reallocated to the Tiny Home Bridge Housing Program. The amount of funding for the Pilot Programs category would remain \$610,000.

Reallocating funding from the GPC pilot program to the Tiny Home Bridge Housing Program will have no impact on the San Gabriel Valley's participation in the GPC. SGVCOG staff will continue to work with its participating cities and GPC partners to recruit program participants. Program participants will also continue to receive home energy audit training, workforce skills training, paid work experience, and assistance in obtaining job placements in the energy efficiency field at no cost. Reallocating funding will also ensure that all funding is expended by the December 2021 deadline.

REPORT

DATE: June 17, 2021

TO: Executive Committee
Governing Board

FROM: Marisa Creter, Executive Director

RE: **FY 20-21 BUDGET AMENDMENT #2**

RECOMMENDED ACTION

Adopt Resolution 21-32 amending the FY 20-21 Budget.

BACKGROUND

Staff is recommending revisions to the FY 20-21 budget. The overall impact is resulting in a year-end balance of \$38,701. Attachment A contains the full proposed budget amendment resolution and Attachment B contains an explanation for the proposed budget revisions.

Prepared by: _____


Katie Ward
Senior Management Analyst

Approved by: _____


Marisa Creter
Executive Director

ATTACHMENT

Attachment A – Resolution 21-32 FY 20-21 Budget Amendment #2
Attachment B – Summary of Proposed FY 20-21 Revisions

RESOLUTION NO. 21-32

RESOLUTION OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) APPROVING AMENDMENT #2 TO THE FY 2020-21 BUDGET

WHEREAS, the SGVCOG Governing Board adopted the FY 2020-21 Budget on May 31, 2020; and

WHEREAS, annual budget serves as the basis for the SGVCOG's programs and activities; and

WHEREAS, since the adoption of the budget the SGVCOG has updated information regarding revenues and expenditures.

NOW THEREFORE, BE IT RESOLVED that the Governing Board approves Amendment #2 to the FY 2020-21 budget to incorporate the following changes (as shown in Exhibit A):

Line	Category
5, C	Decrease Hero Program revenue by \$1,505 from \$2,000 to \$495.
10, E	Decrease State Revenue by \$435,914 from \$2,177,858 to \$1,741,944.
11, E	Decrease Local Revenue by \$215,885 from \$3,448,697 to \$3,232,812.
17, C	Decrease Personnel Expenses by \$10,000 from \$518,531 to \$508,531.
20, C	Increase Other Expenses by \$10,000 from \$91,224 to \$101,224.
23, E	Decrease Personnel Direct Labor Expenses by \$17,000 from \$674,703 to \$657,703.
24, E	Decrease Program Management Expenses by \$634,799 from \$4,778,676 to \$4,143,877.

PASSED AND ADOPTED by the Governing Board of San Gabriel Valley Council of Governments, County of Los Angeles, State of California, on the 17th day of June 2021.

San Gabriel Valley Council of Governments

Margret Clark, President

Attest:

I, Marisa Creter, Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Governing Board held on the 17th day of June 2021, by the following vote:

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	

Marisa Creter, Secretary

Exhibit A

FY 20-21 Budget Amendment #2

A	B	C	D	E	F	G
1	Revenue	Operating Budget	Housing Trust	Non-Capital Projects	Capital Projects	Total
2	Operating					
3	Member Dues	907,674				907,674
4	Transportation Administration (Local)	105,509				105,509
5	Hero Program	495				495
6	Interest	1,000				1,000
7	Subtotal Operating Revenue	1,014,678				1,014,678
8	Projects					
9	Federal				1,723,500	1,723,500
10	State			1,741,944	29,375,842	31,117,786
11	Local		300,000	3,232,812	64,731,860	68,264,672
12	Subtotal Revenue		300,000	4,974,756	95,831,202	101,105,958
13	Total Revenue	1,014,678	300,000	4,974,756	95,831,202	102,120,636
14						
15	Expenditures					
16	Indirect Expenses					
17	Personnel	508,531	25,000	80,000	2,148,108	2,761,639
18	Committee & Employee Expenses	68,100	15,000	11,000	63,700	157,800
19	Professional Services	298,121	56,000	20,000	213,602	587,723
20	Other Expenses	101,224	12,000	62,176	605,700	781,100
21	Total Indirect	975,976	108,000	173,176	3,031,110	4,288,262
22	Direct Expenses					
23	Personnel/Construction Direct Labor		142,000	657,703	78,151,111	78,950,814
24	Program Management		50,000	4,143,877	14,648,981	18,842,858
25	Total Direct		192,000	4,801,580	92,800,092	97,793,672
26	Total Expenditures	975,976	300,000	4,974,756	95,831,202	102,081,934
27	Estimated Year-End Balance	\$38,701	0	0	0	\$38,701

Attachment B - Summary of Proposed Revisions (FY 20-21)

Line	Note
5, C	In April 2013, the Western Riverside Council of Governments (WRCOG) and the SGVCOG entered into a Memorandum of Understanding to promote the California HERO program in the San Gabriel Valley. In exchange for the SGVCOG's program support, WRCOG is obligated to pay Participant fees to the SGVCOG equal to 0.05% of the aggregate cost of the bonds issued to fund California HERO eligible projects within the San Gabriel Valley subregion. On December 7, 2020, the WRCOG Executive Committee directed staff to initiate the wind down of its California HERO program. This decision was driven by the HERO program administrator, Renovate America, deciding to shut down the HERO Program and subsequently file bankruptcy on December 23, 2020. Due to this program wind down, this will result in \$1,505 of reduced revenue.
10, 24, E	In November 2019, the SGVCOG approved the homelessness funding programs plan, which included a \$5.6 million State Budget Allocation. For FY 20-21, it was anticipated that \$2,075,000 would be expended for the State homelessness allocation. Due to delays in city homeless plan implementation activities, revenues/expenses are expected to decrease by \$435,914 from the original budgeted amount, with a total updated amount of revenues and expenses of \$1,639,086 for the State homelessness programs for FY 20-21.
11, 24, E	The SGVCOG has an agreement with the Los Angeles County Homeless Initiative to implement multiple homelessness programs. The activities and program expenditures associated with the agreement were originally slated to conclude June 30, 2021; however, Los Angeles County has granted an extension for program expenditures through December 31, 2021. This will result in a decrease of revenues/expenses of \$198,885 from the original budgeted amount, with a total updated amount of revenues and expenses of \$716,115 for the Los Angeles County homelessness programs.
11, 23, E	In February 2021, the SGVCOG entered into an agreement with ICF Resources for the SGVCOG to provide regional engagement and outreach support for the Southern California Regional Energy Network (SoCalREN) Residential program. The current allocated funding for this program is expected to continue through FY 21-22, which results in decreased revenues/expenses of \$17,000 from the original budgeted amount for FY 20-21.
17, 20, C	In May 2021, a survey was distributed to all SGVCOG Board and policy committee members on preference for participating in meetings virtually or in-person. The majority of respondents indicated an interest in participating virtually. As a result, staff is proposing to procure web teleconferencing equipment that will allow for better facilitation of hosting virtual Board and committee meetings. The net impact will be an increase in \$10,000 in expenditures, which will be offset by increased revenue from savings from staff vacancies.

REPORT

DATE: June 17, 2021

TO: Governing Board Delegates and Alternates

FROM: Marisa Creter, Executive Director

RE: **CONTRACT 21-05 AWARDED TO BADAWI AND ASSOCIATES TO PERFORM FINANCIAL AUDIT SERVICES**

RECOMMENDED ACTION

Recommended Actions:

- (1) Authorize the Executive Director to execute a professional services agreement and task order with Badawi and Associates to provide financial audit services for the San Gabriel Valley Council of Governments for five fiscal years, with the contract beginning on July 1, 2021 and ending June 30, 2026, in the fixed fee amount of \$262,983.
- (2) Authorize the Executive Director to execute task orders for “on-call” assignments of a special nature such as agreed upon procedures on professional services and construction contracts, pre-award reviews, indirect cost rate (overhead) reviews, and other similar auditing, review or evaluation tasks as identified at the time in the Not-to-Exceed (NTE) amount of \$100,000.

BACKGROUND

Pursuant to the Eleventh Amended and Restated Bylaws of the SGVCOG, article V Section C (3), the Treasurer and Auditor/Controller shall annually cause an independent audit to be made of the Council by a certified public accountant, in accordance with Government Code sections 6505 and 6505.6.

The independent audit includes a comprehensive evaluation and opinion to confirm the statements fairly present the agency’s financial position. Additionally, the SGVCOG is required by the federal government to monitor compliance with regulations governing the use of federal funds. The SGVCOG current contract for financial audit services expires on June 30, 2021.

PROCUREMENT PROCESS

On February 23, 2021, staff released Request for Proposals (RFP) 21-05 for the provision of audit services. The solicitation was posted on SGVCOG’s website and online bidding system. A total of five (5) proposals were received by the April 9, 2021 deadline. In accordance with the Procurement Procedures, a Technical Evaluation Committee (TEC) was formed with representatives from SGVCOG Finance, Audit, Government relations and Regional Planning and Programs Departments. The five proposers are listed in alphabetical order as follows:

- Badawi and Associates
- Lance, Soll and Lunghard, LLP
- Moss, Levy and Hartzheim LLP

- Roger, Anderson, Malody and Scott, LLP
- Vasquez and Company LLP

The TEC considered all five written proposals responsive. Based on the evaluations, three (3) of the five (5) firms were invited to oral interviews on May 10, 2021 via teleconference. The TEC members rated Badawi and Associates as the most qualified based on its technical qualifications.

The selection of the firm to provide Financial Audit services also considered additional on-call services as needed during the contract period. Examples of such services include agreed upon contract close out audits and reviews, indirect cost rate (overhead) reviews, and Agency-wide risk assessment and Information Security and Control Assessments. This portion of the contract will be handled on an “as-needed” basis and the Executive Director will issue separate task orders to Badawi & Associates for a not to exceed amount of \$100,000. Additionally, such additional services will be performed for fiscal years beginning on July 1, 2022 and ending on June 30, 2026 and at rates set forth in the Cost Proposal or on a Fixed fee arrangement as negotiated in advance of performing such services.

The notice of intent to award was posted on SGVCOG’s website on May 19, 2021. The protest period concluded on May 26, 2021 and no protests were received.

FISCAL IMPACT

The cost of performing financial audit and additional services over the five year period is broken down below:

Financial audit services	\$262,983 ¹
Additional “on-call” task assignments	\$100,000
Total cost	<u>\$362,983</u>

The audit services costs are eligible for reimbursement under existing grant programs and will be charged to applicable programs. The amount paid by each source will be calculated based on labor allocation and in compliance with funding guidelines. Additionally, the audit services cost amounts will be budgeted for on an annual basis as part of the adopted annual budget.

Prepared by: Rey P. Alimoren
 Rey Alimoren, CPA
 Director of Finance

Approved by: Marisa Creter
 Marisa Creter
 Executive Director

¹ Anticipated annual amounts by fiscal year can be found in Attachment B of this report.

ATTACHMENTS

Attachment A – Draft Professional Services Agreement

Attachment B – Draft Task Order No.1 Financial Audit Services

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

PROFESSIONAL SERVICES AGREEMENT

FOR

SAN GABRIEL VALLEY

FINANCIAL AUDIT SERVICES

**PROFESSIONAL SERVICES AGREEMENT
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
AGREEMENT FOR CONSULTANT SERVICES
WITH
BADAWI & ASSOCIATES**

This Agreement for Consultant Services (“Agreement”) is made and entered into this 1st day of July, 2021, by and between the San Gabriel Valley Council of Governments (“SGVCOG”) and Badawi & Associates (“Consultant”).

In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. Scope of Services.

Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to the reasonable satisfaction of the SGVCOG, the services set forth in the attached Exhibit "A", which is incorporated herein by this reference. As a material inducement to the SGVCOG to enter into this Agreement, Consultant represents and warrants that it has thoroughly investigated the work and fully understands the difficulties and restrictions in performing the work. Consultant represents that it is fully qualified to perform such consulting services by virtue of its experience and the training, education and expertise of its principals and employees.

Exhibit “A” describes the total Scope of Services that the SGVCOG anticipates it may assign to Consultant over the term of the Agreement. Individual Task Orders, each covering some portion of the total Scope of Services, will be issued to Consultant based on the adopted annual budget prior to Consultant performing work hereunder. Consultant is only authorized to undertake services as described in each individual Task Order. It is understood and agreed that the total Scope of Services is only an estimate and that the actual services ultimately required of Consultant through individual Task orders may be less than the Scope of Services. Further, it is understood and agreed that the SGVCOG makes no guarantee, either express or implied, as to the actual services that will be authorized under this Agreement.

The Finance Director, or SGVCOG Designee, (herein referred to as the “SGVCOG’s Project Manager”), shall be the person to whom the Consultant will report to for the performance of services hereunder. It is understood that Consultant shall coordinate its services hereunder with the SGVCOG’s Project Manager to the extent required by the SGVCOG’s Project Manager, and that all performances required hereunder by Consultant shall be performed to the satisfaction of the SGVCOG’s Project Manager and Executive Director.

2. Term of Agreement.

This Agreement shall take effect July 1, 2021, and shall continue until June 30, 2026 ("Term"), unless earlier terminated pursuant to the provisions herein.

3. Compensation and Method of Payment.

(a) Consultant shall be paid for its services in accordance with the fees and hourly rates set forth in Exhibit "B," and subsequent Task Orders issued under this agreement. Compensation under this agreement and all task orders shall not exceed Three Hundred Sixty-Two Thousand Nine Hundred Eighty-Three dollars and 00/100 (\$362,983), unless modified by written mutual agreement via a formal amendment to this Agreement. Exhibit "B" identifies billing rates by specific labor categories. Consultant may add or delete labor categories from Exhibit "B" only by written agreement by both parties to this agreement. Except as shown in Exhibit "B", Consultant shall be reimbursed without markup for the cost of all reasonable business expenses that have incurred in performing the services covered by this Agreement and that can be supported by documentation acceptable to the SGVCOG. On fixed fee Task Orders issued under this agreement, reimbursements will not be allowed.

(b) Unless otherwise specified in each Task Order, work ordered under this agreement will be on a fixed fee (lump sum) basis utilizing the hourly rates established in this agreement and a milestone payment schedule. Task Orders issued under Lump Sum basis should include compensation for all work and deliverables, including travel, equipment and all project-related costs. Even though the method of payment to Consultant may be on a Lump Sum basis, a detailed labor cost breakdown shall be provided identifying hourly rates for each professional and administrative staff person, who will be committed to this Project (prime and subconsultants). This information will be used to determine the reasonableness of Consultant's estimate. Time and materials Task Orders may also be negotiated if they are deemed appropriate by the SGVCOG.

(c) The total not-to-exceed budget for all services associated with a specific Task Order shall be identified in said Task Order ("Task Order Budget"). Notwithstanding a Task Order Budget, Consultant shall only incur such costs as are reasonable and necessary in performing this Agreement in the best interests of the SGVCOG. If at any time Consultant estimates the cost of performing the services described in any Task Order Budget will be exceeded, Consultant shall immediately notify the SGVCOG in writing, stating the estimated amount necessary to complete the services in the Task Order. SGVCOG has no obligation to pay any costs incurred by Consultant in excess of any Task Order Budget without the prior written consent of the SGVCOG.

(d) Unless otherwise specified in each task order, by the 15th of each month the Consultant shall furnish to SGVCOG an original invoice for all work performed and expenses incurred during the preceding month. SGVCOG shall independently review each invoice submitted by Consultant to determine whether the work performed and expenses incurred are in accordance with the fee schedule and rates contained in Exhibit "B" or as specified in the applicable Task Order. The invoice shall include the following columns: Project Task, Labor Category, Date, Detailed Comments of Worked Performed, Hourly Rate and Hours (or milestones completed, if a lump sum Task Order has been negotiated). In the event that no charges or

expenses are disputed, the invoice shall be approved and paid according to this Section. In the event any charges or expenses are disputed by SGVCOG, SGVCOG shall withhold that portion of the invoice that is in dispute and remit the remainder.

(e) Except as to any charges or expenses disputed by SGVCOG, SGVCOG will use its best efforts to cause Consultant to be paid within thirty (30) days of receipt of Consultant's invoice meeting the requirements herein.

(f) Consultant's hourly rates are not adjustable for the first two years of the performance period under the Agreement. After the first two years, the Consultant's hourly rates may have annual adjustments based on the amount the CPI for the Los Angeles-Long Beach-Anaheim metropolitan area for the month immediately preceding the start of the third year of the performance period ("Index Month") has increased over the CPI for the month one year prior to the Index Month as measured by the Bureau of Labor Statistics or three percent, whichever is less; for the subsequent three years, subject to review and approval of SGVCOG.

4. Priority of Documents.

This Agreement and any attached Exhibits or documents incorporated herein by reference are intended to describe the Parties complete agreement, however, in the event of any conflict with the provisions of this Agreement shall control.

5. Consultant's Books and Records.

Consultant shall maintain all documents and records demonstrating or relating to Consultant's performance of services pursuant to this Agreement. Consultant shall maintain all ledgers, books of account, invoices, vouchers, canceled checks, or other documents or records evidencing or relating to work, services, expenditures and disbursements charged to SGVCOG pursuant to this Agreement. All such documents or records shall be maintained in accordance with generally accepted accounting principles and shall be sufficiently complete and detailed so as to permit an accurate evaluation of the services provided by Consultant pursuant to this Agreement. All such documents or records shall be maintained for not less than four (4) years from the date of final payment in accordance with this Agreement and to the extent required by laws relating to audits of SGVCOG and its expenditures.

6. Ownership of Documents.

Unless proprietary in nature, all original maps, models, designs, drawings, photographs, studies, survey, reports, data, notes, computer files, files and other documents prepared, developed or discovered by Consultant in the course of providing any services pursuant to this Agreement shall be the sole property of the SGVCOG and may be used, reused or otherwise disposed of by the SGVCOG without the permission of the Consultant. Upon satisfactory completion of, or in the event of expiration, termination, suspension, or abandonment of this Agreement, Consultant shall turn over to SGVCOG all such maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents which Consultant may have prepared for use in performing services hereunder. With respect to computer files, Consultant shall make available to the SGVCOG, upon reasonable written request by the SGVCOG, the

necessary computer software and hardware for purposes of accessing, compiling, transferring and printing computer files.

Consultant shall have not liability for SGVCOG's for reuse of maps, models, designs, drawings, photographs, studies, survey, reports, data, notes, computer files, files and other documents produced under this Agreement or modifications thereof for any purpose other than those authorized under this Agreement without the written authorization of Consultant.

7. Status of Consultant.

Consultant is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of SGVCOG. Consultant shall have no authority to bind SGVCOG in any manner, nor to incur any obligation, debt or liability of any kind on behalf of or against SGVCOG, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by SGVCOG.

The personnel performing the services under this Agreement on behalf of Consultant shall at all times be under Consultant's exclusive direction and control. Neither SGVCOG, nor any elected or appointed boards, officers, officials, employees, members or agents of SGVCOG, shall have control over the conduct of Consultant or any of Consultant's officers, employees or agents, except as set forth in this Agreement. Consultant shall not at any time or in any manner represent that Consultant or any of Consultant's officers, employees or agents are in any manner officials, officers, employees, members or agents of SGVCOG.

Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing service under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation, benefit, or any incident of employment by SGVCOG, including but not limited to eligibility to enroll in the Public Employees Retirement System as an employee of SGVCOG.

In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement claims or is determined by an authority having jurisdiction over SGVCOG, to not be a wholly independent contractor, then Consultant shall indemnify and reimburse SGVCOG for any costs, including attorneys' fees, that SGVCOG incurs arising out of such claim or determination including, but not limited to, any benefits SGVCOG is required to provide, or payroll taxes or Workers' Compensation claims it is required to pay, as well as for the payment of any penalties and interest on such contributions.

8. Deficient Services.

Consultant represents and warrants that it has the qualifications, experience and facilities necessary to properly perform the services required under this Agreement in a thorough, competent and professional manner. Consultant shall at all times faithfully and competently, perform all services described herein. In meeting its obligations under this Agreement, Consultant shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing services similar to those required of Consultant under this Agreement. SGVCOG may

disapprove services that do not conform to these standards and practices and may withhold or deny compensation for deficient services. Upon disapproval of services by SGVCOG, Consultant shall immediately re-perform, at its own costs, the services that are deficient. SGVCOG shall endeavor to notify Consultant in writing of the existence of such deficient services in a timely manner, although its failure to do so shall not affect any remedy it may have under this Agreement or at law with respect to such deficient services. No approval, disapproval, or omission to provide approval or disapproval shall release Consultant from any responsibility under this Agreement.

9. Compliance with Applicable Laws; Permits and Licenses.

Consultant shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Consultant shall obtain any and all licenses, permits and authorizations necessary to perform the services set forth in this Agreement. Neither SGVCOG, nor any elected or appointed boards, officers, officials, employees, members or agents of SGVCOG, shall be liable, at law or in equity, as a result of any failure of Consultant to comply with this Section.

10. Nondiscrimination.

A. Consultant shall not discriminate as to race, color, creed, religion, sex, marital status, national origin, ancestry, age, physical or mental handicap, medical condition, or sexual orientation, in the performance of its services and duties pursuant to this Agreement, and will comply with all rules and regulations of SGVCOG relating thereto. Such nondiscrimination shall include, but not be limited to, the following: employment; upgrading; demotion; transfers; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

B. Consultant will, in all solicitations or advertisements for employees placed by or on behalf of Consultant in performing this Agreement, state either that it is an equal opportunity employer or that all qualified applicants will receive consideration for employment without regard to race, color, creed, religion, sex, marital status, national origin, ancestry, age, physical or mental handicap, medical condition, or sexual orientation.

C. Consultant will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Agreement except contracts or subcontracts for standard commercial supplies or raw materials.

11. Unauthorized Aliens.

Consultant hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act, 8 U.S.C.A. § 1101 *et seq.*, as amended, and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Consultant employ such unauthorized aliens for the performance of services covered by this Agreement, and should any liability or sanctions be imposed against SGVCOG for such use of unauthorized aliens, Consultant hereby agrees to and shall reimburse SGVCOG for the cost of all such liabilities or sanctions imposed, together with any and all costs, including reasonable attorney fees, incurred by SGVCOG.

12. Conflicts of Interest.

Consultant covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, (but not including ownership of stock in a publicly traded company), which would conflict in any manner with the interests of SGVCOG or which would in any way hinder Consultant's performance of services under this Agreement. Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent or subcontractor without the express written consent of the SGVCOG. Consultant agrees to at all times avoid conflicts of interest or the appearance of any conflicts of interest with the interests of SGVCOG in the performance of this Agreement.

13. Assignment.

The expertise and experience of Consultant are material considerations for this Agreement. SGVCOG has an interest in the qualifications of and capability of the persons and entities who will fulfill the duties and obligations imposed upon Consultant under this Agreement. In recognition of that interest, Consultant shall not assign or transfer any of its duties or obligations under this Agreement or any portion thereof, without the prior written consent of the SGVCOG. Any attempted assignment shall be ineffective, null and void, and constitute a material breach of this Agreement entitling SGVCOG to any and all remedies at law or in equity, including summary termination of this Agreement.

14. Indemnification.

To the greatest extent permitted by California Civil Code section 2782.8, Consultant shall indemnify, defend with counsel approved by SGVCOG, and hold harmless SGVCOG, its officers, officials, employees and volunteers ("Indemnitees") from and against all liability, loss, damage, expense, cost (including without limitation reasonable attorneys' fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with:

(1) Any and all claims under Workers' Compensation Act and other employee benefit acts with respect to Consultant's employees or Consultant's contractor's employees arising out of Consultant's work under this Agreement; and

(2) Any and all claims arising out of Consultant's performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, regardless of SGVCOG's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the SGVCOG. Should SGVCOG in its sole discretion find Consultant's legal counsel unacceptable, then Consultant shall reimburse the SGVCOG its costs of defense, including without limitation reasonable attorneys' fees, expert fees and all other costs and fees of litigation. The SGVCOG shall promptly pay any final judgment rendered against the Indemnitees. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and

inclusive as is permitted by the law of the State of California and will survive termination of this Agreement. Except for the Indemnitees, this Agreement shall not be construed to extend to any third-party indemnification rights of any kind.

(3) The Consultant's obligations to indemnify, defend and hold harmless the Indemnitees shall survive termination of this Agreement.

15. Insurance.

Without limiting its obligations pursuant to this Agreement, Consultant shall procure and maintain, at Consultant's own cost and expense and for the duration of this Agreement, the insurance coverage as set forth herein. All insurance policies shall be subject to approval by SGVCOG as to form and content. These requirements are subject to amendment or waiver if so approved in writing by the SGVCOG. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A-VII. Consultant shall provide the following scope and limits of insurance:

15.1 Minimum Scope of Insurance. Coverage shall be at least as broad as:

Insurance Services Office form Commercial General Liability coverage (Occurrence Form CG 0001).

Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, including code 1 "any auto" and endorsement CA 0025, or equivalent forms subject to the written approval of the SGVCOG.

Workers' Compensation insurance if and as required by the California Labor Code and Employer's Liability insurance covering all persons providing services on behalf of the Consultant and all risks to such persons under this Agreement.

Professional liability insurance appropriate to the Consultant's profession.

15.2 Limits of Insurance. Consultant shall maintain limits of insurance no less than:

General Liability: \$1,000,000 minimum limit written on an occurrence basis for bodily injury, death and property damage.

Automobile Liability: \$1,000,000 minimum limit written on an occurrence basis for bodily injury, death and property damage.

Workers' Compensation and Employer's Liability: Workers' Compensation as required by the Labor Code of the State of California and Employers Liability limits of \$1,000,000 per accident.

Professional Liability: \$1,000,000 minimum limit per claim. If such insurance is on a claims-made basis, Consultant agrees to keep such insurance in full force and effect for at least three years after termination or date of completion of this Agreement.

15.3 Other Provisions. Insurance policies required by this Agreement shall contain the following provisions:

15.4 All Policies. Each insurance policy required herein, other than professional liability shall provide that the coverage shall not be non-renewed, cancelled or reduced by the insurer or Consultant except after at least ten (10) days' prior written notice by Certified mail, return receipt requested, has been given to SGVCOG. As soon as Consultant becomes aware, it shall provide to SGVCOG notice of suspension or voiding of any coverage or reduction in coverage which results in Consultant not meeting the minimum requirements set forth in this Agreement.

15.5 General Liability and Automobile Liability Coverages. SGVCOG, and its respective elected and appointed officers, members, employees, and agents ("Additional Insureds"), shall be named as additional insureds on all policies of general liability, property damage, and automotive liability insurance for all work performed by Consultant under this Agreement. The coverage shall contain no special limitations on the scope of protection afforded to the Additional Insureds.

Consultant's insurance coverage shall be primary insurance with respect to the Additional Insureds.

Any failure to comply with the reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to SGVCOG, and its respective elected and appointed officers, officials, members or employees.

15.6 Workers' Compensation and Employer's Liability Coverage. Unless the SGVCOG otherwise agrees in writing, the insurer shall agree to waive all rights of subrogation against the Additional Insureds for losses arising from services performed by Consultant.

15.7 Other Requirements. Consultant agrees to deposit with SGVCOG, at or before the performance of any services under this Agreement, certificates of insurance and additional insured endorsements or a copy of the policy evidencing same, necessary to satisfy SGVCOG that Consultant has complied with the insurance provisions of this Agreement. The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. SGVCOG reserves the right to inspect complete, certified copies of all required insurance policies, at any time.

Consultant shall include all subcontractors, if any, as insureds under its policies or furnish separate certificates and endorsements from each subcontractor evidencing the same minimum coverage requirements that Consultant must provide.

Any deductibles or self-insured retentions must be declared to and approved by SGVCOG, such approval not to be unreasonably withheld.

All policies of insurance, except professional liability insurance, shall be issued by an insurance company which is authorized to do business in the State of California or is otherwise approved in writing by SGVCOG.

16. Termination of Agreement.

Notwithstanding anything to the contrary herein, SGVCOG may terminate this Agreement or any individual Task Orders, with or without cause, at any time by giving thirty (30) days' written notice of termination to Consultant. In the event such notice is given, Consultant shall cease immediately all work in progress, unless the notice provides otherwise, except those services necessary to effectuate the termination. Upon termination of this Agreement, Consultant shall furnish to SGVCOG a final invoice for work performed and expenses incurred by Consultant, as required by this Agreement. SGVCOG shall not be liable for any claim of lost profits.

17. Default.

In the event either party defaults in its obligations hereunder, the non-defaulting party may declare a default by written notice to the defaulting party. The notice shall specify the basis for the default and the cure, which cure shall be implemented within thirty (30) days of the date of the notice or such longer time as may be provided in the notice. If cure is not made within the time provided in the notice, then this Agreement shall terminate and the non-defaulting party shall have all remedies available under this Agreement and the law.

18. Notices.

All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, or sent by facsimile or certified mail, postage prepaid and return receipt requested, addressed as follows:

To SGVCOG: Marisa Creter, Executive Director
San Gabriel Valley Council of Governments
1000 S. Fremont Avenue, Suite 10-210
Alhambra, CA 91803

with a copy to: David DeBerry, SGVCOG General Counsel
Woodruff, Spradlin & Smart
555 Anton Blvd., Suite 1200
Costa Mesa, CA 92626

To Consultant: Ahmed Badawi, CPA
Badawi & Associates
2855 Telegraph Ave, Suite 312
Berkeley, CA 94705

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile or, if mailed, three (3) days after deposit of the same in the custody of the United States Postal Service.

19. Binding Effect.

This Agreement shall be binding upon the heirs, executors, administrators, successors and assigns of the parties.

20. Waiver.

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by SGVCOG of any work or services by Consultant shall not constitute a waiver of any of the provisions of this Agreement.

21. Law to Govern; Venue.

This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Los Angeles. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Central District of California, in Los Angeles.

22. Entire Agreement.

This Agreement, including the exhibits attached hereto, which are incorporated herein by this reference, is the entire, complete, final and exclusive expression of the parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between Consultant and SGVCOG prior to the execution of this Agreement. No statements, representations or other agreements, whether oral or written, made by any party which are not embodied herein shall be valid and binding. No amendment to this Agreement shall be valid and binding unless in writing duly executed by the parties or their authorized representatives. Any attempt to waive the requirement for a written amendment shall be void.

23. Section Headings.

The section headings contained in this Agreement are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.

24. Severability.

If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and the Agreement shall be read and construed without the invalid, void or unenforceable provision(s).

25. Time is of the Essence.

Time is of the essence in the performance of this Agreement. As Task Orders are issued, Consultant agrees to commence the work provided therein and to diligently prosecute the work in the time provided in the Task Order, if any.

26. Delays.

Neither Party shall be liable for damages, including liquidated damages, if any, caused by delay in performance or failure to perform due to causes beyond the control of such Party. Such causes include, but are not limited to, acts of God, acts of the public enemy, acts of federal, state or local governments, court orders, fires, floods, epidemics, strikes, embargoes, and unusually severe weather. Consultant’s sole remedy for delays outside its control shall be an extension of time. Consultant must document any delay and request an extension of time in writing at that the time of the delay to the satisfaction of SGVCOG.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed the day and year first above written.

“CONSULTANT”

By _____

Title: _____

Date: _____

“CONSULTANT”

By _____

Title: _____

Date: _____

(Signatures Continued on Next Page)

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

By _____
MARISA CRETER
Executive Director

Date: _____

APPROVED AS TO FORM:

DAVID DeBERRY
General Counsel

***NOTE: If Consultant is a corporation, the SGVCOG requires the following signature(s):**

- (1) the Chairman of the Board, the President or a Vice-President, AND (2) the Secretary, the Chief Financial Officer, the Treasurer, an Assistant Secretary or an Assistant Treasurer. If only one corporate officer exists or one corporate officer holds more than one corporate office, please so indicate. OR
- The corporate officer named in a corporate resolution as authorized to enter into this Agreement. A copy of the corporate resolution, certified by the Secretary close in time to the execution of the Agreement, must be provided to the SGVCOG.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

EXHIBIT "A"

SCOPE OF WORK

FINANCIAL AUDIT SERVICES

SCOPE OF WORK

1. Perform a financial and compliance audit of the San Gabriel Valley Council of Governments (SGVCOG) in accordance with auditing standards generally accepted in the United States of America as promulgated by the American Institute of Certified Public Accountants (AICPA), and the standards applicable for financial audits set forth in the Government Auditing Standards promulgated by the U.S. Government Accountability Office. The auditor shall also be responsible for performing certain limited procedures involving supplementary information required by the Governmental Accounting Standards Board as mandated by generally accepted auditing standards.
2. Issue audit opinions by January 1 following each fiscal year end, in accordance with the requirements set forth in the California Public Utilities Code and California Administrative Code.
3. Perform a single audit on the expenditure of federal grants in accordance with Single Audit Act and Amendments, Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart F (Uniform Guidance) and applicable Compliance Supplements and:
 - 3.1 Determine whether the schedule of expenditure of Federal awards is presented fairly in all material respects in relation to the SGVCOG financial statements taken as a whole.
 - 3.2 Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*.
 - 3.3 Report on Compliance for Each Major Federal Program, on Internal Control over Compliance, and on the Schedule of Expenditures of Federal Awards Required by the Uniform Guidance.
 - 3.4 Complete and sign specified sections of the data collection form for submission to the Federal Audit Clearing House.
4. Issue a Management Letter addressing accounting system, internal control and compliance weaknesses identified in the auditor's examination of the books and records and to include recommendations and possible solutions for the issues identified.
5. Provide advice as requested concerning treatment of unusual accounting transactions that may occur during the term under contract, including participation in the establishment of accounting principles and practices for the SGVCOG.

6. At the conclusion of each engagement, and upon staff's request, formally present the financial statements and reports to the SGVCOG Board and/or the appropriate Committee, during which the auditor will discuss their audit approach, scope and results.

7. Be "on call" for task assignments of a special nature such as Agency - wide risk Assessment, Information security and control assessment, agreed upon procedures on professional service contracts, construction contracts, Pre Award and Post Award Reviews, indirect cost rate (overhead) reviews, and other similar auditing, review or evaluation tasks as identified at the time. This portion of the contract will be handled on an "as-needed" basis.

San Gabriel Valley Council of Government

Exhibit “B”

**Compensation for General Scope of Services
FINANCIAL AUDIT SERVICES**

Each task order issued under this agreement, if negotiated as a fixed fee (lump sum) task order will designate its own payment schedule and negotiated rates.

The negotiated rates, however, will not exceed the following hourly rates schedules.

For financial audit services (as defined in Task Order 1), the following rates will apply:

Labor Classification	Year 1	Year 2	Year 3	Year 4	Year 5
Partner	\$150.00	\$150.00	\$154.50	\$159.14	\$163.91
Audit Manager	\$120.00	\$120.00	\$123.60	\$127.31	\$131.13
Audit Senior	\$85.00	\$85.00	\$87.55	\$90.18	\$92.88
Professional Audit Staff	\$75.00	\$75.00	\$77.25	\$79.57	\$81.95
Administrative	\$60.00	\$60.00	\$61.80	\$63.65	\$65.56

For additional on-call services (as defined in subsequent Task Orders), the following rates will apply:

Labor Classification	Year 1	Year 2	Year 3	Year 4	Year 5
Partner	\$175.00	\$175.00	\$180.25	\$185.66	\$191.23
EQR	\$175.00	\$175.00	\$180.25	\$185.66	\$191.23
Manager	\$125.00	\$125.00	\$128.75	\$132.61	\$136.59
Senior	\$100.00	\$100.00	\$103.00	\$106.09	\$109.27
Staff	\$90.00	\$90.00	\$92.70	\$95.48	\$98.35
Administrative	\$70.00	\$70.00	\$72.10	\$74.26	\$76.49

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

TASK ORDER

FINANCIAL AUDITING SERVICES

CONSULTANT: Badawi & Associates	AGREEMENT NO.: 21-05	TASK ORDER NO.: 1
--	-----------------------------	--------------------------

TASK ORDER TITLE:	Financial Audit Services
--------------------------	--------------------------

EFFECTIVE DATE OF THIS TASK ORDER:	TASK ORDER VALUE: \$262,983.00
---	---------------------------------------

CONTACT: Ahmed Badawi, CPA	TELEPHONE: (510) 768-8244
FACSIMILE: (510) 768-8249	EMAIL: abadawi@b-acpa.com
ADDRESS: 2855 Telegraph Ave. Suite 312, Berkeley, CA 94705	

1. SCOPE OF SERVICES:

Consultant agrees to perform the services identified in Attachment "A", Scope of Services, which is attached hereto and made a part hereof.

2. COMPENSATION:

The total amount payable to the Consultant under this Task Order shall not exceed: Two Hundred Sixty-Two Thousand, Nine Hundred Eighty-Three dollars and 00/100 (\$262,983.00), as per Attachment "B" attached hereto and made part hereof.

3. SUBCONTRACTORS:

No subcontractors have been designated to perform any services under this Task Order.

4. KEY PERSONNEL:

Attachment "C" List of Key Personnel is attached hereto and made a part hereof.

5. SBE GOAL

No SBE goal was established for this task order.

6. PERIOD OF PERFORMANCE

Work under this Task Order shall commence on July 1, 2021 and end June 30, 2026.

All other terms and conditions of this Agreement remain unchanged.

