MEMORANDUM

To: Honorable Mayor and Members of the City Council
From: Howard W. Brown, Jr., City Manager
CC: City Department Directors
Date: August 15, 2017
Re: Bi-Monthly Update and Report (week ending August 5, 2017)

Upcoming Meetings

- Thursday, August 17, 2017 – Special Planning Commission Meeting at 7:00 p.m. at the Bell Community Center
- Wednesday, August 23, 2017 – Regular City Council Meeting: Closed Session at 5:00 p.m. and Open Session at 7:00 p.m.
- Wednesday, September 13, 2017 – Cancelled Regular City Council Meeting (Rescheduled to Wednesday, September 20, 2017)

Administration

- The League of California Cities will consider two resolutions at the annual conference in September. Attached is the 2017 Annual conference resolutions Packet.
- The City of Bell First Quarter Sales Tax Update shows that from January through March 2017 actual sales activity increased 0.3% after accounting aberrations were factored out. More information is included on the HDL Sales Tax Update attached.
- Director of Community Services, Allan Perdomo, and I met with Mark Stanley of the Los Angeles Rivers & Mountain Conservancy on Wednesday, August 2, 2017. We discussed how the City could benefit from the grant funding available.
- The Los Angeles County is seeking qualified citizens who may be interested in volunteering for the FY 2018- 2019 Civil Grand Jury. Responsibilities of the civil grand jury include the investigation of county, city and joint-power agencies to ensure that they are being governed efficiently and that county monies are being handled appropriately. The deadline to submit the application form is November 3, 2017. For more information please see attached flyer and informational packet.
- DTSC mailed a 45-day Public Notice regarding the toxicity criteria for human health risk assessments, screening levels and remediation goals rules, a new provision to Title 22. For more information please see attached.
• I am respectfully requesting the following dates off for the month: August 31st, September 8th, September 22nd, September 29th, and October 9th. If I do not hear from you, I will consider my request approved.

Human Resources

• Police Officer- (Pre-Service) Interviews were held on Wednesday, July 26 and Thursday, July 27, 2017.
• Rodrigo Rodarte was promoted to Police Sergeant on Monday, August 7, 2017.
• The following recruitments are currently open and available on the City’s website:
  o Public Works Maintenance Worker – PT: Applications deadline is Friday, August 18, 2017.
  o Accounting Manager – Application deadline is Friday, September 1, 2017.
  o Sr. Human Resources Analyst – Application deadline is Friday, September 15, 2017.
• Sergio Ibarra, HR & Risk Manager attended a Claims Review Audit by the City’s liability insurance pool, ICRMA, on Tuesday, August 8, 2017.
• Sergio Ibarra, HR & Risk Manager attended an ICRMA governing board meeting on Thursday, August 10, 2017.

Contracts & RFPs

• The proposals for Solid Waste Audit Services were due on Friday, August 4, 2017, and are currently being reviewed by Greg Tsujuchi, Abel Hernandez and Javier Ochiqui.
• The Towing RFP was reissued. The proposals were due on Monday, August 14, 2017, at 4:00 p.m.

The following contracts and items will be up for discussion at the August 23, 2017 Council meeting:

• Overall Contracts Update
• New Agreement for City Engineering Services
• Solid Waste Consultant (Audit Services)
• Global Paratransit, Inc.
• City Attorney Contract

Community Development

• Arroyo Seco Development submitted a Conditional Use Permit application to the Planning Division. An item approving the selection of the reduced alternative site plan will be presented at the August 23rd Council meeting.

Planning Commission:

• A request to the City of Bell Planning Commission to consider an amendment for a Conditional Use Permit 87-4 to eliminate condition of approvals #8 and #9, and to add new conditions of approval pertaining to the hours of operation of a convenience market at 3727 Gage Avenue will be discussed at the next Planning Commission meeting taking place Thursday, August 17, 2017.
Also on the agenda: a discussion to establish a pre-application process to assist applicants who may be further along in conceptualizing a potential project, but not ready to make a formal application submittal.

A discussion on the possibility of drafting an ordinance that would regulate metal security gates on business doors/windows. Metal security gates are a concern because its use can create a perception that the area has a high crime rate and is unsafe.

