

**MEMORANDUM**  
OFFICE OF THE  
**AUDITOR-CONTROLLER**  
COUNTY OF PLACER

**To:** Honorable Board of Supervisors

**From:** Andrew C. Sisk, Auditor-Controller *ACS*

**Date:** September 11, 2012

**Subject:** Adopt a resolution to establish a \$2,500 "buy money" petty cash fund for the Sheriff's Community Service Program's Alcoholic Beverage Control (ABC) operations.

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**Action Requested**

Adopt a resolution to establish a \$2,500 "buy money" petty cash fund for the Sheriff's Community Service Program's Alcoholic Beverage Control (ABC) operations. The amount requested is \$2,500. Funds are available in Appropriation 21780.

**Background**

These funds will be used and are restricted in their use to activities related to the ABC decoy operations and events. Funds will be used strictly for decoy operations and buy money. All Placer County internal control procedures will be adhered to in regards to this "buy money" petty cash fund.

**Fiscal Impact**

There is no fiscal impact.

Attachments: Resolution  
Memo from Sheriff  
Supporting Documentation from Sheriff

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF PLACER, STATE OF CALIFORNIA**

**In the matter of: A Resolution to establish a \$2,500 "buy money" petty cash fund for the Sheriff's Community Service Program's Alcoholic and Beverage Control (ABC) operations.**

**Resol. No. \_\_\_\_\_**

**The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held September 11, 2012 by the following vote on roll call:**

**Ayes:**

**Noes:**

**Absent:**

**Signed and approved by me after its passage.**

\_\_\_\_\_  
**Chairperson, Board of Supervisors**

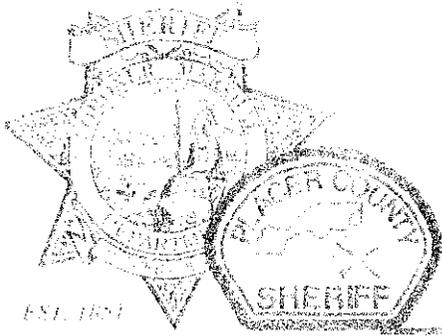
**Attest:**

**Clerk of said Board** \_\_\_\_\_

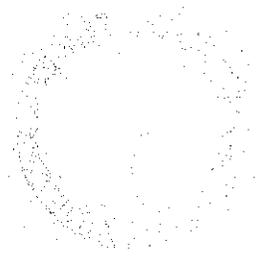
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**WHEREAS**, the Placer County Board of Supervisors desires to establish a \$2,500 "buy money" petty cash fund for the Sheriff's Community Service Program's Alcoholic Beverage Control (ABC) operations. Monies will be secured to provide control measures.

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of Supervisors of the County of Placer, State of California, that this resolution approves the establishment of the petty cash account for the Placer County Sheriff's Department.



PLACER COUNTY  
**SHERIFF**  
CORONER-MARSHAL



MAIN OFFICE  
6925 RICHARDSON DR.  
ALBURN, CA 95603  
PH: (530) 889-7800 FAX: (530) 889-7809

TARGE PUESTANO  
BRANER CITY  
TARGE CITY, CA 95145  
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EDWARD N. BONNER  
SHERIFF-CORONER-MARSHAL

DEVON BELL  
UNDER-SHERIFF

**To:** Andrew C. Sisk, Auditor-Controller  
**From:** Edward N. Bonner, Sheriff-Coroner-Marshall   
**Date:** August 23, 2012  
**Subject:** "Buy Money" for the Sheriff's Community Service Programs

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The purpose of this memorandum is to request your approval to establish the Imprest Cash Revolving Fund (petty cash) "buy money" for the Sheriff's Community Service Program's Alcoholic Beverage Control (ABC) operations. The amount requested is \$2,500. The funds are available in Appropriation 21780. These funds will be used and are restricted in their use to activities related to the ABC decoy operations and events. They will be used strictly for decoy operations and "buy money". The custodian of this account will be Sergeant Robert Dellinger. All Placer County internal control procedures will be adhered to in regards to this "buy money" petty cash fund.