In witness whereof, this Task Order has been executed under the provisions of the above-mentioned Agreement between the San Gabriel Valley Council of Governments and the above named Consultant. By signature below, the parties hereto agree that all terms and conditions of this Task Order and Agreement shall be in full force and effect.

CONSULTANT:

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Authorized
Signature: _____

Authorized
Signature: _____

Print Name: _____

Print Name: _____

Print Title: _____

Print Title: _____

ATTACHMENT A - SCOPE OF SERVICES

1. Perform a financial and compliance audit of the San Gabriel Valley Council of Governments (SGVCOG) in accordance with auditing standards generally accepted in the United States of America as promulgated by the American Institute of Certified Public Accountants (AICPA), and the standards applicable for financial audits set forth in the Government Auditing Standards promulgated by the U.S. Government Accountability Office. The auditor shall also be responsible for performing certain limited procedures involving supplementary information required by the Governmental Accounting Standards Board as mandated by generally accepted auditing standards.
2. Issue audit opinions by January 1 following each fiscal year end, in accordance with the requirements set forth in the California Public Utilities Code and California Administrative Code.
3. Perform a single audit on the expenditure of federal grants in accordance with Single Audit Act and Amendments, Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart F (Uniform Guidance) and applicable Compliance Supplements and:
 - 3.1 Determine whether the schedule of expenditure of Federal awards is presented fairly in all material respects in relation to the SGVCOG financial statements taken as a whole.
 - 3.2 Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*.
 - 3.3 Report on Compliance for Each Major Federal Program, on Internal Control over Compliance, and on the Schedule of Expenditures of Federal Awards Required by the Uniform Guidance.
 - 3.4 Complete and sign specified sections of the data collection form for submission to the Federal Audit Clearing House.
4. Issue a Management Letter addressing accounting system, internal control and compliance weaknesses identified in the auditor's examination of the books and records and to include recommendations and possible solutions for the issues identified.
5. Provide advice as requested concerning treatment of unusual accounting transactions that may occur during the term under contract, including participation in the establishment of accounting principles and practices for the SGVCOG.

- 6 At the conclusion of each engagement, and upon staff's request, formally present the financial statements and reports to the SGVCOG Board and/or the appropriate Committee, during which the auditor will discuss their audit approach, scope and results.

San Gabriel Valley Council of Government
Attachment "B"
Compensation for General Scope of Services
FINANCIAL AUDIT SERVICES

FISCAL YEAR	2021/2022	2022/2023	2023/2024	202024/2025	2025/2026
	\$55,535.00	\$51,195.00	\$50,552.40	\$52,068.97	\$53,631.04

This is a fixed fee contract and totals \$262,982.41 and will be paid through the progress payment schedule indicated below.

Auditors Standard Hourly Billing Rates

Year 1 (July 1, 2021 – June 30, 2022)

Key Personnel	Number of Hours	Billing Rate	Total
Partner	49	\$150.00	\$7,350.00
Audit Manager	99	\$120.00	\$11,880.00
Audit Senior	173	\$85.00	\$14,705.00
Professional Audit Staff	252	\$75.00	\$18,900.00
Administrative	45	\$60.00	\$2,700.00
TOTAL			\$55,535.00

Year 2 (July 1, 2022 – June 30, 2023)

Key Personnel	Number of Hours	Billing Rate	Total
Partner	46	\$150.00	\$6,900.00
Audit Manager	91	\$120.00	\$10,920.00
Audit Senior	159	\$85.00	\$13,515.00
Professional Audit Staff	232	\$75.00	\$17,400.00
Administrative	41	\$60.00	\$2,460.00
TOTAL			\$51,195.00

Year 3 (July 1, 2023 – June 30, 2024)

Key Personnel	Number of Hours	Billing Rate	Total
Partner	43	\$154.50	\$6,643.50
Audit Manager	88	\$123.60	\$10,876.80
Audit Senior	153	\$87.55	\$13,395.15
Professional Audit Staff	223	\$77.25	\$17,226.75
Administrative	39	\$61.80	\$2,410.20
TOTAL			\$50,552.40

Year 4 (July 1, 2024 – June 30, 2025)

Key Personnel	Number of Hours	Billing Rate	Total
Partner	43	\$159.14	\$6,842.81
Audit Manager	88	\$127.31	\$11,203.10
Audit Senior	153	\$90.18	\$13,797.00
Professional Audit Staff	223	\$79.57	\$17,743.55
Administrative	39	\$63.65	\$2,482.51
TOTAL			\$52,068.97

Year 5 (July 1, 2025 – June 30, 2026)

Key Personnel	Number of Hours	Billing Rate	Total
Partner	43	\$163.91	\$7,048.09
Audit Manager	88	\$131.13	\$11,539.20
Audit Senior	153	\$92.88	\$14,210.91
Professional Audit Staff	223	\$81.95	\$18,275.86
Administrative	39	\$65.56	\$2,556.98
TOTAL			\$53,631.04

Consultant's monthly retainer may have annual adjustments of no more than three (3%) percent; subject to review and approval of SGVCOG.

ATTACHMENT C – Key Personnel

The following personnel are identified as key members to the team and shall not be substituted with other individuals without prior written approval by the SGVCOG via a Task Order revision.

- Ahmed Badawi, CPA – Engagement Partner
- Monica Singhai, CPA – Engagement Quality Reviewer
- Mitesh Desai, CPA – Audit Manager
- Wenwei Zhao, CPA – Audit Senior

REPORT

DATE: June 17, 2021

TO: Governing Board Delegates and Alternates

FROM: Marisa Creter, Executive Director

RE: **SGVCOG COMMITTEE AND TAC APPOINTMENTS**

RECOMMENDED ACTION

Appoint members to the following standing SGVCOG Policy Committees, and Technical Advisory Committees:

- Capital Projects and Construction Committee:
 - Northwest District: Susan Jakubowski (San Marino) - Delegate
- FY 21-22 City Managers' Steering Committee Regional Representatives:
 - Northeast: Adam Raymond (Glendora), Sergio Gonzalez (Azusa)
 - Southeast: Dan Fox (Diamond Bar)
 - Central: Gloria Molleda (Rosemead), Rachel Barbosa (South El Monte)
 - Southwest: Rene Bobadilla (Montebello), Mark Lazzaretto (San Gabriel)
 - Northwest: Mark Alexander (La Canada Flintridge), Kevin Kearney (Bradbury)
 - At-Large: Ron Bow (Monterey Park), Bryan Cook (Temple City), Dominic Lazzaretto (Arcadia), Chris Constantin (San Dimas)
- Homelessness Committee:
 - City of Azusa
 - Upper San Gabriel Valley Municipal Water District

BACKGROUND

The SGVCOG Bylaws provide for the creation of technical advisory committees (TACs) and policy committees to provide technical support and policy recommendations to the Governing Board.

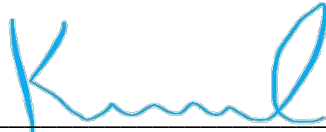
APPOINTMENTS

In the month of June, the SGVCOG received interest and recommendations for various appointments. In May, a call for candidates for the Capital Projects and Construction Committee's Northwest District was held due to Councilmember Becky Shevlin's recent appointment as the 2021-2022 SGVCOG President. Susan Jakubowski (San Marino) was the only nomination received by the nomination deadline on June 7, so staff is recommending her appointment as Delegate to the Northwest District. Additionally, at the June 2 meeting, the City Managers' Steering Committee recommended candidates to serve as the FY 21-22 Regional Representatives for approval to the Governing Board. Also, the City of Azusa and the Upper San Gabriel Valley Municipal Water District requested to be added as voting members to the SGVCOG Homelessness Committee. In summary, the recommended appointments are as follows:

- Capital Projects and Construction Committee:
 - Northwest District: Susan Jakubowski (San Marino) - Delegate

- FY 21-22 City Managers' Steering Committee Regional Representatives:
 - Northeast: Adam Raymond (Glendora), Sergio Gonzalez (Azusa)
 - Southeast: Dan Fox (Diamond Bar)
 - Central: Gloria Molleda (Rosemead), Rachel Barbosa (South El Monte)
 - Southwest: Rene Bobadilla (Montebello), Mark Lazzaretto (San Gabriel)
 - Northwest: Mark Alexander (La Canada Flintridge), Kevin Kearney (Bradbury)
 - At-Large: Ron Bow (Monterey Park), Bryan Cook (Temple City), Dominic Lazzaretto (Arcadia), Chris Constantin (San Dimas)
- Homelessness Committee:
 - City of Azusa
 - Upper San Gabriel Valley Municipal Water District

Prepared by:



Katie Ward
Senior Management Analyst

Approved by:



Marisa Creter
Executive Director

REPORT

DATE: June 17, 2021
TO: Governing Board Delegates and Alternates
FROM: Marisa Creter, Executive Director
RE: **AB 61 (GABRIEL) – SUPPORT**

RECOMMENDED ACTION

Adopt Resolution 21-33 in support of AB 61 (Gabriel).

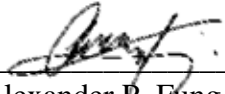
BACKGROUND


The COVID-19 Pandemic has severely impacted small businesses across California, with the dining industry facing a wave of temporary and permanent closures. As restaurants and bars begin to resume and continue operations under the Governor’s Blueprint for a Safer Economy Framework, the U.S. Centers for Disease Control and Prevention (CDC) suggested that restaurants and bars prioritize outdoor seating as much as possible.

Introduced by Assemblymember Jesse Gabriel (D-Calabasas), AB 61 has three main components:

1. Authorizes the California Department of Alcohol Beverage Control (ABC) to, for 365 days from the date that the COVID-19 State of Emergency is lifted, allow licensees to continue exercising license privileges in an expanded licensed area pursuant to a COVID-19 temporary catering permit.
2. Authorize, until one year after the end of the declared COVID-19 emergency, a restaurant to prepare and serve food as a temporary satellite food service without obtaining a separate satellite food service permit.
3. Until January 1, 2024, require a local jurisdiction that receives an application for a parking zone variance or conditional use permit in connection with outdoor expansion of a business to mitigate COVID-19 pandemic restrictions on indoor dining, to approve or reject the application ministerially, without any discretionary review.

The bill recently passed the Assembly Committees on Governmental Organization, Health, and Appropriations, as well as the Assembly Floor, with unanimous votes. On June 7, 2021, the Executive Committee reviewed AB 61 and recommended the Governing Board to support the bill.

Prepared by: 
Alexander P. Fung
Management Analyst

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – AB 61 Bill Language

Attachment B – AB 61 Bill Analysis

Attachment C – Resolution 21-33

Attachment A

AMENDED IN ASSEMBLY MAY 24, 2021

AMENDED IN ASSEMBLY MAY 3, 2021

AMENDED IN ASSEMBLY APRIL 14, 2021

AMENDED IN ASSEMBLY FEBRUARY 16, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 61

Introduced by Assembly Members Gabriel and Gipson

(Principal coauthor: Senator Hertzberg)

(Coauthors: Assembly Members Aguiar-Curry, *Burke*, Carrillo, Chiu, Cooper, Cunningham, Daly, Davies, Flora, Eduardo Garcia, Nazarian, Blanca Rubio, Smith, and Valladares)

(Coauthors: Senators Allen, Bates, Gonzalez, and Rubio)

December 7, 2020

An act to add Section 25750.5 to, and to add Article 7 (commencing with Section 23520) to Chapter 3 of Division 9 of, to the Business and Professions Code, to add and repeal Section 65907 of the Government Code, and to amend Section 114067 of the Health and Safety Code, relating to business pandemic relief.

LEGISLATIVE COUNSEL'S DIGEST

AB 61, as amended, Gabriel. Business pandemic relief.

(1) Existing law, the Alcoholic Beverage Control Act, is administered by the Department of Alcoholic Beverage Control and regulates the granting of licenses for the manufacture, distribution, and sale of alcoholic beverages within the state. The act requires the department to make and prescribe rules to carry out the purposes and intent of existing state constitutional provisions on the regulation of alcoholic

beverages, and to enable the department to exercise the powers and perform the duties conferred upon it by the state constitution and the act, not inconsistent with any statute of this state. The act makes it unlawful for any person other than a licensee of the department to sell, manufacture, or import alcoholic beverages in this state, with exceptions. The department, pursuant to its powers and in furtherance of emergency declarations and orders of the Governor under the California Emergency Services Act regarding the spread of the COVID-19 virus, has established prescribed temporary relief measures to suspend certain legal restrictions relating to, among other things, the expansion of a licensed footprint, sales of alcoholic beverages to-go, and delivery privileges.

~~This bill would authorize the department to issue a third-party delivery license to a third-party delivery service for delivery to a consumer of alcoholic beverages from a restaurant licensed under the act. The bill would require delivery by a third-party delivery licensee to be consistent with deliveries by licensees who are permitted by license privileges or by regulatory relief adopted by the department to sell off sale and deliver those alcoholic beverages to consumers. Because the violation of a provision of a license is punishable as a misdemeanor and the bill would create a new category of license, the bill would expand the definition of a crime, thereby imposing a state-mandated local program.~~

This bill would authorize the department, for a period of 365 days following the end of the state of emergency proclaimed by the Governor on March 4, 2020, in response to the COVID-19 pandemic, to permit licensees to exercise license privileges in an expanded license area authorized pursuant to a COVID-19 Temporary Catering Permit approved in accordance with the Fourth Notice of Regulatory Relief issued by the department, as specified.

(2) The Planning and Zoning Law authorizes the legislative body of any city or county to adopt ordinances that regulate zoning within its jurisdiction, as specified. Under that law, variances and conditional use permits may be granted if provided for by the zoning ordinance.

This bill would, until January 1, 2024, require a city, county, or city and county, that receives an application for a parking zone variance or conditional use permit in connection with the outdoor expansion of a business to mitigate COVID-19 pandemic restrictions on indoor dining, to approve or reject the application ministerially, without any discretionary review. Because the bill would require local officials to

perform additional duties, the bill would impose a state-mandated local program.

(3) Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for, and provides for regulation by the State Department of Public Health of, retail food facilities. Existing law restricts satellite food service to limited food preparation in a fully enclosed permanent food facility that meets specified requirements. Existing law requires a permanent food facility, prior to conducting satellite food service, to submit to the enforcement agency written operating standards.

This bill would, for a period of one year after the end of the state of emergency proclaimed by the Governor on March 4, 2020, related to the COVID-19 pandemic, authorize a permitted food facility within any local jurisdiction that is subject to retail food operation restrictions related to a COVID-19 public health response to prepare and serve food as a temporary satellite food service without obtaining a separate satellite food service permit or submitting written operating procedures. This bill would require the written operating procedures to be maintained onsite for review, upon request, by the local jurisdiction.

~~(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that with regard to the mandates imposed by this bill no reimbursement is required by this act for specified reasons.~~

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. ~~Article 7 (commencing with Section 23520) is~~
- 2 ~~added to Chapter 3 of Division 9 of the Business and Professions~~
- 3 ~~Code, to read:~~

1 Article 7. ~~Third-party Alcohol Delivery License~~

2
3 ~~23520. The department may issue a third-party delivery license~~
4 ~~to a third-party delivery service for delivery to a consumer of~~
5 ~~alcoholic beverages from a restaurant licensed under this division.~~
6 ~~Except as provided in this article, delivery by a licensee under this~~
7 ~~article shall be consistent with deliveries by licensees who are~~
8 ~~permitted by license privileges or by regulatory relief adopted by~~
9 ~~the department to sell off sale and deliver those alcoholic beverages~~
10 ~~to consumers.~~

11 SEC. 2.

12 SECTION 1. Section 25750.5 is added to the Business and
13 Professions Code, to read:

14 25750.5. (a) For a period of 365 days following the end of the
15 state of emergency proclaimed by the Governor on March 4, 2020,
16 in response to the COVID-19 pandemic, the Department of
17 Alcoholic Beverage Control may permit licensees to exercise
18 license privileges in an expanded license area authorized pursuant
19 to a COVID-19 Temporary Catering Permit approved in accordance
20 with the Fourth Notice of Regulatory Relief issued by the
21 department on May 15, 2020. A COVID-19 Temporary Catering
22 Authorization authorizes the on-sale consumption of those
23 alcoholic beverages for which the licensee has on-sale privileges
24 on property that is adjacent to the licensed premises, under the
25 control of the licensee.

26 (b) The COVID-19 Temporary Catering Permit approved by
27 the department shall be subject to those terms and conditions
28 established by the department and as stated in the Fourth Notice
29 of Regulatory Relief and the related application form.

30 (c) Notwithstanding any other provision of law, if the department
31 determines that any licensee is found to be abusing the relief
32 provided by this section, or if the licensee’s actions jeopardize
33 public health, safety, or welfare, the department may summarily
34 rescind the relief as to that licensee at any time.

35 (d) This section shall become inoperative 365 days after the
36 state of emergency declared by the Governor on March 4, 2020,
37 in response to the COVID-19 pandemic, ends.

38 Notwithstanding any other provision of law, if the department
39 determines that any licensee is found to be abusing the relief
40 provided by this section, or if the licensee’s actions jeopardize

1 public health, safety, or welfare, the department may summarily
2 rescind the relief as to that licensee at any time.

3 ~~SEC. 3.~~

4 *SEC. 2.* Section 65907 is added to the Government Code, to
5 read:

6 65907. (a) Commencing January 1, 2022, a city, county, or
7 city and county, that receives an application for a parking zone
8 variance or conditional use permit in connection with the outdoor
9 expansion of a business to mitigate COVID-19 pandemic
10 restrictions on indoor dining, shall approve or reject the application
11 ministerially, without any discretionary review.

12 (b) This section shall remain in effect only until January 1, 2024,
13 and as of that date is repealed.

14 ~~SEC. 4.~~

15 *SEC. 3.* Section 114067 of the Health and Safety Code is
16 amended to read:

17 114067. (a) Satellite food service is restricted to limited food
18 preparation.

19 (b) Satellite food service shall only be operated by a fully
20 enclosed permanent food facility that meets the requirements for
21 food preparation and service and that is responsible for servicing
22 the satellite food service operation.

23 (c) Prior to conducting satellite food service, the permitholder
24 of the permanent food facility shall submit to the enforcement
25 agency written standard operating procedures that include all of
26 the following information:

27 (1) All food products that will be handled and dispensed.

28 (2) The proposed procedures and methods of food preparation
29 and handling.

30 (3) Procedures, methods, and schedules for cleaning utensils,
31 equipment, structures, and for the disposal of refuse.

32 (4) How food will be transported to and from the permanent
33 food facility and the satellite food service operation, and procedures
34 to prevent contamination of foods.

35 (5) How potentially hazardous foods will be maintained in
36 accordance with Section 113996.

37 (d) All food preparation shall be conducted within a food
38 compartment or fully enclosed facility approved by the enforcement
39 officer.

1 (e) Satellite food service areas shall have overhead protection
2 that extends over all food handling areas.

3 (f) Satellite food service operations that handle nonprepackaged
4 food shall be equipped with approved handwashing facilities and
5 warewashing facilities that are either permanently plumbed or
6 self-contained.

7 (g) Notwithstanding subdivision (f), the local enforcement
8 agency may approve the use of alternative warewashing facilities.

9 (h) During nonoperating hours and periods of inclement weather,
10 food, food contact surfaces, and utensils shall be stored within any
11 of the following:

- 12 (1) A fully enclosed satellite food service operation.
- 13 (2) Approved food compartments where food, food contact
14 surfaces, and utensils are protected at all times from contamination,
15 exposure to the elements, ingress of vermin, and temperature abuse.
- 16 (3) A fully enclosed permanent food facility.

17 (i) Satellite food service activities shall be conducted by and
18 under the constant and complete control of the permitholder of the
19 fully enclosed permanent food facility, or the duly contracted
20 personnel of, or third-party providers to, the permitholder.

21 (j) For purposes of permitting and enforcement, the permitholder
22 of the permanent food facility and the permitholder of the satellite
23 food service shall be the same.

24 (k) (1) A permitted food facility within any local jurisdiction
25 that is subject to retail food operation restrictions related to a
26 COVID-19 public health response may prepare and serve food as
27 a temporary satellite food service without obtaining a separate
28 satellite food service permit or submitting written operating
29 procedures pursuant to subdivision (c). The written operating
30 procedures shall be maintained onsite for review, upon request,
31 by the local jurisdiction.

32 (2) This subdivision shall remain operative for a period of one
33 year following the end, pursuant to Section 8629 of the
34 Government Code, of the state of emergency proclaimed by the
35 Governor on March 4, 2020, related to the COVID-19 pandemic.

36 ~~SEC. 5. No reimbursement is required by this act pursuant to~~
37 ~~Section 6 of Article XIII B of the California Constitution because~~
38 ~~a local agency or school district has the authority to levy service~~
39 ~~charges, fees, or assessments sufficient to pay for the program or~~
40 ~~level of service mandated by this act or because costs that may be~~

1 incurred by a local agency or school district will be incurred
2 because this act creates a new crime or infraction, eliminates a
3 crime or infraction, or changes the penalty for a crime or infraction,
4 within the meaning of Section 17556 of the Government Code, or
5 changes the definition of a crime within the meaning of Section 6
6 of Article XIII B of the California Constitution.

7 *SEC. 4. No reimbursement is required by this act pursuant to*
8 *Section 6 of Article XIII B of the California Constitution because*
9 *a local agency or school district has the authority to levy service*
10 *charges, fees, or assessments sufficient to pay for the program or*
11 *level of service mandated by this act, within the meaning of Section*
12 *17556 of the Government Code.*

O

ASSEMBLY THIRD READING
AB 61 (Gabriel and Gipson)
As Amended May 24, 2021
Majority vote

SUMMARY

Would authorize the Department of Alcohol Beverage Control (ABC) to, for 365 days from the date the COVID-19 state of emergency is lifted, allow licensees to continue to exercise license privileges in an expanded licensed area authorized pursuant to a COVID-19 temporary catering permit, as provided. Further, authorizes, until one year after the end of the declared COVID-19 emergency, a restaurant to prepare and serve food as a temporary satellite food service without obtaining a separate satellite food service permit. Lastly, the bill would, until January 1, 2024, require a city, county, or city and county that receives an application for a parking zone variance or conditional use permit in connection with the outdoor expansion of a business to mitigate COVID-19 pandemic restrictions on indoor dining, to approve or reject the application "ministerially," without any discretionary review.

Major Provisions

- 1) Authorizes ABC, for a period of 365 days following the end of the state of emergency proclaimed by the Governor on March 4, 2020, in response to the COVID-19 pandemic, to permit licensees to exercise license privileges in an expanded license area authorized pursuant to a COVID-19 Temporary Catering Permit approved in accordance with the Fourth Notice of Regulatory Relief issued by the department, as specified. A COVID-19 Temporary Catering Authorization authorizes the on-sale consumption of those alcoholic beverages for which the licensee has on-sale privileges on property that is adjacent to the licensed premises, under the control of the licensee. If ABC determines that any licensee is found to be abusing the relief provided by this authorization, or if the licensee's actions jeopardize public health, safety, or welfare, the department may summarily rescind the relief as to that licensee at any time.
- 2) Requires a city or county, from January 1, 2022 to January 1, 2024, to ministerially approve an application for a parking zone variance or conditional use permit in connection with the outdoor expansion of a restaurant to mitigate COVID-19 restrictions on indoor dining.
- 3) Provides, for a period of one year after the end of the state of emergency proclaimed by the Governor on March 4, 2020, related to the COVID-19 pandemic, authorize a permitted food facility within any local jurisdiction that is subject to retail food operation restrictions related to a COVID-19 public health response to prepare and serve food as a temporary satellite food service without obtaining a separate satellite food service permit or submitting written operating procedures. This bill would require the written operating procedures to be maintained onsite for review, upon request, by the local jurisdiction.

COMMENTS

Restaurants and the COVID-19 Pandemic. According to information provided by the author's office, the COVID-19 pandemic has devastated small businesses in California, with the restaurant industry facing a wave of temporary and permanent closures. As of December 2020, the National Restaurant Association reports that over 110,000 establishments have closed their doors, with 89 percent of full-service restaurants reporting below normal staffing levels and

anticipating additional layoffs. Small restaurants are the backbone of communities across California, contributing greatly to cultural affairs and the local economy while also serving as an engine of opportunity and social mobility. Notably, the restaurant industry employs one of the most diverse workforces in the state, and six out of ten restaurants in California are owned by people of color. Despite recent progress with vaccines, it has become clear that outdoor dining will be a critical component of many restaurants' short- and long-term plans for keeping their doors open.

The restaurant industry has been disproportionately impacted by COVID 19 pandemic. Repeated closures and changing requirements caused a significant number of closures within the restaurant industry. For the ones that did survive, they had to be open with limited indoor capacity and be required to offer more outdoor dining options to match their pre-COVID capacity.

As restaurants and bars begin to resume or continue operations in California under the Governor's Blueprint for a Safer Economy, the CDC has suggested that restaurants and bars prioritize outdoor seating as much as possible. According to the CDC outdoor dining, short of curbside pick-up or delivery is the least risky dining option for dining out during this pandemic, and in the future, as we encounter new public health challenges. Many restaurants and bars will need to have limited seating capacity due to modified layouts to meet social distancing for the foreseeable future, thus reducing revenue compared to operating at full capacity pre-COVID. With California weather both extremely sunny and rainy at times, this bill will help to provide a flexible solution to restaurants so they can continue to survive and stay economically viable.

This bill provides the ABC with the authority necessary to continue to allow licensees to continue to operate under the COVID-19 Temporary Catering Authorization permit for 365 days after the emergency order is lifted. The bill also allows the ABC to extend the 365-day period as long as the licensee has applied to the department for an expansion of their licensed premises. Alcohol licensees would still need to follow all of the rules set forth under the fourth regulatory relief and would continue to need local approval.

In addition, this bill authorizes, until one year after the end of the declared COVID-19 emergency, a restaurant to prepare and serve food as a temporary satellite food service without obtaining a separate satellite food service permit.

(For a comprehensive discussion on the ABC provisions of this bill, please refer to the Assembly Governmental Organization Committee analysis)

According to the Author

According to the author, as small restaurants across California struggle to survive, state action is needed to help facilitate more outdoor dining, and expanded take-out and delivery options, in a manner consistent with public health guidance. This bill would empower local jurisdictions and the ABC to provide much-needed regulatory flexibility to support struggling restaurants across the Golden State. Neighborhood restaurants are the backbone of communities across California, but too many are barely hanging on by a thread. Outdoor dining offers a lifeline that can help keep these establishments afloat, but we must do more to assist them during these challenging times. Despite recent progress with vaccines, outdoor dining is likely to be critical for many restaurants for the foreseeable future. The author concludes this bill ensures that restaurants are fully supported as they continue to innovate their business practices and safely operate.

Arguments in Support

The California Restaurant Association (CRA), the sponsor of this bill, and other supporters state that this bill builds on the actions that the CRA took, partnering with numerous local governments, at the outset of the pandemic- and since- to expand critical outdoor dining spaces in local communities. These partnerships resulted in new, reinvented outdoor dining spaces and expansions in city after city. These programs streamlined requirements and approvals for outdoor dining on sidewalks, parking lots, and streets. Many local governments eased the process for restaurants to set up tents outside, to build parklets, and to increase the number of sidewalk tables. CRA states it also worked with ABC to safely allow for the service of beer, wine, and cocktails in these reimagined dining spaces.

Arguments in Opposition

The Alcohol Justice opposes this bill and states that this bill will expand the availability of alcohol to locations, events and public spaces and extensively threaten public health and safety.

FISCAL COMMENTS

According to the Assembly Appropriations Committee: 1) Absorbable costs for ABC to extend the COVID-19 Temporary Catering Permit for approximately 10,000 on-sale licensees already granted temporary permits. 2) Costs incurred by local agencies as a result of this bill's ministerial approval requirement are not reimbursable by the state because local agencies can levy fees to cover these costs. 3) No cost to the California Department of Public Health to allow restaurants to forgo obtaining a separate satellite food service permit. The permit is administered by local environmental health jurisdictions.

VOTES

ASM GOVERNMENTAL ORGANIZATION: 20-0-2

YES: Frazier, Bigelow, Aguiar-Curry, Berman, Carrillo, Cooley, Cooper, Davies, Eduardo Garcia, Gipson, Jones-Sawyer, Lackey, Villapudua, Mathis, Quirk-Silva, Ramos, Robert Rivas, Blanca Rubio, Salas, Smith

ABS, ABST OR NV: Daly, Gallagher

ASM HEALTH: 15-0-0

YES: Wood, Mayes, Aguiar-Curry, Bigelow, Burke, Carrillo, Flora, Maienschein, McCarty, Nazarian, Luz Rivas, Rodriguez, Santiago, Waldron, Calderon

ASM APPROPRIATIONS: 12-0-4

YES: Lorena Gonzalez, Calderon, Carrillo, Chau, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Holden, Luz Rivas

ABS, ABST OR NV: Bigelow, Megan Dahle, Davies, Fong

UPDATED

VERSION: May 24, 2021

CONSULTANT: Eric Johnson / G.O. / (916) 319-2531

FN: 0000730

RESOLUTION 21-33
RESOLUTION OF THE GOVERNING BOARD OF THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) SUPPORTING
AB 61 (GABRIEL)

WHEREAS, the COVID-19 Pandemic has severely impacted small businesses across California, with the dining industry facing a wave of temporary and permanent closures;

WHEREAS, as restaurants and bars begin to resume and continue operations under the Governor’s Blueprint for a Safer Economy Framework, the U.S. Centers for Disease Control and Prevention (CDC) suggested that restaurants and bars prioritize outdoor seating as much as possible;

WHEREAS, AB 61 would authorize the California Department of Alcohol Beverage Control (ABC) to, for 365 days from the date that the COVID-19 State of Emergency is lifted, allow licensees to continue exercising license privileges in an expanded licensed area pursuant to a COVID-19 temporary catering permit;

WHEREAS, the bill would authorize, until one year after the end of the declared COVID-19 emergency, a restaurant to prepare and serve food as a temporary satellite food service without obtaining a separate satellite food service permit;

WHEREAS, the bill would, until January 1, 2024, require a local jurisdiction that receives an application for a parking zone variance or conditional use permit in connection with outdoor expansion of a business to mitigate COVID-19 pandemic restrictions on indoor dining, to approve or reject the application ministerially, without any discretionary review; and,

WHEREAS, the Executive Committee reviewed AB 61 (Gabriel) on June 7, 2021 and voted to recommend the Governing Board to support the bill.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board does hereby support AB 61 (Gabriel).

PASSED, APPROVED, and ADOPTED this 17th day of June, 2021.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Margaret Clark, President

Attest:

I, Marisa Creter, Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 21-33 was adopted at a regular meeting of the Governing Board held on the 17th day of June, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Marisa Creter, Secretary

REPORT

DATE: June 17, 2021
TO: Governing Board Delegates and Alternates
FROM: Marisa Creter, Executive Director
RE: **SB 314 (WIENER) – SUPPORT**

RECOMMENDED ACTION

Adopt Resolution 21-34 supporting SB 314 (Wiener).

BACKGROUND

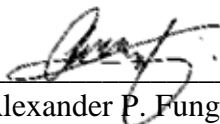
Introduced by Senator Scott Wiener (D-San Francisco), SB 314 aims to assist California's events, restaurants, and bars recover economically from the impacts of the COVID-19 Pandemic by creating additional flexibility in the manner in which alcohol can be served. Combined with other critical measures, the bill can assist the hospitality industry recover from the devastating impacts of the Pandemic and restructure outdated laws.

Specifically, SB 314 authorizes the California Department of Alcohol Beverage Control (ABC), for a period of 365 days from the date when the COVID-19 state of emergency order is lifted, to permit licensees to continue exercising license privileges in an expanded licensed area authorized pursuant to a COVID-19 temporary catering permit. It also authorizes the ABC to extend the time period that the COVID-19 temporary permit is valid beyond the 365 days if the licensee has filed a pending application with the Department for the permanent expansion of the premises.

Additionally, SB 314 authorizes an alcohol manufacturer to share a common licensed area with multiple retailers and increases the number of times in a calendar year that the Department can issue a caterer's permit for use at any one location from 24 to 52. The bill also extends from 30 to 90 days by which a licensee must apply to the Department for an event permit that allows specified licensees, to provide, free of charge, entertainment, food, and distilled spirits, wine, or nonalcoholic beverages to consumers at an invitation-only event.

SB 314 has passed the Senate Committees on Governmental Organization and Appropriations and the Senate Floor unanimously. On June 7, 2021, the Executive Committee received a presentation on SB 314 and reviewed the bill language.

Prepared by:



Alexander P. Fung
Management Analyst

Approved by: Marisa Creter
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – SB 314 Bill Language

Attachment B – SB 314 Bill Analysis

Attachment C – Resolution 21-34

AMENDED IN SENATE APRIL 13, 2021

SENATE BILL

No. 314

Introduced by Senator Wiener

(Principal coauthors: Assembly Members Quirk and Villapudua)

(~~Coauthor: Senator~~ Coauthors: *Senators Borgeas and Nielsen*)

(Coauthors: Assembly Members *Aguiar-Curry*, Carrillo, Chiu,
Eduardo Garcia, Gray, *Mayes*, and Ting)

February 4, 2021

An act to amend Sections ~~23320, 23399, 24300, 25600.5, 25607, and 25665~~ of, to add Sections ~~23398.9, 23406, and 23407~~ to, and to add Article 7 (commencing with Section 23550) to Chapter 3 of Division ~~9~~ of, ~~25600.5 and 25607~~ of, and to amend, repeal, and add Section 23399 of, the Business and Professions Code, ~~and to add Section 65863.15 to the Government Code~~, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 314, as amended, Wiener. Alcoholic beverages.

(1) The Alcoholic Beverage Control Act contains various provisions regulating the application for, the issuance of, the suspension of, and the conditions imposed upon alcoholic beverage licenses by the Department of Alcoholic Beverage Control. Existing law generally provides that a violation of the Alcoholic Beverage Control Act is a misdemeanor.

Existing law authorizes the issuance of a caterer's permit, upon application to the department, to a licensee under an on-sale general license, an on-sale beer and wine license, a club license, or a veterans' club license, that authorizes the holder of the permit to sell alcoholic

beverages at specified locations and events, including, among others, conventions, sporting events, and trade exhibits.

~~This bill would require the department to expedite the review of an application for a caterer's permit. prohibit the authorization of a catering permit for use at any one premises for more than 52 events in one calendar year, except as specified. The bill would, until July 1, 2023, authorize the Department of Alcoholic Beverage Control to, for 365 days from the date the COVID-19 state of emergency order is lifted, or longer if the licensee has a pending application for permanent expansion of their premises, allow licensees to continue to exercise license privileges in an expanded licensed area authorized pursuant to a COVID-19 temporary catering permit, as provided.~~

~~This bill would authorize the department to issue a COVID-19 permanent caterer's authorization to a licensee under an on-sale general license. The authorization would authorize the on-site consumption of the alcoholic beverages for which the licensee has on-sale privileges on property that is adjacent to the licensed premises, as specified. The bill would require the department to expedite the review of an application for an authorization, as specified. By broadening the definition of a crime, this bill would impose a state-mandated local program.~~

~~(2) Existing law makes it a misdemeanor for a licensee under an on-sale license issued for public premises, as defined, to permit a person under the age of 21 years to enter and remain in the licensed premises without lawful business therein.~~

~~This bill would permit a licensee under an on-sale license issued for public premises to permit a person under the age of 21 years to enter and remain in the licensed premises provided that alcoholic beverages are not sold, served, or consumed on the premises during the time that a person under the age of 21 years is present.~~

~~(3) Existing law provides for various annual fees for the issuance of alcoholic beverage licenses, depending upon the type of license issued. Existing law additionally authorizes specified alcoholic beverage licensees to purchase advertising space and time from, or on behalf of, an on-sale retail licensee, under certain conditions, if the on-sale retail licensee is the owner, manager, agent of the owner, assignee of the owner's advertising rights, or major tenant of specified facilities.~~

~~This bill would authorize the department to issue a music venue license that would allow the licensee to sell beer, wine, and distilled spirits at retail for consumption on the premises in a music entertainment~~

facility, as defined. The bill would impose an original fee and an annual renewal fee for the license, which would be deposited in the Alcohol Beverage Control Fund. The bill would provide for the purchases of advertising time and space with revised parameters, including that the parties submit a declaration to the department relating to the agreement to purchase advertising time and space.

