



San Gabriel Valley Council of Governments*

AGENDA AND NOTICE OF THE MEETING OF THE SGVCOG EXECUTIVE COMMITTEE

Monday, June 7, 2021 – 10:00 AM

Teleconference Meeting

Zoom Link: <https://zoom.us/j/99054606210>

Livestream Link: <https://youtu.be/6Mrl2KADocw>

Thank you for participating in today's meeting. The Executive Committee encourages public participation and invites you to share your views on agenda items.

President
Margaret Clark

1st Vice President
Becky Shevlin

2nd Vice President
Tim Hepburn

3rd Vice President
Ed Reece

Past President
Cynthia Sternquist

Transportation Chair
Jason Pu

Homelessness Chair
Becky Shevlin

EENR Chair
Denis Bertone

Water Policy Chair
Gloria Crudgington

ACE Chair
Tim Sandoval

MEETINGS: Regular Meetings of the Executive Committee are held the first Monday of every month at 10:00 a.m. at the SGVCOG Office (1000 S. Fremont Ave., Building 10, Suite 10210, Alhambra, California 91803). The Executive Committee 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.sgvkog.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 Executive Committee meetings. Time is reserved at each regular meeting for those who wish to address the Executive Committee. SGVCOG requests that persons addressing the Executive Committee refrain from making personal, slanderous, profane or disruptive remarks.

TO ADDRESS THE EXECUTIVE COMMITTEE: 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. If several persons wish to address the Board on a single item, the Chair may impose a time limit on individual remarks at the beginning of discussion. **The Executive Committee may not discuss or vote on items not on the agenda.**

AGENDA ITEMS: The Agenda contains the regular order of business of the Executive Committee. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Executive Committee 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 Executive Committee.



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 Committee Members and staff for the purpose of limiting the risk of COVID-19, in-person public participation at the Executive Committee meeting scheduled for June 7, 2021 at 10:00 a.m. will not be allowed. To allow for public participation, the Executive Committee 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/99054606210>. 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 Committee 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

1. Call to Order
2. Roll Call
3. Public Comment *(If necessary, the President may place reasonable time limits on all comments)*
4. Changes to Agenda Order: Identify emergency items arising after agenda posting and requiring action prior to next regular meeting *(It is anticipated that the Executive Committee may take action on these matters)*

CONSENT CALENDAR

5. Executive Committee Meeting Minutes – Page 1
Recommended Action: Approve Executive Committee minutes.

UPDATE ITEMS *(It is anticipated that the Executive Committee may take action on the following matters)*

- 3rd Quarter Financial Report/Treasurer’s Report – Page 3
- Governing Board Member Agenda Item Request Process – Page 29
- Meeting Format Update – Page 31
- FY 20-21 Budget Amendment #2 – Page 35
- Los Angeles County Survey Coordination Update – Page 39
- Legislative Update

PRESIDENT’S REPORT

EXECUTIVE DIRECTOR’S REPORT

GENERAL COUNSEL’S REPORT

ACTION ITEMS

6. AB 61 (Gabriel) – Page 43
Recommended Action: Recommend the Governing Board to support AB 61 (Gabriel).
7. SB 314 (Wiener) – Page 55
Recommended Action: Recommend the Governing Board to support SB 314 (Wiener).
8. Governing Board Agenda – Page 111
Recommended Action: Approve the draft Governing Board agenda.

ANNOUNCEMENTS

ADJOURN



SGVCOG
Executive Committee Meeting Minutes
May 3, 2021
10:00 AM
Teleconference Meeting via Zoom

PRELIMINARY BUSINESS

1. Call to Order
 The meeting was called to order at 10:02 AM.

2. Roll Call

Members Present

Members Absent

- M. Clark, President
- B. Shevlin, 1st Vice President/Homelessness Chair
- T. Hepburn, 2nd Vice President
- E. Reece, 3rd Vice President
- C. Sternquist, Past President
- D. Bertone, EENR Chair
- J. Pu, Transportation Chair
- G. Crudgington, Water Policy Chair
- T. Sandoval, ACE Chair

Staff/Guests:

- M. Creter, SGVCOG Executive Director
- K. Ward; P. Hubler; C. Sims; A. Fung; R. Alimoren, SGVCOG Staff
- D. DeBerry, Woodruff, Spradlin & Smart
- T. Egan, Capital Representation Group
- R. Martinez, Vasquez & Company LLP

3. Public Comment
 No public comment was received for the meeting.
4. Changes to Agenda Order:
 There were no requests for changes.