Public Works:

On Tuesday, August 15, 2017 TANKO will be auditing the City of Bell's street lights. The auditor will be in a vehicle with a Tanko logo on the sides of the vehicle as well as a strobe light on the top. The auditor will be wearing a safety vest and will be using a GPS device to audit the street lights.

Mobile Home Parks:

Florence Village will be having their annual Gas Leak Inspection on Tuesday, August 15th starting at 8:00 a.m.

Bell Mobile Home Park will be having their annual Gas Leak Inspection on Wednesday, August 16th starting at 8:00 a.m.

Staff will be trained and receive certification for “Operator Qualification” on Tuesday, August 15th at 9:30 a.m. by Pacific Estates Utilities Co., the inspections and training is to be in compliance with the Public Utilities Commission.

Code Enforcement:

Sunday, July 23, 2017 – CE Officer M. Daniel responded to Veterans’ Memorial Park after receiving a complaint that vendors were in the park selling food. Three vendors were found in the park and advised to refrain from selling food in the city.

Monday, July 24, 2017 – Code Enforcement received a complaint regarding a business in the 4200 block of Florence Avenue parking vehicles in the parking lot overnight. CE Officer R. Monroy spoke to the owner and advised all vehicles had to be parked inside the garage. A follow up inspection confirmed vehicles are no longer being stored in the parking lot. The property will be monitored to ensure for continuous compliance.

Wednesday, July 26, 2017 – Chief Islas & CE Supervisor R. Arriola met with the property manager who oversees an apartment complex in the 4700 block of Florence Avenue. The meeting was arranged to discuss parking issues and other code violations taking place inside the apartment complex. The property manager has since authorized in writing that Parking Enforcement will begin to enforce parking violations 30 days from receipt of the letter. He also mentioned he would resolve other code violations as soon as possible.

Tuesday, August 1, 2017 – Code Enforcement received a complaint regarding a business in the 4600 block of Gage Avenue conducting auto repair in public view rather than in enclosed building. Sr. CE Officer J. Garcia inspected the property and confirmed the violation. A notice of violation has since been mailed to the property owner to refrain from this type of activity.

Thursday, August 3, 2017 – CE Officer R. Monroy responded to a complaint regarding an overflowing trash bin in the 5100 block of Florence Avenue. He confirmed the violation and contact was made with the property manager who was able to arrange for all the trash to be removed from the bin.
- Code Enforcement Division issued three (3) Administrative Citations over the past two weeks due to non-compliance of the B.M.C.

**Police Department**

- On Tuesday, August 1, 2017, the Bell Police Department hosted its yearly National Night Out with the community. It was a huge success as it brought the community together for a night of fun and interaction with members of the Bell Police Department.
- The Bell Police Department and Department of Mental Health responded to and provided assistance to nine (9) mental health patients over a two week period. For life threatening emergencies call 9-1-1. For other mental health needs call (800) 854-7771 (24 hours a day, 7 days a week).
- Attached is the Bell PD statistics for the week of July 31, 2017 – August 6, 2017.

**Community Services**

- Concerts in the Park started on Thursday, August 3, 2017 with approximately 400 park patrons in attendance. Our second night took place on August 10th with approximately 600 park patrons in attendance.
- Community Services personnel assisted the Police Department with the planning and coordination of National Night Out which took place on Tuesday, August 1, 2017.
- Thirty-seven (37) seniors enjoyed a sunny summer day at Redondo Beach on Saturday, August 5, 2017.
- The summer aquatics program continued with 30 youth enrolled in the second session of swim classes which took place from July 24th – August 4th. A total of 954 community members have enjoyed the open swim sessions.

**Finance Department**

- Finance (payroll clerk) completed the response to the CalPERS independent auditor (MGO) for seven (7) employee records that had been questioned from the result of the audit.
- The Finance Department received two (2) additional motel & hotel registrations and as of August 5th the City has received 8 out of 10 registrations.
- Audit confirmations for the bank, attorney, and insurance companies have been sent out as part of the Annual Audit to confirm that the funds reported in the books are correct.
- Finance Director is in training from August 5th to August 31st via webinar to implement OpenGov (a graphical financial report) with the initial goal of having the quarterly financial report posted on the City website.
- Finance is working on meeting the reporting deadline of August 31st for the DOJ grant and the CalRecycle grant.
- The warrant run presented at the City Council Meeting on June 27th and July 12th paid 599 invoices for a total of $2,013,891.60.