~~(4) Existing law requires the department to hold a hearing on a protest, accusation, or petition for a license in the county in which the premises or license is located, except as provided, and to be conducted in accordance with specified administrative procedures.~~

~~This bill would require the department to a hearing described above within 6 months after the filing of a protest, accusation, or petition for a license.~~

~~(5) Existing law permits specified licensees, or their authorized agents, to provide, free of charge, entertainment, food, and distilled spirits, wine, or nonalcoholic beverages to consumers at an invitation-only event, subject to various conditions, including a limitation on the number of events the authorized person may conduct in a year, as provided.~~

~~This bill would delete the above-described condition.~~

~~(2) Existing law requires a licensee or its authorized agent to, at least 30 days prior to an event, apply to the department for a permit authorizing the event and provide specified information to the department, in addition to any other information required by the department.~~

~~This bill would instead require the application and specified information to be submitted 90 days prior to the event.~~

~~(6)~~

~~(3) Existing law, with exceptions, prohibits a licensee from ~~having~~ having, upon the licensed ~~premises~~ premises, any alcoholic beverages other than the alcoholic beverage that the licensee is authorized to sell at the premises under their license, and makes a violation of this prohibition punishable as a misdemeanor.~~

~~This bill would, as an exception to that prohibition, authorize 2 or more on-sale general licensees whose licensed premises are immediately adjacent to each other, as specified, to share a common licensed area in which consumption of alcoholic beverages is permitted under various circumstances a licensed manufacturer to share a common licensed area with multiple licensed retailers, subject to specified provisions, including, (A) a licensee sharing the common licensed area with a~~

licensed manufacturer is prohibited from selling or serving any alcoholic beverages that are manufactured, produced, bottled, processed, imported, rectified, distributed, represented, or sold by the manufacturer, as provided, (B) no thing of value may be given or furnished by the manufacturer to the retailers, except advertising or promotion, as provided, (C) the manufacturer may have on the area of its licensed premises that encompass the shared common licensed area alcoholic beverages that would not otherwise be permitted on the manufacturer's licensed premises, as provided, (D) all licensees sharing the common licensed area are required to hold the same license type retailers, and (E) all licensees holding licenses within the shared common licensed area are jointly responsible for compliance with all laws that may subject their license to discipline.

~~This bill would provide that a licensee that shares a licensed premises with another licensee but does not operate at the same time as the other licensee is responsible for compliance with the act and for any violation that occurs on the premises only during the time when that licensee operates under its license.~~

~~(7) Under existing law, any person possessing an open container of an alcoholic beverage in any city, county, or city and county-owned public place, as specified, or any regional park or recreation and park district, is guilty of an infraction if the city or county has enacted an ordinance that prohibits the possession of those containers or the consumption of alcoholic beverages in those areas, except as specified.~~

~~The Planning and Zoning Law authorizes the legislative body of any city or county to adopt ordinances regulating zoning within its jurisdiction, as specified.~~

~~This bill would authorize a city, including a charter city, county, or city and county, to allow in commercial zones the consumption of alcoholic beverages, including the possession of an open container of an alcoholic beverage.~~

~~(8) This bill would make various conforming changes.~~

~~(9)~~

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(10)

(5) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. ~~Section 23320 of the Business and Professions~~
2 ~~Code is amended to read:~~

3 ~~23320. (a) An applicant for a new permanent license, which~~
4 ~~shall not include duplicate licenses, shall accompany the~~
5 ~~application with the application fee as specified in this division:~~

6 ~~(1) The license application fee for a new permanent license shall~~
7 ~~be nine hundred five dollars (\$905), except as otherwise specified:~~

8 ~~(2) Applicants for a new permanent license of the following~~
9 ~~types shall accompany the application with a fee of fifteen thousand~~
10 ~~eight hundred thirty-five dollars (\$15,835):~~

11 ~~(A) Off-sale general (Type 21).~~

12 ~~(B) On-sale general - eating place (Type 47), on-sale general~~
13 ~~public premises (Type 48), special on-sale general (Type 57),~~
14 ~~special on-sale general for-profit theater (Type 71 and Type 72),~~
15 ~~brewpub-restaurant (Type 75), caterer's (Type 83), neighborhood~~
16 ~~restricted special on-sale (Type 87), special on-sale general license~~
17 ~~for historic cemetery (Type 88), and music venue license (Type~~
18 ~~90).~~

19 ~~(3) Applicants for a new permanent license of the following~~
20 ~~types shall accompany the application with a fee as indicated:~~

21 ~~(A) Twelve thousand dollars (\$12,000) for a wine, food and art~~
22 ~~cultural museum (Type 78).~~

23 ~~(B) Six thousand dollars (\$6,000) for an on-sale general - eating~~
24 ~~place on public property (Type 47), for an on-sale general~~
25 ~~restrictive service (Type 70), and for a music venue on public~~
26 ~~property (Type 90).~~

27 ~~(C) Two thousand dollars (\$2,000) for an on-sale general~~
28 ~~dockside (Type 62).~~

29 ~~(D) One thousand dollars (\$1,000) for a special on-sale general~~
30 ~~theater (Type 64).~~

31 ~~(E) One hundred dollars (\$100) for an out-of-state beer~~
32 ~~manufacturer certificate (Type 26), for a distilled spirits shipper~~
33 ~~certificate (Type 28), and for a direct shipper permit (Type 82).~~

- 1 ~~(F) One hundred dollars (\$100) for a still (Type 6).~~
- 2 ~~(b) The following are the types of licenses and the annual fees~~
- 3 ~~to be charged therefor:~~
- 4 ~~(1) (A) For a Type 01 - Beer manufacturer that produces more~~
- 5 ~~than 60,000 barrels per year: the fee through September 30, 2019,~~
- 6 ~~is one thousand five hundred thirty-one dollars (\$1,531) and the~~
- 7 ~~fee on and after October 1, 2019, is one thousand eight hundred~~
- 8 ~~ninety dollars (\$1,890).~~
- 9 ~~(B) For a Duplicate Type 01: the fee through September 30,~~
- 10 ~~2019, is ninety-eight dollars (\$98) and the fee on and after October~~
- 11 ~~1, 2019, is four hundred thirty dollars (\$430).~~
- 12 ~~(2) (A) For a Type 02 - Winegrower (to be computed only on~~
- 13 ~~the gallons produced); 5,000 gallons or less: the fee through~~
- 14 ~~September 30, 2019, is seventy-one dollars (\$71) and the fee on~~
- 15 ~~and after October 1, 2019, is one hundred ten dollars (\$110).~~
- 16 ~~(B) For a Type 02 - Winegrower (to be computed only on the~~
- 17 ~~gallons produced); 5,000 - 20,000 gallons: the fee through~~
- 18 ~~September 30, 2019, is one hundred thirty-two dollars (\$132) and~~
- 19 ~~the fee on and after October 1, 2019, is one hundred sixty dollars~~
- 20 ~~(\$160).~~
- 21 ~~(C) For a Type 02 - Winegrower (to be computed only on the~~
- 22 ~~gallons produced); 20,000 - 100,000 gallons: the fee through~~
- 23 ~~September 30, 2019, is two hundred thirty-nine dollars (\$239) and~~
- 24 ~~the fee on and after October 1, 2019, is three hundred twenty-five~~
- 25 ~~dollars (\$325).~~
- 26 ~~(D) For a Type 02 - Winegrower (to be computed only on the~~
- 27 ~~gallons produced); 100,000 - 200,000 gallons: the fee through~~
- 28 ~~September 30, 2019, is three hundred fourteen dollars (\$314) and~~
- 29 ~~the fee on and after October 1, 2019, is three hundred eighty dollars~~
- 30 ~~(\$380).~~
- 31 ~~(E) For a Type 02 - Winegrower (to be computed only on the~~
- 32 ~~gallons produced); 200,000 - 1,000,000 gallons: the fee through~~
- 33 ~~September 30, 2019, is four hundred sixty-six dollars (\$466) and~~
- 34 ~~the fee on and after October 1, 2019, is five hundred forty dollars~~
- 35 ~~(\$540).~~
- 36 ~~(F) For a Type 02 - Winegrower (to be computed only on the~~
- 37 ~~gallons produced); for each additional 1,000,000 gallons over~~
- 38 ~~1,000,000 gallons: the fee through September 30, 2019, is three~~
- 39 ~~hundred thirteen dollars (\$313) and the fee on and after October~~
- 40 ~~1, 2019, is three hundred eighty dollars (\$380).~~

1 (G) For a Duplicate Type 02: the fee through September 30,
2 2019, is ninety-eight dollars (\$98) and the fee on and after October
3 1, 2019, is one hundred sixty dollars (\$160).

4 (3) (A) For a Type 03 - Brandy manufacturer: the fee through
5 September 30, 2019, is three hundred eleven dollars (\$311) and
6 the fee on and after October 1, 2019, is five hundred forty dollars
7 (\$540).

8 (B) For a Duplicate Type 03: the fee through September 30,
9 2019, is two hundred eighty-four dollars (\$284) and the fee on and
10 after October 1, 2019, is three hundred eighty dollars (\$380).

11 (4) For a Type 04 - Distilled spirits manufacturer: the fee
12 through September 30, 2019, is five hundred ten dollars (\$510)
13 and the fee on and after October 1, 2019, is five hundred ninety-five
14 dollars (\$595).

15 (5) For a Type 05 - Distilled spirits manufacturer's agent: the
16 fee through September 30, 2019, is five hundred ten dollars (\$510)
17 and the fee on and after October 1, 2019, is five hundred ninety-five
18 dollars (\$595).

19 (6) For a Type 06 - Still: the fee through September 30, 2019,
20 is seventy-seven dollars (\$77) and the fee on and after October 1,
21 2019, is one hundred ten dollars (\$110).

22 (7) For a Type 07 - Rectifier: the fee through September 30,
23 2019, is five hundred ten dollars (\$510) and the fee on and after
24 October 1, 2019, is five hundred ninety-five dollars (\$595).

25 (8) For a Type 08 - Wine rectifier: the fee through September
26 30, 2019, is five hundred ten dollars (\$510) and the fee on and
27 after October 1, 2019, is five hundred ninety-five dollars (\$595).

28 (9) For a Type 09 - Beer and wine importer: the fee through
29 September 30, 2019, is seventy-seven dollars (\$77) and the fee on
30 and after October 1, 2019, is one hundred ten dollars (\$110).

31 (10) For a Type 10 - Beer and wine importer's general license:
32 the fee through September 30, 2019, is three hundred forty dollars
33 (\$340) and the fee on and after October 1, 2019, is five hundred
34 forty dollars (\$540).

35 (11) For a Type 11 - Brandy importer: the fee through September
36 30, 2019, is seventy-seven dollars (\$77) and the fee on and after
37 October 1, 2019, is one hundred ten dollars (\$110).

38 (12) For a Type 12 - Distilled spirits importer: the fee through
39 September 30, 2019, is seventy-seven dollars (\$77) and the fee on
40 and after October 1, 2019, is one hundred ten dollars (\$110).

1 ~~(13) For a Type 13 - Distilled spirits importer's general license:~~
2 ~~the fee through September 30, 2019, is five hundred ten dollars~~
3 ~~(\$510) and the fee on and after October 1, 2019, is five hundred~~
4 ~~ninety-five dollars (\$595).~~

5 ~~(14) (A) For a Type 14 - Public warehouse: the fee through~~
6 ~~September 30, 2019, is seventy-seven dollars (\$77) and the fee on~~
7 ~~and after October 1, 2019, is one hundred ten dollars (\$110).~~

8 ~~(B) For a Duplicate Type 14: the fee through September 30,~~
9 ~~2019, is one dollar (\$1) and the fee on and after October 1, 2019,~~
10 ~~is twenty-five dollars (\$25).~~

11 ~~(15) For a Type 15 - Customs broker: the fee through September~~
12 ~~30, 2019, is seventy-seven dollars (\$77) and the fee on and after~~
13 ~~October 1, 2019, is one hundred ten dollars (\$110).~~

14 ~~(16) For a Type 16 - Wine broker: the fee through September~~
15 ~~30, 2019, is one hundred three dollars (\$103) and the fee on and~~
16 ~~after October 1, 2019, is one hundred ten dollars (\$110).~~

17 ~~(17) For a Type 17 - Beer and wine wholesaler: the fee through~~
18 ~~September 30, 2019, is three hundred forty dollars (\$340) and the~~
19 ~~fee on and after October 1, 2019, is three hundred eighty dollars~~
20 ~~(\$380).~~

21 ~~(18) For a Type 18 - Distilled spirits wholesaler: the fee through~~
22 ~~September 30, 2019, is five hundred ten dollars (\$510) and the fee~~
23 ~~on and after October 1, 2019, is five hundred ninety-five dollars~~
24 ~~(\$595).~~

25 ~~(19) For a Type 19 - Industrial alcohol dealer: the fee through~~
26 ~~September 30, 2019, is one hundred three dollars (\$103) and the~~
27 ~~fee on and after October 1, 2019, is one hundred ten dollars (\$110).~~

28 ~~(20) For a Type 20 - Off-sale beer and wine: the fee through~~
29 ~~September 30, 2019, is two hundred seventy-eight dollars (\$278)~~
30 ~~and the fee on and after October 1, 2019, is three hundred eighty~~
31 ~~dollars (\$380).~~

32 ~~(21) For a Type 21 - Off-sale general: the fee through September~~
33 ~~30, 2019, is six hundred seventeen dollars (\$617) and the fee on~~
34 ~~and after October 1, 2019, is seven hundred fifty-five dollars~~
35 ~~(\$755).~~

36 ~~(22) (A) For a Type 22 - Wine blender (to be computed only~~
37 ~~on the gallons produced); 5,000 gallons or less: the fee through~~
38 ~~September 30, 2019, is seventy-one dollars (\$71) and the fee on~~
39 ~~and after October 1, 2019, is one hundred ten dollars (\$110).~~

1 ~~(B) For a Type 22 - Wine blender (to be computed only on the~~
2 ~~gallons produced); 5,000 - 20,000 gallons: the fee through~~
3 ~~September 30, 2019, is one hundred thirty-two dollars (\$132) and~~
4 ~~the fee on and after October 1, 2019, is one hundred sixty dollars~~
5 ~~(\$160).~~

6 ~~(C) For a Type 22 - Wine blender (to be computed only on the~~
7 ~~gallons produced); 20,000 gallons - 100,000 gallons: the fee~~
8 ~~through September 30, 2019, is two hundred thirty-nine dollars~~
9 ~~(\$239) and the fee on and after October 1, 2019, is three hundred~~
10 ~~twenty-five dollars (\$325).~~

11 ~~(D) For a Type 22 - Wine blender (to be computed only on the~~
12 ~~gallons produced); 100,000 - 200,000 gallons: the fee through~~
13 ~~September 30, 2019, is three hundred fourteen dollars (\$314) and~~
14 ~~the fee on and after October 1, 2019, is three hundred eighty dollars~~
15 ~~(\$380).~~

16 ~~(E) For a Type 22 - Wine blender (to be computed only on the~~
17 ~~gallons produced); 200,000 - 1,000,000 gallons: the fee through~~
18 ~~September 30, 2019, is four hundred sixty-six dollars (\$466) and~~
19 ~~the fee on and after October 1, 2019, is five hundred forty dollars~~
20 ~~(\$540).~~

21 ~~(F) For a Type 22 - Wine blender (to be computed only on the~~
22 ~~gallons produced); for each additional 1,000,000 gallons over~~
23 ~~1,000,000 gallons: the fee through September 30, 2019, is three~~
24 ~~hundred thirteen dollars (\$313) and the fee on and after October~~
25 ~~1, 2019, is three hundred eighty dollars (\$380).~~

26 ~~(23) (A) For a Type 23 - Small beer manufacturer that produces~~
27 ~~60,000 barrels or less a year: the fee through September 30, 2019,~~
28 ~~is one hundred eighty-four dollars (\$184) and the fee on and after~~
29 ~~October 1, 2019, is three hundred eighty dollars (\$380).~~

30 ~~(B) For a Duplicate Type 23: the fee through September 30,~~
31 ~~2019, is ninety-eight dollars (\$98) and the fee on and after October~~
32 ~~1, 2019, is two hundred fifteen dollars (\$215).~~

33 ~~(24) For a Type 24 - Distilled spirits rectifier's general license:~~
34 ~~the fee through September 30, 2019, is five hundred ten dollars~~
35 ~~(\$510) and the fee on and after October 1, 2019, is five hundred~~
36 ~~ninety-five dollars (\$595).~~

37 ~~(25) For a Type 25 - California brandy wholesaler: the fee~~
38 ~~through September 30, 2019, is five hundred ten dollars (\$510)~~
39 ~~and the fee on and after October 1, 2019, is five hundred ninety-five~~
40 ~~dollars (\$595).~~

- 1 ~~(26) For a Type 26 - Out-of-state beer manufacturer certificate:~~
2 ~~the fee through September 30, 2019, is seventy-nine dollars (\$79)~~
3 ~~and the fee on and after October 1, 2019, is one hundred ten dollars~~
4 ~~(\$110).~~
- 5 ~~(27) For a Type 27 - California winegrower's agent: the fee~~
6 ~~through September 30, 2019, is five hundred ten dollars (\$510)~~
7 ~~and the fee on and after October 1, 2019, is five hundred ninety-five~~
8 ~~dollars (\$595).~~
- 9 ~~(28) For a Type 28 - Out-of-state distilled spirits shipper~~
10 ~~certificate: the fee through September 30, 2019, is seventy-nine~~
11 ~~dollars (\$79) and the fee on and after October 1, 2019, is one~~
12 ~~hundred ten dollars (\$110).~~
- 13 ~~(29) For a Type 29 - Winegrape grower storage: the fee through~~
14 ~~September 30, 2019, is ninety dollars (\$90) and the fee on and~~
15 ~~after October 1, 2019, is one hundred ten dollars (\$110).~~
- 16 ~~(30) For a Type 40 - On-sale beer: the fee through September~~
17 ~~30, 2019, is two hundred eighty-four dollars (\$284) and the fee on~~
18 ~~and after October 1, 2019, is three hundred eighty dollars (\$380).~~
- 19 ~~(31) For a Type 41 - On-sale beer and wine eating place: the~~
20 ~~fee through September 30, 2019, is three hundred eighty-four~~
21 ~~dollars (\$384) and the fee on and after October 1, 2019, is four~~
22 ~~hundred thirty dollars (\$430).~~
- 23 ~~(32) For a Type 42 - On-sale beer and wine pub premises: the~~
24 ~~fee through September 30, 2019, is two hundred eighty-four dollars~~
25 ~~(\$284) and the fee on and after October 1, 2019, is five hundred~~
26 ~~forty dollars (\$540).~~
- 27 ~~(33) For a Type 43 - On-sale beer and wine train: the fee through~~
28 ~~September 30, 2019, is one hundred fourteen dollars (\$114) and~~
29 ~~the fee on and after October 1, 2019, is one hundred sixty dollars~~
30 ~~(\$160).~~
- 31 ~~(34) For a Type 44 - On-sale beer and wine fishing party boat:~~
32 ~~the fee through September 30, 2019, is one hundred fourteen dollars~~
33 ~~(\$114) and the fee on and after October 1, 2019, is one hundred~~
34 ~~sixty dollars (\$160).~~
- 35 ~~(35) For a Type 45 - On-sale beer and wine boat: the fee through~~
36 ~~September 30, 2019, is one hundred fourteen dollars (\$114) and~~
37 ~~the fee on and after October 1, 2019, is one hundred sixty dollars~~
38 ~~(\$160).~~
- 39 ~~(36) For a Type 46 - On-sale beer and wine airplane: the fee~~
40 ~~through September 30, 2019, is one hundred fourteen dollars (\$114)~~

1 and the fee on and after October 1, 2019, is one hundred sixty
2 dollars (\$160):

3 (37) (A) For a Type 47 - On-sale general eating place in cities
4 of 40,000 population or over: the fee through September 30, 2019,
5 is nine hundred seventy-one dollars (\$971) and the fee on and after
6 October 1, 2019, is one thousand one hundred ninety dollars
7 (\$1,190):

8 (B) For a Type 47 - On-sale general eating place in cities of less
9 than 40,000, but more than 20,000 population: the fee through
10 September 30, 2019, is seven hundred eleven dollars (\$711) and
11 the fee on and after October 1, 2019, is nine hundred seventy
12 dollars (\$970):

13 (C) For a Type 47 - On-sale general eating place in all other
14 localities: the fee through September 30, 2019, is six hundred
15 thirty-two dollars (\$632) and the fee on and after October 1, 2019,
16 is seven hundred fifty-five dollars (\$755):

17 (D) For a Duplicate Type 47 in cities of 40,000 population or
18 over: the fee through September 30, 2019, is six hundred
19 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
20 is seven hundred fifty-five dollars (\$755):

21 (E) For a Duplicate Type 47 in cities of less than 40,000, but
22 more than 20,000 population: the fee through September 30, 2019,
23 is four hundred thirteen dollars (\$413) and the fee on and after
24 October 1, 2019, is five hundred forty dollars (\$540):

25 (F) For a Duplicate Type 47 in all other localities: the fee
26 through September 30, 2019, is three hundred twenty-six dollars
27 (\$326) and the fee on and after October 1, 2019, is four hundred
28 thirty dollars (\$430):

29 (38) (A) For a Type 48 - On-sale general public premises in
30 cities of 40,000 population or over: the fee through September 30,
31 2019, is nine hundred seventy-one dollars (\$971) and the fee on
32 and after October 1, 2019, is one thousand one hundred ninety
33 dollars (\$1,190):

34 (B) For a Type 48 - On-sale general public premises in cities
35 of less than 40,000, but more than 20,000 population: the fee
36 through September 30, 2019, is seven hundred eleven dollars
37 (\$711) and the fee on and after October 1, 2019, is nine hundred
38 seventy dollars (\$970):

39 (C) For a Type 48 - On-sale general public premises in all other
40 localities: the fee through September 30, 2019, is six hundred

1 ~~thirty-two dollars (\$632) and the fee on and after October 1, 2019,~~
2 ~~is seven hundred fifty-five dollars (\$755).~~
3 ~~(D) For a Duplicate Type 48 in cities of 40,000 population or~~
4 ~~over: the fee through September 30, 2019, is six hundred~~
5 ~~ninety-nine dollars (\$699) and the fee on and after October 1, 2019,~~
6 ~~is seven hundred fifty-five dollars (\$755).~~
7 ~~(E) For a Duplicate Type 48 in cities of less than 40,000, but~~
8 ~~more than 20,000 population: the fee through September 30, 2019,~~
9 ~~is four hundred thirteen dollars (\$413) and the fee on and after~~
10 ~~October 1, 2019, is five hundred forty dollars (\$540).~~
11 ~~(F) For a Duplicate Type 48 in all other localities: the fee~~
12 ~~through September 30, 2019, is three hundred twenty-six dollars~~
13 ~~(\$326) and the fee on and after October 1, 2019, is four hundred~~
14 ~~thirty dollars (\$430).~~
15 ~~(39) (A) For a Type 49 - On-sale general - seasonal business~~
16 ~~in cities of 40,000 population or over per 3 months: the fee through~~
17 ~~September 30, 2019, is two hundred forty-seven dollars (\$247)~~
18 ~~and the fee on and after October 1, 2019, is three hundred~~
19 ~~twenty-five dollars (\$325).~~
20 ~~(B) For a Type 49 - On-sale general - seasonal business in cities~~
21 ~~of 40,000 population or over per 6 months: the fee through~~
22 ~~September 30, 2019, is four hundred ninety-four dollars (\$494)~~
23 ~~and the fee on and after October 1, 2019, is six hundred fifty dollars~~
24 ~~(\$650).~~
25 ~~(C) For a Type 49 - On-sale general - seasonal business in cities~~
26 ~~of 40,000 population or over per 9 months: the fee through~~
27 ~~September 30, 2019, is seven hundred forty-one dollars (\$741)~~
28 ~~and the fee on and after October 1, 2019, is nine hundred seventy~~
29 ~~dollars (\$970).~~
30 ~~(D) For a Type 49 - On-sale general - seasonal business in cities~~
31 ~~of less than 40,000, but more than 20,000 population per 3 months:~~
32 ~~the fee through September 30, 2019, is one hundred seventy-six~~
33 ~~dollars (\$176) and the fee on and after October 1, 2019, is two~~
34 ~~hundred fifteen dollars (\$215).~~
35 ~~(E) For a Type 49 - On-sale general - seasonal business in cities~~
36 ~~of less than 40,000, but more than 20,000 population per 6 months:~~
37 ~~the fee through September 30, 2019, is three hundred fifty dollars~~
38 ~~(\$350) and the fee on and after October 1, 2019, is four hundred~~
39 ~~thirty dollars (\$430).~~

1 ~~(F) For a Type 49 – On-sale general – seasonal business in cities~~
2 ~~of less than 40,000, but more than 20,000 population per 9 months:~~
3 ~~the fee through September 30, 2019, is five hundred twenty-six~~
4 ~~dollars (\$526) and the fee on and after October 1, 2019, is six~~
5 ~~hundred fifty dollars (\$650).~~

6 ~~(G) For a Type 49 – On-sale general – seasonal business in all~~
7 ~~other localities per 3 months: the fee through September 30, 2019,~~
8 ~~is one hundred fifty-three dollars (\$153) and the fee on and after~~
9 ~~October 1, 2019, is one hundred sixty dollars (\$160).~~

10 ~~(H) For a Type 49 – On-sale general – seasonal business in all~~
11 ~~other localities per 6 months: the fee through September 30, 2019,~~
12 ~~is three hundred six dollars (\$306) and the fee on and after October~~
13 ~~1, 2019, is three hundred eighty dollars (\$380).~~

14 ~~(I) For a Type 49 – On-sale general – seasonal business in all~~
15 ~~other localities per 9 months: the fee through September 30, 2019,~~
16 ~~is four hundred fifty-eight dollars (\$458) and the fee on and after~~
17 ~~October 1, 2019, is five hundred forty dollars (\$540).~~

18 ~~(J) For a Duplicate Type 49 in cities of 40,000 population or~~
19 ~~over per 3 months: the fee through September 30, 2019, is one~~
20 ~~hundred seventy-six dollars (\$176) and the fee on and after October~~
21 ~~1, 2019, is two hundred fifteen dollars (\$215).~~

22 ~~(K) For a Duplicate Type 49 in cities of 40,000 population or~~
23 ~~over per 6 months: the fee through September 30, 2019, is three~~
24 ~~hundred fifty dollars (\$350) and the fee on and after October 1,~~
25 ~~2019, is four hundred thirty dollars (\$430).~~

26 ~~(L) For a Duplicate Type 49 in cities of 40,000 population or~~
27 ~~over per 9 months: the fee through September 30, 2019, is five~~
28 ~~hundred twenty-six dollars (\$526) and the fee on and after October~~
29 ~~1, 2019, is six hundred fifty dollars (\$650).~~

30 ~~(M) For a Duplicate Type 49 in cities of less than 40,000, but~~
31 ~~more than 20,000 population or over per 3 months: the fee through~~
32 ~~September 30, 2019, is one hundred three dollars (\$103) and the~~
33 ~~fee on and after October 1, 2019, is one hundred twenty-five dollars~~
34 ~~(\$125).~~

35 ~~(N) For a Duplicate Type 49 in cities of less than 40,000, but~~
36 ~~more than 20,000 per 6 months: the fee through September 30,~~
37 ~~2019, is two hundred seven dollars (\$207) and the fee on and after~~
38 ~~October 1, 2019, is two hundred fifty dollars (\$250).~~

39 ~~(O) For a Duplicate Type 49 in cities of less than 40,000, but~~
40 ~~more than 20,000 population or over per 9 months: the fee through~~

1 September 30, 2019, is three hundred eleven dollars (\$311) and
2 the fee on and after October 1, 2019, is three hundred seventy-five
3 dollars (\$375):

4 (P) For a Duplicate Type 49 in all other localities per 3 months:
5 the fee through September 30, 2019, is eighty-one dollars (\$81)
6 and the fee on and after October 1, 2019, is one hundred ten dollars
7 (\$110):

8 (Q) For a Duplicate Type 49 in all other localities per 6 months:
9 the fee through September 30, 2019, is one hundred sixty-six
10 dollars (\$166) and the fee on and after October 1, 2019, is two
11 hundred fifteen dollars (\$215):

12 (R) For a Duplicate Type 49 in all other localities per 9 months:
13 the fee through September 30, 2019, is two hundred forty-seven
14 dollars (\$247) and the fee on and after October 1, 2019, is three
15 hundred twenty-five dollars (\$325):

16 (40) (A) For a Type 50 - On-sale general license for bona fide
17 clubs in cities of 40,000 population or over: the fee through
18 September 30, 2019, is five hundred sixty dollars (\$560) and the
19 fee on and after October 1, 2019, is six hundred fifty dollars (\$650):

20 (B) For a Type 50 - On-sale general license for bona fide clubs
21 in cities of less than 40,000, but more than 20,000 population: the
22 fee through September 30, 2019, is four hundred twenty dollars
23 (\$420) and the fee on and after October 1, 2019, is five hundred
24 forty dollars (\$540):

25 (C) For a Type 50 - On-sale general license for bona fide clubs
26 in all other localities: the fee through September 30, 2019, is three
27 hundred seventy-three dollars (\$373) and the fee on and after
28 October 1, 2019, is four hundred thirty dollars (\$430):

29 (41) (A) For a Type 51 - Club license (issued under Article 4
30 of this chapter) in cities of 40,000 population or over: the fee
31 through September 30, 2019, is five hundred sixty dollars (\$560)
32 and the fee on and after October 1, 2019, is six hundred fifty dollars
33 (\$650):

34 (B) For a Type 51 - Club license (issued under Article 4 of this
35 chapter) in cities of less than 40,000, but more than 20,000
36 population: the fee through September 30, 2019, is four hundred
37 twenty dollars (\$420) and the fee on and after October 1, 2019, is
38 five hundred forty dollars (\$540):

39 (C) For a Type 51 - Club license (issued under Article 4 of this
40 chapter) in all other localities: the fee through September 30, 2019,

1 is three hundred seventy-three dollars (\$373) and the fee on and
2 after October 1, 2019, is four hundred thirty dollars (\$430).

3 ~~(42) (A) For a Type 52 – Veterans’ club license (issued under~~
4 ~~Article 5 of this chapter) in cities of 40,000 population or over:~~
5 ~~the fee through September 30, 2019, is five hundred sixty dollars~~
6 ~~(\$560) and the fee on and after October 1, 2019, is six hundred~~
7 ~~fifty dollars (\$650).~~

8 ~~(B) For a Type 52 – Veterans’ club license (issued under Article~~
9 ~~5 of this chapter) in cities of less than 40,000, but more than 20,000~~
10 ~~population: the fee through September 30, 2019, is four hundred~~
11 ~~twenty dollars (\$420) and the fee on and after October 1, 2019, is~~
12 ~~five hundred forty dollars (\$540).~~

13 ~~(C) For a Type 52 – Veterans’ club license (issued under Article~~
14 ~~5 of this chapter) in all other localities: the fee through September~~
15 ~~30, 2019, is three hundred seventy-three dollars (\$373) and the fee~~
16 ~~on and after October 1, 2019, is four hundred thirty dollars (\$430).~~

17 ~~(43) (A) For a Type 53 – On-sale general train: the fee through~~
18 ~~September 30, 2019, is two hundred seventeen dollars (\$217) and~~
19 ~~the fee on and after October 1, 2019, is three hundred twenty-five~~
20 ~~dollars (\$325).~~

21 ~~(B) For a Duplicate Type 53: the fee through September 30,~~
22 ~~2019, is seventy-seven dollars (\$77) and the fee on and after~~
23 ~~October 1, 2019, is one hundred ten dollars (\$110).~~

24 ~~(44) For a Type 54 – On-sale general boat: the fee through~~
25 ~~September 30, 2019, is five hundred sixty-three dollars (\$563) and~~
26 ~~the fee on and after October 1, 2019, is six hundred fifty dollars~~
27 ~~(\$650).~~

28 ~~(45) (A) For a Type 55 – On-sale general license for airplanes:~~
29 ~~the fee through September 30, 2019, is five hundred sixty-three~~
30 ~~dollars (\$563) and the fee on and after October 1, 2019, is six~~
31 ~~hundred fifty dollars (\$650).~~

32 ~~(B) For a Duplicate Type 55 for air common carriers: the fee~~
33 ~~through September 30, 2019, is seventy-seven dollars (\$77) and~~
34 ~~the fee on and after October 1, 2019, is one hundred ten dollars~~
35 ~~(\$110).~~

36 ~~(46) (A) For a Type 56 – On-sale general license for vessels of~~
37 ~~more than 1,000 tons burden: the fee through September 30, 2019,~~
38 ~~is two hundred seventeen dollars (\$217) and the fee on and after~~
39 ~~October 1, 2019, is three hundred twenty-five dollars (\$325).~~

1 ~~(B) For a Duplicate Type 56: the fee through September 30,~~
2 ~~2019, is seventy-seven dollars (\$77) and the fee on and after~~
3 ~~October 1, 2019, is one hundred ten dollars (\$110).~~

4 ~~(47) (A) For a Type 57 - Special on-sale general in cities of~~
5 ~~40,000 population or over: the fee through September 30, 2019,~~
6 ~~is nine hundred seventy-one dollars (\$971) and the fee on and after~~
7 ~~October 1, 2019, is one thousand one hundred ninety dollars~~
8 ~~(\$1,190).~~

9 ~~(B) For a Type 57 - Special on-sale general in cities of less than~~
10 ~~40,000, but more than 20,000 population: the fee through~~
11 ~~September 30, 2019, is seven hundred eleven dollars (\$711) and~~
12 ~~the fee on and after October 1, 2019, is nine hundred seventy~~
13 ~~dollars (\$970).~~

14 ~~(C) For a Type 57 - Special on-sale general in all other localities:~~
15 ~~the fee through September 30, 2019, is six hundred thirty-two~~
16 ~~dollars (\$632) and the fee on and after October 1, 2019, is seven~~
17 ~~hundred fifty-five dollars (\$755).~~

18 ~~(D) For a Duplicate Type 57 in cities of 40,000 population or~~
19 ~~over: the fee through September 30, 2019, is six hundred~~
20 ~~ninety-nine dollars (\$699) and the fee on and after October 1, 2019,~~
21 ~~is seven hundred fifty-five dollars (\$755).~~

22 ~~(E) For a Duplicate Type 57 in cities of less than 40,000, but~~
23 ~~more than 20,000 population: the fee through September 30, 2019,~~
24 ~~is four hundred thirteen dollars (\$413) and the fee on and after~~
25 ~~October 1, 2019, is five hundred forty dollars (\$540).~~

26 ~~(F) For a Duplicate Type 57 in all other localities: the fee~~
27 ~~through September 30, 2019, is three hundred twenty-six dollars~~
28 ~~(\$326) and the fee on and after October 1, 2019, is four hundred~~
29 ~~thirty dollars (\$430).~~

30 ~~(48) (A) For a Type 58 - Caterer's permit; on-sale general or~~
31 ~~on-sale beer and wine: the fee through September 30, 2019, is one~~
32 ~~hundred forty-six dollars (\$146) and the fee on and after October~~
33 ~~1, 2019, is two hundred fifteen dollars (\$215).~~

34 ~~(B) For a Type 58 - Caterer's permit; club in cities of 40,000~~
35 ~~population or over: the fee through September 30, 2019, is nine~~
36 ~~hundred seventy-one dollars (\$971) and the fee on and after~~
37 ~~October 1, 2019, is one thousand one hundred ninety dollars~~
38 ~~(\$1,190).~~

39 ~~(C) For a Type 58 - Caterer's permit; club in cities of less than~~
40 ~~40,000, but more than 20,000 population: the fee through~~

1 September 30, 2019, is seven hundred eleven dollars (\$711) and
2 the fee on and after October 1, 2019, is nine hundred seventy
3 dollars (\$970):

4 (D) For a Type 58 - Caterer's permit; club in all other localities:
5 the fee through September 30, 2019, is six hundred thirty-two
6 dollars (\$632) and the fee on and after October 1, 2019, is seven
7 hundred fifty-five dollars (\$755):

8 (49) (A) For a Type 59 - On-sale beer and wine seasonal;
9 operating period 3-9 months: the fee through September 30, 2019,
10 is two hundred thirty-nine dollars (\$239) and the fee on and after
11 October 1, 2019, is two hundred fifty dollars (\$250):

12 (B) For a Type 59 - On-sale beer and wine seasonal; operating
13 period 3-6 months: the fee through September 30, 2019, is one
14 hundred sixty-two dollars (\$162) and the fee on and after October
15 1, 2019, is one hundred seventy-five dollars (\$175):

16 (50) (A) For a Type 60 - On-sale beer seasonal; operating period
17 3-9 months: the fee through September 30, 2019, is two hundred
18 thirty-nine dollars (\$239) and the fee on and after October 1, 2019,
19 is two hundred fifty dollars (\$250):

20 (B) For a Type 60 - On-sale beer seasonal; operating period 3-6
21 months: the fee through September 30, 2019, is one hundred
22 sixty-two dollars (\$162) and the fee on and after October 1, 2019,
23 is one hundred seventy-five dollars (\$175):

24 (51) For a Type 61 - On-sale beer public premises: the fee
25 through September 30, 2019, is two hundred eighty-four dollars
26 (\$284) and the fee on and after October 1, 2019, is three hundred
27 eighty dollars (\$380):

28 (52) For a Type 62 - On-sale general license dockside: the fee
29 through September 30, 2019, is six hundred nine dollars (\$609)
30 and the fee on and after October 1, 2019, is seven hundred fifty-five
31 dollars (\$755):

32 (53) For a Type 63 - On-sale special beer and wine hospital:
33 the fee through September 30, 2019, is ninety-six dollars (\$96)
34 and the fee on and after October 1, 2019, is one hundred ten dollars
35 (\$110):

36 (54) (A) For a Type 64 - Special on-sale general theater in cities
37 of 40,000 population or over: the fee through September 30, 2019,
38 is five hundred sixty dollars (\$560) and the fee on and after October
39 1, 2019, is seven hundred fifty-five dollars (\$755):

1 ~~(B) For a Type 64 - Special on-sale general theater in cities of~~
2 ~~less than 40,000, but more than 20,000 population: the fee through~~
3 ~~September 30, 2019, is four hundred twenty dollars (\$420) and~~
4 ~~the fee on and after October 1, 2019, is five hundred forty dollars~~
5 ~~(\$540).~~

6 ~~(C) For a Type 64 - Special on-sale general theater in all other~~
7 ~~localities: the fee through September 30, 2019, is three hundred~~
8 ~~seventy-three dollars (\$373) and the fee on and after October 1,~~
9 ~~2019, is four hundred thirty dollars (\$430).~~

10 ~~(55) For a Type 65 - Special on-sale beer and wine symphony:~~
11 ~~the fee through September 30, 2019, is two hundred eighty-four~~
12 ~~dollars (\$284) and the fee on and after October 1, 2019, is four~~
13 ~~hundred thirty dollars (\$430).~~

14 ~~(56) For a Type 66 - Controlled access cabinet: the fee through~~
15 ~~September 30, 2019, is six hundred seventeen dollars (\$617) and~~
16 ~~the fee on and after October 1, 2019, is seven hundred fifty-five~~
17 ~~dollars (\$755).~~

18 ~~(57) For a Type 67 - Bed and breakfast inn; per room: the fee~~
19 ~~through September 30, 2019, is eight dollars (\$8) and the fee on~~
20 ~~and after October 1, 2019, is ten dollars (\$10).~~

21 ~~(58) (A) For a Type 68 - Portable bar in cities of 40,000~~
22 ~~population or over: the fee through September 30, 2019, is six~~
23 ~~hundred ninety-nine dollars (\$699) and the fee on and after October~~
24 ~~1, 2019, is seven hundred fifty-five dollars (\$755).~~

25 ~~(B) For a Type 68 - Portable bar in cities of less than 40,000,~~
26 ~~but more than 20,000 population: the fee through September 30,~~
27 ~~2019, is four hundred thirteen dollars (\$413) and the fee on and~~
28 ~~after October 1, 2019, is five hundred forty dollars (\$540).~~

29 ~~(C) For a Type 68 - Portable bar in all other localities: the fee~~
30 ~~through September 30, 2019, is three hundred twenty-six dollars~~
31 ~~(\$326) and the fee on and after October 1, 2019, is four hundred~~
32 ~~thirty dollars (\$430).~~

33 ~~(59) For a Type 69 - Special on-sale beer and wine theater: the~~
34 ~~fee through September 30, 2019, is two hundred eighty-four dollars~~
35 ~~(\$284) and the fee on and after October 1, 2019, is four hundred~~
36 ~~thirty dollars (\$430).~~

37 ~~(60) (A) For a Type 70 - On-sale general restrictive service in~~
38 ~~cities of 40,000 population or over: the fee through September 30,~~
39 ~~2019, is nine hundred seventy-one dollars (\$971) and the fee on~~

1 and after October 1, 2019, is one thousand one hundred ninety
2 dollars (\$1,190).