CONSENT CALENDAR

5. Executive Committee Meeting Minutes
Recommended Action: Approve Executive Committee minutes.
6. Contract Audit Status Report
Recommended Action: Receive and file.

There was a motion to approve the consent calendar (M/S: D. Bertone/B. Shevlin).

[MOTION PASSES]

AYES:	M. Clark, B. Shevlin, D. Bertone, E. Reece, G. Crudgington, J. Pu, C. Sternquist
NOES:	
ABSTAIN:	
ABSENT:	T. Hepburn, T. Sandoval

UPDATE ITEMS

- FY 2019-2020 Financial Audit
R. Martinez from Vasquez & Company LLP presented on this item.
- Legislative Update
P. Hubler provided an update on this item. C. Sternquist requested for staff to follow legislation related to the sale of ADUs in low income communities.
- Update on Los Angeles County Coordination Survey
A. Fung presented on this item.
- Meeting Format Update
M. Creter presented on this item.
- Resolution to Reaffirm Mission Statement
M. Creter presented on this item.
- Economic Development Efforts and Activities
M. Creter presented on this item.
- Best Practice Sharing at Governing Board
M. Creter presented on this item.

PRESIDENT’S REPORT

- M. Clark reported on this item.

EXECUTIVE DIRECTOR’S REPORT

- M. Creter reported on this item.

GENERAL COUNSEL’S REPORT

- D. DeBerry reported on this item.

ACTION ITEMS

7. Governing Board Agenda

There was a motion to approve the draft Governing Board agenda. (M/S: T. Hepburn/B. Shevlin).

[MOTION PASSES]

AYES:	M. Clark, B. Shevlin, D. Bertone, E. Reece, G. Crudgington, J. Pu, C. Sternquist, T. Hepburn
NOES:	
ABSTAIN:	
ABSENT:	T. Sandoval

ANNOUNCEMENTS

ADJOURN

- The meeting adjourned at 11:21 AM.

REPORT

DATE: June 7, 2021
TO: Executive Committee
FROM: Marisa Creter, Executive Director
RE: **3RD QUARTER FINANCIAL REPORT / TREASURER'S REPORT**

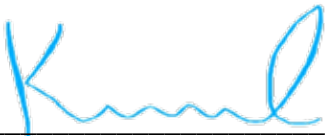
RECCOMENDED ACTION

For information only.

BACKGROUND

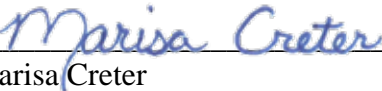
The full 3rd Quarter Financial Reports for the SGVCOG and the ACE Project are included as attachments to the Treasurer's report. The Treasurer's report was prepared by the SGVCOG's Treasurer Renee Graves from CliftonLarsonAllen LLP. Renee Graves from CliftonLarsonAllen will present on this item.

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%
	\$	<u>308,250</u>	

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 Fox	-	-	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

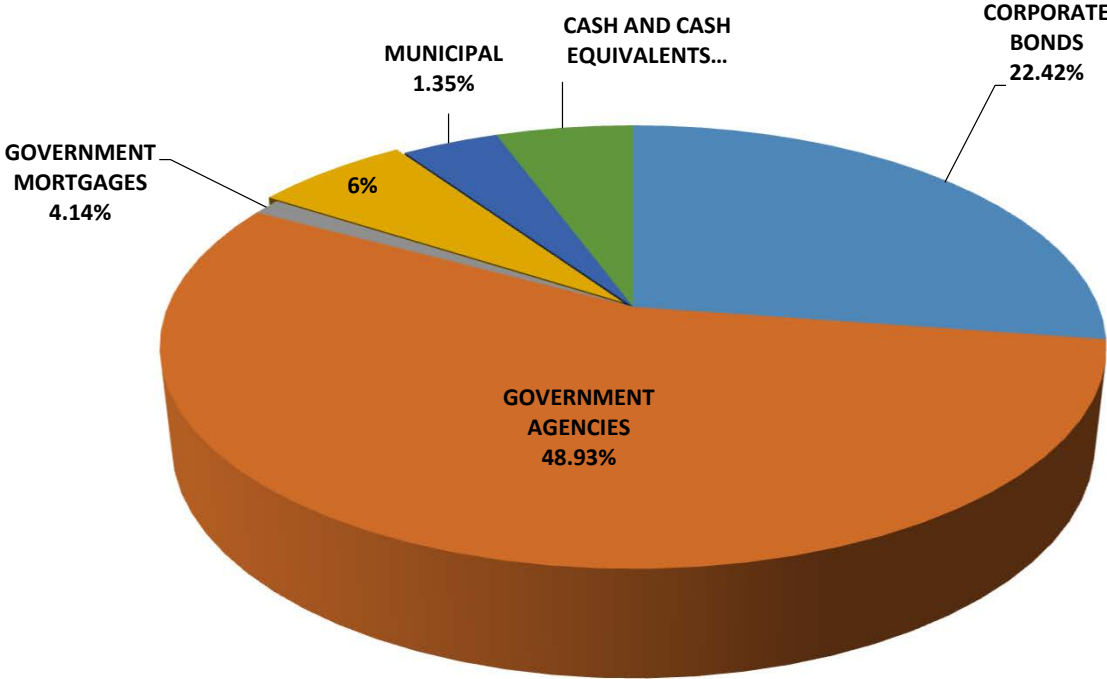
** Complies with SGVCOG Investment Policy