END OF MEMORANDUM
Receipts from Bell's January through March sales were 1.3% higher than the same quarter one year ago. Actual sales activity increased 0.3% after accounting aberrations were factored out.

Favorable onetime payment adjustments buoyed food and drug returns and was a significant factor in the overall quarterly increase.

Restaurants experienced mixed results with quick-service eateries up partially offset by casual dining decreases. A onetime use tax receipt helped boost general consumer goods. A slightly larger allocation from the countywide use tax pool was also a factor.

Despite raising fuel prices, lower service station sales depressed revenues. The addition of a used car dealership was offset by lot closures and negative anomalies reducing autos-transportation receipts.

Net of aberrations, taxable sales for all of Los Angeles County grew 2.1% over the comparable time period, while the Southern California region was up 2.0%.

### Top 25 Producers

| 7 Eleven | Individual Foodservice |
| Advantage Auto Sales | International Paper Company |
| Bell Chevron | Kaman Industrial Technology |
| Bellwood Auto Body | La Barca Restaurant |
| Carl's Jr | Las Playitas Auto Sales |
| Culichi Town | McDonalds |
| CVS Pharmacy | Northgate Market |
| Empire Pro | O'Reilly Auto Parts |
| Fast Global Solutions | Shell |
| George T. Hall Company | Smart & Final |
| Golden State Enterprises | Tacos El Gaviian |
| Hometown Buffet | USA Gasoline |
| WSS | |

### Revenue Comparison

<table>
<thead>
<tr>
<th></th>
<th>2015-16</th>
<th>2016-17</th>
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</thead>
<tbody>
<tr>
<td>Point-of-Sale</td>
<td>$1,945,948</td>
<td>$2,006,349</td>
</tr>
<tr>
<td>County Pool</td>
<td>260,884</td>
<td>285,685</td>
</tr>
<tr>
<td>State Pool</td>
<td>1,259</td>
<td>1,571</td>
</tr>
<tr>
<td>Gross Receipts</td>
<td>$2,208,091</td>
<td>$2,293,606</td>
</tr>
<tr>
<td>Less Triple Flip*</td>
<td>$(409,234)</td>
<td>0</td>
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</tbody>
</table>

*Reimbursed from county compensation fund

Published by Hdl Companies in Summer 2017

www.hdlcompanies.com | 888.861.0220
Statewide Results

Local tax receipts from January through March sales were 2.1% higher than the first quarter of 2016 after factoring for accounting anomalies.

Rising fuel prices, auto sales, county use tax pool allocations and dining out added most to the overall gain. Some general consumer goods and B2B sales were flat or down.

This quarter reflects the start of an anticipated leveling off of future tax revenues. After seven years of recovery, analysts are reporting an end to the previous pent-up demand for autos. Demand for new cars will ease due to more buyers tied to long-term loans and a glut of used cars coming off lease.

Price competition and store closures have reduced tax receipts from consumer goods. Business investment remains strong but much of the growth is for non-taxable items such as cloud computing and large data solutions. Declines in foreign tourist visits and lower costs of eating at home are expected to slow the growth in restaurant sales.

New Sales Tax Organization

As of July 1, the operating divisions responsible for allocation of tax revenues other than property, insurance and alcoholic beverages will shift from the State Board of Equalization (BOE) to the Governor’s new Department of Tax and Fee Administration.

The BOE was first established by constitutional amendment in 1879 to oversee property tax assessment practices by all counties in the state. It eventually became responsible for other tax revenues including sales, insurance, corporate franchise and special fees.

In 2011, HdL detected discrepancies in the BOE’s allocation of public safety revenues which led to the recovery of over $124 million in revenues for counties. Subsequent audits by the State Controller and State Department of Finance revealed further shortcomings. The result was the passage of budget trailer bill SB86/AB102 that reduces the BOE to its previous constitutionally defined functions.

The BOE is also empowered to hear appeals and disputes over tax assessments including sales/use, personal income and corporate taxes and is the only elected Tax Board in the United States that hears tax disputes. Effective January 1, 2018, that function will be turned over to a new Office of Tax Appeals (OTA) composed of panels of administrative law judges appointed by the Governor with locations in Sacramento, Fresno and Los Angeles.