Attached is the approved ABC grant award which authorizes the confidential petty cash fund of \$2,500. The monies will be secured at the Placer County Sheriff South Placer Substation, 6140 Horseshoe Bar Rd, Loomis, CA 95650.

attachment

99-8-11-110-112

AGREEMENT NUMBER <b>12G-LA34</b>
REGISTRATION NUMBER

- This Agreement is entered into between the State Agency and the Contractor named below:  
 STATE AGENCY'S NAME  
**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**  
 CONTRACTOR'S NAME  
**County of Placer through the Placer County Sheriff's Office**
- The term of this Agreement is: **July 1, 2012** through **June 30, 2013**
- The maximum amount of this Agreement is: **\$ 99,760**
- The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.
 

Exhibit A – Scope of Work	7 page(s)
Exhibit B – Budget Detail and Payment Provisions	3 page(s)
Exhibit C* – General Terms and Conditions	GTC 610
Check mark one item below as Exhibit D:	
<input checked="" type="checkbox"/> Exhibit - D Special Terms and Conditions (Attached hereto as part of this agreement)	1 page(s)
<input type="checkbox"/> Exhibit - D* Special Terms and Conditions	
Exhibit E – Additional Provisions	_____ page(s)

Items shown with an Asterisk (\*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at [www.ols.dgs.ca.gov/Standard+Language](http://www.ols.dgs.ca.gov/Standard+Language)

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

<b>CONTRACTOR</b>		California Department of General Services Use Only
CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.) <b>County of Placer through the Placer County Sheriff's Office</b>		
BY (Authorized Signature) 	DATE SIGNED (Do not type) <b>6-12-12</b>	
PRINTED NAME AND TITLE OF PERSON SIGNING <b>Edward N. Bonner, Sheriff</b>		
ADDRESS <b>2929 Richardson Drive          Auburn, CA 95603</b>		
<b>STATE OF CALIFORNIA</b>		
AGENCY NAME <b>Department of Alcoholic Beverage Control</b>		<input checked="" type="checkbox"/> Exempt per: <b>SCM 4.04.3</b>
BY (Authorized Signature) 	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING <b>Ed Jimenez, Assistant Director, Administration</b>		
ADDRESS <b>3927 Lennane Drive, Suite 100; Sacramento, CA 95834</b>		

## SCOPE OF WORK

### 1. SUMMARY

#### a. Agency Description

Placer County encompasses 1,506 square miles, including 82 square miles of water. The County is located 80 miles northeast of San Francisco. It is bordered by Nevada County, the State of Nevada, El Dorado, Sutter, Yuba, and Sacramento Counties. Placer County is part of the Sacramento Region. Placer County is one of California's fastest growing counties and a key component in the Sacramento Region's economy. The County has benefited from recent expansions in its transportation infrastructure and the location of prominent businesses. The County's strong growth and development has been attributed to the interest shown by new, expanding, and relocating companies to the area; which have developed a demand for substantial expansion of the available commercial and residential space. Placer County has six incorporated cities: Roseville, Rocklin, Lincoln, Auburn, Colfax and Loomis. Roseville, Rocklin, Lincoln and Auburn all have their own police departments. Colfax and Loomis contract with the Sheriff's Office for law enforcement services. The County also includes the unincorporated communities of Granite Bay, Penryn, Newcastle, Meadow Vista, Foresthill, Alta/Gold Run/Dutch Flat, Kings Beach, and Tahoe City.

Placer County has seen significant population growth over the past ten years and is ranked third among all California counties in the rate of population growth from 2009-2010. Just over 16% of the population is in the 40 – 49 year old age bracket with nearly 55,000 people. Ten to nineteen year olds encompass Placer County's second largest age group category with approximately 52,000 people, or 15 percent of the County's population. Approximately 78% of the County's population is white, 13% is Hispanic, 5% is Asian, less than 1% is Black, and less than 1% is American Indian. Placer County's per capita personal income is estimated at \$56,000, higher than both the Sacramento Region and the State of California, but lower than the Bay Area.

The County has 17 public K-12 school districts serving its various cities and communities. Almost 68,000 students attend school in Placer County; nearly 31,000 of these are middle school and high school students. The County also has a large community college in the City of Rocklin and several private colleges within the jurisdictions of the Sheriff's Office and City Police Departments.