**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

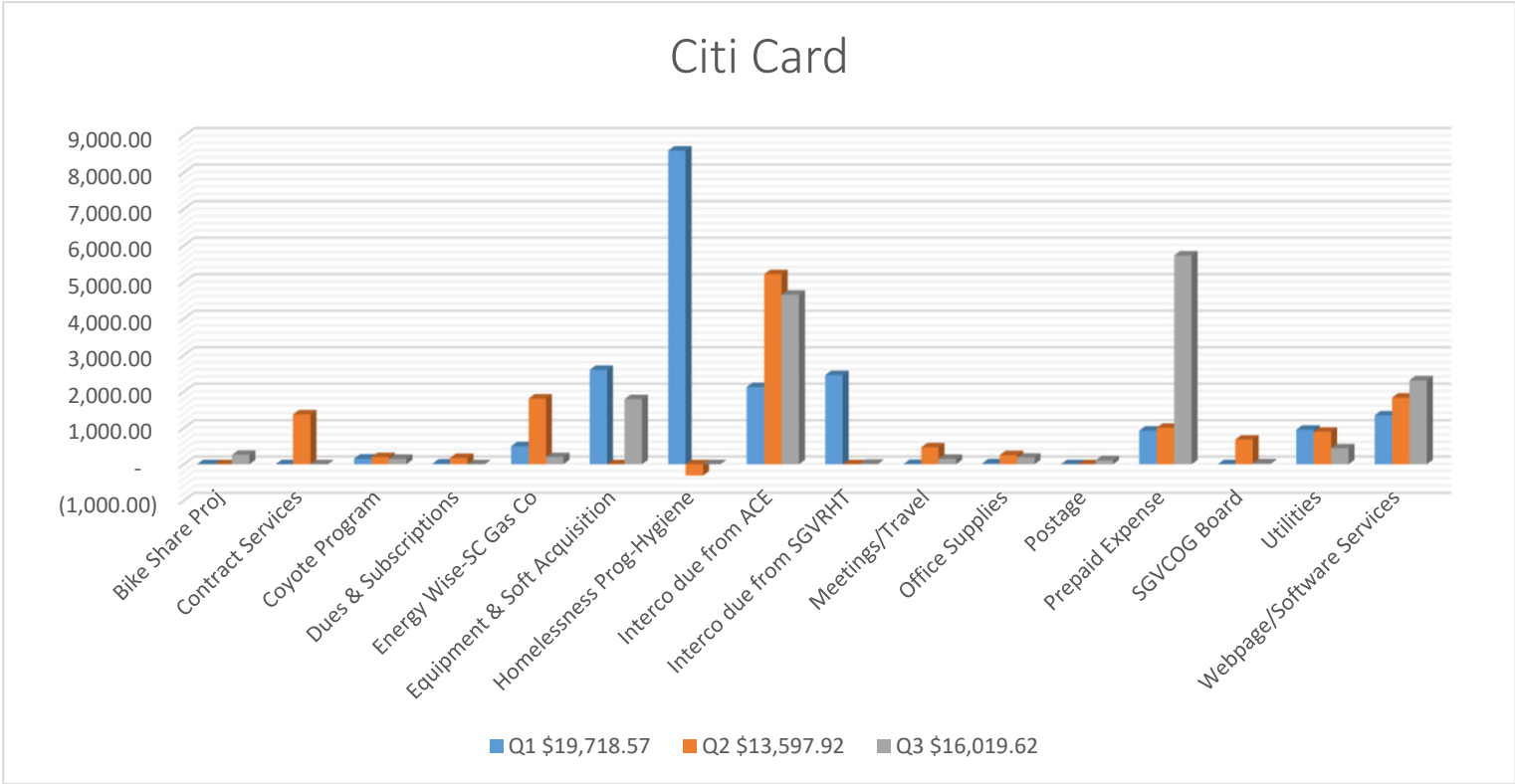
	03.31.21	Change	12.31.20
CBB - Checking	\$ 4,190,890	2,568,896.58	\$ 1,621,993
CBB- 242-034-325 CD	55,758	7	55,751
CBB - 2783 Savings	1,593	0	1,593
CBB -242-034-953 CD	54,989	7	54,982
CBB - 242-300-597 Money Market	4,051,722	(207,194)	4,258,916
CBB - 103-501-0361- Investment	694,527	(4,895)	699,422
CalPERS 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 7, 2021
TO: Executive Committee
FROM: Marisa Creter, Executive Director
RE: **GOVERNING BOARD MEMBER AGENDA ITEM REQUEST PROCESS**