3 (B) For a Type 70 - On-sale general restrictive service in cities
4 of less than 40,000, but more than 20,000 population: the fee
5 through September 30, 2019, is seven hundred eleven dollars
6 (\$711) and the fee on and after October 1, 2019, is nine hundred
7 seventy dollars (\$970).

8 (C) For a Type 70 - On-sale general restrictive service in all
9 other localities: the fee through September 30, 2019, is six hundred
10 thirty-two dollars (\$632) and the fee on and after October 1, 2019,
11 is seven hundred fifty-five dollars (\$755).

12 (61) (A) For a Type 71 - Special on-sale general for-profit
13 theater in cities of 40,000 population or over: the fee through
14 September 30, 2019, is nine hundred seventy-one dollars (\$971)
15 and the fee on and after October 1, 2019, is one thousand one
16 hundred ninety dollars (\$1,190).

17 (B) For a Type 71 - Special on-sale general for-profit theater in
18 cities of less than 40,000, but more than 20,000 population: the
19 fee through September 30, 2019, is seven hundred eleven dollars
20 (\$711) and the fee on and after October 1, 2019, is nine hundred
21 seventy dollars (\$970).

22 (C) For a Type 71 - Special on-sale general for-profit theater in
23 all other localities: the fee through September 30, 2019, is six
24 hundred thirty-two dollars (\$632) and the fee on and after October
25 1, 2019, is seven hundred fifty-five dollars (\$755).

26 (D) For a Duplicate Type 71 in cities of 40,000 population or
27 over: the fee through September 30, 2019, is six hundred
28 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
29 is seven hundred fifty-five dollars (\$755).

30 (E) For a Duplicate Type 71 in cities of less than 40,000, but
31 more than 20,000 population: the fee through September 30, 2019,
32 is four hundred thirteen dollars (\$413) and the fee on and after
33 October 1, 2019, is five hundred forty dollars (\$540).

34 (F) For a Duplicate Type 71 in all other localities: the fee
35 through September 30, 2019, is three hundred twenty-six dollars
36 (\$326) and the fee on and after October 1, 2019, is four hundred
37 thirty dollars (\$430).

38 (62) (A) For a Type 72 - Special on-sale general for-profit
39 theater, Napa County in cities of 40,000 population or over: the
40 fee through September 30, 2019, is nine hundred seventy-one

1 dollars (\$971) and the fee on and after October 1, 2019, is one
2 thousand one hundred ninety dollars (\$1,190).

3 (B) For a Type 72 - Special on-sale general for-profit theater,
4 Napa County in cities of less than 40,000, but more than 20,000
5 population: the fee through September 30, 2019, is seven hundred
6 eleven dollars (\$711) and the fee on and after October 1, 2019, is
7 nine hundred seventy dollars (\$970).

8 (C) For a Type 72 - Special on-sale general for-profit theater,
9 Napa County in all other localities: the fee through September 30,
10 2019, is six hundred thirty-two dollars (\$632) and the fee on and
11 after October 1, 2019, is seven hundred fifty-five dollars (\$755).

12 (D) For a Duplicate Type 72 in cities of 40,000 population or
13 over: the fee through September 30, 2019, is six hundred
14 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
15 is seven hundred fifty-five dollars (\$755).

16 (E) For a Duplicate Type 72 in cities of less than 40,000, but
17 more than 20,000 population: the fee through September 30, 2019,
18 is four hundred thirteen dollars (\$413) and the fee on and after
19 October 1, 2019, is five hundred forty dollars (\$540).

20 (F) For a Duplicate Type 72 in all other localities: the fee
21 through September 30, 2019, is three hundred twenty-six dollars
22 (\$326) and the fee on and after October 1, 2019, is four hundred
23 thirty dollars (\$430).

24 (63) For a Type 73 - Special nonprofit sales: the fee through
25 September 30, 2019, is one hundred fourteen dollars (\$114) and
26 the fee on and after October 1, 2019, is one hundred sixty dollars
27 (\$160).

28 (64) For a Type 74 - Craft distilled spirits manufacturer: the fee
29 through September 30, 2019, is five hundred ten dollars (\$510)
30 and the fee on and after October 1, 2019, is seven hundred fifty-five
31 dollars (\$755).

32 (65) (A) For a Type 75 - Brewpub-restaurant in cities of 40,000
33 population or over: the fee through September 30, 2019, is nine
34 hundred seventy-one dollars (\$971) and the fee on and after
35 October 1, 2019, is one thousand one hundred ninety dollars
36 (\$1,190).

37 (B) For a Type 75 - Brewpub-restaurant in cities of less than
38 40,000, but more than 20,000 population: the fee through
39 September 30, 2019, is seven hundred eleven dollars (\$711) and

1 the fee on and after October 1, 2019, is nine hundred seventy
2 dollars (\$970).

3 (C) For a Type 75 - Brewpub-restaurant in all other localities:
4 the fee through September 30, 2019, is six hundred thirty-two
5 dollars (\$632) and the fee on and after October 1, 2019, is seven
6 hundred fifty-five dollars (\$755).

7 (D) For a Duplicate Type 75 in cities of 40,000 population or
8 over: the fee through September 30, 2019, is six hundred
9 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
10 is seven hundred fifty-five dollars (\$755).

11 (E) For a Duplicate Type 75 in cities of less than 40,000, but
12 more than 20,000 population: the fee through September 30, 2019,
13 is four hundred thirteen dollars (\$413) and the fee on and after
14 October 1, 2019, is five hundred forty dollars (\$540).

15 (F) For a Duplicate Type 75 in all other localities: the fee
16 through September 30, 2019, is three hundred twenty-six dollars
17 (\$326) and the fee on and after October 1, 2019, is four hundred
18 thirty dollars (\$430).

19 (66) (A) For a Type 76 - On-sale general maritime museum:
20 the fee through September 30, 2019, is two hundred seventeen
21 dollars (\$217) and the fee on and after October 1, 2019, is three
22 hundred twenty-five dollars (\$325).

23 (B) For a Duplicate Type 76: the fee through September 30,
24 2019, is seventy-seven dollars (\$77) and the fee on and after
25 October 1, 2019, is one hundred ten dollars (\$110).

26 (67) For a Type 77 - Event permit: the fee through September
27 30, 2019, is one hundred forty-six dollars (\$146) and the fee on
28 and after October 1, 2019, is two hundred fifteen dollars (\$215).

29 (68) (A) For a Type 78 - On-sale general wine, food and art
30 cultural museum in cities of 40,000 population or over: the fee
31 through September 30, 2019, is nine hundred seventy-one dollars
32 (\$971) and the fee on and after October 1, 2019, is one thousand
33 one hundred ninety dollars (\$1,190).

34 (B) For a Type 78 - On-sale general wine, food and art cultural
35 museum in cities of less than 40,000, but more than 20,000
36 population: the fee through September 30, 2019, is seven hundred
37 eleven dollars (\$711) and the fee on and after October 1, 2019, is
38 nine hundred seventy dollars (\$970).

39 (C) For a Type 78 - On-sale general wine, food and art cultural
40 museum in all other localities: the fee through September 30, 2019,

1 is six hundred thirty-two dollars (\$632) and the fee on and after
2 October 1, 2019, is seven hundred fifty-five dollars (\$755).

3 (D) For a Duplicate Type 78 in cities of 40,000 population or
4 over: the fee through September 30, 2019, is six hundred
5 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
6 is seven hundred fifty-five dollars (\$755).

7 (E) For a Duplicate Type 78 in cities of less than 40,000, but
8 more than 20,000 population: the fee through September 30, 2019,
9 is four hundred thirteen dollars (\$413) and the fee on and after
10 October 1, 2019, is five hundred forty dollars (\$540).

11 (F) For a Duplicate Type 78 in all other localities: the fee
12 through September 30, 2019, is three hundred twenty-six dollars
13 (\$326) and the fee on and after October 1, 2019, is four hundred
14 thirty dollars (\$430).

15 (69) For a Type 79 - Certified farmers' market: the fee through
16 September 30, 2019, is fifty-eight dollars (\$58) and the fee on and
17 after October 1, 2019, is one hundred ten dollars (\$110).

18 (70) For a Type 80 - Special on-sale general; per room: the fee
19 through September 30, 2019, is seventeen dollars (\$17) and the
20 fee on and after October 1, 2019, is twenty dollars (\$20).

21 (71) For a Type 81 - Wine sales event permit: the fee through
22 September 30, 2019, is fifty dollars (\$50) and the fee on and after
23 October 1, 2019, is one hundred ten dollars (\$110).

24 (72) For a Type 82 - Direct shipper permit: the fee through
25 September 30, 2019, is ten dollars (\$10) and the fee on and after
26 October 1, 2019, is twenty-five dollars (\$25).

27 (73) (A) For a Type 83 - On-sale general caterer's permit in
28 cities of 40,000 population or over: the fee through September 30,
29 2019, is nine hundred seventy-one dollars (\$971) and the fee on
30 and after October 1, 2019, is one thousand one hundred ninety
31 dollars (\$1,190).

32 (B) For a Type 83 - On-sale general caterer's permit in cities
33 of less than 40,000, but more than 20,000 population: the fee
34 through September 30, 2019, is seven hundred eleven dollars
35 (\$711) and the fee on and after October 1, 2019, is nine hundred
36 seventy dollars (\$970).

37 (C) For a Type 83 - On-sale general caterer's permit in all other
38 localities: the fee through September 30, 2019, is six hundred
39 thirty-two dollars (\$632) and the fee on and after October 1, 2019,
40 is seven hundred fifty-five dollars (\$755).

1 ~~(74) For a Type 84 - Certified farmers' market beer: the fee~~
2 ~~through September 30, 2019, is fifty-eight dollars (\$58) and the~~
3 ~~fee on and after October 1, 2019, is one hundred ten dollars (\$110).~~

4 ~~(75) For a Type 85 - Limited off-sale wine license: the fee~~
5 ~~through September 30, 2019, is two hundred seventy-eight dollars~~
6 ~~(\$278) and the fee on and after October 1, 2019, is three hundred~~
7 ~~eighty dollars (\$380).~~

8 ~~(76) For a Type 86 - Instructional tasting license: the fee through~~
9 ~~September 30, 2019, is three hundred dollars (\$300) and the fee~~
10 ~~on and after October 1, 2019, is three hundred eighty dollars~~
11 ~~(\$380).~~

12 ~~(77) (A) For a Type 87 - Neighborhood restricted special~~
13 ~~on-sale in cities of 40,000 population or over: the fee through~~
14 ~~September 30, 2019, is nine hundred seventy-one dollars (\$971)~~
15 ~~and the fee on and after October 1, 2019, is one thousand one~~
16 ~~hundred ninety dollars (\$1,190).~~

17 ~~(B) For a Type 87 - Neighborhood restricted special on-sale in~~
18 ~~cities of less than 40,000, but more than 20,000 population: the~~
19 ~~fee through September 30, 2019, is seven hundred eleven dollars~~
20 ~~(\$711) and the fee on and after October 1, 2019, is nine hundred~~
21 ~~seventy dollars (\$970).~~

22 ~~(C) For a Type 87 - Neighborhood restricted special on-sale in~~
23 ~~all other localities: the fee through September 30, 2019, is six~~
24 ~~hundred thirty-two dollars (\$632) and the fee on and after October~~
25 ~~1, 2019, is seven hundred fifty-five dollars (\$755).~~

26 ~~(D) For a Duplicate Type 87 in cities of 40,000 population or~~
27 ~~over: the fee through September 30, 2019, is six hundred~~
28 ~~ninety-nine dollars (\$699) and the fee on and after October 1, 2019,~~
29 ~~is seven hundred fifty-five dollars (\$755).~~

30 ~~(E) For a Duplicate Type 87 in cities of less than 40,000, but~~
31 ~~more than 20,000 population: the fee through September 30, 2019,~~
32 ~~is four hundred thirteen dollars (\$413) and the fee on and after~~
33 ~~October 1, 2019, is five hundred forty dollars (\$540).~~

34 ~~(F) For a Duplicate Type 87 in all other localities: the fee~~
35 ~~through September 30, 2019, is three hundred twenty-six dollars~~
36 ~~(\$326) and the fee on and after October 1, 2019, is four hundred~~
37 ~~thirty dollars (\$430).~~

38 ~~(78) (A) For a Type 88 - Special on-sale general license for~~
39 ~~historic cemetery in cities of 40,000 population or over: the fee~~
40 ~~through September 30, 2019, is nine hundred seventy-one dollars~~

1 (~~\$971~~) and the fee on and after October 1, 2019, is one thousand
2 one hundred ninety dollars (~~\$1,190~~).

3 (~~B~~) For a Type 88 - Special on-sale general license for historic
4 cemetery in cities of less than 40,000, but more than 20,000
5 population: the fee through September 30, 2019, is seven hundred
6 eleven dollars (~~\$711~~) and the fee on and after October 1, 2019, is
7 nine hundred seventy dollars (~~\$970~~).

8 (~~C~~) For a Type 88 - Special on-sale general license for historic
9 cemetery in all other localities: the fee through September 30,
10 2019, is six hundred thirty-two dollars (~~\$632~~) and the fee on and
11 after October 1, 2019, is seven hundred fifty-five dollars (~~\$755~~).

12 (~~D~~) For a Duplicate Type 88 in cities of 40,000 population or
13 over: the fee through September 30, 2019, is six hundred
14 ninety-nine dollars (~~\$699~~) and the fee on and after October 1, 2019,
15 is seven hundred fifty-five dollars (~~\$755~~).

16 (~~E~~) For a Duplicate Type 88 in cities of less than 40,000, but
17 more than 20,000 population: the fee through September 30, 2019,
18 is four hundred thirteen dollars (~~\$413~~) and the fee on and after
19 October 1, 2019, is five hundred forty dollars (~~\$540~~).

20 (~~F~~) For a Duplicate Type 88 in all other localities: the fee
21 through September 30, 2019, is three hundred twenty-six dollars
22 (~~\$326~~) and the fee on and after October 1, 2019, is four hundred
23 thirty dollars (~~\$430~~).

24 (~~79~~) For a Type 89 - COVID-19 permanent caterer's
25 authorization: the fee is one hundred dollars (~~\$100~~).

26 (~~80~~) For a Type 90 - Music venue license in cities of 40,000
27 population or over: the fee is one thousand one hundred ninety
28 dollars (~~\$1,190~~).

29 (~~81~~) For a Type 90 - Music venue license in cities of less than
30 40,000, but more than 20,000 population: the fee is nine hundred
31 seventy dollars (~~\$970~~).

32 (~~82~~) For a Type 90 - Music venue license in all other localities:
33 the fee is seven hundred fifty-five dollars (~~\$755~~).

34 (~~e~~) (1) In addition to the application fee for a new permanent
35 license as specified in subdivision (a), an annual renewal fee, as
36 set forth in subdivision (b), shall accompany the application. The
37 application fee shall be nonrefundable up to the amount of the
38 application fee in paragraph (1) of subdivision (a), as adjusted by
39 subdivisions (d) and (e). The annual fee provided at the time of
40 application shall allow the license to be active for one year from

1 the date of issuance and shall be refundable only in the event that
2 the license application is withdrawn or denied.

3 (2) ~~If an application includes multiple new permanent licenses
4 to be issued at the same premises, the application fee shall be
5 required for only one of the applied-for licenses and an application
6 fee shall not be charged for the remainder of the licenses. In
7 situations involving different license types, the application fee to
8 be paid shall be the highest such fee as specified in subdivision
9 (a). Notwithstanding this provision, the annual renewal fee required
10 pursuant to this subdivision shall be payable for each license.~~

11 ~~(d) Beginning January 1, 2021, and each January 1 thereafter,
12 the department may adjust each of the fees specified in this section
13 by increasing each fee by an amount not to exceed the percentage
14 that the California Consumer Price Index (California Department
15 of Industrial Relations, Division of Labor Statistics and Research,
16 All Items, Base Period 1982-84=100) for the preceding August
17 2019, and each August annually thereafter, has increased under
18 the same index over the month of August 2018, which shall be the
19 base period. The department shall not adjust fees pursuant to this
20 section if the balance of the Alcohol Beverage Control Fund at the
21 end of the prior fiscal year is greater than one-fourth of the
22 department's appropriation from the Alcohol Beverage Control
23 Fund for the current fiscal year. No fee shall be decreased pursuant
24 to this adjustment below the fee currently in effect on each
25 December 31. If the accumulation of percentage increases is greater
26 than 8 percent, the department shall not adjust fees without the
27 Legislature's approval through the budget process. In the event
28 that this index is discontinued, the department shall consult with
29 the Department of Finance to convert the increase calculations to
30 an index then available. When approved by the Department of
31 Finance, the new index shall replace the discontinued index.~~

32 ~~(e) When fees are adjusted pursuant to subdivision (d), the
33 department shall calculate the percentage increase as specified in
34 that subdivision and shall apply this increase to each fee. The
35 increase to each fee shall be rounded to the nearest whole five
36 dollars (\$5). The adjusted fee list, to be effective on January 1 of
37 the upcoming year, shall be published by the department on its
38 internet website and transmitted in writing to the Chairperson of
39 the Joint Legislative Budget Committee no later than January 10
40 of the year before it becomes effective. This adjustment of fees~~

1 and publication of the adjusted fee list is not subject to the
2 requirements of Chapter 3.5 (commencing with Section 11340) of
3 Part 1 of Division 3 of Title 2 of the Government Code.

4 SEC. 2. Section 23398.9 is added to the Business and
5 Professions Code, to read:

6 23398.9. (a) A licensee under an on-sale general license, may
7 apply to the department for a COVID-19 permanent caterer's
8 authorization. A licensee shall not be required to have a caterer's
9 permit issued pursuant to Section 23399 to qualify for this
10 authorization. The COVID-19 permanent caterer's authorization
11 authorizes the on-site consumption of those alcoholic beverages
12 for which the licensee has on-sale privileges on property that is
13 adjacent to the licensed premises and that is under the control of
14 the licensee.

15 (b) Adjacent areas under the control of the licensee include, but
16 are not limited to, all of the following:

17 (1) Indoor areas that are accessible from within the licensed
18 premises but not currently licensed.

19 (2) Outdoor areas that are accessible from the licensed premises
20 but not currently licensed.

21 (3) Indoor and outdoor areas under the control of the licensee
22 and one or more other businesses.

23 (4) Parking lots.

24 (5) Sidewalks and other public thoroughfares that are closed to
25 public access during the period of service.

26 (6) Other areas within close proximity to the licensed premises
27 that are immediately accessible to the licensee, and that are secured
28 by and under the control of the licensee.

29 (c) In all adjacent areas described in subdivision (b), the licensee
30 may exercise only those privileges authorized by the licensee's
31 license and shall comply with all provisions of the act pertaining
32 to the conduct of on-sale premises. A violation of those provisions
33 may be grounds for suspension or revocation of the licensee's
34 license or authorization, or both, as though the violation occurred
35 on the licensed premises.

36 (d) (1) If the authorized adjacent area is utilized by one or more
37 other licensees, all licensees sharing the area shall be jointly
38 responsible for compliance with all applicable laws and rules
39 pertaining to their respective licenses and authorizations and for
40 any violations that occur within the shared common authorized

1 adjacent area. A licensee may terminate its liability for a shared
2 common authorized area by canceling its COVID-19 permanent
3 caterer’s authorization at any time.

4 (2) Each licensee sharing the common authorized adjacent area
5 shall have a separate COVID-19 permanent caterer’s authorization.

6 (3) An on-sale public premises licensee shall not share an area
7 with a nonpublic premises licensee.

8 (e) Licensees who possess an active COVID-19 temporary
9 catering authorization on January 1, 2022, issued by the department
10 may continue operating pursuant to that authorization until it
11 expires. Thereafter, the licensee may apply for a COVID-19
12 permanent caterer’s authorization pursuant to this section.

13 (f) The fee for a COVID-19 permanent caterer’s authorization
14 shall be the annual fee as specified in subdivision (b) of Section
15 23320 and the permit may be renewable annually at the same time
16 as the licensee’s license. A COVID-19 permanent caterer’s
17 authorization shall be transferable as a part of the license.

18 (g) The department shall expedite the review of an application
19 for a COVID-19 permanent caterer’s authorization and shall
20 approve or deny an application no later than six months after
21 receiving the application.

22 **SEC. 3.**

23 *SECTION 1.* Section 23399 of the Business and Professions
24 Code is amended to read:

25 23399. (a) An on-sale general license authorizes the sale of
26 beer, wine, and distilled spirits for consumption on the premises
27 where sold. Any licensee under an on-sale general license, an
28 on-sale beer and wine license, a club license, or a veterans’ club
29 license may apply to the department for a caterer’s permit. A
30 caterer’s permit under an on-sale general license shall authorize
31 the sale of beer, wine, and distilled spirits for consumption at
32 conventions, sporting events, trade exhibits, picnics, social
33 gatherings, or similar events held any place in the state approved
34 by the department. A caterer’s permit under an on-sale beer and
35 wine license shall authorize the sale of beer and wine for
36 consumption at conventions, sporting events, trade exhibits,
37 picnics, social gatherings, or similar events held any place in the
38 state approved by the department. A caterer’s permit under a club
39 license or a veterans’ club license shall authorize sales at these
40 events only upon the licensed club premises.

1 (b) Any licensee under an on-sale general license or an on-sale
2 beer and wine license may apply to the department for an event
3 permit. An event permit under an on-sale general license or an
4 on-sale beer and wine license shall authorize, at events held no
5 more frequently than four days in any single calendar year, the
6 sale of beer, wine, and distilled spirits only under an on-sale general
7 license or beer and wine only under an on-sale beer and wine
8 license for consumption on property adjacent to the licensed
9 premises and owned or under the control of the licensee. This
10 property shall be secured and controlled by the licensee and not
11 visible to the general public.

12 (c) (1) This section shall in no way limit the power of the
13 department to issue special licenses under the provisions of Section
14 24045 or to issue daily on-sale general licenses under the provisions
15 of Section 24045.1. Consent for sales at each event shall be first
16 obtained from the department in the form of a catering or event
17 authorization issued pursuant to rules prescribed by it. Any event
18 authorization shall be subject to approval by the appropriate local
19 law enforcement agency. The daily fee for each catering or event
20 authorization shall be based on the estimated attendance at each
21 day of the event, as follows:

22 (A) One hundred dollars (\$100) when anticipated attendance is
23 less than 1,000 people.

24 (B) Three hundred twenty-five dollars (\$325) when anticipated
25 attendance is at least 1,000 people and less than 5,000 people.

26 (C) One thousand dollars (\$1,000) when anticipated attendance
27 is 5,000 people or more.

28 (2) All fees collected pursuant to this section shall be deposited
29 in the Alcohol Beverage Control Fund as provided in Section
30 25761.

31 (d) At all approved events, the licensee may exercise only those
32 privileges authorized by the licensee's license and shall comply
33 with all provisions of the act pertaining to the conduct of on-sale
34 premises and violation of those provisions may be grounds for
35 suspension or revocation of the licensee's license or permit, or
36 both, as though the violation occurred on the licensed premises.

37 (e) The fee for a caterer's permit for a licensee under an on-sale
38 general license, a caterer's permit for a licensee under an on-sale
39 beer and wine license, or an event permit for a licensee under an
40 on-sale general license or an on-sale beer and wine license shall

1 be the annual fee as specified in subdivision (b) of Section 23320,
2 and the fee for a caterer’s permit for a licensee under a club license
3 or a veterans’ club license shall be as specified in Section 23320,
4 and the permit may be renewable annually at the same time as the
5 licensee’s license. A caterer’s or event permit shall be transferable
6 as a part of the license.

7 ~~(f) The department shall expedite the review of an application~~
8 ~~for a caterer’s permit.~~

9 (f) *A catering authorization shall not be issued for use at any*
10 *one premises for more than 52 events in one calendar year, except*
11 *when the department determines additional events may be catered*
12 *to satisfy substantial public demand.*

13 (g) (1) *For a period of 365 days from the date when the*
14 *COVID-19 state of emergency order is lifted, the department may*
15 *permit licensees to continue to exercise license privileges in an*
16 *expanded licensed area authorized pursuant to a COVID-19*
17 *temporary catering permit. The COVID-19 temporary catering*
18 *permits approved by the department shall be subject to terms and*
19 *conditions established by the department. The department may*
20 *extend the time period that the COVID-19 temporary permit is*
21 *valid beyond 365 days if the licensee has filed a pending*
22 *application with the department for the permanent expansion of*
23 *their premises before the 365 day time period expires.*

24 (2) *As used in this subdivision, the following definitions shall*
25 *apply:*

26 (A) *“COVID-19 state of emergency” means the state of*
27 *emergency proclaimed by the Governor on March 4, 2020.*

28 (B) *“COVID-19 temporary catering permit” means a permit*
29 *approved in accordance with the department’s Fourth Notice of*
30 *Regulatory Relief issued on May 15, 2020, and related application.*

31 (h) *This section shall remain in effect only until July 1, 2023*
32 *and as of that date is repealed.*

33 *SEC. 2. Section 23399 is added to the Business and Professions*
34 *Code, to read:*

35 23399. (a) *An on-sale general license authorizes the sale of*
36 *beer, wine, and distilled spirits for consumption on the premises*
37 *where sold. Any licensee under an on-sale general license, an*
38 *on-sale beer and wine license, a club license, or a veterans’ club*
39 *license may apply to the department for a caterer’s permit. A*
40 *caterer’s permit under an on-sale general license shall authorize*

1 *the sale of beer, wine, and distilled spirits for consumption at*
2 *conventions, sporting events, trade exhibits, picnics, social*
3 *gatherings, or similar events held any place in the state approved*
4 *by the department. A caterer's permit under an on-sale beer and*
5 *wine license shall authorize the sale of beer and wine for*
6 *consumption at conventions, sporting events, trade exhibits,*
7 *picnics, social gatherings, or similar events held any place in the*
8 *state approved by the department. A caterer's permit under a club*
9 *license or a veterans' club license shall authorize sales at these*
10 *events only upon the licensed club premises.*

11 *(b) Any licensee under an on-sale general license or an on-sale*
12 *beer and wine license may apply to the department for an event*
13 *permit. An event permit under an on-sale general license or an*
14 *on-sale beer and wine license shall authorize, at events held no*
15 *more frequently than four days in any single calendar year, the*
16 *sale of beer, wine, and distilled spirits only under an on-sale*
17 *general license or beer and wine only under an on-sale beer and*
18 *wine license for consumption on property adjacent to the licensed*
19 *premises and owned or under the control of the licensee. This*
20 *property shall be secured and controlled by the licensee and not*
21 *visible to the general public.*

22 *(c) (1) This section shall in no way limit the power of the*
23 *department to issue special licenses under the provisions of Section*
24 *24045 or to issue daily on-sale general licenses under the*
25 *provisions of Section 24045.1. Consent for sales at each event*
26 *shall be first obtained from the department in the form of a catering*
27 *or event authorization issued pursuant to rules prescribed by it.*
28 *Any event authorization shall be subject to approval by the*
29 *appropriate local law enforcement agency. The daily fee for each*
30 *catering or event authorization shall be based on the estimated*
31 *attendance at each day of the event, as follows:*

32 *(A) One hundred dollars (\$100) when anticipated attendance*
33 *is less than 1,000 people.*

34 *(B) Three hundred twenty-five dollars (\$325) when anticipated*
35 *attendance is at least 1,000 people and less than 5,000 people.*

36 *(C) One thousand dollars (\$1,000) when anticipated attendance*
37 *is 5,000 people or more.*

38 *(2) All fees collected pursuant to this section shall be deposited*
39 *in the Alcohol Beverage Control Fund as provided in Section*
40 *25761.*

1 (d) At all approved events, the licensee may exercise only those
 2 privileges authorized by the licensee’s license and shall comply
 3 with all provisions of the act pertaining to the conduct of on-sale
 4 premises and violation of those provisions may be grounds for
 5 suspension or revocation of the licensee’s license or permit, or
 6 both, as though the violation occurred on the licensed premises.

7 (e) The fee for a caterer’s permit for a licensee under an on-sale
 8 general license, a caterer’s permit for a licensee under an on-sale
 9 beer and wine license, or an event permit for a licensee under an
 10 on-sale general license or an on-sale beer and wine license shall
 11 be the annual fee as specified in subdivision (b) of Section 23320,
 12 and the fee for a caterer’s permit for a licensee under a club license
 13 or a veterans’ club license shall be as specified in Section 23320,
 14 and the permit may be renewable annually at the same time as the
 15 licensee’s license. A caterer’s or event permit shall be transferable
 16 as a part of the license.

17 (f) A catering authorization shall not be issued for use at any
 18 one premises for more than 52 events in one calendar year, except
 19 when the department determines additional events may be catered
 20 to satisfy substantial public demand.

21 (g) This section shall become operative on July 1, 2023.

22 ~~SEC. 4. Section 23406 is added to the Business and Professions~~
 23 ~~Code, to read:~~

24 ~~23406. Notwithstanding any other provision of law, a licensee~~
 25 ~~under an on-sale license issued for public premises may permit a~~
 26 ~~person under the age of 21 years to enter and remain on the licensed~~
 27 ~~premises provided that alcoholic beverages are not sold, served,~~
 28 ~~or consumed on the premises during the time that a person under~~
 29 ~~the age of 21 years is present.~~

30 ~~SEC. 5. Section 23407 is added to the Business and Professions~~
 31 ~~Code, to read:~~

32 ~~23407. A licensee that shares a licensed premises with another~~
 33 ~~licensee but does not operate under their license at the same time~~
 34 ~~as the other licensee shall be responsible for compliance with the~~
 35 ~~provisions of this division and for any violations that occur on the~~
 36 ~~licensed premises only during the time when that licensee operates~~
 37 ~~under their license.~~

38 ~~SEC. 6. Article 7 (commencing with Section 23550) is added~~
 39 ~~to Chapter 3 of Division 9 of the Business and Professions Code,~~
 40 ~~to read:~~

Article 7. Music Venue License

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~~23550. For purposes of this article:~~

~~(a) "Agreement" includes any amendment, modification, other revision, or extensions to the agreement if it relates in any manner to the purchase of advertising space and time at the music entertainment facility from the owner or major tenant of the facility.~~

~~(b) "Authorized licensee" means a winegrower, rectifier, California winegrower's agent, beer manufacturer, holder of an out-of-state beer manufacturer's certificate, distilled spirits manufacturer, holder of a distilled spirits rectifier's general license, distilled spirits manufacturer's agent, brandy manufacturer, holder of an out-of-state distilled spirits shipper's certificate, holder of a distilled spirits importer's general license, craft distiller, or holder of a beer and wine importer's general license.~~

~~(c) "On-sale licensee" means a person holding an on-sale general music venue license to serve alcoholic beverages on the premises of a music entertainment facility.~~

~~(d) "Music venue license" means an on-sale general for music entertainment facility bona fide public eating place license issued pursuant to this article.~~

~~(e) "Music entertainment facility" means a publicly or privately owned concert hall, auditorium, or an enclosed arena with a spectator capacity exceeding 25 people where music or entertainment events are presented for a price of admission. The facility does not have to be used exclusively for music or entertainment events.~~

~~23552. (a) In addition to the licenses specified in Section 23320, the department may issue a music venue license to sell beer, wine, and distilled spirits at retail for consumption upon the premises only.~~

~~(b) The music venue license may be issued to the person providing alcoholic beverage and food service at the music entertainment facility. Except as provided in this section, only licensees with a music venue license are authorized to sell beer, wine, and distilled spirits at retail for consumption upon the premises of the music entertainment facility. The license shall only be transferable from person to person at the same premises. A music venue license shall not be transferred for a purchase price or consideration in excess of the original fee paid for that license.~~

1 ~~(e) (1) Issuance of the license shall be subject to the provisions~~
2 ~~of Section 23958.4.~~

3 ~~(2) Issuance of the license shall not be subject to the provisions~~
4 ~~of Section 23816.~~

5 ~~(d) An on-sale licensee may permit a person under 21 years of~~
6 ~~age into the music entertainment facility for a price of admission.~~
7 ~~This subdivision does not authorize the on-sale licensee to sell,~~
8 ~~furnish, or give any alcoholic beverages to a person under 21 years~~
9 ~~of age, or to engage in any other activity not otherwise authorized~~
10 ~~by this division.~~

11 ~~(e) (1) Any person providing alcoholic beverage and food~~
12 ~~service at a music entertainment facility pursuant to another type~~
13 ~~of on-sale license as of the effective date of this section shall obtain~~
14 ~~a music venue license within 12 months of the effective date of~~
15 ~~this section if that person provides alcoholic beverage and food~~
16 ~~service at the facility on or after January 1, 2022. The person may~~
17 ~~elect to surrender that existing license in exchange for a music~~
18 ~~venue license or may transfer that license pursuant to applicable~~
19 ~~law. If, after a license surrender and exchange, the on-sale licensee~~
20 ~~that surrendered and exchanged its license for a music venue~~
21 ~~license no longer provides alcoholic beverage and food service at~~
22 ~~that facility, the on-sale licensee may surrender and exchange the~~
23 ~~music venue license for the licensee's original license, subject to~~
24 ~~any applicable provisions of this division.~~

25 ~~(2) The department may modify its rules regarding the surrender~~
26 ~~of licenses to implement this subdivision.~~

27 ~~23553. The music venue license is subject to all of the~~
28 ~~following conditions:~~

29 ~~(a) Except as otherwise provided in this chapter, a person~~
30 ~~holding a music venue license shall not enter into any agreement~~
31 ~~with any authorized licensee for the purchase of advertising space~~
32 ~~and time at the music entertainment facility, including the premises~~
33 ~~of the on-sale licensee.~~

34 ~~(b) (1) For any music entertainment facility at which an~~
35 ~~authorized licensee has entered into an agreement with the owner~~
36 ~~or major tenant of the facility for the purchase of advertising space~~
37 ~~and time at the facility, any on-sale licensee shall serve other brands~~
38 ~~of beer distributed by a competing wholesaler that are not the~~
39 ~~brands of beer sold, manufactured, or marketed by an authorized~~
40 ~~licensee, other brands of wine distributed by a competing~~

1 wholesaler that are not the brands of wine sold, manufactured, or
2 marketed by an authorized licensee, and other brands of distilled
3 spirits distributed by a competing wholesaler that are not the brands
4 sold, manufactured, or marketed by an authorized licensee that
5 purchased the advertising space and time. An on-sale licensee may
6 also serve brands of beer that are manufactured and provided by
7 an unaffiliated, competing licensed beer manufacturer that are not
8 the brands of beer sold, manufactured, or marketed by an
9 authorized licensee that purchased the advertising space and time.