The **Placer County Sheriff's Office** is comprised of approximately 250 sworn officers, with a complement of 250 non-sworn staff. The Sheriff, Edward N. Bonner, is an elected official. The Office is divided into eight county-wide divisions including Corrections, Patrol, Court Security, Investigations, Youth & Community Services, Air Operations, Civil, & Coroner. The Sheriff's Office also provides law enforcement to two contract cities and other services to four incorporated cities. The County's current population is estimated at 350,000 and encompasses approximately 1,500 square miles from the Sacramento County Line to Lake Tahoe and the Nevada State Line. The Sheriff's Office sworn staff are trained in a wide variety of specialized areas. The Sheriff's Office also has a large volunteer program. The Office has a proven track record of working in partnership with the community and other agencies. The Office currently works in partnership with other agencies through PLEA (Placer Law Enforcement Agencies), DOJ, and task forces for High Tech Crimes, Arson, EOD and SIU/Narcotics.

The **City of Auburn** is considered one of the best places to live in Northern California. It is bordered by the beautiful American River Canyon and nestled in the western foothills of the Sierra Nevada Mountains. Located at the crossroads of I-80 and historic Highway 49, Auburn is the county seat of Placer County. The City encompasses approximately 7.5 square miles and has a population of 13,578 and it is situated at elevations between 1,000 and 1,400 feet. The police department is a modern, innovative law enforcement agency with 21 sworn officers, 5 reserve officers, 7 non-sworn personnel and 17 volunteers. Police Officers may be assigned to special assignments such as detective, motor officer, or school resource officer. In addition, collateral assignments may include Field Training Officer, Crime Prevention Officer, or use of force instructors. The City of Auburn has several establishments, which serve alcohol either exclusively or in combination with food service, as well as establishments, which have an off-sale alcohol license. Auburn also hosts several special events throughout the year in which alcohol is served, such as the Gold Country Fair and the weekly Fast Friday motorcycle races.

The **Lincoln Police Department** is comprised of 20 sworn officers, with a complement of 8 non-sworn staff. The Police Chief, Paul Shelgren, is appointed by the City Council. The Lincoln Police Department is divided into two divisions, Patrol and Investigations. The City of Lincoln is estimated to have a population of 42,000 and encompasses approximately 20 square miles bordering the City of Rocklin to the south. The Lincoln Police Department's sworn staff is trained in a variety of areas and average 40 hours of training per year per officer. The Lincoln Police Department has a volunteer program consisting of 35 volunteers who perform various duties throughout the department. The Lincoln Police Department works very well with the community and other agencies. The Lincoln Police Department is currently working in partnership with the surrounding agencies through PLEA (Placer Law Enforcement Agencies).

The **Rocklin Police Department** is comprised of 51 sworn police officers and 26 professional staff. The Chief of Police is Ron Lawrence. The department is separated into three divisions. The Operations Division includes Patrol, Motor/Traffic Unit, Animal Control, Code Enforcement, Community Service Officers and the Reserve Program. The Support Services Division includes Investigations, Youth services, Dispatch/Communications, Records Management and the Volunteer Program. The third division is the Office of the Chief of Police which includes the Chief of Police, Deputy Chief, Professional Standards Unit and Property and Evidence. The Rocklin Police Department serves a residential population of 57,901 residents and the city is about 21 square miles in size. This does not include Sierra Community College with a student population of approximately 22,000 and William Jessup University with a student population of approximately 1,000. The Rocklin Police Department enjoys partnerships with other law enforcement agencies through PLEA (Placer Law Enforcement Agencies), Rocklin-Roseville Joint SWAT Team, and task forces; Placer Special Investigations Unit (SIU), Placer Regional Auto Theft Task Force (RATTF), Sacramento Valley Hi-Tech Crimes Task Force, Sacramento-Sierra Regional Arson Task Force and Sacramento EOD Task Force. The Rocklin Police Department has two contracts with educational partners in the City Of Rocklin. One contract is with the Rocklin Unified School District that assigns full-time School Resource Officers to Rocklin High, Whitney High, Springview Middle School and Granite Oaks Middle School. The department also has a contract with Sierra Community College in which we dedicate two police officers and a police sergeant to the Rocklin Campus of Sierra College. The Rocklin Police Department would like the GAP funding to address problem retail licensees. The department would like to ensure these retailers are compliant with ABC's store regulations including; tobacco signage, adult material in restricted areas and open windows space at the front of the businesses. The department believes these problem retail licensees are a root of community blight which allow for criminal activity to fester. The Rocklin Police Department requests the GAP funding to address the education of all licensees and their employees in the correct manner of verifying their customers are at least 21 years of age. The department believes when employees who serve or sell alcohol have the tools to verify age correctly that underage alcohol consumption will be reduced. With the reduction of underage alcohol consumption comes the reduction of traffic involved accidents and other related crimes.