RECOMMENDED ACTION

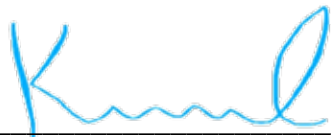
For information only.

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 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.

Prepared by: _____



Katie Ward
Senior Management Analyst

Approved by: _____

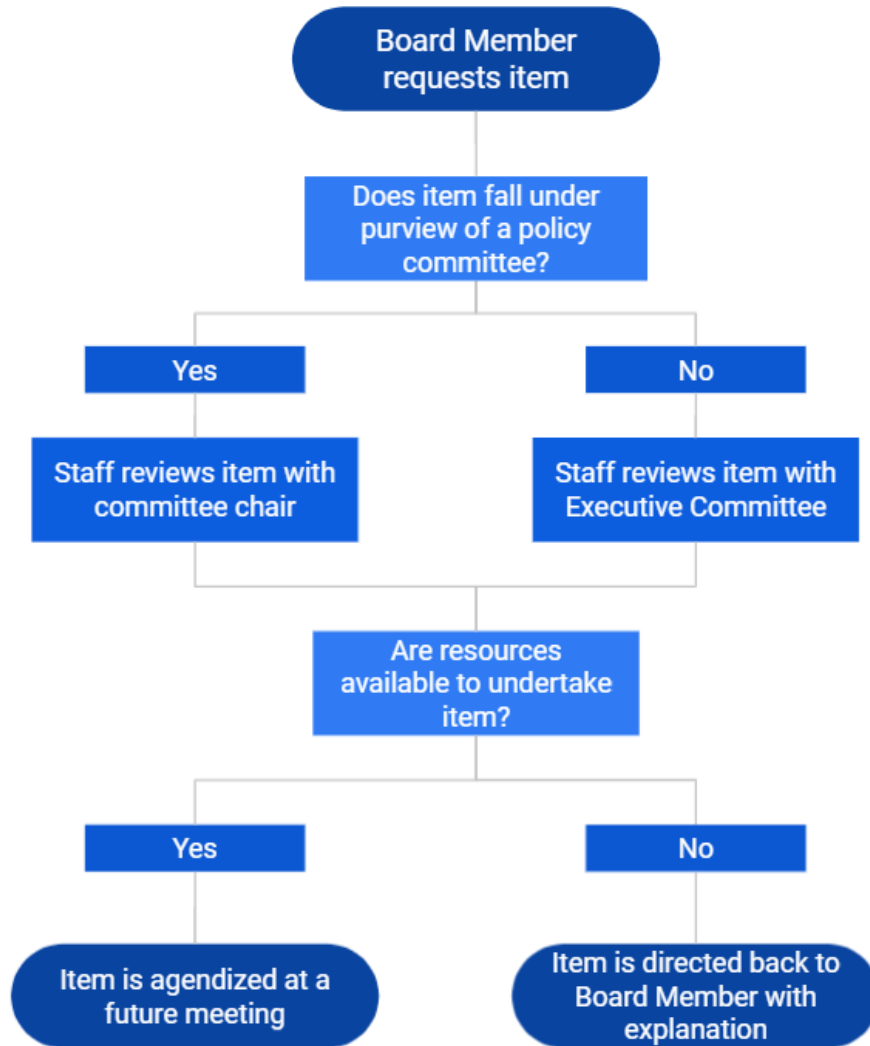


Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – Governing Board Member Agenda Item Request Process

Attachment A – Governing Board Member Item Request Process



REPORT

DATE: June 7, 2021
TO: Executive Committee
FROM: Marisa Creter, Executive Director
RE: **MEETING FORMAT UPDATE**

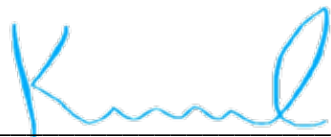
RECOMMENDED ACTION

For information only.