10 (2) For the purpose of this subdivision, brands of an authorized
11 licensee purchasing the advertising space and time shall mean
12 brands of beer, wine, or distilled spirits that are sold, manufactured,
13 or marketed by the authorized licensee or sold, manufactured, or
14 marketed by any subsidiary or other business entity of the
15 authorized licensee that the authorized licensee owns, manages,
16 or controls.

17 23554. Notwithstanding any other provision of this division,
18 an authorized licensee may purchase advertising space and time
19 at a music entertainment facility from the owner or major tenant
20 of the facility that is not a licensee under this article, subject to the
21 following conditions:

22 (a) The purchase of advertising space and time shall be
23 conducted pursuant to a written agreement entered into by the
24 authorized licensee and the owner or major tenant of the facility
25 containing all the terms and conditions of such purchase.

26 (b) (1) The authorized licensee shall submit to the department
27 within 15 days of execution of the agreement a declaration stating
28 that the authorized licensee has entered into a written agreement
29 for the purchase of advertising space and time at a music
30 entertainment facility pursuant to and in compliance with the
31 provisions of this section, along with a fee of two thousand five
32 hundred dollars (\$2,500) to cover the reasonable administrative
33 costs of the department. The declaration shall further state the
34 name and address of the music entertainment facility, the names
35 of the parties to the agreement, and the time period that agreement
36 will continue in effect. The authorized licensee shall notify the
37 department within 15 days of any amendment, extension,
38 modification, or renewal of that agreement or of any new
39 agreement.

1 ~~(2) The declaration shall also state that there is no financial~~
2 ~~arrangement or agreement, written or oral, between the authorized~~
3 ~~licensee and the owner or major tenant of the facility or with any~~
4 ~~on-sale licensee that provides for the on-sale licensee to receive a~~
5 ~~share of the revenues, or anything of value, directly or indirectly,~~
6 ~~from the advertising agreement.~~

7 ~~(3) The declaration required by this subdivision shall not be~~
8 ~~under penalty of perjury. Failure to comply with this subdivision~~
9 ~~or the filing of a false declaration shall be subject to license~~
10 ~~suspension by the department.~~

11 ~~(e) The agreement shall not contain any of the following terms~~
12 ~~or conditions:~~

13 ~~(1) The agreement is conditioned on the purchase or sale of the~~
14 ~~authorized licensee's brands of alcoholic beverages by the on-sale~~
15 ~~licensee or limits the purchase and sale of competing brands of~~
16 ~~alcoholic beverages manufactured, distributed, sold, or marketed~~
17 ~~by other authorized licensees at the facility by the on-sale licensee.~~

18 ~~(2) The agreement provides for anything of value to be~~
19 ~~furnished, directly or indirectly, to the on-sale licensee.~~

20 ~~(3) Any term or condition that violates any provision of this~~
21 ~~division.~~

22 ~~(d) In monitoring the impacts of any agreements authorized by~~
23 ~~this article, the department may conduct audits to determine~~
24 ~~compliance with this section. Audits may include, but are not~~
25 ~~limited to, brand selection at the music entertainment facility,~~
26 ~~purchase patterns of the on-sale licensee, and review of any~~
27 ~~agreement or amendments to an agreement or any other contractual~~
28 ~~or financial arrangement, written or oral, between or among the~~
29 ~~parties to the agreement and the on-sale licensee, including any~~
30 ~~affiliated business of the on-sale licensee or any affiliated business~~
31 ~~of the authorized licensee.~~

32 ~~(e) The department shall penalize a violation of any provision~~
33 ~~of this section by the suspension of the authorized licensee's license~~
34 ~~or by a fine equal to the contract value of the agreement for~~
35 ~~advertising.~~

36 ~~23555. The Legislature finds and declares all of the following:~~

37 ~~(a) Statutes to implement a three-tier system, which requires a~~
38 ~~separation between manufacturing interests, wholesale interests,~~
39 ~~and retail interests in the production, distribution, and sale of~~
40 ~~alcoholic beverages, are as proper and necessary to the public~~

1 welfare in the 21st Century as they were when first enacted
2 following the enactment of the 21st Amendment to the United
3 States Constitution and the repeal of prohibition; that the three-tier
4 system by requiring economic separation between the tiers
5 contributes to a fair, open, and competitive market resulting in
6 interbrand and other competition within each tier, thereby
7 broadening consumer choices; and that it also prevents disorderly
8 market conditions arising from the domination of local markets
9 through vertical integration leading to excessive sales of alcoholic
10 beverages and consumption produced by overly aggressive
11 marketing techniques, including, but not limited to, the domination
12 of local markets and the undue economic influence of one tier over
13 another. The Legislature further affirms that temperance is
14 achieved, consistent with the structural regulation that promotes
15 a competitive and orderly market, by controlled access to, and
16 responsible use and consumption of, alcoholic beverages by
17 persons of legal drinking age.

18 (b) The enactment of tied-house restrictions are necessary
19 economic regulations that serve important public interests, and the
20 restrictions prohibiting a manufacturer or wholesaler from
21 furnishing, giving, or lending any money or other thing of value
22 to a retail licensee, or from paying or compensating a retailer for
23 advertising as provided in Section 25503, are necessary to promote
24 and maintain an orderly competitive market that is open and
25 accessible to all brands and to prevent manufacturers from
26 dominating local markets through payment of incentives and
27 compensation to retailers. The Legislature further finds and declares
28 that limited exceptions have been made to this general prohibition
29 to promote an identifiable public purpose and interest for the
30 exception, which have been limited to the express terms of the
31 exception so as to not undermine the general prohibition.

32 (c) Because this system of prohibition with limited, specific
33 exceptions may be incorrectly construed to undermine the general
34 prohibition despite legislative directives to the contrary, this section
35 is necessary to clarify and reenforce the general prohibition as
36 provided in Section 25503.

37 (d) There may be instances where the community public interest
38 and welfare would benefit from the music entertainment facility
39 owner or its major tenant being able to receive revenue for the
40 advertisement of alcoholic beverages on the premises of the facility.

1 Therefore, this article is enacted to authorize manufacturers of
2 alcoholic beverages to enter into agreements with the owner or
3 major tenant of a music entertainment facility for the placement
4 of brand advertisements upon the premises of the facility where
5 the alcoholic beverage sales on the facility premises are conducted
6 by a separate, independent entity who is the on-sale general licensee
7 and does not share in the advertising revenue.

8 (e) The provisions of this article and other exceptions in this
9 division to the general prohibition against tied interests must be
10 narrowly construed and limited to the express terms of the
11 exception so as not to undermine the general prohibition. The
12 Legislature expressly intends that this article and division be
13 construed in accordance with these findings.

14 SEC. 7. Section 24300 of the Business and Professions Code
15 is amended to read:

16 24300. (a) Any hearings held on a protest, accusation, or
17 petition for a license shall be held in the county in which the
18 premises or licensee is located; provided, that hearings before the
19 department itself on reconsideration or under subdivision (c) of
20 Section 11517 of the Government Code may be held at any place
21 in the state where the department is meeting. Except as provided
22 in Section 24203 and in this section, the proceedings shall be
23 conducted in accordance with Chapter 5 (commencing with Section
24 11500) of Part 1 of Division 3 of Title 2 of the Government Code,
25 and in all cases the department shall have all the powers granted
26 therein. The department, in its exclusive discretion, shall consider
27 scheduling the hearing at a time, including evening hours, and at
28 a place convenient to all parties to a proceeding, including those
29 witnesses required to be present, and the public affected.

30 (b) Notwithstanding the provisions of subdivision (a), if a protest
31 is filed against an application for a license and the proposed
32 premises are located within a city, the department may, in its
33 discretion, hold the hearing within that city, unless the protest is
34 filed by the governing body of the city, in which case the
35 department shall hold the hearing within that city.

36 (c) For any hearing held pursuant to this division, the department
37 may delegate the power to hear and decide to an administrative
38 law judge appointed by the director. Any hearing before an
39 administrative law judge shall be pursuant to the procedures, rules,

1 and limitations prescribed in Chapter 5 (commencing with Section
2 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

3 ~~(d) The department shall hold any hearing held pursuant to this~~
4 ~~division within six months after the filing of a protest, accusation,~~
5 ~~or petition for a license.~~

6 ~~SEC. 8.~~

7 *SEC. 3.* Section 25600.5 of the Business and Professions Code
8 is amended to read:

9 25600.5. Notwithstanding any other provision of this division,
10 a manufacturer of distilled spirits, distilled spirits manufacturer's
11 agent, out-of-state distilled spirits shipper's certificate holder,
12 winegrower, rectifier, or distiller, or its authorized unlicensed
13 agent, may provide, free of charge, entertainment, food, and
14 distilled spirits, wine, or nonalcoholic beverages to consumers at
15 an invitation-only event in connection with the sale or distribution
16 of wine or distilled spirits, subject to the following conditions:

17 (a) No licensee, other than those specified in this section, may
18 conduct or participate in any portion of an event authorized by this
19 section. A licensee authorized to conduct an event pursuant to this
20 section shall not be precluded from doing so on the basis of holding
21 any other type of alcoholic beverage license.

22 (b) An event authorized by this section shall be conducted on
23 either the:

24 (1) Premises for which a caterer's authorization has been issued,
25 except that any event held on the premises of a licensed winegrower
26 shall not be authorized to provide any distilled spirits other than
27 brandy.

28 (2) Premises of a hotel holding an on-sale beer and wine or
29 on-sale general license, except an event shall not be conducted in
30 the lobby area of a hotel or in any portion of a hotel that is
31 identified, promoted, or otherwise designated by the hotel as a
32 club, nightclub, or other similar entertainment venue. For purposes
33 of this paragraph, "hotel" means any hotel, motel, resort, bed and
34 breakfast inn, or other similar transient lodging establishment, but
35 it does not include any residential hotel as defined in Section 50519
36 of the Health and Safety Code.

37 (c) A hotel where the event authorized by this section is being
38 conducted shall maintain, during all times while exercising its
39 license privileges, other areas within the licensed premises that

1 shall be made readily available to the public not attending the
2 authorized event.

3 (d) Except as provided in paragraph (2) of subdivision (b), an
4 event authorized by this section shall not be conducted on premises
5 for which a permanent retail license has been issued.

6 (e) Except for fair market value payments authorized pursuant
7 to this section, a retail licensee, including the licensed caterer or
8 the licensed hotel, shall not receive, nor shall the licensee
9 conducting the event give, any other item of value or benefit in
10 connection with events authorized by this section.

11 (f) The person authorized by this section to provide, free of
12 charge, entertainment, food, and beverages shall be present during
13 the event.

14 (g) The person authorized by this section to provide, free of
15 charge, entertainment, food, and beverages shall have sole
16 responsibility for providing payment for the entertainment, food,
17 beverages, and rental fees at the event. Payments for entertainment,
18 food, beverages, and rental fees shall not exceed fair market value.
19 No other licensed person shall be authorized, under this section,
20 to provide any portion of these payments.

21 (h) Requests for attendance at the event shall be by invitation
22 sent to consumers over 21 years of age at a specific address via
23 mail or email, by telephone, or presented in person. Invitations or
24 other advertisements of the event shall not be disseminated by any
25 other means. Invitations shall not be sent by the authorized person
26 or their authorized unlicensed agent inviting all of the employees
27 of a retail licensee or a chain of retail licensees under common
28 ownership to an authorized event.

29 (i) Attendance at the event shall be limited to consumers who
30 receive and accept an invitation to the event. Invited consumers
31 may each invite one guest. All attendees shall be over 21 years of
32 age. The total number of consumers and their guests allowed at
33 any event authorized by this section shall not exceed 600 people.
34 Admittance to the event shall be controlled by a list containing the
35 names of consumers who accepted the invitation and their guests.
36 The persons identified in this section shall be responsible for
37 compliance.

38 (j) No premium, gift, free goods, or other thing of value may
39 be given away in connection with the event, except as authorized
40 by this division.

1 (k) The duration of any event authorized by this section shall
2 not exceed four hours.

3 (l) (1) *Subject to paragraph (3), a person authorized to conduct*
4 *events pursuant to this section shall not conduct more than 12*
5 *events in a calendar year where the consumers and guests in*
6 *attendance exceed 100 people, and not more than 24 events in a*
7 *calendar year where the consumers and guests in attendance are*
8 *100 people or fewer.*

9 (2) *The limitation on events authorized by this section shall be*
10 *by person, whether that person holds a single license or multiple*
11 *licenses. If a person holds multiple licenses, the limitation shall*
12 *be applied to the person holding the license, not by type of license.*

13 (3) *A licensee authorized to conduct events pursuant to this*
14 *section shall not conduct more than two events in a calendar year*
15 *on the premises of any single licensed hotel or other licensed hotel*
16 *under the same or common ownership.*

17 ~~(t) (1)~~

18 (4) The licensee conducting the event shall not advertise any
19 retail licensee. If the event is held on the premises of a retail
20 licensee as permitted by this section, the licensee conducting the
21 event may list the retailer’s name and address in the invitation and
22 any related advertising for the sole purpose of identifying the
23 location of the event. The listing of the retailer’s name and address
24 shall be the only reference to the retail licensee and shall be
25 relatively inconspicuous in relation to the invitation or
26 advertisement as a whole. Pictures or illustrations of the retailer’s
27 premises, or laudatory references to the retailer, shall not be
28 permitted.

29 ~~(2)~~

30 (5) (A) Other than as specifically authorized by this section,
31 alcoholic beverage promotions of any sort shall not be conducted
32 by any licensee in conjunction with an event held on the premises
33 of a retail licensee pursuant to this section. This restriction includes
34 any discounted drink specials offered by the retail licensee to
35 consumers.

36 (B) For purposes of this paragraph, “in conjunction with” means
37 during an event and any period within 24 hours before and 24
38 hours following an event.

39 ~~(3)~~

1 (6) A retail licensee shall conspicuously offer for sale alcoholic
2 beverages other than the products produced, distributed, bottled,
3 or otherwise offered for sale by the licensee conducting the event.

4 (m) At least ~~30~~ 90 days prior to an event, the licensee, or its
5 authorized unlicensed agent, authorized to conduct the event shall
6 apply to the department for a permit authorizing the event. In
7 addition to any other information required by the department, the
8 licensee shall provide the department all of the following
9 information:

10 (1) The name of the company authorized to conduct the event.

11 (2) The number of people planned to be in attendance.

12 (3) The start and end times for the event.

13 (4) The location of the event.

14 (5) The name of the caterer, if required, obtaining the caterer's
15 authorization for the event.

16 (n) All alcoholic beverages provided pursuant to this section
17 shall be purchased from the holder of the caterer's permit or the
18 licensed hotel, as applicable.

19 (o) All alcoholic beverages served at an event authorized by
20 this section shall be served in accordance with Sections 25631 and
21 25632.

22 (p) No person authorized to conduct an event pursuant to this
23 section shall hold such an event at the same location more than
24 eight times in a calendar year.

25 (q) The person authorized to conduct an event under this section
26 may provide attendees at the event with a free ride home. The free
27 rides shall only constitute free ground transportation to attendees'
28 homes or to hotels or motels where attendees are staying.

29 (r) In addition to the prescribed fee imposed upon a licensed
30 caterer to conduct an event authorized by this section, a fee of two
31 hundred dollars (\$200) shall be collected by the department from
32 the licensee, or its authorized unlicensed agent, authorized by this
33 section to provide, free of charge, entertainment, and beverages
34 at an authorized event. This fee may be adjusted by the department
35 pursuant to subdivisions (d) and (e) of Section 23320.

36 (s) All licensees involved in events held pursuant to this section
37 shall be responsible for compliance with this section, and with all
38 other provisions of this division in connection with these events,
39 and each may be subject to discipline for violation of this division.

40 (t) The Legislature finds and declares both of the following:

1 (1) That it is necessary and proper to require a separation
2 between manufacturing interests, wholesale interests, and retail
3 interests in the production and distribution of alcoholic beverages
4 in order to prevent suppliers from dominating local markets through
5 vertical integration and to prevent excessive sales of alcoholic
6 beverages produced by overly aggressive marketing techniques.

7 (2) Any exception established by the Legislature to the general
8 prohibition against tied interests must be limited to the express
9 terms of the exception so as to not undermine the general
10 prohibitions.

11 (u) This section shall remain in effect only until January 1, 2023,
12 and as of that date is repealed.

13 ~~SEC. 9.~~

14 *SEC. 4.* Section 25607 of the Business and Professions Code
15 is amended to read:

16 25607. (a) Except as provided in subdivisions (b), (c), (d), and
17 (e), it is unlawful for any person or licensee to have upon any
18 premises for which a license has been issued any alcoholic
19 beverages other than the alcoholic beverage which the licensee is
20 authorized to sell at the premises under their license. It shall be
21 presumed that all alcoholic beverages found or located upon
22 premises for which licenses have been issued belong to the person
23 or persons to whom the licenses were issued. Every person
24 violating the provisions of this section is guilty of a misdemeanor.
25 The department may seize any alcoholic beverages found in
26 violation of this section.

27 (b) Except as provided in subdivision (c), a bona fide public
28 eating place for which an on-sale beer and wine license has been
29 issued may have upon the premises brandy, rum, or liqueurs for
30 use solely for cooking purposes.

31 (c) (1) A licensed winegrower, licensed beer manufacturer that
32 holds a small beer manufacturer's license, and a licensed craft
33 distiller, in any combination, whose licensed premises of
34 production are immediately adjacent to each other and which are
35 not branch offices, may, with the approval of the department and
36 under such conditions as the department may require, share a
37 common licensed area in which the consumption of alcoholic
38 beverages is permitted, only under all of the following
39 circumstances:

1 (A) The shared common licensed area is adjacent and contiguous
2 to the licensed premises of the licensees.

3 (B) The licensed premises of the licensees are not branch offices.

4 (C) The shared common licensed area shall be readily accessible
5 from the premises of the licensees without the necessity of using
6 a public street, alley, or sidewalk.

7 (D) Except as otherwise authorized by this division, the alcoholic
8 beverages that may be consumed in the shared common licensed
9 area shall be purchased by the consumer only from the licensed
10 winegrower, the licensed beer manufacturer, or the licensed craft
11 distiller.

12 (E) The licensed winegrower, the licensed beer manufacturer,
13 and the licensed craft distiller shall be jointly responsible for
14 compliance with the provisions of this division and for any
15 violations that may occur within the shared common licensed area.

16 (2) Nothing in this subdivision is intended to authorize the
17 licensed winegrower, the licensed beer manufacturer, or the
18 licensed craft distiller to sell, furnish, give, or have upon their
19 respective licensed premises any alcoholic beverages, or to engage
20 in any other activity, not otherwise authorized by this division,
21 including, without limitation, the consumption on the premises of
22 any distilled spirits purchased by consumers for consumption off
23 the premises pursuant to Section 23504 or the consumption of
24 distilled spirits other than as permitted by Section 23363.1.

25 (d) The holder of a beer manufacturer's license, winegrower's
26 license, brandy manufacturer's license, distilled spirits
27 manufacturer's license, craft distiller's license, any rectifier's
28 license, any importer's license, or any wholesaler's license, that
29 holds more than one of those licenses for a single premises, may
30 have alcoholic beverages that are authorized under those licenses
31 at the same time anywhere within the premises for purposes of
32 production and storage, if the holder of the licenses maintains
33 records of production and storage that identify the specific location
34 of each alcoholic beverage product within the premises. Nothing
35 in this subdivision is intended to allow a licensee to hold licenses,
36 alone or in combination, or to exercise any license privileges, not
37 otherwise provided for or authorized by this division.

38 ~~(e) (1) Two or more on-sale general licensees whose licensed~~
39 ~~premises are immediately adjacent to each other and which are~~
40 ~~not branch offices, may, with the approval of the department and~~

1 under such conditions as the department may require, share a
2 common licensed area in which the consumption of alcoholic
3 beverages is permitted, only under all of the following
4 circumstances:

5 (A) The shared common licensed area is adjacent and contiguous
6 to the licensed premises of the licensees.

7 (B) The licensed premises of the licensees are not branch offices.

8 (C) The shared common licensed area shall be readily accessible
9 from the premises of the licensees without the necessity of using
10 a public street, alley, or sidewalk.

11 (D) Except as otherwise authorized by this division, the alcoholic
12 beverages that may be consumed in the shared common licensed
13 area shall be purchased by the consumer only from the licensees.

14 (E) The licensees shall be jointly responsible for compliance
15 with the provisions of this division and for any violations that
16 occur within the shared common licensed area.

17 (2) Notwithstanding any other law, the licensees may permit a
18 minor into the shared common licensed area outside of the hours
19 when alcohol is served.

20 (3) Nothing in this subdivision is intended to authorize the
21 licensees to sell, furnish, give, or have upon their respective
22 licensed premises any alcoholic beverages, or to engage in any
23 other activity, not otherwise authorized by this division, including,
24 without limitation, the consumption on the premises of any distilled
25 spirits purchased by consumers for consumption off the premises
26 pursuant to Section 23504 or the consumption of distilled spirits
27 other than as permitted by Section 23363.1.

28 (e) Notwithstanding any provision to the contrary, a licensed
29 manufacturer may share a common licensed area with multiple
30 licensed retailers, subject to the provisions of this subdivision.

31 (1) No retail licensee sharing the common licensed area with
32 a licensed manufacturer shall sell or serve any alcoholic beverages
33 that are manufactured, produced, bottled, processed, imported,
34 rectified, distributed, represented, or sold by the manufacturer,
35 directly or indirectly. This prohibition shall apply to all licensed
36 premises owned or operated, in whole or in part, by the retail
37 licensee anywhere in the state.

38 (2) The licensed manufacturer may, in connection with the
39 operation of the shared common area only, advertise or promote
40 the licensed retailers sharing the common licensed area and may

1 *share in the cost of the operation of the shared common area. No*
2 *other thing of value may be given or furnished by the manufacturer*
3 *to the retailers.*

4 (3) *The manufacturer may have on the area of its licensed*
5 *premises that encompass the shared common licensed area*
6 *alcoholic beverages that would not otherwise be permitted on the*
7 *manufacturer's licensed premises. This provision does not*
8 *authorize the possession of alcoholic beverages not otherwise*
9 *permitted on the manufacturer's licensed premises that is not part*
10 *of the shared common licensed area.*

11 (4) *All retailers sharing the common licensed area shall hold*
12 *the same license type. Nothing in this subdivision shall authorize*
13 *any of the retailers to exercise license privileges that are not*
14 *authorized by their license.*

15 (5) *All licensees holding licenses within the shared common*
16 *licensed area shall be jointly responsible for compliance with all*
17 *laws that may subject their license to discipline.*

18 (6) (A) *This subdivision does not authorize a licensed*
19 *manufacturer to share a common licensed area with a single*
20 *retailer or with multiple retailers under common ownership, in*
21 *whole or in part.*

22 (B) *This subdivision is intended to be a narrow exception to the*
23 *separation of manufacturers and retailers. This subdivision shall*
24 *be narrowly construed.*

25 ~~SEC. 10. Section 25665 of the Business and Professions Code~~
26 ~~is amended to read:~~

27 ~~25665. Except as otherwise provided in Section 23406, any~~
28 ~~licensee under an on-sale license issued for public premises, as~~
29 ~~defined in Section 23039, who permits a person under the age of~~
30 ~~21 years to enter and remain in the licensed premises without~~
31 ~~lawful business therein is guilty of a misdemeanor. Except as~~
32 ~~otherwise provided in Section 23406, any person under the age of~~
33 ~~21 years who enters and remains in the licensed public premises~~
34 ~~without lawful business therein is guilty of a misdemeanor and~~
35 ~~shall be punished by a fine of not less than two hundred dollars~~
36 ~~(\$200), no part of which shall be suspended.~~

37 ~~SEC. 11. Section 65863.15 is added to the Government Code,~~
38 ~~to read:~~

39 ~~65863.15. (a) A city, including a charter city, county, or city~~
40 ~~and county, may allow in a commercial zone the consumption of~~

1 alcoholic beverages, including the possession of any can, bottle,
2 or other receptacle containing any alcoholic beverage that has been
3 opened, or a seal broken, or the contents of which have been
4 partially removed.

5 (b) ~~The consumption of alcoholic beverages and possession of~~
6 ~~open containers permitted pursuant to subdivision (a) remain~~
7 ~~subject to regulation under Section 647 of the Penal Code and~~
8 ~~Sections 23223 and 23225 of the Vehicle Code.~~

9 ~~SEC. 12.~~

10 *SEC. 5.* No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district will be incurred because this act creates a new crime or
14 infraction, eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section 17556 of
16 the Government Code, or changes the definition of a crime within
17 the meaning of Section 6 of Article XIII B of the California
18 Constitution.

19 ~~SEC. 13.~~

20 *SEC. 6.* This act is an urgency statute necessary for the
21 immediate preservation of the public peace, health, or safety within
22 the meaning of Article IV of the California Constitution and shall
23 go into immediate effect. The facts constituting the necessity are:

24 In order to address the economic loss restaurants and bars have
25 sustained after being hit extremely hard by COVID-19 and to
26 protect against further loss, which will help ensure public health
27 and safety, it is necessary for this act to take effect immediately.

O

SENATE RULES COMMITTEE
Office of Senate Floor Analyses
(916) 651-1520 Fax: (916) 327-4478

SB 314

THIRD READING

Bill No: SB 314
Author: Wiener (D), et al.
Amended: 4/13/21
Vote: 27 - Urgency

SENATE GOVERNMENTAL ORG. COMMITTEE: 15-0, 4/20/21
AYES: Dodd, Nielsen, Allen, Archuleta, Becker, Borgeas, Bradford, Glazer,
Hueso, Jones, Kamlager, Melendez, Portantino, Rubio, Wilk

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/20/21
AYES: Portantino, Bates, Bradford, Jones, Kamlager, Laird, Wiecekowski

SUBJECT: Alcoholic beverages

SOURCE: Author

DIGEST: This bill authorizes the Department of Alcohol Beverage Control (ABC) to, for 365 days from the date the Covid-19 state of emergency is lifted, allow licensees to continue to exercise license privileges in an expanded licensed area authorized pursuant to a Covid-19 temporary catering permit, as provided. In addition, this bill allows a licensed manufacturer to share a common licensed area with multiple licensed retailers, as specified. Further, this bill extends from 30 to 90 days by which a licensee must apply to the Department of ABC for specified event which permits specified licensees to provide their own alcohol free of charge at an invitation only event. Finally, this bill increases the number of times, from 24 to 52 in a calendar year, that the Department of ABC can issue a caterer's permit for use at any one location.

ANALYSIS:

Existing law:

- 1) Establishes the Department of ABC and grants it exclusive authority to administer the provisions of the ABC Act in accordance with laws enacted by the Legislature.

- 2) Separates the alcoholic beverage industry into three component parts, or tiers, of the manufacturer (including breweries, wineries, and distilleries), wholesaler, and retailer (both on-sale and off-sale). This is referred to as the “tied-house” law or “three-tier” system.
- 3) Provides that licenses may be transferred from one person to another person and/or from one premises to another premises. Since the “premises” is the area in which license privileges may be exercised, increasing the licensed area may involve transferring the license from one “premises” to another “premises.”
- 4) Prohibits, generally, a licensee from having upon its licensed premises any alcoholic beverages other than the alcoholic beverages for which the licensee is authorized to sell at the premises under his or her license, and provides that a violation of this prohibition is punishable as a misdemeanor and authorizes the Department of ABC to seize any alcoholic beverages found in violation of this prohibition.
- 5) Permits specified licensees, to provide, free of charge, entertainment, food, and distilled spirits, wine, or nonalcoholic beverages to consumers at an invitation-only event, held on specified premises, in connection with the sale or distribution of wine or distilled spirits. Licensees are required, at least 30 days prior to an event, to apply to the Department of ABC for a permit authorizing the event and provide specified information.
- 6) Authorizes the issuance of a caterer’s permit, upon application to the Department of ABC, to a licensee under an on-sale general license, an on-sale beer and wine license, a club license, or a veteran’s club license, that authorizes the holder of the permit to sell alcoholic beverage at specified locations and events, including, among others, conventions, sporting events, and trade exhibits.
- 7) Allows a licensed winegrower and a licensed small beer manufacturer, whose premises of production are immediately adjacent to each other, to share a common area in which the consumption of alcoholic beverages is permitted, under specified circumstances.
- 8) Allows on-sale licensees to share a common area under specified conditions, including that both on-sale licensees have joint responsibility.
- 9) Defines an “on-sale” license as authorizing the sale of all types of alcoholic beverages: namely, beer, wine, and distilled spirits, for consumption on the premises (such as at a restaurant or bar). An “off-sale” license authorizes the

sale of all types of alcoholic beverages for consumption off the premises in original, sealed containers.

This bill:

- 1) Authorizes the Department of ABC, for a period of 365 days from the date when the Covid-19 state of emergency order is lifted, to permit licensees to continue to exercise license privileges in an expanded licensed area authorized pursuant to a Covid-19 temporary catering permit, as defined.
- 2) Provides that the Covid-19 temporary catering permits approved by the Department of ABC shall be subject to terms and conditions established by the department.
- 3) Authorizes the Department of ABC to extend the time period that the Covid-19 temporary permit is valid beyond the 365 days if the licensee has filed a pending application with the department for the permanent expansion of the premises.
- 4) Authorizes an alcohol manufacturer to share a common licensed area with multiple retailers, as specified and subject to all of the following conditions:
 - a) A retailer sharing a common licensed area with a manufacturer shall not serve any alcohol beverages that are manufactured, produced, bottled, or sold by the manufacturer. This prohibition shall apply to all licensed premises owned or operated by the retailer anywhere in the state.
 - b) All retailers sharing the common licensed area shall hold the same license type.
 - c) All licensees holding licenses within the shared common licensed area shall be jointly responsible for compliance with all laws that may subject their license to disciplinary action.
- 5) Increases the number of times, from 24 to 52 in a calendar year, that the Department of ABC can issue a caterer's permit for use at any one location.
- 6) Extends from 30 to 90 days by which a licensee must apply to the Department of ABC for an event permit that allows specified licensees, to provide, free of charge, entertainment, food, and distilled spirits, wine, or nonalcoholic beverages to consumers at an invitation-only event.

Comments

Purpose of the bill. According to the author's office, "SB 314 will help California's events, restaurants, and bars recover economically from the impacts of the COVID-19 pandemic by creating more flexibility in how they can serve alcohol, including where they can serve alcohol, how they can share spaces with other businesses, and how frequently a catering permit can be used. The bill also implements a one-year grace period after the emergency order is lifted for businesses to continue expanded outdoor dining operations on their premises that locals have enjoyed throughout the pandemic. Combined with other critical measures, SB 314 will help the hospitality industry bounce back from the devastating impacts of the pandemic, enacting common sense reforms, restructuring outdated laws, and allowing businesses more opportunities to recover. These businesses make up a huge part of the fabric of our communities, and employ so many of our neighbors, so we must do everything in our power to ensure a quick recovery."

Fourth Notice of Regulatory Relief. On March 15, 2020, the Department of ABC issued its Fourth Notice of Regulatory Relief, which was intended to assist qualified hospitality businesses with reopening in a manner that is consistent with local and state health and safety directives. The notice created the Covid-19 temporary catering permit, which authorizes the on-site consumption of those alcoholic beverages for which the licensee has on-sale privileges; on property that is adjacent to the licensed premises and that is under the control of the licensee.

A qualified business is required to apply to the Department of ABC and include a diagram which clearly identifies where the requested area is in relation to the existing licensed premise. Prior to submitting an application, the licensee is responsible for, among other things, ensuring they have the legal authority to use the area requested, ensuring that the temporary expansion request has the approval of local agencies, and ensuring the temporary expansion request is being made in accordance with applicable city, county, and state guidelines regarding social distancing and the legality of the business being open for in-person service.

If approved, the licensee is authorized to exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the ABC Act pertaining to the conduct of on-sale premises. Violations of these provisions, as well as the terms and conditions of the Covid-19 Temporary Catering Authorization, may be grounds for suspension or revocation of the licensee's license, as though the violation occurred on the licensed premises.

If the temporarily authorized area is being utilized by one or more other licensees, all licensees sharing the area are jointly responsible for compliance with all applicable laws and rules pertaining to their respective licenses and authorizations and for any violations that may occur within the shared common temporarily authorized area. If at any point a licensee wants to terminate its liability for a shared area, it must cancel its Covid-19 Temporary Catering Authorization.

The Covid-19 Temporary Catering Authorization may be further canceled by the Department of ABC for disturbance of the quiet enjoyment of nearby residents and upon objection by local law enforcement. In addition, since none of the relief measures are specifically authorized by law, the Covid-19 Temporary Catering Authorization will likely end as soon as the Covid-19 emergency order is lifted. In addition, while current law already includes a process by which licenses could permanently expand their licensed premises and thus continue to use the space, this process can be time consuming since it includes input from various stakeholders including local governments, law enforcement, and members of the public.

This bill provides the Department of ABC with the authority necessary to continue to allow licensees to continue to operate under the Covid-19 Temporary Catering Authorization permit for a period of 365 days after the emergency order is lifted. This bill also allows the Department of ABC to extend the 365-day period as long as the licensee has applied to the department for an expansion of their licensed premises. Alcohol licensees would still need to follow all of the rules set forth under the fourth regulatory relief and would continue to need local approval.

Shared Common Areas. The Department of ABC issues licenses in California for the legal manufacture and sale of alcoholic beverages. There are more than 80 different types of ABC licenses authorized in California. Each license has its own set of privileges and obligations specific to the category of license involved. The privileges of a license are expressly limited to those conferred by the specific type of license involved for the premises and time period covered by the license.

In addition to issuing licenses for the sale of alcohol at restaurants, bars, businesses, and events, the Department of ABC also provides licenses to manufacturers of beer, wine, brandy, and spirits. Specifically, a licensed beer manufacturer with a Type 01 or Type 23 license is authorized to sell beer to consumers for consumption on or off the manufacturer's licensed premises. Similarly, a winegrower with a Type 02 license is authorized to sell wine to consumers for consumption on or off the manufacturer's licensed premises.

Under existing law, it is generally illegal for any licensed business to sell alcohol or have any type of alcohol on their premise that is not included in that license

type. For example, if a restaurant obtains a license for beer and wine sales, the presence of distilled spirits on-site would be illegal. The law presumes that all alcoholic beverages found at licensed premises belong to the licensee, and therefore the person who obtained the license would be guilty of a misdemeanor.

While this is normally not a problem, given the fact that most alcohol licensees don't share their licensed premises with any other licensees, over the years new types of businesses have begun to include a number of alcohol licensees under the same roof. Many times, these businesses include a large common area where customers have the ability to enjoy food and alcoholic beverages from a number of different vendors. Unfortunately, given the various different licensing requirements, alcohol manufacturers would be in violation of the ABC Act if a customer were to buy an alcoholic beverage and take that drink into the common area. This not only creates frustration for the consumer, but also opens up these businesses for violations of the ABC Act.

This bill allows an alcohol manufacturer to share a common area with multiple retailers subject to various requirements. Among other things, this bill requires all licensees holding licenses within the shared common licensed area to be jointly responsible for compliance with all laws that may subject their license to disciplinary action.

Related/Prior Legislation

AB 61 (Gabriel, 2021), among other things, requires the Department of ABC to adopt rules to extend certain temporary relief measures relating to expanded outdoor dining areas and outdoor to-go sales privileges. (Pending on the Assembly Floor)

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee, unknown fiscal impact to the Department of ABC associated administrative and licensing workload to process additional catering authorizations and to convert temporary catering authorizations to permanent premises expansions.

Additionally, unknown increase in fee revenue to be deposited in the Alcohol Beverage Control Fund, which may offset administrative and licensing workload.

SUPPORT: (Verified 5/20/21)

California Downtown Association
California Travel Association

Central City Association
City and County of San Francisco
City of Alameda
City of Desert Springs
City of Indian Wells
City of La Quinta
City of Menifee
City of Murrieta
City of Palm Springs
Diaego
Independent Hospitality Coalition
Marin Council of Chambers
Mill Valley Chamber of Commerce & Visitor Center
Napa Valley Vintners
San Diego Regional Chamber of Commerce
San Francisco Chamber of Commerce
Santa Monica Chamber of Commerce
Southwest California Legislative Council
Tiburon Peninsula Chamber of Commerce
Westside Council of Chambers of Commerce

OPPOSITION: (Verified 5/20/21)

Alcohol Justice
California Alcohol Policy Alliance
California Beer and Beverage Distributors
California Council on Alcohol Problems
Wine & Spirits Wholesalers of California, Inc.

ARGUMENTS IN SUPPORT: According to the City and County of San Francisco, “with indoor service severely limited to-date, outdoor dining on sidewalks and in curb lanes has been critical to the survival of San Francisco’s restaurants and bars over the past year. Even with the prospect of full indoor reopening in the near future, outdoor service will continue to play a vital role in helping these businesses pay off outstanding rent and other debts accrued during the pandemic. SB 314 is a critical piece of legislation that will directly respond to the immediate challenges facing San Francisco’s nightlife sector. The ability to continue serving alcohol in outdoor areas is vital to the industry’s survival. The bill’s catering reforms will help businesses statewide employ creativity to generate additional revenue during our economic recovery and in the years beyond.”

According to the California Travel Association, “when the dust settles after the pandemic, many of our local businesses will be one step away from bankruptcy, and easing these restrictions will be critical to their success after the pandemic and beyond. California must ensure that our small restaurants and bars can remain open to the public for years to come by creating new and flexible ways to own and operate a business within the hospitality industry. We cannot continue weighing down our small businesses with unnecessary and outdated regulations that do not serve the public. SB 314 will act as a lifeline for many small businesses as we move out of the strict stay-at-home orders.”