For functions other than the appeal process, this is primarily a reshuffling of existing personnel so the change will have little impact on local agencies. However, the issue of local government’s ability to provide input regarding future policy and regulation changes that impact revenues remains under discussion. HdL will share more about the BOE transition as details become available in the weeks ahead.

<table>
<thead>
<tr>
<th>Business Type</th>
<th>Q1 '17</th>
<th>Change</th>
<th>Bell</th>
<th>Change</th>
<th>County</th>
<th>Change</th>
<th>HdL State</th>
<th>Change</th>
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</thead>
<tbody>
<tr>
<td>Auto Repair Shops</td>
<td>14,014</td>
<td>-5.5%</td>
<td>3.8%</td>
<td>5.1%</td>
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<tr>
<td>Automotive Supply Stores</td>
<td>10,877</td>
<td>-2.4%</td>
<td>0.3%</td>
<td>0.0%</td>
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<tr>
<td>Casual Dining</td>
<td>48,814</td>
<td>-8.5%</td>
<td>0.9%</td>
<td>0.5%</td>
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<tr>
<td>Convenience Stores/Liquor</td>
<td>14,475</td>
<td>51.6%</td>
<td>1.5%</td>
<td>3.7%</td>
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<tr>
<td>Drug Stores</td>
<td>— CONFIDENTIAL —</td>
<td>— CONFIDENTIAL —</td>
<td>-1.5%</td>
<td>-2.5%</td>
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<tr>
<td>Drugs/Chemicals</td>
<td>— CONFIDENTIAL —</td>
<td>— CONFIDENTIAL —</td>
<td>-15.4%</td>
<td>4.4%</td>
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<tr>
<td>Electrical Equipment</td>
<td>— CONFIDENTIAL —</td>
<td>— CONFIDENTIAL —</td>
<td>-23.4%</td>
<td>-7.6%</td>
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<tr>
<td>Food Service Equip./Supplies</td>
<td>— CONFIDENTIAL —</td>
<td>— CONFIDENTIAL —</td>
<td>14.5%</td>
<td>11.6%</td>
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<tr>
<td>Grocery Stores</td>
<td>29,698</td>
<td>21.5%</td>
<td>1.2%</td>
<td>0.5%</td>
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<td>Light Industrial/Printers</td>
<td>21,545</td>
<td>55.8%</td>
<td>1.9%</td>
<td>7.4%</td>
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<tr>
<td>Quick-Service Restaurants</td>
<td>67,237</td>
<td>10.6%</td>
<td>4.9%</td>
<td>4.6%</td>
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<tr>
<td>Service Stations</td>
<td>77,374</td>
<td>-1.5%</td>
<td>6.8%</td>
<td>10.0%</td>
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<tr>
<td>Specialty Stores</td>
<td>9,906</td>
<td>3.4%</td>
<td>2.1%</td>
<td>0.1%</td>
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<tr>
<td>Used Automotive Dealers</td>
<td>33,601</td>
<td>-2.4%</td>
<td>3.5%</td>
<td>1.9%</td>
<td></td>
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<tr>
<td>Variety Stores</td>
<td>11,154</td>
<td>4.7%</td>
<td>8.5%</td>
<td>4.8%</td>
<td></td>
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<tr>
<td>Total All Accounts</td>
<td>506,951</td>
<td>1.3%</td>
<td>2.6%</td>
<td>1.8%</td>
<td></td>
<td></td>
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<tr>
<td>County &amp; State Pool Allocation</td>
<td>71,961</td>
<td>1.3%</td>
<td>2.6%</td>
<td>2.9%</td>
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<tr>
<td>Gross Receipts</td>
<td>578,911</td>
<td>1.3%</td>
<td>2.6%</td>
<td>1.9%</td>
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</table>
LOOKING FOR AN OPPORTUNITY TO MAKE A DIFFERENCE IN YOUR COMMUNITY?

The Los Angeles County Superior Court is currently seeking qualified citizens who are interested in applying for the Los Angeles County Civil Grand Jury.

PRIMARY FUNCTIONS:

- Investigates county, city and joint-power agencies
- Acts as "watch dog" by examining carefully and completely the operations of various government agencies within Los Angeles County.

WILLING TO VOLUNTEER 30-40 HOURS OR 4-5 DAYS PER WEEK AND EARN $60.00 FOR EACH FULL DAY OF SERVICE?