BACKGROUND

Based on direction given by the Executive Committee, staff sent a survey to all SGVCOG Governing Board and policy committee members on preference to participate in meetings either in-person or virtually. The survey was open from May 4 to May 21 to all Board and policy committee members. Attachment A contains a summary of the results for the survey. The results of the survey show the majority of the respondents indicating a preference for virtual meetings or no preference on meeting format. Given these results, staff is recommending holding future SGVCOG meetings using a virtual platform. To accompany this recommendation, staff will work to acquire audio/visual teleconferencing equipment to upgrade SGVCOG office space to better accommodate committee chairs hosting virtual meetings. Additionally, the Governor's office (see Attachment B) has indicated that Executive Orders related to Brown Act waivers on teleconferencing will not terminate on June 15 and that these waivers are expected to remain in place through December 31, 2021.¹

Prepared by: _____



Katie Ward
Senior Management Analyst

Approved by: _____



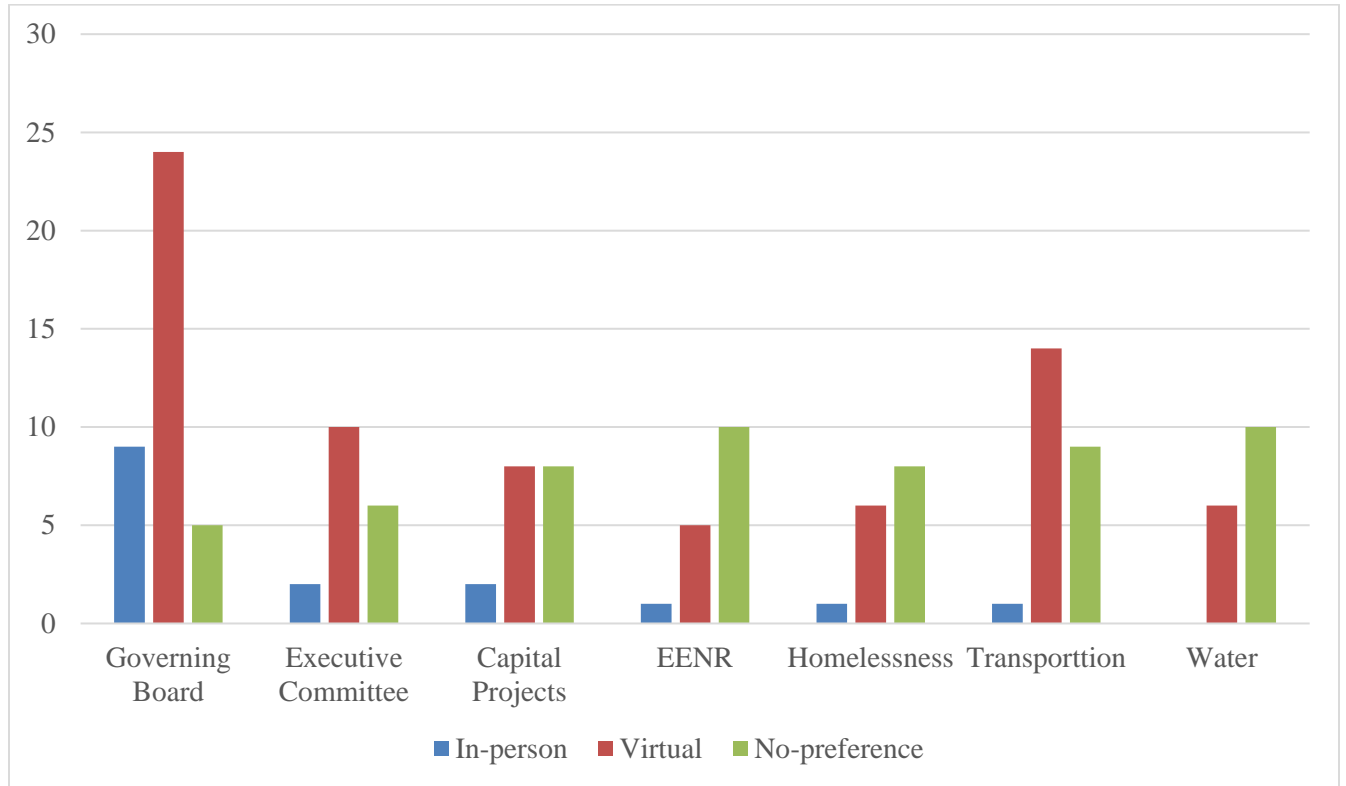
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – Meeting Format Preference Survey Results
Attachment B – Letter from Governor's Office on COVID-Related Executive Orders