ARGUMENTS IN OPPOSITION: The California Alcohol Policy Alliance is opposed to SB 314, “because it is another over-reaching grab bag of disparate issues opportunistically promoted by the alcohol industry. It is nothing more than a dangerous deregulation for the sake of corporate profits yet masquerading as phony [Covid-19] emergency management.”

Prepared by: Felipe Lopez / G.O. / (916) 651-1530
5/22/21 12:55:24

**** **END** ****

**RESOLUTION 21-34
RESOLUTION OF THE GOVERNING BOARD OF THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) SUPPORTING
SB 314 (WIENER)**

WHEREAS, SB 314 aims to assist California's events, restaurants, and bars recover economically from the impacts of the COVID-19 Pandemic by creating additional flexibility in the manner in which alcohol can be served;

WHEREAS, SB 314 authorizes the California Department of Alcohol Beverage Control (ABC), for a period of 365 days from the date when the COVID-19 state of emergency order is lifted, to permit licensees to continue exercising license privileges in an expanded licensed area authorized pursuant to a COVID-19 temporary catering permit;

WHEREAS, the bill authorizes the ABC to extend the time period that the COVID-19 temporary permit is valid beyond the 365 days if the licensee has filed a pending application with the Department for the permanent expansion of the premises;

WHEREAS, the bill authorizes an alcohol manufacturer to share a common licensed area with multiple retailers and increases the number of times in a calendar year that the Department can issue a caterer's permit for use at any one location from 24 to 52;

WHEREAS, the bill also extends from 30 to 90 days by which a licensee must apply to the Department for an event permit that allows specified licensees, to provide, free of charge, entertainment, food, and distilled spirits, wine, or nonalcoholic beverages to consumers at an invitation-only event; and

WHEREAS, SB 314 has passed the Senate Committees on Governmental Organization and Appropriations and the Senate Floor unanimously.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board does hereby support SB 314 (Wiener).

PASSED, APPROVED, and ADOPTED this 17th day of June, 2021.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Margaret Clark, President

Attest:

I, Marisa Creter, Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 21-34 was adopted at a regular meeting of the Governing Board held on the 17th day of June, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Marisa Creter, Secretary

DATE: June 17, 2021

TO: Governing Board Delegates and Alternates

FROM: Marisa Creter, Executive Director

RE: **AB 1201 (TING) – SUPPORT**

RECOMMENDED ACTION

Adopt Resolution 21-35 supporting AB 1201 (Ting).

BACKGROUND

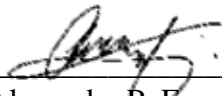
Introduced by Assemblymember Phil Ting (D-San Francisco) on February 18, 2021, AB 1201 would prohibit an individual from selling a plastic product that is labeled with the terms “compostable,” “home compostable,” or “soil biodegradable” unless the product meets specified standards and satisfies specified criteria. The bill would also authorize the California Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations for plastic product labeling to ensure that plastic products labeled “compostable” or “home compostable” are clearly distinguishable from non-compostable products upon quick inspection by consumers and solid waste processing facilities.


Specifically, AB 1201 prohibits the sale of a plastic product labeled with the terms “compostable,” “home compostable,” or “soil degradable” unless the product meets all of the following requirements:

- Achieves the appropriate American Society for Testing and Materials (ASTM) Test Method for compostability;
- Is certified by the Biodegradable Products Institute (BPI), or a third party approved by the Director of CalRecycle, for meeting compostability and toxicity standards;
- Is an allowable organic input under the requirements of the National Organic Program and the California Department of Food and Agriculture’s Organic Input Material Program;
- Does not include intentionally added perfluoroalkyl or polyfluoroalkyl (PFAS) substances; and,
- Is labeled in a manner that clearly distinguishes the product from a non-compostable or non-biodegradable product upon quick inspection by consumers and solid waste processing facilities and, where possible, that includes the word “compostable,” an approved third-party certification mark and the use of green or brown colors.

AB 1201 recently passed the Assembly Committees on Natural Resources and Appropriations and the Assembly Floor unanimously. On May 19, 2021, the Energy, Environment, and Natural Resources (EENR) Committee reviewed AB 1201 and recommended the Governing Board to support the bill.

REPORT

Prepared by: 
Alexander P. Fung
Management Analyst

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – AB 1201 Bill Language
Attachment B – AB 1201 Bill Analysis
Attachment C – Resolution 21-35

AMENDED IN ASSEMBLY APRIL 5, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1201

**Introduced by Assembly ~~Member Ting~~ Members *Ting, Friedman,
Lorena Gonzalez, and Mathis***

February 18, 2021

An act to amend Section 42357 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1201, as amended, Ting. Solid waste: plastic products: labeling: compostability and biodegradability.

Existing law prohibits a person from selling a plastic product that is labeled as “compostable” or “home compostable” unless, at the time of sale, the plastic product meets a specified specification or has a specified certification, as provided. Existing law prohibits the sale of a plastic product that is labeled as “biodegradable,” “degradable,” or “decomposable,” and prohibits implying that a plastic product will break down, fragment, biodegrade, or decompose in a landfill or other environment, unless the plastic product meets one of several specified standards relating to environmental marketing claims.

Existing law authorizes the Director of Resources Recycling and Recovery to issue guidelines for determining whether a plastic product is not compliant with these labeling requirements, and whether a plastic product is designed, pigmented, or advertised in a manner that is misleading to consumers.

This bill would prohibit a person from selling a plastic product that is labeled with the term “compostable,” “home compostable,” or “soil biodegradable” unless the product meets specified standards and satisfies

specified criteria. The bill would authorize the Department of Resources Recycling and Recovery to adopt regulations for plastic product labeling to ensure that plastic products labeled “compostable” or “home compostable” are clearly distinguishable from noncompostable products upon quick inspection by consumers and solid waste processing facilities.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42357 of the Public Resources Code is
2 amended to read:
3 42357. (a) (1) Except as provided in paragraph (3), a person
4 shall not sell a plastic product in this state that is labeled with the
5 term “compostable” or “home compostable” unless, at the time of
6 sale, the plastic product meets the applicable ASTM standard
7 specification, as specified in paragraph (1) of subdivision (b) of
8 Section 42356, or, if applicable, the plastic product has OK
9 compost HOME certification, as provided in paragraph (4).
10 (2) Compliance with only a section or a portion of a section of
11 an applicable ASTM standard specification does not constitute
12 compliance with paragraph (1).
13 (3) Notwithstanding paragraph (1), a person may sell a plastic
14 product in this state that is labeled with a qualified claim for a term
15 specified in paragraph (1), if the plastic product meets the relevant
16 standard adopted by the department pursuant to Section 42356.2.
17 (4) (A) A plastic product shall not be labeled with the term
18 “home compostable” unless the manufacturer of that plastic product
19 holds OK compost HOME certification with regard to that product,
20 except as provided in subparagraph (B) or (C).
21 (B) Notwithstanding paragraph (1), if the ASTM adopts a
22 standard specification for the term “home compostable” on or
23 before January 1, 2016, and the department determines that the
24 ASTM standard specification is at least equal to, or more stringent
25 than, the OK compost HOME certification, a plastic product
26 labeled with the term “home compostable” shall meet that ASTM
27 standard specification. The department may also take the actions
28 specified in Section 42356.1 with regard to an ASTM standard for
29 home compostability.

1 (C) If the department adopts a standard pursuant to Section
2 42356.2, a plastic product labeled with the term “home
3 compostable” shall meet that standard and not the standard
4 specified in subparagraph (A) or (B).

5 (b) Except as provided in subdivision (a) or (f), a person shall
6 not sell a plastic product in this state that is labeled with the term
7 “biodegradable,” “degradable,” or “decomposable,” or any form
8 of those terms, or in any way imply that the plastic product will
9 break down, fragment, biodegrade, or decompose in a landfill or
10 other environment.

11 (c) The director may issue guidelines, consistent with this
12 chapter, for determining whether a plastic product is not compliant
13 with the labeling requirements of this section, and whether a plastic
14 product is designed, pigmented, or advertised in a manner that is
15 misleading to consumers.

16 (d) A manufacturer or supplier, upon the request of a member
17 of the public, shall submit to that member, within 90 days of the
18 request, information and documentation demonstrating compliance
19 with this chapter, in a format that is easy to understand and
20 scientifically accurate.

21 (e) A product that is in compliance with this chapter shall not,
22 solely as a result of that compliance, be deemed to be in compliance
23 with any other applicable marketing requirement or guideline
24 established under state law or by the Federal Trade Commission.

25 (f) (1) The department may adopt the European Committee for
26 Standardization’s standard specification EN 17033:2018 entitled
27 “Plastics—Biodegradable mulch films for use in agriculture and
28 horticulture—Requirements and test methods” or may adopt a
29 standard that is equivalent to, or more stringent than, that standard,
30 as it read on January 1, 2020.

31 (2) A person may sell commercial agricultural mulch film
32 labeled with the term “soil biodegradable” only if the department
33 has adopted the standard specification, or an equivalent or more
34 stringent standard, pursuant to paragraph (1) and the commercial
35 agricultural mulch film is certified to meet both that specification
36 and the ASTM standard specification for compostability.

37 (3) For purposes of this subdivision, “commercial agricultural
38 mulch film” means film plastic that is used only as a technical tool
39 in commercial farming applications.

1 (g) (1) A person shall not sell a plastic product in this state that
2 is labeled with the term “compostable,” “home compostable,” or
3 “soil biodegradable” unless the product satisfies all of the
4 following:

5 (A) Meets the D6400 or D6868 ASTM Test Method for
6 compostability.

7 (B) Has certification from the Biodegradable Products Institute
8 or a third party, subject to paragraph (2), for meeting
9 compostability and toxicity standards.

10 (C) Is an allowable organic input under the requirements of the
11 National Organic Program and the Department of Food and
12 Agriculture’s Organic Input Material Program.

13 (D) Does not include intentionally added ~~perfluorinated~~
14 ~~compounds~~; *perfluoroalkyl or polyfluoroalkyl substances*.

15 (E) Is labeled in a manner that clearly distinguishes the product
16 from a noncompostable or nonbiodegradable product upon quick
17 inspection by consumers and solid waste processing ~~facilities~~;
18 *facilities, and, where possible, that includes the word*
19 *“compostable,” an approved third-party certification mark, and*
20 *the use of green or brown colors.*

21 (2) For purposes of subparagraph (B) of paragraph (1), the
22 director may approve a recognized third-party independent
23 verification body that has certification requirements that are
24 equivalent to, or more stringent than, those required by the
25 Biodegradable Products Institute.

26 (3) The department may adopt regulations for plastic product
27 labeling to ensure that plastic products labeled “compostable” or
28 “home compostable” are clearly distinguishable from
29 noncompostable products upon quick inspection by consumers
30 and solid waste processing facilities. The department, in adopting
31 regulations pursuant to this subdivision, may consider the plastic
32 product labeling requirements of other ~~states~~ *states, stakeholder*
33 *input, and industry-standard guidelines* to maximize consistency
34 with those requirements *and guidelines and that input* when
35 possible.

1
2 **REVISIONS:**
3 **Heading—Line 1.**
4

O

ASSEMBLY THIRD READING
AB 1201 (Ting, et al.)
As Amended April 5, 2021
Majority vote

SUMMARY

Establishes content and labeling requirements for compostable plastic.

Major Provisions

- 1) Prohibits the sale of a plastic product labeled with the term "compostable," "home compostable," or "soil degradable" unless the product meets all of the following requirements:
 - a) Meets the appropriate ASTM Test Method for compostability;
 - b) Has certification from a third party approved by the Director of CalRecycle, as specified, for meeting compostability and toxicity standards;
 - c) Is an allowable organic input under the requirements of the National Organic Program and the Department of Food and Agriculture's Organic Input Material Program;
 - d) Does not include intentionally added perfluoroalkyl substances; and,
 - e) Is labeled in a manner that clearly distinguishes the product from a noncompostable or nonbiodegradable product upon quick inspection by consumers and solid waste processing facilities and, where possible, that include the word "compostable," an approved third-party certification mark, and the use of green or brown colors.
- 2) Authorizes CalRecycle to adopt regulations for plastic product labeling to ensure that plastic products labeled "compostable" or "home compostable" are clearly distinguishable from noncompostable products upon quick inspection by consumers and solid waste processing facilities. In adopting regulations, CalRecycle may consider the plastic product labeling requirements of other states to maximize consistency with those requirements, when possible.

COMMENTS

Compostable plastic standards. California's labeling requirements for compostable plastic were crafted to ensure that environmental marketing claims are accurate and do not mislead consumers. Prior to the state adopting standards in 2004, plastic with misleading claims of biodegradability and compostability were widely marketed to consumers, even though the material does not break down in the environment. These materials are also not recyclable and are instead a contaminant when mixed with recyclable plastic waste. The Legislature has enacted numerous bills that attempt to prevent misleading environmental marketing claims and ensure that the materials we use can be properly managed, including banning the use of terms like "biodegradable" for plastic products and requiring plastics labeled "compostable" to meet widely accepted standards for compostability.

ASTM has adopted over 12,000 voluntary standards for a wide range of materials, products, systems, and services. ASTM standards include two for compostable plastics. For plastics designed to be composted in industrial compost facilities (D6400) and for paper and other products coated in plastic or other polymers designed to be composted in industrial compost facilities (D6868) the standards provide consistency and clarity for consumers and producers who want to ensure that their products are compostable. The standards are imperfect. Composting technology has advanced since the adoption of the standards and material is processed more quickly, so thicker compostable items, like utensils, often have to be removed from the finished compost and landfilled. Composting is designed to manage organic waste, like yard clippings and leaves, and is not the ideal management option for plastic waste.

Federal law. Unfair or deceptive acts or practices in or affecting commerce are illegal under federal law. The Federal Trade Commission (FTC) publishes the Green Guides to explain how the law applies to environmental labeling, advertising, and marketing, including the use of labels such as "degradable," "biodegradable," or "compostable."

PFAS. PFAS are a class of chemicals characterized by highly stable carbon-fluorine bonds that are used to make fluoropolymer coatings and products that resist heat, oil, stains, grease, and water. These coatings can be used in everything from clothing to food packaging. PFAS are a concern because they do not break down in the environment, can move through soils and contaminate waterways, and the bioaccumulate in fish and wildlife, which is why they are also known as "forever chemicals." The Centers for Disease Control (CDC) includes testing for PFAS in its *National Report on Human Exposure to Environmental Chemicals*, which includes biomonitoring data gathered since 1999 on participants in the National Health and Nutrition Examination Survey. The CDC scientists found PFAS in "nearly all" of the participants tested, indicating widespread exposure to PFAS in the United States population.

According to the Department of Toxic Substances Control (DTSC), PFAS have the potential to cause or contribute to significant and widespread adverse impacts to sensitive subpopulations, including fetuses, infants, young children, and workers; to environmentally sensitive habitats; and, to threatened and endangered species. DTSC states that exposure to PFAS can lead to adverse health impacts to humans. When humans are exposed through food, drinking water, or inhalation, the chemicals remain in the body for a long time. Continued exposure causes the levels to increase until they may suffer from adverse health effects. DTSC also notes that studies indicate that PFAS can cause reproductive, developmental, tumors, and liver, kidney, and immunological effects in animals. In humans, the most consistent finding is a small increase in serum cholesterol levels, with more limited findings related to infant birth weight, immune system function, cancer, and thyroid hormone disruptions.

This bill. Even with the existing compostability standards, the majority of compostable plastic material is sorted out and landfilled. Lack of clear labeling and the potential for the material to include toxic compounds like PFAS make it challenging for processors to identify what can be safely included in compost feedstock. Misleading product labels damage composting facilities' ability to ensure that their feedstock will break down properly and be available for resale to end users. It is critical that plastic that is labeled compostable meet the standards necessary to ensure it's safe to include in compost.

This bill is intended to remove the barriers faced by compost producers and enable products that are labeled compostable to truly be compostable. This bill will also prevent manufacturers from

intentionally adding PFAS and other known harmful chemicals to food packaging that is compostable.

According to the Author

AB 1201 ensures that California's compost stream is safe from harmful chemicals and that what is labeled as compostable actually is compostable. A majority of compostable packaging is currently sorted then disposed of in landfills. Californians are paying higher costs for their food to come in compostable containers and even more for their waste collector to sort these erroneously marked materials, only to end up in the landfill rather than a compost facility. This practice also results in higher environmental costs. It's crucial that claims of compostability reflect the realities of the infrastructure where these products are managed and that we do not allow harmful "forever chemicals" to impact our health through the compost process.

Arguments in Support

A coalition of supporters state that, "certain plastics currently labeled as "compostable" or "biodegradable" can contain PFAS. When such plastic is composted, the PFAS contaminates the compost, can be absorbed by plants and food crops grown in the compost-treated soil, and can ultimately make their way up the food chain, impacting humans. To ensure the safety of our food chain and our environment, we must keep PFAS out of the compost we use to grow our food and eliminate their use in products wherever possible."

Arguments in Opposition

None on file

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) The cost for CalRecycle to develop the content and labeling requirements depend on whether the department opts to develop guidelines or go through the rulemaking process. The development of guidelines is likely absorbable within existing resources, however, if CalRecycle chooses to develop regulations, costs are likely in the range of \$100,000 to \$200,000 over a one-year to two-year period (special fund).
- 2) If CalRecycle is responsible for the implementation and enforcement of the bill, about an additional \$125,000 per year would be necessary (special fund).

VOTES

ASM NATURAL RESOURCES: 10-0-1

YES: Luz Rivas, Flora, Chau, Friedman, Cristina Garcia, Mathis, Muratsuchi, Seyarto, Stone, Wood

ABS, ABST OR NV: McCarty

ASM APPROPRIATIONS: 16-0-0

YES: Lorena Gonzalez, Bigelow, Calderon, Carrillo, Chau, Megan Dahle, Davies, Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Holden, Luz Rivas

UPDATED

VERSION: April 5, 2021

CONSULTANT: Elizabeth MacMillan / NAT. RES. / (916) 319-2092

FN: 0000537

**RESOLUTION 21-35
RESOLUTION OF THE GOVERNING BOARD OF THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) SUPPORTING
AB 1201 (TING)**

WHEREAS, AB 1201 would prohibit an individual from selling a plastic product that is labeled with the terms “compostable,” “home compostable,” or “soil biodegradable” unless the product meets specified standards and satisfies specified criteria;

WHEREAS, the bill would also authorize the California Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations for plastic product labeling to ensure that plastic products labeled “compostable” or “home compostable” are clearly distinguishable from non-compostable products upon quick inspection by consumers and solid waste processing facilities;

WHEREAS, the bill prohibits the sale of a plastic product labeled with the terms “compostable,” “home compostable,” or “soil degradable” unless the product achieves the appropriate American Society for Testing and Materials (ASTM) Test Method for compostability, is certified by the Biodegradable Products Institute (BPI), or a third party approved by the Director of CalRecycle, for meeting compostability and toxicity standards, is an allowable organic input under the requirements of the National Organic Program and the California Department of Food and Agriculture’s Organic Input Material Program, does not include intentionally added perfluoroalkyl or polyfluoroalkyl (PFAS) substances, and is labeled in a manner that clearly distinguishes the product from a non-compostable or non-biodegradable product upon quick inspection by consumers and solid waste processing facilities; and

WHEREAS, the Energy, Environment, and Natural Resources (EENR) Committee reviewed AB 1201 on May 19, 2021 and voted to recommend the Governing Board to support the bill.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board does hereby support AB 1201 (Ting).

PASSED, APPROVED, and ADOPTED this 17th day of June, 2021.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Margaret Clark, President

Attest:

I, Marisa Creter, Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 21-35 was adopted at a regular meeting of the Governing Board held on the 17th day of June, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Marisa Creter, Secretary

DATE: June 17, 2021

TO: Governing Board Delegates and Alternates

FROM: Marisa Creter, Executive Director

RE: **METRO STRATEGIC PROJECT LIST**

RECOMMENDED ACTION

Adopt Resolution 21-36 adopting the list of San Gabriel Valley regional transportation projects and programs to be included on the Metro Strategic Project List.

SUMMARY

The Los Angeles County Metropolitan Transportation Authority (Metro) adopted the Long Range Transportation Plan (LRTP) last year to provide a detailed roadmap for guiding Metro's plan to build, operate, maintain, and partner for improved mobility over the next three decades. Included in the LRTP is the development of the Short Range Transportation Plan (SRTP), a 10-15 year action plan which contains the Strategic Project List (SPL). The SPL includes a list of planned but unfunded major transportation projects and approved transportation programs submitted to Metro from any of the nine councils of governments (COGs) in Los Angeles County.

The SPL includes two major components:

1. **Major Projects Component:** A list of defined projects that support transit, roadway, bicycle, and pedestrian travel and goods movement.
2. **Programs Component:** Capital investments in transportation programs that have been approved by a subregional COG in Los Angeles County.

Metro stated that the SPL is not a prioritized list and is not tied to existing funding sources or any specific future funding sources. Additionally, only projects of regional transportation significance should be included in the SPL. Local transportation projects may be eligible for the Multi-Year Subregional Program (MSP) funding or local return funding regardless of their listing on the SPL.

Furthermore, a project included in the SPL does not commit Metro or the COGs to fund the project; however, the existence of an up-to-date funded project list will be beneficial for Metro's regional planning efforts and identify Los Angeles County's overall transportation and funding needs.

ELIGIBLE SPL PROJECTS AND PROGRAMS

Eligible projects for the SPL's **Major Projects Component** include planned or defined projects that support transit, roadway, bicycle, and pedestrian travel and goods movement. Specifically, projects under the Major Projects Component must meet one of the below criteria for inclusion in the SPL. These projects criteria are broken into two tiers of projects based on their relative size and scope.

Transit Projects	
Tier 1	<ul style="list-style-type: none"> • All light rail, heavy rail, commuter rail, streetcar, and dedicated right-of-way bus rapid transit projects • Grade separate projects for existing fixed-guideway transit lines
Tier 2	<ul style="list-style-type: none"> • Purchase of electric or other zero-emission buses

Active Transportation and Complete Streets	
Tier 1	<ul style="list-style-type: none"> • Class I multi-use paths or Class VI cycle tracks that are greater than 3 miles in length or that cross multiple jurisdictions • Complete Streets projects that cross multiple jurisdictions • New pedestrian and bicycle overcrossings and underpasses
Tier 2	<ul style="list-style-type: none"> • Class I multi-use paths or Class VI cycle tracks that provide direct access to fixed guideway transit

Highway Projects	
Tier 1	<ul style="list-style-type: none"> • Any new high-occupancy toll (HOT) lane(s) or upgrades to existing facilities; or additions to high-occupancy vehicle (HOV) lane(s) • New interchange or direct connector
Tier 2	<ul style="list-style-type: none"> • New auxiliary lanes • Multi-jurisdictional arterial improvement project • Countywide or subregion-wide ITS project

Goods Movement Projects	
Tier 1	<ul style="list-style-type: none"> • Grade separation projects • Dedicated truck facilities or truck toll facilities
Tier 2	<ul style="list-style-type: none"> • Project occurs on the countywide Strategic Truck Arterial Network

Projects of Any Mode	
Tier 1	<ul style="list-style-type: none"> • Any defined transportation project with a project cost that exceeds \$50 million

Eligible projects for the SPL’s **Approved Programs Component** include transportation programs that have been approved by the Metro Board of Directors, a COG Governing Board, or another entity on behalf of multiple jurisdictions. These programs must be related to transportation by increasing the mobility of individuals or goods, reducing conflicts, increasing safety, and eliminating the need for travel. Such programs must result in future capital projects. For example, a subregion-wide Vision Zero Program is eligible to be included on the SPL under the Approved Programs Component as long as it includes multiple capital projects aimed at increasing safety.

MAJOR UNFUNDED PROGRAMS AND PROGRAMS IN THE SAN GABRIEL VALLEY

Metro recently requested all of the COGs to submit eligible projects and programs for inclusion on the SPL by **June 30, 2021**. Each project to be included in the SPL must be submitted to Metro with the appropriate request form.

Upon examining the eligibility criteria, staff has identified a preliminary recommended list of projects in the San Gabriel Valley to be included in the SPL:

Project Title	Jurisdiction	Category	Mode	Est'd Cost
Montebello Blvd Grade Separation	City of Montebello	Major Project	Goods Mvmt	\$188M
Turnbull Canyon Road Grade Separation	City of Industry	Major Project	Goods Mvmt	\$84M
Maple Ave Pedestrian Overhead Crossing	City of Montebello	Major Project	Active Transp./Goods Mvmt	\$26M
Pomona At-Grade Crossings Pedestrian Safety	City of Pomona	Major Project	Active Transp./Goods Mvmt.	\$26M
State Route 57/60 Confluence Chokepoint Relief Program	City of Diamond Bar	Major Project	Highways	\$450M
I-605/Valley Boulevard Interchange Improvement Project	City of Industry	Major Project	Highways	TBD
La Verne Transit Oriented Development (TOD) Pedestrian Bridge	City of La Verne	Major Project	Active Transp./Transit	\$7M
Foothill Gold Line Extension (Pomona to Claremont)	SGVCOG	Major Project	Transit	\$525.5M
Arrow Highway Multimodal Regional Corridor Improvements	SGVCOG	Major Project	Active Transp.	\$6.9M - \$10.3M

Due to the short turnaround time set forth by Metro, staff solicited feedback from San Gabriel Valley cities and agencies for additional eligible projects and programs that can be included in the SPL. As a result, cities and agencies proposed to include the following additional projects and programs:

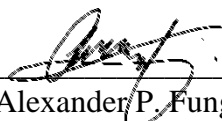
Project Title	Jurisdiction	Category	Mode	Est'd Cost
Alhambra Citywide ACT Bus Ridership Study	City of Alhambra	Major Project	Transit	\$0.3M
Alhambra Bus Shelter Replacements	City of Alhambra	Major Project	Transit	\$0.5M
Alhambra Pedestrian Safety Countdown Signal Heads	City of Alhambra	Major Project	Active Transp.	\$0.43M
Alhambra Fixed Transit Route Electrification Including Related Infrastructure	City of Alhambra	Major Project	Transit	\$5M
Alhambra Electric Vehicle Charging Stations	City of Alhambra	Major Project	Active Transp.	\$0.3M
Colorado Street Complete Streets Project	City of Arcadia	Major Project	Active Transp.	\$2.85M
Westbound SR-60 Direct Connector to Grand Ave.	City of Diamond Bar	Major Project	Highways/Goods Mvmt.	\$290M (2017)


Merced Avenue Greenway	Cities of El Monte and South El Monte	Major Project	Active Transp.	\$12.5M
City of Glendora Transit Fleet Electrification	City of Glendora	Major Project	Transit	\$3.85M
City of Glendora People Movement Project	City of Glendora	Major Project	Active Transp.	\$16.45M
Allen Ave. Safety Project – Design and Construction	City of Pasadena	Major Project	Active Transp.	\$11M
Pasadena Transit Maintenance Facility	City of Pasadena	Major Project	Transit	\$33M
Implementation of the Bicycle Transportation Action Plan	City of Pasadena	Approved Program	Active Transp.	\$12.5M
Bus Stop Improvement Program	City of Pasadena	Major Project	Active Transp./Transit	\$1.7M
N. Lake Ave. Safety Project – Design and Construction	City of Pasadena	Major Project	Active Transp.	\$5M - \$7M
Purchase Replacement and Expansion Buses for Pasadena Transit and Pasadena Dial-A-Ride	City of Pasadena	Approved Program	Transit	\$60M
Replace Aging Bus Stop Shelters	City of Pasadena	Major Project	Transit	\$4M
Rosemont Ave. Complete Streets Project	City of Pasadena	Major Project	Active Transp.	\$2.1M
The Arroyo Link	City of Pasadena	Major Project	Active Transp.	\$1.2M
Citywide Transportation Performance Monitoring Network	City of Pasadena	Approved Program	Active Transp.	\$3.2M
Meridian Avenue (within north-south City limits)	City of South Pasadena	Major Project	Active Transp.	\$15M
Garfield Avenue (Huntington Dr. to Fair Oaks Ave.)	City of South Pasadena	Major Project	Active Transp.	\$6M
Fremont Avenue (Columbia St. to Alhambra Rd.)	City of South Pasadena	Major Project	Active Transp.	\$5M
Monterey Road and Pasadena Avenue (Garfield Ave. to SR-110)	City of South Pasadena	Major Project	Active Transp.	\$20M
Huntington Drive	City of South Pasadena	Major Project	Active Transp.	\$20M
Columbia Street (shared with City of Pasadena)	City of South Pasadena	Major Project	Active Transp.	\$5M
Mission Street	City of South Pasadena	Major Project	Active Transp.	\$6M
Los Angeles County Transit Fleet Electrification – San Gabriel Valley Subregion	County of Los Angeles	Major Project	Transit	\$5M
Amar Road Complete Streets Project	County of Los Angeles	Major Project	Active Transp.	\$33M
San Jose Creek Regional Access	County of Los Angeles	Major Project	Active Transp.	\$16.5M
Foothill Transit Cal Poly Pomona Bronco Mobility Hub	Foothill Transit	Major Project	Transit	TBD

Foothill Transit – Third Operations and Maintenance Facility	Foothill Transit	Major Project	Transit	TBD
Foothill Transit Zero Emissions Double Deck Buses	Foothill Transit	Major Project	Transit	\$32M

It is important to note that the Cities of Pasadena and South Pasadena’s projects and programs are also included in the Arroyo Verdugo Communities Joint Powers Authority’s (AVCJPA) proposed list of projects and programs given that the two cities are part of both the SGVCOG and AVCJPA.

Members of the Transportation Committee reviewed the 42 submitted projects and programs listed above and voted to recommend the Governing Board to adopt the list of requested projects. Details of the submitted projects can be found on the SGVCOG website at www.sgvkog.org/2021-metro-spl. Once approved by the Governing Board, staff will transmit the adopted list to Metro by June 30, 2021.

Prepared by: 
 Alexander P. Fung
 Management Analyst

Approved by: 
 Marisa Creter
 Executive Director

ATTACHMENTS

Attachment A – Resolution 21-36

**RESOLUTION 21-36
RESOLUTION OF THE GOVERNING BOARD OF THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) ADOPTING
REGIONAL TRANSPORTATION PROJECTS AND PROGRAMS FOR METRO'S
STRATEGIC PROJECT LIST**

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (Metro) adopted the Long Range Transportation Plan (LRTP) in 2020 to provide a detailed roadmap for guiding Metro's plan to build, operate, maintain, and partner for improved mobility over the next three decades;

WHEREAS, included in the LRTP is the development of the Short Range Transportation Plan (SRTP), a 10-15 year action plan which contains the Strategic Project List (SPL);

WHEREAS, the SPL includes a list of planned but unfunded major transportation projects and approved transportation programs submitted to Metro from any of the nine councils of governments (COGs) in Los Angeles County;

WHEREAS, Metro recently requested all of the COGs to submit eligible projects and programs for inclusion on the SPL by June 30, 2021;

WHEREAS, SGVCOG staff solicited feedback from San Gabriel Valley cities and agencies for eligible projects and programs that can be included in the SPL and received a total of 42 requests as follows:

Project Title	Jurisdiction	Category	Mode	Est'd Cost
Montebello Blvd Grade Separation	City of Montebello	Major Project	Goods Mvmt	\$188M
Turnbull Canyon Road Grade Separation	City of Industry	Major Project	Goods Mvmt	\$84M
Maple Ave Pedestrian Overhead Crossing	City of Montebello	Major Project	Active Transp./Goods Mvmt	\$26M
Pomona At-Grade Crossings Pedestrian Safety	City of Pomona	Major Project	Active Transp./Goods Mvmt.	\$26M
State Route 57/60 Confluence Chokepoint Relief Program	City of Diamond Bar	Major Project	Highways	\$450M
I-605/Valley Boulevard Interchange Improvement Project	City of Industry	Major Project	Highways	TBD

La Verne Transit Oriented Development (TOD) Pedestrian Bridge	City of La Verne	Major Project	Active Transp./Transit	\$7M
Foothill Gold Line Extension (Pomona to Claremont)	SGVCOG	Major Project	Transit	\$525.5M
Arrow Highway Multimodal Regional Corridor Improvements	SGVCOG	Major Project	Active Transp.	\$6.9M - \$10.3M
Alhambra Citywide ACT Bus Ridership Study	City of Alhambra	Major Project	Transit	\$0.3M
Alhambra Bus Shelter Replacements	City of Alhambra	Major Project	Transit	\$0.5M
Alhambra Pedestrian Safety Countdown Signal Heads	City of Alhambra	Major Project	Active Transp.	\$0.43M
Alhambra Fixed Transit Route Electrification Including Related Infrastructure	City of Alhambra	Major Project	Transit	\$5M
Alhambra Electric Vehicle Charging Stations	City of Alhambra	Major Project	Active Transp.	\$0.3M
Colorado Street Complete Streets Project	City of Arcadia	Major Project	Active Transp.	\$2.85M
Westbound SR-60 Direct Connector to Grand Ave.	City of Diamond Bar	Major Project	Highways/Goods Mvmt.	\$290M (2017)
Merced Avenue Greenway	Cities of El Monte and South El Monte	Major Project	Active Transp.	\$12.5M
City of Glendora Transit Fleet Electrification	City of Glendora	Major Project	Transit	\$3.85M
City of Glendora People Movement Project	City of Glendora	Major Project	Active Transp.	\$16.45M
Allen Ave. Safety Project – Design and Construction	City of Pasadena	Major Project	Active Transp.	\$11M
Pasadena Transit Maintenance Facility	City of Pasadena	Major Project	Transit	\$33M

Implementation of the Bicycle Transportation Action Plan	City of Pasadena	Approved Program	Active Transp.	\$12.5M
Bus Stop Improvement Program	City of Pasadena	Major Project	Active Transp./Transit	\$1.7M
N. Lake Ave. Safety Project – Design and Construction	City of Pasadena	Major Project	Active Transp.	\$5M - \$7M
Purchase Replacement and Expansion Buses for Pasadena Transit and Pasadena Dial-A-Ride	City of Pasadena	Approved Program	Transit	\$60M
Replace Aging Bus Stop Shelters	City of Pasadena	Major Project	Transit	\$4M
Rosemont Ave. Complete Streets Project	City of Pasadena	Major Project	Active Transp.	\$2.1M
The Arroyo Link	City of Pasadena	Major Project	Active Transp.	\$1.2M
Citywide Transportation Performance Monitoring Network	City of Pasadena	Approved Program	Active Transp.	\$3.2M
Meridian Avenue (within north-south City limits)	City of South Pasadena	Major Project	Active Transp.	\$15M
Garfield Avenue (Huntington Dr. to Fair Oaks Ave.)	City of South Pasadena	Major Project	Active Transp.	\$6M
Fremont Avenue (Columbia St. to Alhambra Rd.)	City of South Pasadena	Major Project	Active Transp.	\$5M
Monterey Road and Pasadena Avenue (Garfield Ave. to SR-110)	City of South Pasadena	Major Project	Active Transp.	\$20M
Huntington Drive	City of South Pasadena	Major Project	Active Transp.	\$20M
Columbia Street (shared with City of Pasadena)	City of South Pasadena	Major Project	Active Transp.	\$5M
Mission Street	City of South Pasadena	Major Project	Active Transp.	\$6M

Los Angeles County Transit Fleet Electrification – San Gabriel Valley Subregion	County of Los Angeles	Major Project	Transit	\$5M
Amar Road Complete Streets Project	County of Los Angeles	Major Project	Active Transp.	\$33M
San Jose Creek Regional Access	County of Los Angeles	Major Project	Active Transp.	\$16.5M
Foothill Transit Cal Poly Pomona Bronco Mobility Hub	Foothill Transit	Major Project	Transit	TBD
Foothill Transit – Third Operations and Maintenance Facility	Foothill Transit	Major Project	Transit	TBD
Foothill Transit Zero Emissions Double Deck Buses	Foothill Transit	Major Project	Transit	\$32M

WHEREAS, members of the Transportation Committee reviewed the 42 submitted projects and programs listed above and voted to recommend the Governing Board to adopt the list of requested projects.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board does hereby adopt the list of San Gabriel Valley regional transportation projects and programs to be included on the Metro Strategic Project List.

PASSED, APPROVED, and ADOPTED this 17th day of June, 2021.

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Margaret Clark, President

Attest:

I, Marisa Creter, Executive Director and Secretary of the Board of Directors of the San Gabriel Valley Council of Governments, do hereby certify that Resolution 21-36 was adopted at a regular meeting of the Governing Board held on the 17th day of June, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Marisa Creter, Secretary

REPORT

DATE: June 17, 2021

TO: Governing Board Delegates and Alternates

FROM: Marisa Creter, Executive Director

RE: **LOS ANGELES COUNTY COORDINATION SURVEY RESULTS**

RECOMMENDED ACTION

Receive and file.

BACKGROUND

SGVCOG staff recently solicited member agencies' inputs on the engagement and coordination efforts between the County of Los Angeles and San Gabriel Valley cities and agencies. A survey was released to San Gabriel Valley city managers and Governing Board delegates to request member agencies to provide their levels of engagement and contracting relationships with each County department. Respondents also had the opportunity to share specific concerns and comments regarding their relationships with the County. A total of 21 responses were received between March 31, 2021 and May 13, 2021. The survey was reopened from May 21, 2021 to May 30, 2021 to provide member agencies with additional time to submit responses. During this time, SGVCOG staff received one additional response.