Get involved and Join the Civil Grand Jury


Qualifications:

- US Citizen
- 18 years or older
- Resident of Los Angeles County for at least one year
- Possess sound judgment, fair character, and ordinary intelligence
- Working knowledge of English language.

Contact: Los Angeles County Civil Grand Jury
Criminal Justice Center Bldg.
210 W. Temple St., 11-506
Los Angeles, CA 90012
Tel #: 213/628-7914
Dear Citizen:

The Los Angeles County Superior Court is seeking qualified individuals who may be interested in applying for the Civil Grand Jury. Recruitment is year round and applications are accepted on a continuous basis. The term of service is one year, beginning July 1st and continuing through June 30th of the following year. The deadline to submit an application is in November of each year for the term beginning July 1st of the following year. Please see the enclosed Timetable for all pertinent dates.

To qualify, an applicant must be a citizen of the United States, at least 18 years of age, a resident of Los Angeles County for at least one year, of ordinary intelligence and good character, and have a working knowledge of English.

The responsibilities of the Civil Grand Jury include a careful and complete examination of the operations of various government agencies within Los Angeles County, including special districts, to ensure that these agencies are operating efficiently and managing taxpayer monies appropriately. The Civil Grand Jury is further charged with investigating individual complaints from citizens. Participation on the Civil Grand Jury requires a 30 to 40 hour-per-week commitment to fulfill this valuable public service.

Participation on the Civil Grand Jury is strictly voluntary. Your employer is not obligated to provide you with the time off or to pay your salary to participate as a member of the Civil Grand Jury.

Enclosed herewith is a Civil Grand Jury information packet. I hope you will take the time to read the information and familiarize yourself with the functions of the Civil Grand Jury. Should you decide to accept the challenge to make a difference in Los Angeles County government, please complete the Civil Grand Jury Nomination/Application Form and return it in the envelope provided.

I look forward to receiving your completed application form.

Very truly yours,

[Signature]

Darrell Mahood
Director, Juror Services Division
# TIMETABLE OF EVENTS
## 2018-2019 CIVIL GRAND JURY SELECTION
### SWERING IN: JULY 2, 2018

<table>
<thead>
<tr>
<th>JULY - NOVEMBER 2017</th>
<th>AUGUST - NOVEMBER 2017</th>
<th>FRIDAY, NOVEMBER 3, 2017</th>
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<tr>
<td>COMMUNITY VOLUNTEER APPLICATIONS FOR POTENTIAL GRAND JURORS AND DIRECT NOMINATIONS ACCEPTED ON A YEAR-ROUND BASIS</td>
<td>JUDGES INTERVIEW VOLUNTEER CANDIDATES*</td>
<td>DEADLINE FOR COMMUNITY VOLUNTEER APPLICATIONS</td>
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<tr>
<td>OPEN COMMUNITY RECRUITMENT PERIOD FOR VOLUNTEER CANDIDATES</td>
<td></td>
<td>NOVEMBER 2017</td>
</tr>
<tr>
<td></td>
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<td>LAST MONTH FOR JUDGES TO CONDUCT INTERVIEWS</td>
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</tbody>
</table>

*VOLUNTEER CANDIDATES MUST BE INTERVIEWED TO BE CONSIDERED FOR NOMINATION. YOU WILL BE NOTIFIED OF THE DATE AND TIME OF YOUR APPOINTMENT.

### JANUARY 2018
BEGIN CIRCULATING VOLUNTEER APPLICATIONS AMONG SUPERIOR COURT JUDGES FOR POSSIBLE NOMINATION

### FRIDAY, FEBRUARY 16, 2018
DEADLINE FOR JUDGES TO SUBMIT GRAND JURY NOMINATIONS

### FRIDAY, MARCH 9, 2018
DEADLINE FOR OBJECTIONS TO LIST OF NOMINEES

WEDNESDAY, MARCH 14, 2018 THRU WEDNESDAY, MARCH 28, 2018
CIRCULATE POTENTIAL GRAND JUROR LIST TO JUDGES FOR APPROVAL

### APRIL 2018
LETTERS MAILED TO CANDIDATES RE. STATUS OF APPLICATIONS

FRIDAY, APRIL 13, 2018 (TENTATIVE)
FIRST DRAWING FOR 40 PROSPECTIVE GRAND JURORS & 30 ALTERNATES
INFORMAL GRAND JURY ORIENTATION

### APRIL 2018 – MAY 2018
BACKGROUND INVESTIGATIONS OF PROSPECTIVE GRAND JURORS & ALTERNATES BY SHERIFF’S DEPARTMENT

WEDNESDAY, MAY 23, 2018 (TENTATIVE)
FINAL DRAWING OF 23 GRAND JURORS & APPROPRIATE NUMBER OF ALTERNATES

ALL INDIVIDUALS DRAWN IN APRIL MUST ATTEND THE FINAL DRAWING IN MAY.