¹ The Governor's office has indicated that it will work to provide ample notice to affected stakeholders in advance of rescission of COVID-related Executive Orders on Brown Act waivers to provide state and local agencies and boards time necessary to meet statutory and logistical requirements.

Attachment A – Meeting Format Preference Survey Results





OFFICE OF THE GOVERNOR

June 2, 2021

VIA EMAIL

Graham Knaus, Executive Director
CA State Assoc. of Counties
gknaus@counties.org

Jean Kinney Hurst, Legislative Advocate
Urban Counties of CA
jhurst@counties.org

Carolyn Coleman, Executive Director
League of CA Cities
ccoleman@cacities.org

Laura Preston, Legislative Advocate
Assoc. of CA School Administrators
lpreston@acsa.org

Staci Heaton, Acting Vice President of
Government Affairs
Rural County Representatives of CA
sheaton@rcrcnet.org

Amber King, Vice President, Advocacy
and Membership
Assoc. of CA Healthcare Districts
amber.king@achd.org

Pamela Miller, Executive Director
CA Assoc. of Local Agency Formation
Commissions
pmiller@calafco.org

Danielle Blacet-Hyden, Deputy Executive
Director
CA Municipal Utilities Assoc.
dblacet@cmua.org

Niel McCormick, Chief Executive Officer
CA Special Districts Assoc.
neilm@cstda.net

Kristopher M. Anderson, Esq., Legislative
Advocate
Assoc. of CA Water Agencies
krisa@acwa.com

RE: Transition Period Prior to Repeal of COVID-related Executive Orders

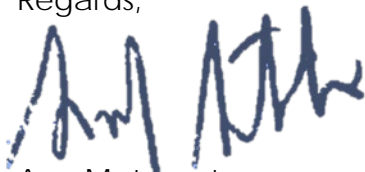
Dear Mr. Knaus, Ms. Miller, Ms. Hurst, Ms. Preston, Ms. Heaton, Ms. King, Ms. Coleman, Ms. Blacet-Hyden, Mr. McCormick, Mr. Anderson, and colleagues,

Thank you for your correspondence of May 18, 2021, inquiring what impact the anticipated June 15 termination of the Blueprint for a Safer Economy will have on Executive Order N-29-20, which provided flexibility to state and local agencies and boards to conduct their business through virtual public meetings during the COVID-19 pandemic.

Please be assured that this Executive Order Provision will not terminate on June 15 when the Blueprint is scheduled to terminate. While the Governor intends to terminate COVID-19 executive orders at the earliest possible date at which conditions warrant, consistent with the Emergency Services Act, the Governor recognizes the importance of an orderly return to the ordinary conduct of public meetings of state and local agencies and boards. To this end, the Governor's office will work to provide notice to affected stakeholders in advance of rescission of this provision to provide state and local agencies and boards time necessary to meet statutory and logistical requirements. Until a further order issues, all entities may continue to rely on N-29-20.

We appreciate your partnership throughout the pandemic.

Regards,

A handwritten signature in blue ink, appearing to read 'Ana Matosantos', written in a cursive style.

Ana Matosantos
Cabinet Secretary

REPORT

DATE: June 7, 2021
TO: Executive Committee
Governing Board
FROM: Marisa Creter, Executive Director
RE: **FY 20-21 BUDGET AMENDMENT #2**

RECCOMENDED ACTION

For information only.

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

Attachment A - Proposed 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 7, 2021
TO: Executive Committee
FROM: Marisa Creter, Executive Director
RE: **LOS ANGELES COUNTY SURVEY COORDINATION UPDATE**

RECOMMENDED ACTION

For information only.