Of the 35 County departments and County-related agencies that were listed, the Los Angeles County Department of Public Health, the Los Angeles County Sheriff's Department, and the Los Angeles County Fire Department were listed as departments that received the highest level of engagements by respondents. Additionally, survey results indicate that the Los Angeles County Sheriff's Department, the Los Angeles County Fire Department, and the Los Angeles County Department of Public Works are the most common departments that San Gabriel Valley cities contract with. A summary of the reported levels of engagement and contracting relationships by County departments can be found in Attachment A.

Attachment B includes a bar chart that highlights the respondents' interest in contracting with other entities for services that are currently provided by the County. Specifically, the following County services received the highest amount of interest in being contracted out:

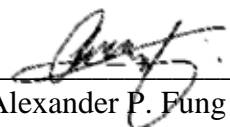
Services	Respondents Indicating Interest:
Animal Care & Control	10
Public Health	6
Fire Department	4
Sheriff	4
Health Services	4
Library	3
Mental Health	3
Public Works	3


Assessor	2
Children & Family Services	2
District Attorney	2
Probation	2
Workforce Development, Aging, and Community Services	2

Examining the respondents’ comments and feedback received, several cities reported that they are pleased with the County’s quality of service. Respondents also indicated the following suggestions and points of concern:

- Many cities suggested that having a more streamlined method of communication with the Los Angeles County Board of Supervisors, the Los Angeles County Chief Executive Office, and other County departments can better address local needs and increase the County’s responsiveness to local inquiries and concerns.
- A few cities expressed concerns regarding the Los Angeles County Department of Public Health’s Health Officer Orders that led to confusion amongst cities, businesses, and residents.
- Measure H funding allocation has not been equitably distributed to cities in Los Angeles County.
- Larger cities appear to receive more support and attention from the County compared to smaller cities.
- The County’s animal care and control services are expensive and several cities reported that such services are unsatisfactory.
- Many cities also commented that the costs for the County’s various services are high and expensive.

The SGVCOG Executive Committee recently reviewed this item and acknowledged that the Homelessness Committee and the SGVCOG staff are actively addressing member agencies’ concerns with Measure H funding. Additionally, the Committee directed staff to reach out to cities to better understand the concerns regarding the County’s animal care and control services.

Prepared by: 
 Alexander P. Fung
 Management Analyst

Approved by: 
 Marisa Creter
 Executive Director

ATTACHMENTS

- Attachment A – Summary of Reported Levels of Engagement and Contracting Relationships
- Attachment B – Respondents’ Interest in Contracting with Other Entities for Existing County Services

Attachment A

SUMMARY OF REPORTED LEVELS OF ENGAGEMENT

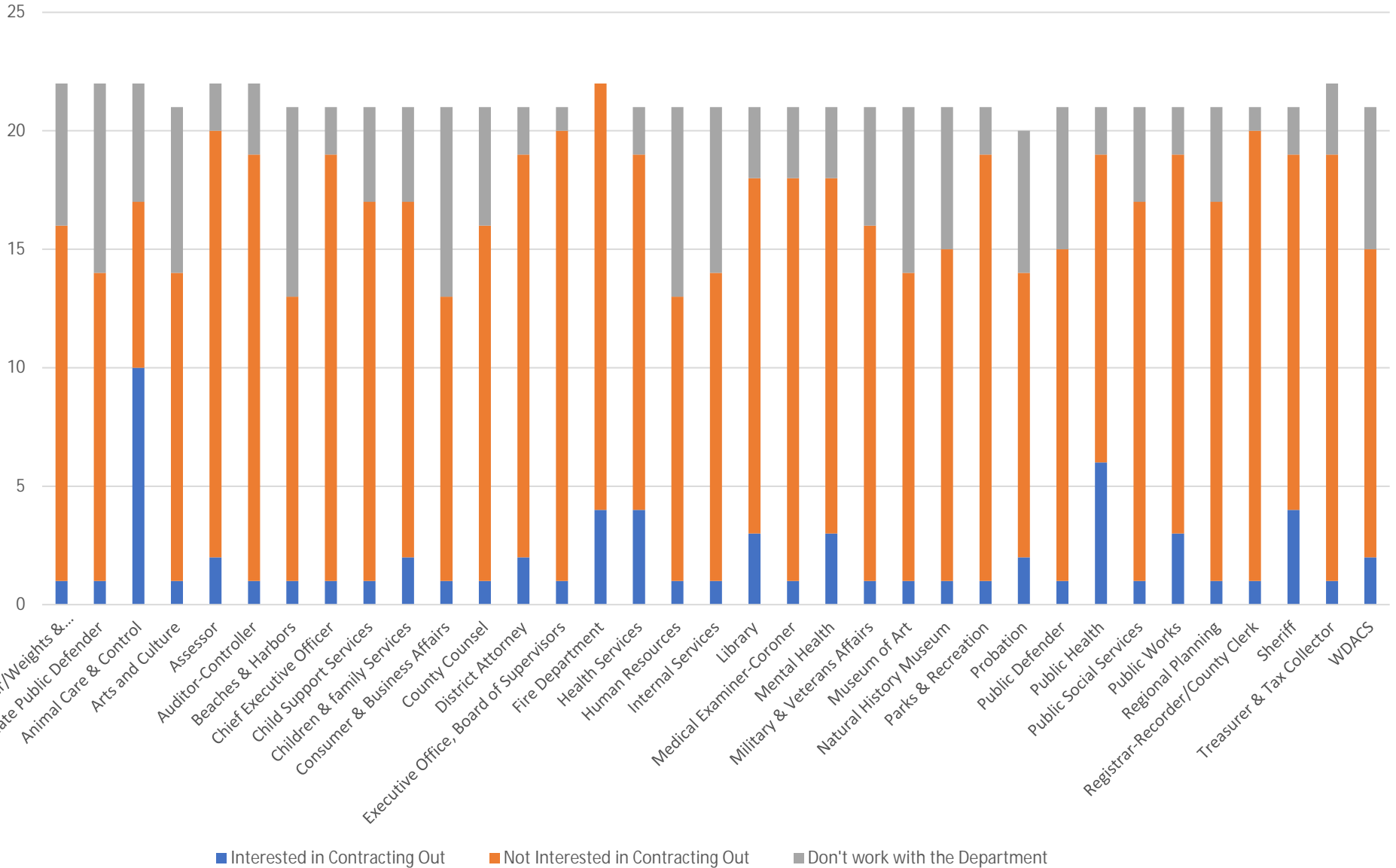
County Department	Engagement Score	Cities that Contract with the Department:
Public Health	441	6
Sheriff	351	8
Fire Department	337	8
Executive Office, Board of Supervisors	330	2
District Attorney	277	1
Health Services	245	3
Library	178	5
Registrar-Recorder/County Clerk	165	3
Public Works	152	7
Assessor	134	2
Parks & Recreation	116	0
Mental Health	106	2
Regional Planning	91	0
Workforce Development, Aging, and Community Services	82	1
Military & Veteran Affairs	66	1
Children and Family Services	44	1
Chief Executive Office	43	2
Auditor-Controller	39	2
Medical Examiner-Coroner	34	2
Child Support Services	28	0
Probation	28	0
Treasurer & Tax Collector	28	1
Consumer and Business Affairs	19	0
Public Social Services	19	2
Arts and Culture	18	0
Agricultural Commissioner/Weights & Measures	16	3
County Counsel	16	0
Animal Care & Control	15	2
Museum of Art	14	0
Public Defender	14	0
Alternate Public Defender	13	1
Human Resources	10	0
Internal Services	10	0
Natural History Museum	8	0
Beaches & Harbors	7	0

Engagement Score Calculation (Per Response):

Engage Weekly = 52 | Engage Monthly = 12 | Engage Quarterly = 4 | Engage Annually = 1 | Engage As-Needed: 2

Los Angeles County Coordination Survey Results

Respondents' Interest in Contracting with Other Entities for Existing County Services



REPORT

DATE: June 17, 2021

TO: Governing Board
Executive Committee

FROM: Marisa Creter, Executive Director

RE: **GOVERNING BOARD MEMBER AGENDA ITEM REQUEST PROCESS**

RECOMMENDED ACTION

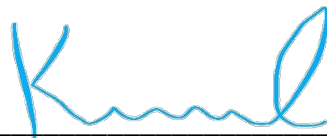
Receive and file.


BACKGROUND

According to the SGVCOG Bylaws, the Executive Committee is responsible for considering and providing guidance on matters being considered for inclusion on Governing Board agendas and any other matters directed by the Governing Board. To clarify the process for requesting items and projects on the Governing Board agenda, staff has developed a visual and written process as reference. Attachment A contains a summary of this project/item review process.

Governing Board members can request items/projects in writing to staff or request items/projects during a Governing Board meeting. If necessary, staff will follow-up with the requesting member to clarify the request. Staff will then review the request and determine if the item is more appropriate for one of the SGVCOG's policy committees. If the request falls under a policy committee, staff will work with the committee chair to review the item and agendaize for an upcoming meeting. If the request does not fall under one of the SGVCOG's policy committees, then staff will work the Executive Committee to undertake a similar review process. In conjunction with this review process, staff will identify the number of hours and resources required to complete a requested item or project, with particular focus on ensuring a requested item/project falls within the SGVCOG's adopted strategic plan and budget.

The Executive Committee reviewed the proposed agenda item/project request process at its June 7 meeting.

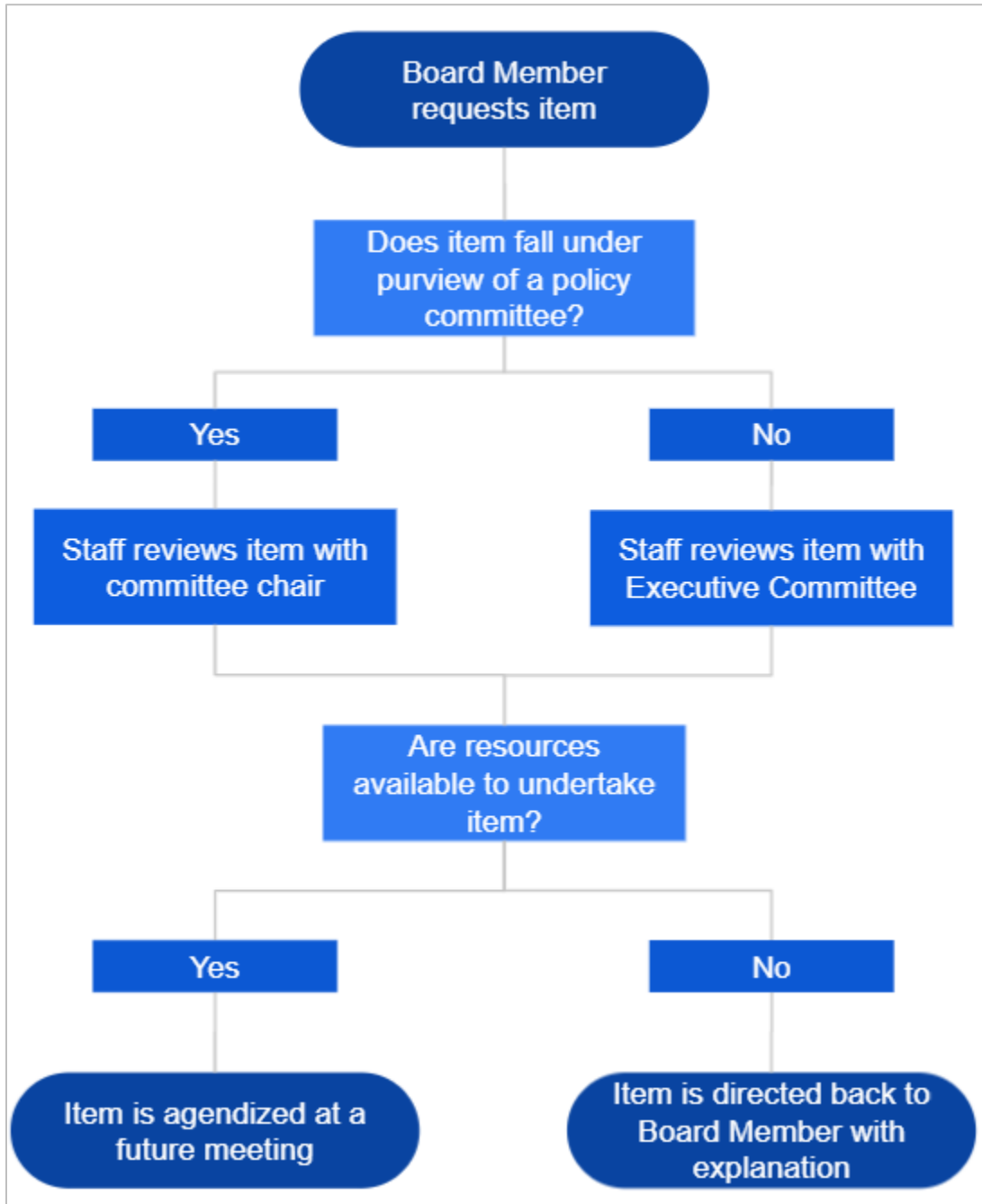
Prepared by: 
Katie Ward
Senior Management Analyst

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – Governing Board Member Agenda Item Request Process

Attachment A – Governing Board Member Item Request Process





Foothill Transit

To: San Gabriel Valley Council of Governments Governing Board

Date: June 8, 2021

Re: June 2021 Foothill Transit Liaison Report

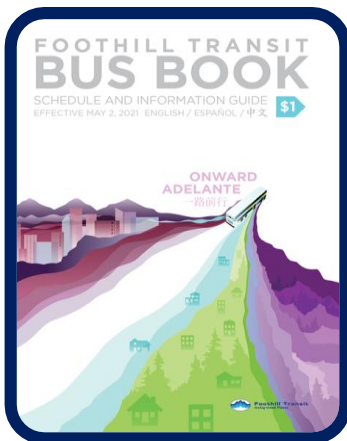
Foothill Transit continues to observe all CDC and Los Angeles County Department of Public Health guidelines. Information regarding COVID-19 safety protocols on board Foothill Transit buses, Transit Stores, and facilities are continuously updated and available at foothilltransit.org/covid.

Foothill Transit Summer Sale

In an effort to be a supportive community partner in the region’s economic recovery and re-emergence from the COVID-19 pandemic, Foothill Transit will launch its first-ever a Summer Sale. This 90-day campaign featuring 50 percent off of *all* Foothill Transit passes will be launched on July 1. After the challenging times we have all experienced, the intent of this Summer Sale is to stimulate regional mobility to local businesses, schools, and community destinations, decrease congestion, and increase ridership and fare revenues.



New Bus Schedule:



Foothill Transit’s new Bus Book is electronically available at foothilltransit.org/ebusbook and in [Transit Stores](#), but not on board buses in order to mitigate the spread of COVID-19. The \$1 fee for the Bus Book has been waived until further notice. Changes incorporated within the new Bus Book include a schedule adjustment on the evening schedules for Line 190, and the Silver Streak stops on the I-10 Freeway at Puente Avenue and Azusa Avenue being back in service. In response to COVID-19, we continue to run fewer buses on Commuter Express Lines and have temporarily paused service on Lines 690, 851, 853, and 854.

100 S. Vincent Ave., Suite 200 • West Covina, CA 91790 **W** foothilltransit.org **P** 626.931.7300 **F** 626.915.1143

MEMBER CITIES Arcadia, Azusa, Baldwin Park, Bradbury, Claremont, Covina, Diamond Bar, Duarte, El Monte, Glendora, Industry, Irwindale, La Puente, La Verne, Monrovia, Pasadena, Pomona, San Dimas, South El Monte, Temple City, Walnut, West Covina and Los Angeles County **A PUBLIC AGENCY**

TAP Available on Android and Apple:

The TAP App has recently been made available on both Android and Apple smartphones. Using the TAP App allows riders across Los Angeles County to have a safe, contactless, and faster option to pay their fares. The TAP App can be downloaded by searching “TAP LA” on Google Play or the Apple Store on Apple or Android devices. Further information and instructions are available at foothilltransit.org/tapapp.



No Mask, No Ride:

Foothill Transit has required masks on board since the beginning of the pandemic, and customers have overwhelmingly complied. U.S. federal law requires the wearing of face masks on all forms of public transportation through **September 13, 2021** or until further notice. Not wearing a mask on board a bus or at a transit hub is a federal offense. All customers who do not have masks will be offered one and will be required to wear the mask for the entirety of their trips on board buses. The U.S. Department of Transportation has provided these [answers](#) to frequently asked questions.



Subject: June 2021 Report

From: Sarah Patterson- SCAG Los Angeles County Regional Affairs Officer

213-236-1904, patterson@scag.ca.gov

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

HIGHLIGHTS FROM THE MEETING



REGIONAL COUNCIL OFFICERS

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

COMMITTEE CHAIRS

- Executive/Administration
Clint Lorimore, Eastvale
- Community, Economic &
Human Development
Jorge Marquez, Covina
- Energy & Environment
David Pollock, Moorpark
- Transportation
Sean Ashton, Downey

ACTION

REGIONAL COUNCIL APPROVES RECOMMENDATIONS FOR 2021 SCHOLARSHIP AWARDS

The Regional Council voted to approve the Scholarship Committee recommendations for the 2021 SCAG Scholarship Program Awards. SCAG received 75 applications from students across the region with interests in planning and public service. Eleven outstanding high school and community college students were chosen for this year's program, representing five of the six SCAG member counties. The scholarship recipients include Brenna Bell (Murrieta), Leslie Busch (La Verne), Rhett Bourne (San Juan Capistrano), Ryan Byrne (Murrieta), Gabriel Cao (Chino Hills), Hyun-Soo Choi (El Centro), Rocco Fantini (Northridge), Carly Granda (Claremont) and Priscila Jimenez (El Centro). Following a partnership that began with the 2019 awards and continued last year, the California Transportation Foundation agreed to fund two additional scholarships for 2021, which will be awarded to Andrew Ballard (Oak Hills) and Miles Riehle (Laguna Beach).

The SCAG Scholarship Program provides each awardee with a monetary scholarship of \$4,000. SCAG congratulates these future leaders in Southern California's planning and public service community!

INFORMATION

SCAG STAFF DETAILS THE FIRST DATA PRODUCED FROM THE 2020 CENSUS

As the first data from the 2020 Census are released, SCAG staff provided a presentation to—and answered questions from members of—the Regional Council regarding the state apportionment count and the general trends present in the latest Census count. California's number of seats in the US House of Representatives dropped from 53 to 52. The loss of a seat indicated that the population of California grew slower than the nation. California's population grew by 6.1% during the 2010s to 39,538,223, below the U.S. growth rate of 7.4% and ranking 24th amongst U.S. states. Staff explained that slower population growth is attributable in part to declining birth rates and foreign immigration. Though COVID-19 significantly increased mortality in the state and region such that both lost population during 2020, this is not expected to continue, though the trend of very slow growth is. The SCAG region is also experiencing a widening of the gap between new people moving into the region and existing populations leaving. In preparation for developing a growth forecast for the 2024 regional plan, SCAG will be investigating these trends in more detail in the coming months beginning with the 32nd Annual Demographic Workshop, held over two days on Tuesday, June 8, and Tuesday, June 15. The next Census 2020 release is known as the redistricting file and will be released beginning in August 2021.

NEWS FROM THE PRESIDENT

MESSAGE FROM PRESIDENT LORIMORE

I am humbled to have the opportunity to serve Southern California in this capacity as President of SCAG, and I look forward to continuing the strong tradition of collaboration this agency is known for. While the pandemic shut down our region, state and nation for over a year, we are now seeing signs that the worst of our situation might very well be behind us. Yet even with the recovery, we still face a housing crisis, serious traffic problems and high unemployment. People are hurting, and we need to focus our efforts—together—to come back even stronger in this recovery than where we were before.

In the wake of the adoption of our long-range transportation plan, we have an opportunity to refocus, re-engage with our partners, build relationships and strengthen those relationships for the long-term betterment of our region. To do this, I will be convening the Executive/Administrative Committee to kickstart a comprehensive overhaul of the agency's strategic plan. This will be the first step in establishing a platform for success for the future of our agency and region. We learned very quickly in the pandemic that we had the capacity to adapt, the ability to do what was previously unthinkable in order to get things done. Collaboration has been the hallmark of this agency, and as we find new ways to engrain this spirit of collaboration into the work that we do, I know we will be able to accomplish great things for our region.

NEW MEMBERS AND PRESIDENTIAL APPOINTMENTS TO POLICY COMMITTEES

President Lorimore announced updates to SCAG's Policy Committees.

Community, Economic and Human Development Committee

- John Mirisch, Beverly Hills, Presidential Appointment

- Ariel Pe, Gateway Cities Council of Governments

Energy and Environment Committee

- Jesus Silva, Fullerton, Presidential Appointment

Transportation Committee

- Christian Horvath, Redondo Beach, Presidential Appointment

- Paul Marquez, Caltrans, District 7, Ex Officio, Presidential Appointment

- Jeremy Smith, Canyon Lake, Presidential Appointment

- Jess Talamantes, Burbank, Presidential Appointment

- Colleen Wallace, Banning, Presidential Appointment

Legislative/Communications and Membership Committee

- Sean Ashton, Downey, District 25

- Letitia Clark, Tustin, District 17

- Margaret Finlay, Duarte, District 35

- Curt Hagman, San Bernardino County

- Jan Harnik, Riverside County Transportation Commission

- Peggy Huang, Transportation Corridor Agencies

- Steve Manos, Lake Elsinore, District 63

- Ray Marquez, Chino Hills, District 10

- Frank Navarro, Colton, District 6

- David Pollock, Moorpark, District 46

- Deborah Robertson, Rialto, District 8

- Ali Saleh, Bell, District 27

- David J. Shapiro, Calabasas, District 44

- Jose Luis Solache, Lynwood, District 26

- Cheryl Viegas-Walker, El Centro, District 1

- Donald Wagner, Orange County

- Alan Wapner, San Bernardino County Transportation Authority

Audit Committee

- Steve Manos, Lake Elsinore, District 63

- Carmen Ramirez, Ventura County

- Marty Simonoff, Brea, District 22

- Cheryl Viegas-Walker, El Centro, District 1

- Alan Wapner, San Bernardino County Transportation Authority

- Edward Wilson, Gateway Cities Council of Governments

NEWS FROM THE EXECUTIVE DIRECTOR

DEMOGRAPHIC WORKSHOP TO ADDRESS PLANNING FOR “THE POST-PANDEMIC CITY”

SCAG and the University of Southern California’s Sol Price School of Public Policy will be hosting the 32nd Annual Demographic Workshop in two parts on Tuesday, June 8 and Tuesday, June 15. This year’s workshop contemplates life in “the post-pandemic city.” Register here to attend.

Part 1: Changing California Demographics

Starting on Tuesday, June 8 from 1:30 to 4:45 p.m., join us for an update on the latest in demographic trends, including migration, fertility and aging, and a look at the unequal impacts of COVID-19.

Part 2: The Post-Pandemic City

The next webinar in the series will be held on Tuesday, June 15 from 1:30 to 4:45 p.m. and will feature a keynote address by Tiffany Chu, designer, planner and the former chief executive officer and co-founder of Remix, and now the senior vice president at Via, on the emerging neighborhood-centric mobility patterns seen during the COVID-19 pandemic. Additional panels will include a 2020 Census update and a discussion on the post-pandemic workforce, housing and transportation.

Each part of the series will also include expert-led roundtable discussions to build skills about topics presented throughout the day. The cost of this year’s workshop is free to all individuals who register. For additional details about the event, visit scag.ca.gov/demographics.

BROADBAND INITIATIVE UPDATE

On May 14, SCAG Executive Director Kome Ajise and San Diego Association of Governments (SANDAG) Executive Director Hasan Ikhata participated in a panel discussion moderated by Sunne Wright McPeak, President and Chief Executive Officer of the California Emerging Technology Fund and former secretary of the California Business, Transportation and Housing Agency. The panel focused on regional efforts from metropolitan planning organizations to adopt region-wide digital equity resolutions and regional efforts to address the digital divide. SCAG and SANDAG have worked collaboratively to bring resources to Southern California and highlight current efforts to support further broadband deployment. The panel focused on the ongoing collaboration and the focused leadership both agencies have provided to Southern California in leading efforts to bridge the digital divide, highlight best practices and advocate for more resources and collaboration.

SCAG ANNOUNCES 2021 SUSTAINABILITY AWARDS RECIPIENTS

SCAG is proud to announce the 2021 Sustainability Award recipients! Recipients of this year’s 14th annual awards include municipalities, agencies and nonprofit organizations—all recognized for excellence in coordinating land use and transportation to improve mobility, livability, prosperity and sustainability. The 2021 Sustainability Award recipients by category:

Outstanding Achievement in Sustainability: The City of Santa Ana, for the Santa Ana Arts Collective (SAAC) Affordable Housing and Adaptive Reuse Community

Active, Healthy and Safe Communities: The City of Palm Desert, for its San Pablo Avenue Streetscape Project

Clean Cities – Alternative Fuels and Infrastructure: Sunline Transit Agency, for Driving the Future of Hydrogen

Efficient and Sustainable Land Use: Kounkuey Design Initiative and the City of Los Angeles, for its Adopt-A-Lot Program

Housing Innovation: Clifford Beers Housing Inc., for its Isla de Los Angeles development

Green Region Initiative: The San Bernardino Valley Water Conservation District, for the Upper Santa Ana River Wash Habitat Conservation Plan

Watch the videos to learn more about each project. For more information on the SCAG Sustainability Awards and to view past winners visit scag.ca.gov/sustainability-program-awards.

UPCOMING MEETINGS

JUNE

10th Transportation Safety & Active Transportation Working Groups and Go Human Steering Committee: Part 1

15th Legislative/Communications & Membership Committee

17th Transportation Safety & Active Transportation Working Groups and Go Human Steering Committee: Part 2

22nd Transportation Conformity Working Group

24th Equity Working Group

24th Climate Adaptation Working Group

30th Regional Transit Technical Advisory Committee

30th Executive Administration Committee

JULY

1st Regional Council and Policy Committees

20th Legislative/Communications & Membership Committee

27th Transportation Conformity Working Group

24th Emerging Technologies Committee

28th Modeling Task Force



June 8, 2021

To: Governing Board, San Gabriel Valley Council of Governments
From: Jennifer Quan, League of California Cities
Re: Liaison Report

Events and Programs

Roundtable Discussions: Ongoing. Roundtable Discussions are available to all elected and appointed city officials and staff as an exclusive member benefit. Discussions and topics are member driven. Register at: <https://www.cacities.org/events>

Los Angeles County Division Annual Installation Ceremony & Dinner: August 5, 6-8:30 p.m. The Division is tentatively planning for an in-person event in Calabasas to install the Division's 2021-22 Officers. Register at <http://www.lacities.org>

Annual Conference & Expo: September 22-24. The Annual Conference and Expo is returning to Sacramento this year. The programming for this year's annual conference will feature a variety of exciting presentations on pressing topics for local leaders, plus numerous networking opportunities. Register at <https://www.cacities.org/events>

Please note that Cal Cities is closely monitoring the Coronavirus/COVID-19 pandemic, and the safety of our members, employees, and partners are the top priority. Cal Cities will continue to monitor the situation, and will keep you updated on any future schedule changes or cancellations. We appreciate your patience and flexibility as we take the time needed to make these decisions in a thoughtful and responsible way that protects everyone and ensures we can continue to serve as a high-quality resource for our members and partners.

COVID-19 Resources and Guide to Local Recovery

Cal Cities has continued to send frequent updates to city officials and have created <https://www.cacities.org/coronavirus> as a resource for information of particular interest to local governments.

President Biden's American Rescue Plan

On March 11, President Biden signed H.R. 1319, [American Rescue Plan Act of 2021](#), which includes \$65 billion in much needed direct and flexible relief for every city in the country, with an anticipated \$8.3 billion for California cities.

For entitlement cities, the [US Treasury fund request portal is now live](#) and ready for cities to receive their first allocation.

For non-entitlement cities, the California Department of Finance has released [details](#) for disbursement. Based on guidance from the U.S. Department of the Treasury, the money will be disbursed in two

tranches, half in June 2021 and half in June 2022. The U.S. Department of Treasury has also created a [website](#) with additional information.

Additional resources can be found on the National League of Cities hub at [COVID 19 Pandemic Response and Relief](#).

Governor Supports Request for Continued Brown Act Flexibility

In a [May 18, 2021 letter to the Governor](#), a local government coalition requested guidance on how local government agencies should proceed with Executive Order N-29-20 following the Blueprint's conclusion. The Executive Order provides local government agencies with the necessary flexibility to conduct business meetings in a virtual format.

In [response to the local government coalition request](#), the Governor announced that the Executive Order will not terminate on June 15, and all local government agencies can continue to conduct virtual public meetings as needed. The additional time will allow local governments to modify or keep any pandemic-era changes and provide sufficient notice to the public, honoring city obligations to prioritize access and transparency, along with the safety of the public.

The Administration also noted that they would work with Cal Cities and the other local government stakeholders to provide appropriate notice about the Executive Order's eventual discontinuation, which would allow cities to adequately prepare and meet the Brown Act requirements. This guidance is welcome news, as it will allow cities to continue their existing business meeting practices until there is additional guidance on the unwinding process of the Executive Order.

Cal Cities Priority Bills

While some significant bills have failed to advance or have been amended to address Cal Cities' concerns, numerous priority bills remain. Below are some key bills cities should continue to monitor and consider taking action on:

- [AB 14 \(Aguiar-Curry\)](#) Communications. Broadband Services. California Advanced Services Fund. This measure would reform the existing California Advanced Services Fund (CASF) surcharge to help close the digital divide. Specifically, it would continue the collection of the CASF fund beyond its original 2022 sunset date, and make it easier for local governments to apply for these infrastructure grants. This would create a long-term sustainable funding source for cities for broadband deployment. *Cal Cities Position: Support*
- [AB 215 \(Chiu\)](#) Housing Element: Regional Housing Need. Relative Progress Determination. This measure would require cities to have a mid-cycle housing element consultation with the Department of Housing and Community Development (HCD) if housing production is below the regional average; require cities to amend their laws so as to attain HCD's "pro-housing designation" if housing production is substantially below the regional average; and allow the Attorney General to enforce violations of the Housing Crisis Act of 2019 (SB 330, Skinner). *Cal Cities Position: Oppose*
- [AB 339 \(Lee\)](#) Local Government. Open and Public Meetings. This measure was significantly amended on May 4 in the Assembly Local Government Committee to only require telephonic

or internet based call-in options for city councils and boards of supervisors with jurisdictions larger than 250,000 people. The prior requirements related to translation and interpretation services have been moved and the amended measure now sunsets on December 31, 2023. *Cal Cities Position: Oppose*

- [AB 989 \(Gabriel\)](#) Housing Accountability Act. Appeals. Housing Accountability Committee. This measure would establish a housing appeals committee and would establish procedures by which an applicant who proposes a housing development project pursuant to the Housing Accountability Act may appeal a local agency's decision on the project application to the committee. *Cal Cities Position: Oppose*
- [AB 1401 \(Friedman\)](#) Residential and Commercial Development. Parking Requirements. This measure would prohibit a local government from imposing a minimum parking requirement, or enforcing a minimum parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit or located within a low-vehicle miles traveled area. *Cal Cities Position: Oppose*
- [SB 2 \(Bradford\)](#) Peace Officers. Certification. Civil Rights. This measure would set standards for peace officer decertification and eliminates qualified immunity for peace officers and custodial officers, or public entities employing peace officers or custodial officers sued under the act. *Cal Cities Position: Oppose*
- [SB 4 \(Gonzalez\)](#) Communications. California Advanced Services Fund. Deaf and Disabled Telecommunications Program. Surcharges. This measure would reform the existing California Advanced Services Fund (CASF) surcharge to help close the digital divide. Specifically, it would continue the collection of the CASF fund beyond its original 2022 sunset date, and make it easier for local governments to apply for these infrastructure grants. This would create a long-term sustainable funding source for cities for broadband deployment. *Cal Cities Position: Support*
- [SB 9 \(Atkins\)](#) Housing and Development. Approvals. This bill would require a local government to ministerially approve a housing development containing two residential units in single-family residential zones. Additionally, this measure would require local governments to ministerially approve urban lot splits. *Cal Cities Position: Oppose*
- [SB 15 \(Portantino\)](#) Housing development: incentives: rezoning of idle retail sites. A reintroduction of last year's SB 1299, this bill would enable cities that rezone, build, and certify new occupancy of idle big box retail sites or commercial shopping centers into workforce multi-family housing to receive the average of the annual amount of sales tax revenue generated by that site for the last seven (7) years. The program would be administered by the Department of Housing and Community Development and requires annual appropriation by the legislature. *Cal Cities Position: Support*
- [SB 16 \(Skinner\)](#) Peace Officers. Release of Records. This measure would make every incident involving use of force, sustained findings of unlawful arrests and unlawful searches, and incidents where a peace officer or custodial officer engaged in conduct involving prejudice or discrimination on the basis of specified protected classes to be subject to disclosure. Additionally, SB 16 would require indefinite retention of all complaints and related reports or findings currently in the possession of a department or agency. *Cal Cities Position: Oppose*
- [SB 278 \(Leyva\)](#) Public Employees' Retirement System. Disallowed Compensation. Benefit Adjustments. This bill would require public agencies to directly pay retirees and/or their beneficiaries disallowed retirement benefits using their general fund dollars. *Cal Cities Position: Oppose*

- [SB 555 \(McGuire\)](#) Local Agencies. Transient Occupancy Taxes. Short-Term Rental Facilitator. Collection. This measure would provide an opt-in program for cities to delegate short-term rental Transient Occupancy Taxes collection authority to the California Department of Tax and Fee Administration. *Cal Cities Position: Oppose Unless Amended*
- [SB 556 \(Dodd\)](#) Street Light Poles, Traffic Signal Poles. Small Wireless Facilities Attachments. This measure would directly conflict with Federal Communications Commission's adopted regulations on wireless services deployment. It would require local governments to make space available on street light poles, traffic signal poles, utility poles, and other public infrastructure to telecommunications providers. Additionally, SB 556 would create ambiguity in the fees local governments can charge for access to their infrastructure. *Cal Cities Position: Oppose*
- [SB 619 \(Laird\)](#) Organic Waste. Reduction Regulations. This measure would seek to help local governments implement SB 1383 (Lara, 2016), and the subsequent CalRecycle organic waste regulations. *Cal Cities Position: Support in Concept*

As the legislative session progresses, updated and new information on all bills can be found at these links:

- [Community Services](#)
- [Environmental Quality](#)
- [Governance, Transparency and Labor Relations](#)
- [Housing, Community and Economic Development](#)
- [Public Safety](#)
- [Revenue and Taxation](#)
- [Transportation, Communications and Public Works](#)

For additional information on these items, please contact Jennifer Quan at 626-786-5142 or jquan@cacities.org

REPORT

DATE: June 17, 2021
TO: Governing Board Delegates and Alternates
FROM: South Coast Air Quality Management District
RE: **MONTHLY LIAISON REPORT**

JUNE GOVERNING BOARD LIAISON REPORT

Funding for Additional Batteries for Commercial Electric Lawn and Garden Equipment Program Approved

On March 5, 2021 South Coast AQMD's Governing Board approved \$50,000 in funding that will be used to provide additional batteries for the program. Participants purchasing equipment funded by the Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program (L&G) will now be able to purchase up to three replacement batteries for their equipment at a discount of up to 75 percent off the purchase price.

The L&G program replaces old gasoline- or diesel-powered commercial lawn and garden equipment with zero emission, battery-electric technology. The program offers a variety of makes and models of commercial-grade electric lawn and garden equipment, including handheld trimmers, chainsaws, pruners, backpack and handheld blowers, and lawnmowers including ride-on, stand-on and walk-behind mowers.

Eligible entities, including local governments, school districts, nonprofit organizations, and commercial gardeners and landscapers can participate in the L&G program and purchase eligible equipment from participating dealer locations throughout South Coast AQMD's four-county jurisdiction.

Since its inception, the L&G program has replaced approximately 4,800 old gasoline- or diesel-powered commercial lawn and garden equipment. For additional information, please visit: www.aqmd.gov/lawnmower, contact us via email at lawngarden@aqmd.gov or call 888-425-6247.

New “Who to Call” Guide for Governmental Agencies and Services within LA County Now Available

In response to recommendations by members of the community, and as part of South Coast AQMD's Environmental Justice Community Partnership (EJCP), the Inter-Agency Task Force has created an extensive directory of governmental agencies and services within Los Angeles County.

Available in both English and Spanish, the Who to Call guide includes the names, phone numbers, websites, and email addresses for multiple regulators and organizations, as well as helpful tips and other important information to connect residents to the services they need.

The Who to Call guide has been shared with community-based organizations, agencies, cities, and the public to assist users in identifying the right contacts for their environmental concerns and related issues in their communities.

The Who to Call guide is available online at <http://www.aqmd.gov/home/research/publications>.