TO BE SELECTED AS A GRAND JUROR, YOU MUST BE AVAILABLE FOR ORIENTATION, THE SWEARING-IN CEREMONY AND THE ENTIRE MONTH OF JULY AND AUGUST.


ALL CORRESPONDENCE SHOULD BE ADDRESSED TO:

County of Los Angeles, Civil Grand Jury
Clara Shortridge Foltz Criminal Justice Center
210 WEST TEMPLE ST., RM 11-506
LOS ANGELES, CA 90012

Telephone: (213) 628-7914
http://www.grandjury.co.la.ca.us

OR

Superior Court of California
County of Los Angeles
Civil Grand Jury
P.O. Box 866008 (mail)
Los Angeles, CA 90086-6008
LOS ANGELES COUNTY CIVIL GRAND JURY
FACT SHEET
(Please read carefully before completing the nomination form)

PRIMARY FUNCTIONS OF THE CIVIL GRAND JURY

The primary function of the Civil Grand Jury is to investigate county, city, and joint-power agencies. This is a significant civil function. The Civil Grand Jury acts in a “watch-dog” function by examining, carefully and completely, the operations of various government agencies within Los Angeles County. The Civil Grand Jury cannot investigate state or federal agencies as they lie outside their jurisdiction. Part of the investigation of governmental agencies includes the ability to audit operations, accounts, and records of officers and departments within the agency under investigation. The Civil Grand Jury is further charged with investigating individual complaints from citizens. By statute, the Civil Grand Jury is required to inquire regarding the conditions and management of all public prisons within the County of Los Angeles.

To carry out this function, the Civil Grand Jury is divided into committees, each of which concentrates on certain areas under investigation. These committees visit facilities, meet with officials, and develop recommendations for improving government operations. The Audit, Citizens Complaints, and Jail Committees are considered essential because of the Civil Grand Jury’s mandate to audit the county, examine complaints from individual citizens, and inspect the jails.

No later than the end of its term the Grand Jury is required by law to submit a final report of its findings and recommendation to the Presiding Judge of the Superior Court. Agencies to which these findings/recommendations are directed are required to respond within 90 days.

CIVIL GRAND JURY – FULL TIME FOR ONE YEAR

Twenty-three citizens of Los Angeles County are sworn each July to serve as Civil Grand Jurors for 12 months. Membership on this body is a full-time commitment, 5 days a week and approximately 30 – 40 hours each week. Los Angeles County, with its large population, its numerous facilities, and problems, is so big and so complex that the members of the Civil Grand Jury must be prepared to devote their time and energies almost totally to the needs and demands of the Civil Grand Jury.

It is essential that all Civil Grand Jurors be in attendance at every grand jury session. All jurors are required to be in attendance for productive discussion of issues and decision-making to take place. Therefore, only the most pressing emergency or illness is considered legitimate reasons for being absent.

A particular juror’s hours may vary depending on his/her committee assignment that needs to be completed on the Final Report. Some members of the grand jury may not be required to report during the later part of their grand jury’s term.

Anyone who is nominated to serve on the Civil Grand Jury must be fully cognizant of the time involved. Each prospective civil grand juror should sincerely and thoughtfully weigh any and all family, personal, and business obligations before accepting nomination to the Civil Grand Jury.

WHO IS ELIGIBLE FOR CIVIL GRAND JURY NOMINATION?

By law, a person is eligible if that person is: a citizen, 18 years of age or older, a resident of the County for at least one year, of ordinary intelligence and good character, and has a working
knowledge of English. A person is not eligible if the person: has served on a Grand Jury within the past 12 months, is an elected public official, or has been convicted of a felony.

HOW ARE CIVIL GRAND JURORS SELECTED?