The **Roseville Police Department** serves a population of 115,781 residents. The Police Chief is Daniel Hahn. The headquarters includes a recently expanded police and fire ten-station communications center, a fitness center, a 25-bed Type 1 jail staffed 24 hours a day, and an indoor firing range. Roseville PD is currently staffed by approximately 200 permanent employees, including 128 sworn officers. Roseville PD is a full-service, community-oriented department. Officers and civilian community service officers take reports on a wide variety of calls every day. All officers, regardless of their primary assignment, are also assigned as “neighborhood officers” to one of Roseville’s approximately 40 neighborhood areas. Neighborhood officers monitor their neighborhood’s crime trends and other concerns, attend neighborhood functions, and are the primary point of contact for residents who want to discuss matters of concern. Divisions within the department include Traffic (motors), DUI enforcement, Investigation, Vice and Narcotics Enforcement Team, K9s, Crime Suppression Unit, Youth Service/School Resource Officers, Regional Narcotics Task Force, Regional Auto Theft Task Force, SWAT Officers, Hostage Negotiation Team, Explosive Ordnance Disposal (bomb squad), Field Training Officer, Crime Scene Investigation, Public Information Field Officers, and Peer Support Team.

**b. Funding Requested**

The Placer County Sheriff’s Office and Placer Law Enforcement Agencies (PLEA) are requesting funds in the amount of \$99,760. The Grant Assistance Program will provide the personnel time and sworn officers to work with the State of California Alcoholic Beverage Control in a combined effort to reduce crimes related with the sales, distribution and access to alcoholic beverages by minors. Project activities include agencies working in collaboration to proactively address alcohol related crimes and access to alcohol by minors in an effort to collectively reduce alcohol related crimes county-wide. These funds will be used to pay the salary of a part-time clerk for organizing, planning, documenting and monthly reporting of activities of the grant agencies. Grant funds will also be used to pay for training, operating expenses and equipment used for these operations.

**c. Goals & Objectives**

- Train officers from PLEA on the ABC enforcement tactics, strategies and administrative accusation process.
- Attend training presentations and conferences offered by ABC
- Assist other GAP agencies on limited occasions with special operations for training, experience and man power needs.
- Conduct General enforcement operations to address problematic establishments and locations in each area, which present safety issues for the community and are a drain on law enforcement services.
- Conduct briefing and roll call training for officers in PLEA departments regarding the rules and regulations of the ABC act.
- Prepare press releases in cooperation with ABC on the project.
- Assist the school resource officers with presentations on ABC issues at Middle School and High Schools located in the participating jurisdictions.
- Conduct LEAD training
- Conduct Impact Inspection operations at locations identified as problematic businesses and at randomly selected establishments to ensure licensees are operating within the standards required by ABC.
- Conduct Minor Decoy operations at various on-sale and off-sale locations
- Conduct Shoulder Tap operations targeting adults who purchase alcohol for minors.
- Conduct Marine patrol operations targeting individuals boating under the influence of alcohol and minors who are in possession of alcohol.

#### d. Number of Licensed Establishments

According to 2010-2011 ABC statistics there are approximately 951 licensed retail establishments within Placer County, of which 40% are within the service area of the Sheriff's Office and 60% within the incorporated service areas of Roseville, Rocklin, Lincoln, and Auburn. Many of these establishments are in rural or remote locations, while others are in well-populated suburban areas.