South Coast AQMD Completes Pilot Testing of Mobile Sensing Project with Google

The Air Quality Sensor Performance Evaluation Center (AQ-SPEC) at South Coast AQMD has reached major milestones in its partnership with Google Earth Outreach to test the performance of low-cost sensors on moving vehicles. AQ-SPEC has conducted stationary field and laboratory testing of commercially available low-cost sensors since 2014, with new efforts to expand testing of low-cost sensors in mobile monitoring applications. The first major step was the release of low-cost sensor testing protocols on a vehicle. The testing procedures used three different sensor mounting locations to evaluate how turbulence on a moving vehicle can affect measurement results.

The second major step was the completion of pilot testing the protocol with both ozone and fine particulate (PM_{2.5}) sensors, which are among the most widely used sensor devices for community monitoring.

The results identified optimal mounting locations for both types of sensors. The results provide a science-based template for collecting representative and consistent data from mobile sensors, allowing for greater, adoption of air quality mobile monitoring.

A condensed version of the evaluation protocol and the results from the pilot-testing of the ozone and PM_{2.5} sensors were published in the peer-reviewed journal Environmental Science & Technology as an open-access research article.

More details on the mobile sensor testing project, as well as links to the testing protocols and the published article can be found at: <http://www.aqmd.gov/aq-spec/special-projects/mobile-sensors>.

For more South Coast AQMD updates, please check out our recent edition of newsletter: <http://www.aqmd.gov/home/research/publications/advisor-archive/current-edition>

DATE: June 17, 2021
TO: Governing Board Delegates and Alternates
FROM: Transportation Committee
RE: **MONTHLY REPORT**

JUNE MEETING SUMMARY

The SGVCOG Transportation Committee convened Thursday, June 10, 2021 at 4:00pm for its June meeting. The Committee elected its FY 2021-2022 Chair and Vice Chair and reviewed the following major items:

Metro Strategic Project List

The Los Angeles County Metropolitan Transportation Authority (Metro) adopted the Long Range Transportation Plan (LRTP) last year to provide a detailed roadmap for guiding Metro's plan to build, operate, maintain, and partner for improved mobility over the next three decades. Included in the LRTP is the development of the Short Range Transportation Plan (SRTP), a 10-15 year action plan which contains the Strategic Project List (SPL). The SPL includes a list of planned but unfunded major transportation projects and approved transportation programs submitted to Metro from any of the nine councils of governments (COGs) in Los Angeles County. Metro recently requested all of the COGs to submit eligible projects and programs for inclusion on the SPL by June 30, 2021. After soliciting feedback from member agencies, staff received a total of 38 programs and projects to be included on the SPL. The Committee reviewed the submitted requests and recommended the Governing Board to adopt the list of requested projects. Once approved by the Governing Board, staff will transmit the adopted list to Metro before the end of this month.

San Gabriel Valley Transit Feasibility Study Update

On May 20, 2021, the SGVCOG Governing Board approved a professional contract with Kimley-Horn and Associates, Inc. to conduct the technical analyses for the San Gabriel Valley Transit Feasibility Study. On June 1st, the Executive Director approved a Task Order with Hill International, Inc. for providing public outreach services in support of Kimley-Horn's analyses for the project. The Notice to Proceed (NTP) for both contracts are to be issued in mid-June and the project kick-off meeting has been scheduled for July 9, 2021.

Glendora First/Last Mile Demonstrations

In December 2019, the Glendora City Council adopted a resolution to further refine first/last mile project concepts for Ada Avenue, Foothill Boulevard, Glendora Avenue, and Vermont Avenue. As a result, Glendora city staff engaged in public outreach activities and applied for funding to implement demonstration projects. In September 2020, the SGVCOG awarded the City of Glendora over \$30,000 for a demonstration project using repurposed Metro Open Streets grant funds. By November 2020, a temporary first/last mile demonstration project was installed on Glendora Avenue from Foothill Boulevard to Ada Avenue. This demonstration project ran through March 2021 with the goals of supporting active transportation and public health during the

COVID-19 Pandemic, evaluating potential safer street designs, and collecting detailed public feedback. The demonstration provided an excellent opportunity for the City to test improvements and observe operational benefits and drawbacks.

Metro Homelessness Program: Operation Shelter the Unsheltered

During the COVID-19 Pandemic, Metro has experienced an increase in the number of persons experiencing homelessness seeking shelter on the rail system, and riding trains throughout the day without a formal destination. As a result, Metro developed a program, known as “Operation Shelter the Unsheltered,” to assist these persons in seeking housing and support services. Currently, riders are required to exit trains at all terminus stations, such as Union Station. This provides an opportunity for Metro staff to effectively clean and disinfect trains, in an effort to protect riders from COVID-19. Metro used this opportunity to partner with law enforcement and several homeless outreach providers to engage with persons experiencing homelessness, as they exit trains, and offer them interim housing, mental health services, and substance abuse treatment. By tracking bed availability, Metro can subsequently provide these persons transportation to area shelters.

The Committee is scheduled to reconvene on Thursday, August 12, 2021 at 4:00pm.

DATE: June 17, 2021

TO: Governing Board Delegates and Alternates

FROM: Becky Shevlin, Chair, Homelessness Committee

RE: MONTHLY REPORT

JUNE MEETING RECAP

At its June meeting, the Homelessness Committee heard the following presentations and updates:

- **We're Not Giving Up: A Plan for Homelessness Governance:** Dr. Raphael Sonenshein, Executive Director of the Pat Brown Institute for Public Affairs at Cal State LA presented on this recently released report in which he calls for a new, independent entity with greater accountability to address homelessness in LA County. The SGVCOG White Paper on LASHA governance reform is cited in the report, and Dr. Sonenshein noted the importance of the paper in informing his work. The report identifies the primary problem of LA County homelessness governance as the “absence of a center, a magnetic force that can draw our disparate best efforts to a common mission.” The report proposes a new entity, referred to as “The Center.” The Center would develop a County-wide unified strategy to advance measurable outcomes and regularly communicate the results of those outcomes to stakeholders, people experiencing homelessness, and the public. The Center would include a Governing Board of seven members, including the Mayor of Los Angeles and Chair of the Los Angeles County Board of Supervisors, the CEO of The Center, a State representative, designated by the Governor, the chair of Oversight Board, and two representatives for other municipalities in Los Angeles County. The Center would also include an Oversight Board of 15 to 20 members featuring representatives from philanthropy, business, labor, public schools, those with lived experience, university and government researchers, and civic, provider, and faith-based organizations. Next steps include presentations to the LA City Council and the LA County Board of Supervisors, and acquiring funding to launch the organization. The full report can be found here: <https://nogoingback.la/were-not-giving-up/>.
- **State and County Homeless Funds:** The Homelessness Committee voted to recommend the Governing Board add the Tiny Home Bridge Housing Pilot Program to the SGVCOG Pilot Programs and shift funding with the Pilot Programs, reallocating \$150,000 in excess funding from the Green Pathway Careers (GPC) Pilot Program to the Tiny Home Bridge Housing Pilot Program. This funding will ensure that funding gaps do not delay the launch of the tiny home sites in Fall 2021. This re-allocation will have no impact on the GPC Program, as the COG’s LA County partners have identified additional funding to continue the program through the end of 2021 and beyond. SGVCOG staff will continue to work with GPC Program participating cities and County partners to recruit San Gabriel Valley participants into the program.
- **Green Pathway Careers (GPC) Program:** Staff from the LA County Internal Services Department’s Environmental Initiatives Program presented on the GPC Program, which

provides transition age youth (TAY) who are exiting the foster care system with training and job-application assistance to enter the high-growth energy efficiency field. GPC launched in December 2020 with an initial cohort of ten participants. Of this cohort, three participants completed the energy audit training with two passing the exam. Those two participants will now receive a paid work experience, on-the-job training, and application, interview, and career planning assistance. A second cohort of 25 students will begin in July 2021.

- **State Budget and Legislative Updates:** Staff provided an update on the Governor's May Revise budget, which would invest \$11.87 billion in combating homelessness. This includes the following:
 - \$7 billion for Project Homekey;
 - \$1 billion for the CalWORKS housing support program;
 - \$560 million to address family homelessness;
 - \$25 million to address veteran homelessness.

The May Revise also makes investments to address housing affordability, including accessory dwelling unit (ADU) financing, regional planning grants, funds to preserve affordable units, and funds to promote homeownership. There was also an update on SB 679 which would create the Los Angeles County Affordable Housing Solutions Agency.

- **LA Alliance for Human Rights et al. v. City of Los Angeles et al.:** Staff provided an update on the federal court case in which the City of Los Angeles (City) and LA County have been ordered to find shelter for people living near freeways and under freeway overpasses. The order was paused in 2020 and on May 26, Judge David O. Carter, the judge overseeing the case, postponed a decision about whether to reinstate the order, pending the outcome of an audit to be provided by the County in July. Judge Carter set another hearing for August 26, at which time the court will hear testimony from the parties on progress made toward housing those living near freeways. Concurrently, Judge Carter granted a preliminary injunction in April ordering the City and County to offer some form of shelter or housing to the entire homeless population of Skid Row by October 2021. That order also calls for the City to put \$1 billion into an escrow account. Both the City and County appealed that order and on May 13, the 9th Circuit Court of Appeals paused the order until June 15. Judge Carter also approved a stay the order targeting the money and gave the City 60 days until June 24 to develop a plan showing how the \$1 billion would be spent.

The Committee will go dark in July. The next meeting of the SGVCOG Homelessness Committee will be held on Wednesday, August 4, at 8:00 a.m.

CRISIS RESPONSE STUDY

The SGVCOG is hosting community forums to gather feedback on our Regional Homeless, Mental Health, and Crisis Response Study. This study is examining how a mobile crisis response program could be implemented in the San Gabriel Valley. The project deeply involves stakeholder and community engagement and will produce an actionable implementation plan. More information on the study can be found [here](#).

REPORT

The SGVCOG is looking for first responders (EMTs, law enforcement officers, and fire department personnel) and service providers working in mental health and/or homeless services to participate in these virtual forums.

Community forums for behavioral health and homeless service providers will be held on Monday, June 21 at 2:30pm and Friday, June 25 at 9:30am. Community forums for first responders will be held on Tuesday, June 22 at 11:00am and Friday, June 25 at 3pm. Registration for the forums can be found [here](#).

REPORT

DATE: June 17, 2021

TO: Governing Board Delegates and Alternates

FROM: Energy, Environment, and Natural Resources (EENR) Committee

RE: **MONTHLY REPORT**

JUNE MEETING SUMMARY

The SGVCOG Energy, Environment, and Natural Resources (EENR) Committee is expected to convene on Wednesday, June 16, 2021 at 1:00pm for its June meeting. The committee will be electing its FY 2021-2022 Chair and Vice Chair and reviewing presentations on indoor air quality in the COVID/post-COVID age, solar on multifamily affordable housing, and plastic recycling symbols.

kW Engineering Director, David Gilliland, P.E. is expected to provide the first presentation of the meeting on indoor air quality in COVID/post-COVID age. Mr. Gilliland will provide an overview of the core recommendations for reducing airborne infectious aerosol exposure from the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE).

The Center for Sustainable Energy Project Manager, Kajsa Hendrickson, will provide the second presentation of the meeting on the Solar on Multifamily Affordable Housing (SOMAH) Program. The Program, which is administered by the Center for Sustainable Energy, Association for Energy Affordability, GRID Alternatives, and California Housing Partnership, aims to help close the gap between those who has access to solar and those who benefits from solar, as it is traditionally unavailable to low-income households.

SGVCOG staff will provide the third presentation of the meeting on plastic recycling symbols. The “Chasing Arrows” Symbol that can commonly be found in plastic containers and products does not necessarily mean that the product is recyclable. Each number indicates the grade of plastic and can also identify the safety and uses of the respective item. This presentation will provide committee members in-depth knowledge on the details of each recycling symbol.

The committee is scheduled to reconvene on Wednesday, August 18, 2021 at 1:00pm.

REPORT

DATE: June 17, 2021
TO: Governing Board Members & Alternates
FROM: Water Policy Committee/Water TAC
RE: **MONTHLY REPORT**

JUNE MEETING RECAP

The regular joint meeting of the Water Policy Committee and Technical Advisory Committee (TAC) scheduled for Tuesday, June 8 was cancelled due to a lack of business.

On Friday, June 4, the Los Angeles Regional Water Quality Control Board (Regional Board) released the Revised Tentative Regional Phase I Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit for the Los Angeles region. The MS4 Permit is adopted by the Regional Board approximately every five years to regulate stormwater runoff to protect water quality in rivers, lakes, and oceans. The Permit defines limits for pollutants in the water and the measures that must be undertaken to achieve these limits. Municipalities are responsible for compliance with the MS4 Permit. The last MS4 Permit was adopted in 2012. The Regional Board will consider adoption of the successor Permit during public hearings scheduled for July 8, 9, 16, and 23.

The Permit and an overview of all comments received, as well as responses from the Regional Board on each comment can be found [here](#).

Due to the release of the Revised Tentative Permit and announcement of the public hearings, the Water TAC will hold a special meeting on Tuesday, June 22, to discuss strategy and comments for the hearings. A joint special meeting of the Water Policy Committee/TAC will be held on Tuesday, June 29, to also discuss strategy and comments on the Permit.

SAFE CLEAN WATER PROGRAM UPDATES

Round 3 Applications

Call for projects for Round 3 are due by July 31, 2021.

Transfer Agreements and Fund Transfers

70% of municipalities have received their first-year annual payment. Delays for those municipalities that have not received payments are related to annual plan submissions and transfer agreement execution. Second-year annual plans were due in April 2021 and second-year annual payments are expected to be provided to cities by August 2021. For the regional program, 18 out of 48 project agreements have been executed and cleared to receive funding.

Watershed Coordinators

The LA County Flood Control District (District) is currently onboarding watershed coordinators. 7 of 12 contracts have been executed. Richard Watson and Associates will be the Coordinator for the Rio Hondo Watershed Area Steering Committee (WASC). Day One was selected as the Coordinator for the Upper San Gabriel River WASC. The Upper Los Angeles River (ULAR) WASC will have three Coordinators, two from the Council of Watershed Health and one from Environmental Outreach Strategies.

Interim Program Guidance

In May, the District released interim Disadvantaged Communities (DACs) programming guidelines. The guidance, included as Attachment A, aims to clarify how best to prioritize DAC benefits and includes the following:

1. Clarification of how project proponents and WASCs can interpret and substantiate a project's ability to deliver DAC benefits.
2. Policies for consistently accounting for the 110% investment provisions within Stormwater Investment Plans (SIPs).
3. Considerations to inform deliberation and discussion about relationships between communities, municipalities, and census block groups.

ATTACHMENTS

Attachment A – Interim Program Guidance on DAC Benefits

Safe, Clean Water Program

Implementing Disadvantaged Community Policies in the Regional Program



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Purpose

Experience to-date in the Regional Program reveals that aspects of Safe, Clean Water Program (SCWP) related to providing Disadvantaged Community Benefits require further guidance to better support achieving the outcomes sought. The SCWP emphasizes investments that produce benefits in or directly to disadvantaged communities. Complying with the Disadvantaged Community Benefit policy in the Program is complex, and asserting what benefits accrue to which communities is not easily quantified.

As of May 2021, the District Program is developing a study which, among many things, will review how other funding programs that direct investment in disadvantaged communities have worked to overcome the many challenges that remain when seeking to implement the SCWP policy. That study will inform future guidance, currently expected in the Spring of 2022, in support of Stormwater Investment Plan (SIP) development in the Regional Program for Year 4 (2022-23).

The following interim guidance is intended to support SIP programming for Year 3 (2021-22) by providing information to help Project proponents with application preparation and Watershed Area Steering Committees (WASCs) with consistent evaluation and decision-making during the development of SIP recommendations. As appropriate, this guidance may also be referenced during ongoing discussions at the WASCs for Year 2 (2020-21) recommendations.

Specifically, this guidance includes the following:

1. Clarification of how Project proponents and WASCs can interpret and substantiate a Project’s ability to deliver Disadvantaged Community Benefits;

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2. Policies for consistently accounting for the 110% investment provisions within Stormwater Investment Plans;
3. Considerations to inform deliberation and discussion about relationships between communities, municipalities, and census block groups.

Disadvantaged Community Benefit Policies in the Safe, Clean Water Program

One goal of the SCWP, found in Los Angeles County Flood Control District (District) Code Section 18.04 (J), is to “provide Disadvantaged Community Benefits, including Regional Program infrastructure investments, that are not less than one hundred and ten percent (110%) of the ratio of the [disadvantaged community] population to the total population in each Watershed Area.”

Summarizing the ordinance sections and definitions below reveal that the **program goal of investing in disadvantaged communities is achieved by locating beneficial Projects within, or such that the benefits of a Project are directly provided to, census block groups where the median household income is less than 80% of the statewide median household income.**

When a Project has these qualities, and the WASC recommends it for funding, the value of regional SCWP funding that is allocated to the Project in the 5-year Stormwater Investment Plan will be used to calculate fulfillment of the 110% requirement.

Key Definitions

- Section 16.03(H): “Disadvantaged community” means a census block group that has an annual median household income of less than eighty percent (80%) of the Statewide annual median household income (as defined in Water Code section 79505.5).
- Section 16.03(I): “Disadvantaged Community Benefit” means a Water Quality Benefit, Water Supply Benefit, and/or Community Investment Benefit located in a [disadvantaged community] or providing benefits directly to a [disadvantaged community] population.
- Section 16.03(Y): "Project" means the development (including design, preparation of environmental documents, obtaining applicable regulatory permits, construction, inspection, and similar activities), operation and maintenance, of a physical structure or facility that increases Stormwater or Urban Runoff capture or reduces Stormwater or Urban Runoff pollution in the District.
- Section 16.03(NN): "Water Quality Benefit" means a reduction in Stormwater or Urban Runoff pollution, such as improvements in the chemical, physical, and biological characteristics of Stormwater or Urban Runoff in the District. Activities resulting in this benefit include but are not limited to: infiltration or treatment of Stormwater or Urban Runoff, non-point source pollution control, and diversion of Stormwater or Urban Runoff to a sanitary sewer system.

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- Section 16.03 (OO): "Water Supply Benefit" means an increase in the amount of locally available water supply, provided there is a nexus to Stormwater or Urban Runoff capture. Activities resulting in this benefit include, but are not limited to, the following: reuse and conservation practices, diversion of Stormwater or Urban Runoff to a sanitary sewer system for direct or indirect water recycling, increased groundwater replenishment or available yield, or offset of potable water use.
- Section 16.03(F): "Community Investment Benefit" means a benefit created in conjunction with a Project or Program, such as, but not limited to: improved flood management, flood conveyance, or flood risk mitigation; creation, enhancement or restoration of parks, habitat or wetlands; improved public access to waterways; enhanced or new recreational opportunities; and greening of schools. A Community Investment Benefit also includes a benefit to the community derived from a Project or Program that improves public health by reducing heat island effect and increasing shade or planting of trees or other vegetation that increase carbon reduction/sequestration and improve air quality.

Other Provisions

- Section 18.07(B)2.c: Funding for Projects that provide DAC Benefits shall not be less than one hundred and ten percent (110%) of the ratio of the DAC population to the total population in each Watershed Area. To facilitate compliance with this requirement, the District will work with stakeholders and Watershed Coordinator(s) to utilize existing tools to identify high-priority geographies for water-quality improvement projects and other projects that create DAC Benefits within DACs, to help inform WASCs as they consider project recommendations.
- Section 18.07(B)2.d: Each Municipality shall receive benefits in proportion to the funds generated within their jurisdiction, after accounting for allocation of the one hundred ten percent (110%) return to DACs, to the extent feasible, to be evaluated annually over a rolling five (5) year period.

Regional Program Guidance for Interpreting "Disadvantaged Community Benefit"

The following interim guidance supports ongoing decisions at the WASCs for Year 2 (2020-21), as appropriate, and for both Project proponents and WASCs in Year 3 (2021-22).

1. Projects that provide any of the benefits sought by the SCWP (Water Quality Benefit, Water Supply Benefit, or Community Investment Benefit) directly to a disadvantaged community will be considered as providing the Disadvantaged Community Benefit.
2. Projects where any of the construction effort is within a census block group designated as a disadvantaged community will be considered "within" a disadvantaged community, and therefore providing a Disadvantaged Community Benefit.

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3. Projects where none of the construction effort is within a census block group designated as a disadvantaged community, but where the completed Project will provide a **direct benefit** inside a census block group designated as a disadvantaged community, will be considered as providing a Disadvantaged Community Benefit. If two potential project locations provide substantially equivalent benefits to a Disadvantaged Community but one is physically located within that Disadvantaged Community, the prospective Project developer(s) should pursue the location within the Disadvantaged Community to the extent otherwise feasible.
4. Whether a Project provides a “direct benefit” as used in SCWP policy and within #3 above will be a decision made by WASCs on a project-by-project basis, considering the goals of the SCWP, the benefits provided to the community by each Project, and the area within which those benefits will be felt. See section, “Consideration of Direct Benefit,” below, for additional guidance.
5. The WASC, in its determination of whether a Project provides “direct benefit” to members of a disadvantaged community, should strongly rely on documented public support by members of that community or their elected representatives. Similarly, decisions by the WASC can rely upon the lack of documented public support, or the presence of documented resistance from members of a community. See section, “Community Support,” below, for additional guidance.
6. The designation as to whether a Project is providing a Disadvantaged Community Benefit may be modified from the original application during an agendized discussion of a Project. Any voting WASC member may suggest adjusting the disadvantaged community benefit designation of a Project (in accordance with District Code Section 18.07.B.2.c) as part of a motion related to the formation of a SIP, either to say that a Project claiming a Disadvantaged Community Benefit does not provide one, or that a Project that did not claim to provide a Disadvantaged Community Benefit in the application does provide a benefit. In the latter case, the WASC would need to request additional information about the Disadvantaged Community Benefit from the Project developer, consistent with the questions in the Project Module. See sections titled “Relevant information in the Project Module” and “WASC Tools and Strategies,” below.
7. When a Project judged to be providing benefits to members of a disadvantaged community is included in a recommended 5-year SIP, the total amount of funding provided by the regional program towards the Project is used to make the 110% investment calculation.

Relevant information in the Project Module

All applicants seeking funding through the Regional Program must submit a Feasibility Study, or equivalent, for review by the Scoring Committee and one of nine WASCs. Feasibility Studies are submitted using the web-based Project Module.

The Project Module currently includes the following prompts related to Projects seeking to provide benefits to members of disadvantaged communities:

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- Will the Project provide benefit to a disadvantaged community?
 - *Note that the questions below are posed within the Project Module only if the applicant answers “YES” to this first question.*
- Distance to nearest [disadvantaged community]?
- Describe how the Project will provide benefits to a [disadvantaged community].
- Describe how the Project will provide water quality benefits to a [disadvantaged community].
- Describe how the Project will provide water supply benefits to a [disadvantaged community].
- Describe how the Project will provide community investment benefits to a [disadvantaged community].
- Describe how the Project engaged the benefitting [disadvantaged community] to date.

By default, the Project’s Disadvantaged Community Benefit designation will be displayed as a YES or a NO based on the entries made by Project proponents.

Consideration for “Direct Benefit” Determination

California has two policy systems for identifying disadvantaged communities, one is CalEnviroScreen which is managed by the California Environmental Protection Agency (CalEPA), the other is within the State Water Code and uses a median household income statistical test. In both policy systems, census boundaries are used because the relevant socio-economic and demographic data is differentiated using those boundaries. However, both state policies do not define what a “community” means. The use of the census boundaries as community boundaries is a convention in these programs, not a formal policy. Because a “community” is undefined within the Water Code related policy system, any appropriate geographic boundary that supports the median household income statistical test can be deemed as a “disadvantaged community.”

Unlike the state policy, SCWP directs that Census Block Groups are communities, some of which are disadvantaged, and some of which are not. Functionally, Census Block Groups are rarely perceived as a community by any community members, the agencies that serve them, or the elected representatives at various levels. In fact, Census Tracts and Blocks rarely have any familiarity or utility outside the Census itself, and the use of the demographic data that is differentiated with those boundaries. Census Places, however, are another geographic unit used by the Census and are typically drawn to contain political or social geographies that have meaningfulness for the people who live and work there.

The California Department of Water Resources (DWR) maintains a Disadvantaged Community Mapping Tool for the use across many programs that it administers. The tool is found at the link below and includes both 2016 and 2018 US Census data for analyzing disadvantaged communities. The SCWP currently uses 2016 data to determine the targeted ratios of investment into Disadvantaged Communities but is expected to be updated for the 2022 guidance and roughly every five years. In the tool, Census Places, Tracts, and Block Groups can be viewed to understand their median household income and its relation to the statewide median household income.

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- Link to DWR Disadvantaged Community Mapping Tool: <https://gis.water.ca.gov/app/dacs/>
- Link to CalEPA CalEnviroScreen: <https://oehha.ca.gov/calenviroscreen>

Inglewood Example:

If you calculate the median household income for the city of Inglewood as a Census Place (Figure 1), you find that the city has a median household income below 80% of the statewide median household income, and therefore can be considered a disadvantaged community. However, when you review the many Census Block Groups within the city of Inglewood (Figure 2), you find that some are considered disadvantaged, some severely disadvantaged (defined in the State Water Code as having a median household income below 60% of the statewide median household income), and some are neither.

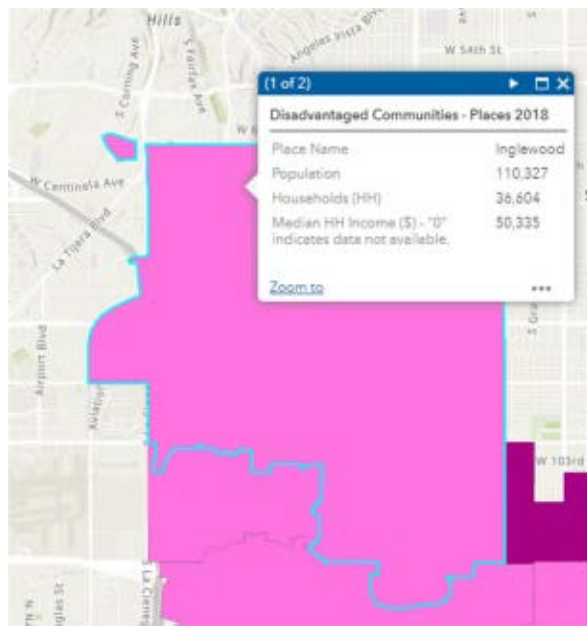


Figure 1 - Inglewood Census Place (DWR Disadvantaged Community Mapping Tool): Pink is disadvantaged, and purple is severely disadvantaged.

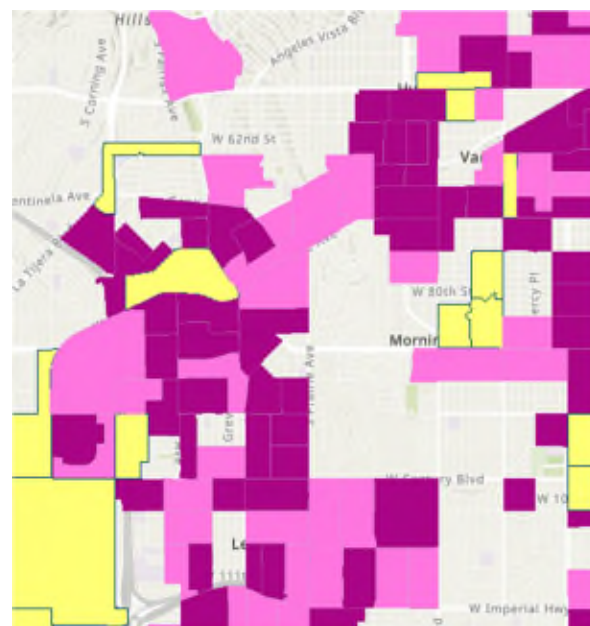


Figure 2 - Inglewood Census Block Groups (DWR Disadvantaged Community Mapping Tool): Pink is disadvantaged, purple is severely disadvantaged, and yellow is missing data.

This example is shared to reveal that a pure focus on Census Blocks may inadvertently omit Projects that are of critical importance to communities that collectively have unmet needs and are therefore intended to benefit from the disadvantaged community policies of the SCWP.

Benefits within a community boundary can be identified formally (like the city of Inglewood) or less formally (like the community of Pacoima, where the median household income calculation using that

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boundary supports the designation of “disadvantaged community”), or when CalEnviroScreen suggests unjust cumulative impacts are experienced inside that boundary. In any such cases, a WASC would be justified considering that Project as providing benefits across the entire area within that boundary. This is reiterated in three steps, below:

1. Is there a formal or informal community boundary more appropriate than Census Block Group boundaries to consider for the benefit area of a particular Project? *If yes...*
2. Using that boundary as a community, does the median householder income statistic or the current CalEnviroScreen tool consider that community “disadvantaged?” *If yes...*
3. Does the WASC wish to recommend that the Project will provide benefits across the entire community boundary?

The following municipalities are within the SCWP boundaries, and are US Census places that have an MHI below 80% of the statewide MHI (2018 data), and therefore could be considered disadvantaged at the scale of the municipality (alphabetical):

- Bell
- Bellflower
- Bell Gardens
- Commerce
- Compton
- Cudahy
- El Monte
- Gardena
- Hawaiian Gardens
- Hawthorne
- Huntington Park
- Inglewood
- Lynwood
- Maywood
- Montebello
- Paramount
- Pomona
- Rosemead
- San Fernando
- South El Monte
- South Gate
- Walnut Park

Community Support

The SCWP places priority on developing community support for Projects that yield Water Quality Benefits, Water Supply Benefits, and Community Investment Benefits. Within the scoring process for regional Projects, points are available for Projects that document community support.

One of the most effective ways to document if a Project will provide benefit to a community is if the community itself says so and expresses support. Project proponents are encouraged to obtain letters of support documenting that communities who will benefit from the Project are, in fact, eager for those Project benefits and supportive of the effort. WASCs too, when considering which communities will benefit from regional Projects, can rely on assertions from communities and their representatives that the Project will provide them benefits. This underscores the importance of empowering community members to voice their perceived benefits through community education and engagement.

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This approach can be very effective when Projects are anticipated to provide regional benefits, some of which will accrue to one or many disadvantaged communities. If a Project proponent engages with members of those communities and their representatives and has received their concurrence that the Project benefits will be felt by their community, this becomes strong evidence that the Project will provide a Disadvantaged Community Benefit.

WASCs can look towards the letters of support that are provided by a Project proponent, or to public engagement during the programming of the SIPs. Public testimony offered during public meetings that expresses how a Project will, or will not, provide benefits to a community can be part of the decision-making process of the WASC as the question of “direct benefit” is settled.

WASC Tools and Strategies

The following strategies are available to the members of WASCs to assist in determining the appropriateness of each Project’s claim of providing, or not providing, benefits to members of disadvantaged communities:

Tools and strategies to evaluate Disadvantaged Community Benefits that WASC members can use during Project evaluation:

- **The WASC can read the justification provided in the application and submitted Feasibility Study about Disadvantaged Community Benefits claimed for the Project.**
- **During presentations by Project proponents, the WASC members can ask questions about the Disadvantaged Community Benefits claimed for the Project.**
- **During the agendaized Project Discussion period, any voting WASC member may suggest modifying the Disadvantaged Community Benefit designation of a Project in accordance with 18.07.B.2.c and the recommended criteria described above as part of a motion related to the formation of a SIP.**
 - **When modifying a Disadvantaged Community Benefit designation from NO to YES, where justification was therefore not provided in the Project Module application and submitted Feasibility Study, the WASC may consider the recommended criteria described herein and seek equivalent information to that solicited in the Project Module and otherwise as necessary.**

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Tools and strategies to evaluate Disadvantaged Community Benefits that WASC members can use at any time:

- **WASCs can ask their Watershed Coordinator(s) to evaluate and report to the WASC how the people, city and county agencies, and other stakeholders would describe the preferred Disadvantaged Community Benefits in the Watershed Area.**
- **WASCs can invite informational presentations from agencies, organizations, and other stakeholders to better understand potential Disadvantaged Community Benefits sought and challenges faced in the Watershed Area.**

Long Term Vision for Disadvantaged Community Benefits

The District recognizes that, long-term, additional tools and engagement are needed to enhance efforts across the SCWP to achieve benefits sought by those who live in, work in, and represent disadvantaged communities. While not appropriate to include within this interim guidance, the District anticipates pursuing additional activities and exploring further potential guidance within the following contexts by the year 2025.

- **Developing metrics for tracking and evaluating Disadvantaged Community Benefit:** As noted in the “Purpose” section, the District is facilitating the development of a study that will review how other funding programs that direct investment in disadvantaged communities have worked to overcome the many challenges that remain when seeking to implement the SCWP policy. That study will support future guidance, currently expected in the Spring of 2022, in support of Year 4 (2022-23).
- **Evaluating and sharing accomplishments of Watershed Coordinators:** Watershed Coordinators are a key element within the SCWP for ensuring communities are engaged and able to influence the Regional Program in each Watershed Area. Providing engagement opportunities, education, and technical assistance to members of disadvantaged communities will be fundamental to the watershed coordinators’ work. Future guidance will evaluate and share accomplishments from the watershed coordinators who are joining SCWP in Spring 2021.
- **Evaluating community support or opposition:** One element that is addressed generally in this interim guidance is how the WASCs, the Scoring Committee, and the Regional Oversight Committee can rely on representations of community support or opposition as part of their decision-making. It is expected that future guidance will further describe how community support can additionally influence the SCWP.
- **Assessment of “who benefits” from Projects in the Regional Program:** Both the disadvantaged community investment and the municipal return elements of the Regional Program require

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information about how a Project’s benefits are received by specified groups of people. The question of who benefits from a Project or its components is difficult to solve systematically because the characteristics of Projects are so varied. Within SCWP context, asserting whether members of a disadvantaged community ultimately benefit from a Project remains a decision for the Board of Supervisors when they consider adopting a SIP as recommended by the WASCs and ROC.

Work is underway within the District to develop more tools for making these judgments, to support engagement, Project development, WASC deliberation, and quantification of achievement of the SCWP ordinance goals and priorities around targeted funding and the accrual of benefits. The development of these tools includes further engagement opportunities and the resulting tools will support future guidance.

- **Further clarifying what constitutes a “community”:** The current policy, as described above, directs the consideration of Census Block Groups while acknowledging that the Regional Program is conceptually focused on Projects that provide regional benefits. This means that Projects can benefit multiple communities that are distant from the physical Project. When considering “disadvantaged communities” as the beneficiary of investments in the Regional Program, who and what constitutes a “community” requires additional guidance to be developed in collaboration across multiple interested parties in the SCWP. The alignment between scales – the scale of the Regional Program’s focus on Watershed Areas, the scale of community boundaries, and the scale of the benefit area of Projects – is expected to be explored further. Future guidance is intended to include efforts to bring more certainty for community members, elected leaders, municipal and county staff, Project proponents, and decision-making bodies inside SCWP about how to judge or quantify the beneficiaries of a Project.
- **Revisiting inclusive language:** Multiple policies at the state and regional levels, including the SCWP, use the term “disadvantaged community” to explain how aspects of the program are intended to provide enhanced or targeted support to communities that are low-income, pollution burdened, underserved, or historically and currently marginalized or underrepresented. Future guidance within the program may include incorporation of additional inclusive language that better captures the richness and complexity of these communities.
- **Strengthening anti-displacement policies:** The Regional Program Fund Transfer Agreement, when describing the Stakeholder and Community Outreach/Engagement Plan required of every signatory, refers to “activities and measures to mitigate against displacement and gentrification.” It also requires the plan to include commitments to comply with “any County-wide displacement policies” and “specific anti-displacement requirements associated with other funding sources.” The role of Projects in the SCWP Regional Program to support anti-displacement is one that could be strengthened in future guidance, as the County and cities

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adopt additional practices and policies, and as additional policies are added to other funding programs.

- **Advancing workforce development:** The SCWP has explicit goals to support workforce development. Chiefly, this is being carried out within the District Program, as an element of the broader Education Program, and is still early in its development. Many WASCs have considered, and heard public comment regarding, the role of Projects within the Regional Program providing workforce development and jobs that benefit all communities, but also specifically members of disadvantaged communities. Future guidance is expected to discuss the relationship between elements of the Regional Program and the workforce development within the District Program, and how those SCWP elements could leverage benefits to members of disadvantaged communities.

REPORT

DATE: June 17, 2021
TO: Governing Board Members & Alternates
FROM: Capital Projects and Construction Committee
RE: **MONTHLY REPORT**

MONTHLY REPORT

On May 24, the SGVCOG Capital Projects and Construction Committee convened via Zoom for its monthly meeting. The Committee approved staff's recommendation to issue Annual Task Orders and Amendments for 13 professional services to support ongoing construction projects. The Task Order approved for Lee Andrews Group includes public outreach services for the Montebello Boulevard Grade Separation Project, Maple Avenue Pedestrian Bridge Project, and Greenwood and Vail Avenues Safety Improvements Projects. The Committee also approved a Task Order for Anser Advisory to provide construction management services for the 57/60 Diamond Bar Golf Course Project. Another Task Order was approved with RailPros for design support during construction services for the Pomona At-Grade Safety Improvement Project. Additionally, staff announced that the Montebello Boulevard Grade Separation Project was recently awarded a total of \$15 million over the next three fiscal years from the Section 190 Grade Separation Program. The Turnbull Canyon Grade Separation Project was awarded \$5 million in this fiscal year. The Committee is scheduled to reconvene on Monday, June 28, 2021 at 12:00pm.