Each year every Superior Court judge may nominate two persons that he/she deems qualified to serve as Civil Grand Jurors. Any interested citizen who wishes to be considered for nomination may submit an application before the deadline in November to the Superior Court, Criminal Justice Center, 210 West Temple Street, 11th Floor, Room 11-506, Los Angeles, CA 90012. Applicants will be interviewed by the Grand Jurors Committee to determine each person’s qualifications. The applications of qualified individuals are then made available to all Superior Court judges for possible nomination. The First Drawing is held in April to randomly select 40 prospective Grand Jurors and 30 alternates from the pool of nominees. A thorough background investigation of the prospective civil grand jurors and alternates is conducted by the Sheriff’s Department. In May a final drawing is conducted to select 23 Civil Grand Jurors and 17 Alternates.

The 23 Civil Grand Jurors and Alternates are required to complete financial disclosure forms in compliance with California Government Code Sections 81000 – 91015.

Swearing-In for the civil Grand Jurors is July 1st of each year (or the earliest day thereafter if July 1st falls on a weekend). Jurors are required to be present for the Swearing-In Ceremony in July to receive the Charge to the Civil Grand Jury. In addition, all Civil Grand Jurors must be available during the month of July and August. These two months are dedicated to organization and training. Civil Grand Jurors unable to be present during these two months will be permanently replaced by Alternates.

CIVIL GRAND JURY FEES AND MILEAGE

Each member of the Civil Grand Jury is paid $60.00 for either each day’s attendance at sessions of the full Civil Grand Jury or each day’s attendance as a member of any committee of the Civil Grand Jury, and for mileage at a rate payable to employees of the County for each mile actually and necessarily traveled in attending meetings of the Civil Grand Jury, or any session of a Civil Grand Jury committee duly called by the Foreperson or Committee Chair.

FOR FURTHER INFORMATION ABOUT THE CIVIL GRAND JURY

If you have any questions about the nomination procedure, please contact:

County of Los Angeles Civil Grand Jury
Clara Shortridge Foltz, Criminal Justice Center
210 W. Temple Street, 11th Floor, Room 11-506
Los Angeles, CA 90012

OR

Superior Court of California
County of Los Angeles Civil Grand Jury
P.O. Box 866008(mail)
Los Angeles, CA 90086-6008

Telephone: 213-628-7914
http://www.grandjury.co.la.ca.us

rev 6/2017
INSTRUCTIONS FOR FILING GRAND JURY APPLICATION FORM

1. Read ALL information in the packet before completing the form.

2. Complete the following in black or blue ink:
   a. Nomination/Application Form – Page 1 and Page 2. Sign and date the application form.
   b. Outreach Form

3. Return the completed/signed application and outreach form to any of the address below:

   County of Los Angeles, Civil Grand Jury
   Clara Shortridge Foltz Criminal Justice Center
   210 West Temple Street, 11th Floor, Room 11-506
   Los Angeles, California 90012

   OR

   Superior Court of California
   County of Los Angeles Civil Grand Jury
   P.O. Box 866008(mail)
   Los Angeles, CA 90086-6008

NOTICE

IF CURRENTLY EMPLOYED, EMPLOYER’S CONFIRMATION LETTER MUST BE ATTACHED

PLEASE WRITE LEGIBLY. FAILURE TO ANSWER ALL QUESTIONS ACCURATELY AND COMPLETELY MAY DISQUALIFY YOUR APPLICATION

6/2017
**Civil Grand Jury Nomination/Application Form**

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**Telephone:**
- Home: 
- Cell: 
- E-Mail: 

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1A. **Age:** 
- Date of Birth: __/__/____
  - Mo.  
  - Day  
  - Year

1B. **Do you have a valid driver's license?**
- Yes ☐  
- No ☐

1C. **Are you a U.S. Citizen?**
- Yes ☐  
- No ☐

  - Place of Birth: ________________________

1D. **Do you read and understand English?**
- Yes ☐  
- No ☐

1E. **Have you been a resident of the state and this county for one year immediately preceding today’s date?**
- Yes ☐  
- No ☐

1F. **Have you served as a Grand Juror in any court in this state?**
- Yes ☐  
- No ☐

1G. **Are you contemplating any absence in the next fiscal year beginning July 1 which might interfere with your performance as a Civil Grand Juror?**
- Yes ☐  
- No ☐