## 2. PROBLEM STATEMENT

The Placer County Law Enforcement Agencies (PLEA) serve approximately 32,000 minor students enrolled in sixth through twelfth grade. There are 66 elementary, 13 middle schools, 14 comprehensive high schools, and 13 alternative education high schools located within the County jurisdiction. There are also many young adults under 21 who regularly attend Sierra Community College, located within the Rocklin City Limits. Ten to nineteen year olds represent approximately 52,000 people, or 15 percent of the County's population. Approximately 35% of the county's population is under 21 years of age. During the 2011-2012 fiscal year the Sheriff's Office worked closely with other law enforcement jurisdictions and county entities to combat under-aged drinking through an ABC Grant. The Rocklin Police Department also received grant funds for the 2011-2012 fiscal year. PLEA currently coordinates together on projects such as Parents Who Host Lose the Most, and the Placer Youth Coalition. PLEA also hosts large community forums pertaining to drug and alcohol use by young people. These forums are held several times a year throughout the different communities and are always well attended. Young people are also specifically trained to lead youth forums of the same nature. Needs assessment surveys are conducted at the forums, local high schools, and other community events. Drugs and alcohol, along with violence and other youth issues, are identified as the top concerns by those surveyed.

Existing datasets, including crime and incident reports, citations, arrests, community surveys, and California Healthy Kids Surveys (CHKS) were evaluated for a needs assessment. According to the Healthy Kids Survey, 32% of those surveyed in grades 7 - 12 reported they had used alcohol in the past 30 days. The majority of those surveyed who reported that they had used alcohol reported that the age of onset was 13-14 years of age. Eighty-nine percent of 11th graders reported that alcohol is easy to obtain. Data obtained from the emergency room (UC Davis Medical Center 2004-2007) showed a 30% increase in kids between 12-17 coming to the ER with trauma from drinking, a 60% increase in youth presenting to the ER intoxicated, and an increase in average blood alcohol content (BAC) from .13 to .16.

The median household income in Placer County is \$74,447, with only 6% of families falling below poverty level. Many areas of Placer County are affluent areas where young people have money to purchase alcohol illegally. Wealth in some parts of the County has created 'abandonment by affluence' wherein vacationing parents leave their teenagers home alone or with inadequate supervision. At the other end of the spectrum the county has several areas that include first generation Latino immigrants. These children serve as interpreters for their parents, telling them what they want them to know. The Latino youth frequently try to fit into the 'American Way' by abusing drugs and alcohol. Finally, Placer County's population has surged in the past decade, making it the fastest growing county in the region. Some areas of Placer County had over a 300% population increase. Due to this rapid growth, low cost recreation opportunities for youth are in demand, but not in existence. With California facing current budget shortfalls, the county has also fallen prey. Unemployment and foreclosures are at a record high while the rate of homelessness has also increased. Prevention and intervention programs previously funded by the City and County Law Enforcement agencies have been set aside.

PLEA is committed to the enforcement of underage drinking laws. Due to the diverse make up of the County some areas are very suburban in nature and other areas are very rural and remote. During the 2011-2012 fiscal year the Sheriff's Office used ABC Grant money to issue countless citations and make arrests specifically related to underage drinking, underage parties, minors with inadequate supervision, adults purchasing and/or providing alcohol to minors, and minors purchasing alcohol from licensed establishments. The Sheriff's Department has a full-time sworn deputy assigned as a School Resource Officer at each of the high schools located in the county jurisdiction. The Cities of Lincoln, Rocklin, Auburn, and Roseville also fund SROs at their middle school and high schools. Although the SROs attend and monitor school activities, such as football games and dances, each year under age minors are cited for possession of alcohol at or immediately following these events. According to the Placer County Juvenile Arrest statistics, since 2007 juvenile DUI arrests have risen 46%. During this same time period there has been no increase in the number of alcohol related thefts by minors. PLEA interprets these statistics as an indication that juveniles are obtaining alcoholic beverages through 'shoulder taps' or by directly purchasing alcohol at non-compliant ABC licensed establishments. Research has also shown that alcohol is a contributing factor in 90% of sexual assaults perpetrated against women and that 54% of all rape victims are under the age of 18. These numbers clearly indicate that teen consumption of alcohol greatly places female juveniles at risk

The primary mission of PLEA is to maintain the quality of life we enjoy and to make Placer County a safe place to live, work, and visit. We achieve this through building community partnerships, preventing crime, and solving those crimes that do occur. We are committed to our diverse communities and offer an interdependence and cooperation with the other law enforcement agencies in Placer County.