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

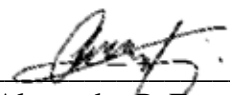
Children & Family Services	2
District Attorney	2
Probation	2
Workforce Development, Aging, and Community Services	2


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 Governing Board recently reviewed this item and recommended that the Executive Committee analyzes the survey results to provide additional recommendations for the SGVCOG to address and mitigate member agencies’ concerns regarding the County’s operations.

SGVCOG Management Analyst, Alexander Fung, will provide a presentation on this item.

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

SUMMARY OF REPORTED LEVELS OF ENGAGEMENT

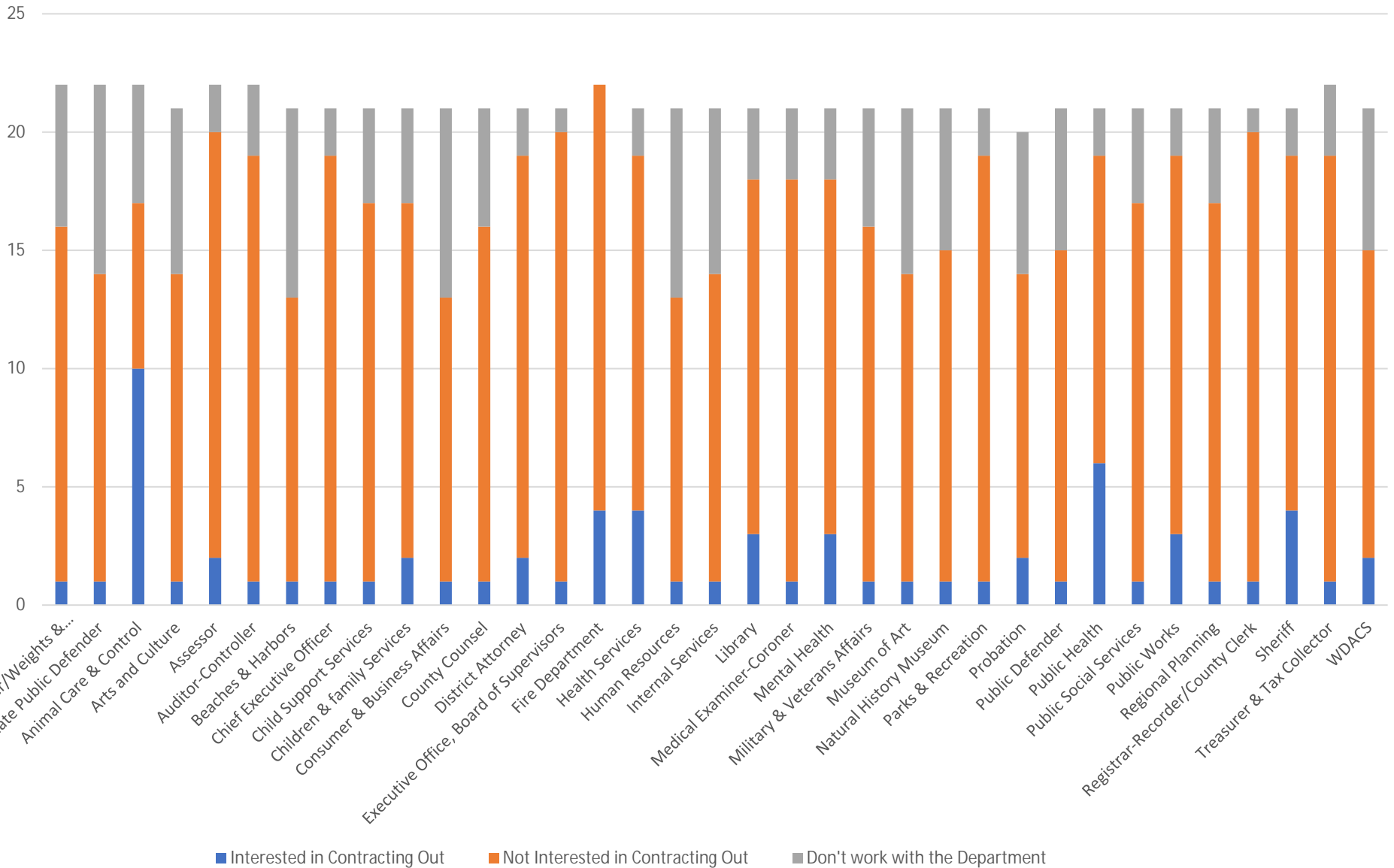
County Department	Engagement Score	Cities that Contract with the Department:
Public Health	441	6
Sheriff	351	8
Fire Department	337	8
Executive Office, Board of Supervisors	330	2
District Attorney	277	1
Health Services	245	3
Library	178	5
Registrar-Recorder/County Clerk	165	3
Public Works	152	7
Assessor	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 7, 2021
TO: Executive Committee
FROM: Marisa Creter, Executive Director
RE: **AB 61 (GABRIEL)**

RECOMMENDED ACTION

Recommend the Governing Board to support 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.

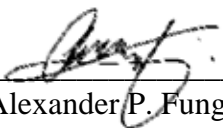
Introduced by Assemblymember Jesse Gabriel (D-Calabasas), AB 61 would authorize the California Department of Alcohol Beverage Control (ABC) to, for 365 days from the date that the COVID-19 State of Emergency is lifted, allow licensees to continue exercising license privileges in an expanded licensed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

Furthermore, AB 61 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.

The bill recently passed the Assembly Committees on Governmental Organization, Health, and Appropriations with unanimous votes.

SGVCOG Management Analyst, Alexander Fung, will provide a presentation on this item.

Prepared by: _____


Alexander P. Fung
Management Analyst

Approved by: Marisa Creter
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – AB 61 Bill Language
Attachment B – AB 61 Bill Analysis

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

REPORT

DATE: June 7, 2021
TO: Executive Committee
FROM: Marisa Creter, Executive Director
RE: **SB 314 (WIENER)**

RECOMMENDED ACTION

Recommend the Governing Board to support SB 314 (Wiener)

BACKGROUND

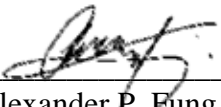
Introduced by Senator Scott Wiener (D-San Francisco), SB 314 aims to assist California's events, restaurants, and bars recover economically from the impacts of the COVID-19 Pandemic by creating additional flexibility in the manner in which alcohol can be served. Combined with other critical measures, 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. SGVCOG Management Analyst, Alexander Fung, will provide a presentation on this item.

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

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

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, Wieckowski

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 ****



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:

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
Recommended Action: Adopt Governing Board minutes.
7. Monthly Cash Disbursements/Balances/Transfers
Recommended Action: Approve Monthly Cash Disbursements/Balances/Transfers.
8. Committee/TAC/Governing Board Attendance
Recommended Action: Receive and file.
9. 3rd Quarter Financial Report/Treasurer's Report
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
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
Recommended Actions:
 - (1) *Recommend Governing Board add the Tiny Home Shelter Program to the SGVCOG Pilot Program; and*
 - (2) *Recommend Governing Board re-allocate \$150,000 in excess funding from the Green Path Careers Pilot Program to the Tiny Home Shelter Pilot Program.*
12. FY 20-21 Budget Amendment #2
Recommendation Action: Adopt Resolution 21-32 amending the FY 20-21 Budget.
13. Committee/TAC/Appointments
Recommended Action: Appoint members to the following standing SGVCOG Policy Committees, and Technical Advisory Committees:
 - *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*

14. AB 61 (Gabriel)
Recommendation Action: Adopt Resolution 21-33 to support AB 61 (Gabriel).
15. SB 314 (Wiener)
Recommendation Action: Adopt Resolution 21-34 to support SB 314 (Wiener).
16. Mero Strategic Project List
Recommendation Action: Adopt Resolution 21-35 adopting the list of San Gabriel Valley regional transportation projects and programs to be included on the Metro Strategic Project List.
17. Los Angeles County Coordination Survey Results
Recommendation Action: Receive and file.
18. Governing Board Member Agenda Item Request Process
Recommendation Action: Receive and file.

PRESENTATIONS

19. 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.
20. Recognition of SGVCOG President Margaret Clark
Recommended Action: For information only.

LIAISON REPORTS

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
25. San Gabriel Valley Mosquito & Vector Control District
26. Southern California Association of Governments
27. League of California Cities
28. San Gabriel Valley Economic Partnership
29. South Coast Air Quality Management District

PRESIDENT'S REPORT

5 MINUTES

EXECUTIVE DIRECTOR'S REPORT

5 MINUTES

GENERAL COUNSEL'S REPORT

5 MINUTES

COMMITTEE/BOARD REPORTS

10 MINUTES

30. Transportation Committee
31. Homelessness Committee
32. San Gabriel Valley Regional Housing Trust Board
33. Energy, Environment and Natural Resources Committee
34. Water Committee
35. Capital Projects and Construction Committee

ANNOUNCEMENTS

ADJOURN