According to ABC statistics there are approximately 951 licensed retail establishments, of which 40% are within the service area of the Sheriff's Office and 60% within the incorporated service areas of Roseville, Rocklin, Lincoln, and Auburn. Many of these establishments are in rural or remote locations, while others are in well-populated suburban areas. Patrol beat deployment is staffed according to manpower availability and population density. As a result, some of these establishments seldom see a uniformed police presence, which provides little deterrence to noncompliant establishments. The Sheriff's Office applied for and received an ABC Grant for the 2011-2012 project period. During the first half of the grant project period the failure rate of the licensed establishments in the county was 34.5% for on sale and 22% for off sale, with a few repeat offenders. The Placer County District Attorney's Office supports this grant and vigorously prosecutes violations of minors in possession, DUIs, and illegal sales of alcohol to minors.

In keeping with PLEA's philosophy and commitment of working together, we will continue to work in a joint effort needed to combat this problem. Without the cooperation of ABC and this grant we would only be able to conduct reactive types of enforcement and succeed only in treating the symptom and not the problem.

### 3. PROJECT DESCRIPTION

The following goals and objectives will be performed during the 12 months of this project by the Placer County Sheriff's Office and the Rocklin, Roseville, Lincoln and Auburn Police Departments.

- 1.) Train one sergeant from the Placer County Sheriff's Office and two officers from each department on the ABC enforcement tactics, strategies and administrative accusation process.
- 2.) The Placer County sergeant and one deputy will attend training presentations and conferences offered by ABC during the year.

have numerous years of experience in law enforcement, including ABC enforcement strategies.

Staffing for this grant will also include officers from the Rocklin, Roseville, Auburn and Lincoln Police Departments. Assigned officers from these agencies will include Patrol, Community Services, School Resources, Traffic and Investigations. These individuals will be hand selected to assure quality and efficiency.

The goal of the Placer County Sheriff's Office is to expand our present efforts to include the four participating Police agencies and their jurisdictions. In combining our resources, we hope to better address the alcohol related issues that include sales to minors, the service of intoxicated individuals, and problematic establishments in our communities. We will utilize strategies that emphasize education and strong enforcement with the ultimate goal of compliance.

BUDGET DETAIL

Exhibit B

BUDGET CATEGORY AND LINE-ITEM DETAIL	COST (Round budget amounts to nearest dollar)
<b>A. Personnel Services (straight time salaries, overtime, and benefits)</b>	
A.1 Straight Time: Part-Time clerk (\$40 per hr/Approx. 5 hrs./Mo.)	\$2,400
A.2 Overtime: Two PCSO Deputies O/T @ 6 hrs per 20 deployments.	\$16,560
Two Roseville PD Officers O/T @ 6 hrs per 20 deployments.	\$17,280
Two Rocklin PD Officer O/T @ 6 hrs per 20 deployments.	\$16,080
Two Auburn PD Officer O/T @ 6 hrs per 20 deployments.	\$14,400
Two Lincoln PD officers O'T @ 6 hrs per 20 deployments.	\$15,600
One PCSO Sergeant O/T @ 6 hrs per 20 deployments.	\$10,440
<b>TOTAL PERSONNEL SERVICES</b>	<b>\$92,760</b>
<b>B. Operating Expenses (maximum \$2,500)</b>	
Decoy/Shoulder Tap/Investigations buy money for all five agencies involved in the project.	\$2,500
<b>TOTAL OPERATING EXPENSES</b>	<b>\$2,500</b>
<b>C. Equipment (maximum \$2,500)</b>	
(Attach receipts for all equipment purchases to monthly billing invoice)	
PCSO will oversee the purchases of surveillance equipment needed to perform safe and effective minor decoy and under cover operations (Wires, Binoculars, video recorders, communication devices and lighting equipment).	\$2,500
<b>TOTAL EQUIPMENT</b>	<b>\$2,500</b>
<b>D. Travel Expense/Registration Fees (maximum \$2,000)</b>	
(Registration fee for July 2012 GAP Conference attendees is \$200 each)	
Two PCSO representatives will attend the 2012 GAP Conference in July.	\$2,000
<b>TOTAL TRAVEL EXPENSE</b>	<b>\$2,000</b>
<b>TOTAL BUDGET DETAIL COST, ALL CATEGORIES</b>	<b>\$99,760</b>

## PAYMENT PROVISION

Exhibit B

Page 1 of 2

1. **INVOICING AND PAYMENT:** Payments of approved reimbursable costs (per Budget Detail attached) shall be in arrears and made via the State Controller's Office. Invoices shall be submitted in duplicate on a monthly basis in a format specified by the State. Failure to submit invoices and reports in the required format shall relieve the State from obligation of payment. Payments will be in arrears, within 30 days of Department acceptance of Contractor performance, pursuant to this agreement or receipt of an undisputed invoice, whichever occurs last. Nothing contained herein shall prohibit advance payments as authorized by Item 2100-101-3036, Budget Act Statutes of 2012.
2. Revisions to the "Scope of Work" and the "Budget Detail" may be requested by a change request letter submitted by the Contractor. If approved by the State, the revised Grant Assistance Scope of Work and/or Budget Detail supersede and replace the previous documents bearing those names. No revision cannot exceed allotted amount as shown on Budget Detail. The total amount of the contract must remain unchanged.
3. Contractor agrees to refund to the State any amounts claimed for reimbursement and paid to Contractor which are later disallowed by the State after audit or inspection of records maintained by the Contractor.
4. Only the costs displayed in the "Budget Detail" are authorized for reimbursement by the State to Contractor under this agreement. Any other costs incurred by Contractor in the performance of this agreement are the sole responsibility of Contractor.
5. Title shall be reserved to the State for any State-furnished or State-financed property authorized by the State which is not fully consumed in the performance of this agreement. Contractor is responsible for the care, maintenance, repair, and protection of any such property. Inventory records shall be maintained by Contractor and submitted to the State upon request. All such property shall be returned to the State upon the expiration of this contract unless the State otherwise directs.
6. If travel is a reimbursable item, the reimbursement for necessary traveling expenses and per diem shall be at rates set in accordance with Department of Personnel Administration rates set for comparable classes of State employees. No travel outside of the State of California shall be authorized. No travel shall be authorized outside of the legal jurisdiction of Contractor without prior authorization by the State.

Zbb

7. Prior authorization by the State in writing is required before Contractor will be reimbursed for any purchase order or subcontract exceeding \$2,500 for any articles, supplies, equipment, or services to be purchased by Contractor and claimed for reimbursement. Contractor must justify the necessity for the purchase and the reasonableness of the price or cost by submitting three competitive quotations or justifying the absence of bidding.
8. Prior approval by the State in writing is required for the location, costs, dates, agenda, instructors, instructional materials, and attendees at any reimbursable training seminar, workshop or conference, and over any reimbursable publicity or educational materials to be made available for distribution. Contractor is required to acknowledge the support of the State whenever publicizing the work under the contract in any media.
9. It is understood between the parties that this contract may have been written before ascertaining the availability of appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays that would occur if the contracts were executed after that determination was made.
10. BUDGET CONTINGENCY CLAUSE - It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.

If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

### Special Terms and Conditions

1. Disputes: Any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Director, Department of Alcoholic Beverage Control, or designee, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Department shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the State a written appeal addressed to the Director, Department of Alcoholic Beverage Control. The decision of the Director of Alcoholic Beverage Control or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, capricious, arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, Contractor shall proceed diligently with the performance of the contract and in accordance with the decision of the State.
2. Termination Without Cause: Either party may terminate this agreement at any time for any reason upon ten (10) days written notice. No penalty shall accrue to either party because of contract termination.
3. Contract Validity: This contract is valid and enforceable only if adequate funds are appropriated in Item 2100-101-3036, Budget Act of 2012, for the purposes of this program.
4. Contractor Certifications: By signing this agreement, Contractor certifies compliance with the provisions of CCC 307, Standard Contractor Certification Clauses. This document may be viewed at [www.ols.dgs.ca.gov/standard+language](http://www.ols.dgs.ca.gov/standard+language).
5. If the State determines that the grant project is not achieving its goals and objectives on schedule, funding may be reduced by the State to reflect this lower level of project activity.