**Please indicate your race or ethnic derivation in the column to the right.**

- Not Spanish, Hispanic, Latino ☐
- Mexican, Mexican-American, Chicano ☐
- Puerto Rican ☐
- Cuban ☐
- Other Spanish/Hispanic/Latino ☐

- White ☐
- Black or African American ☐
- American Indian or Alaska Native ☐
- Asian Indian ☐
- Chinese ☐
- Filipino ☐
- Japanese ☐
- Korean ☐
- Vietnamese ☐
- Other Asian ☐
- Native Hawaiian ☐
- Guamanian/Chamorro ☐
- Samoan ☐
- Other Pacific Islander ☐
- Some Other Race (Specify) ☐

**Confirmation from your employer is mandatory and must be attached.**

4. Civil Grand Jury service frequently involves site visits and inspections (with attendant walking & stair climbing) as well as sitting through long meetings & presentations and participating in group discussions with people holding differing opinions.

Do you have any physical or mental conditions that might limit your ability to perform the duties of a grand juror, i.e., walking at site visits, prolonged sitting/standing, concentrating during discussions, etc.?  
- Yes ☐  
- No ☐

Would you require a reasonable accommodation, and if so, please describe it.

5A. **Have you ever been convicted of any crime, including a felony or misdemeanor?**
- Yes ☐  
- No ☐

[Do not include Juvenile Offenses if the record has subsequently been sealed by Court Order. Do not include Minor Traffic Offenses, i.e., tickets, unless they resulted in the issuance of a warrant. A DUI is NOT a minor traffic offense.] If “Yes,” state the date, name and nature of offense, locality, and disposition on Page 2, Sec. 8.

5B. **As a member of any organization, or as a holder of any office, or as an attorney, have you ever been suspended, disbarred or otherwise disqualified, or had such license suspended or revoked; or have you ever been reprimanded, censured, or otherwise disciplined; or have had charges, formal or informal, ever been made or filed against you?**
- Yes ☐  
- No ☐

If so, state the complete facts, disposition, and authority in possession of the records thereof on Page 2, Sec. 8.

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For Court Use Only

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GJ-06/17  Page 1
6. Was there a single message or piece of information about the Civil Grand Jury that was most responsible for your decision to apply?

7. Are you willing to take the following oath or affirmation?  
   ☐ Yes  ☐ No

   I do solemnly swear (affirm) that I will support the Constitution of the United States and of the State of California and all laws made pursuant to and in conformity therewith, will diligently inquire into, and true presentment make, of all public offenses against the people of this state, committed or triable within this county, or which the Grand Jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the Grand Jury, nor anything which I or any other grand juror may say, nor the manner in which I or any other grand juror may have voted on any matter before the Grand Jury. I will keep the charge that will be given to me by the court.

8. If you answered “Yes” to questions 1F, 1G, 5A, or 5B on Page 1, use this space for additional and/or explanatory information, i.e., for No. 1F, indicate years served on former Grand Juries. [Use additional sheet if necessary.]

9. Background information: To assist the Presiding Judge in the selection of the Foreperson for the Civil Grand Jury, and to provide information valuable to the Foreperson in naming committee chairpersons and members, it is requested that you summarize your background, and employment experience in a statement of not more than 150 words.

   ___________________________________________________________
   ___________________________________________________________

   APPLICANT'S STATEMENT

I understand my name is being considered for possible nomination on the Los Angeles County Civil Grand Jury for the next fiscal year and that such service may be required upwards of five full days per week over a one year period beginning July 1st. I also understand that vacation leave is at the option and convenience of the Civil Grand Jury and is to be limited to one month or less. I further understand I will be required to be present for the Swearing-In Ceremony including charging of the Civil Grand Jury on July 1st, and for the organization of the Civil Grand Jury and its various working committees during the entire month of July. If I am unable to be present on July 1st and the balance of July, I understand I will be replaced by an Alternate Civil Grand Juror. I also state that I have personally completed this application without assistance.

   I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

   Executed at _______, CA on _____

   Signature

   ___________________________________________________________

   NOMINATION

The above nominee is suitable, competent, and qualified to serve as a Civil Grand Juror under Section 893 of the California Penal Code. I, or member of the Civil Grand Jury Interview Committee, have discussed this impending nomination with the nominee and ascertained availability for service.

   I nominate the above person for service on the Civil Grand Jury of Los Angeles County for the next fiscal year.

   ___________________________  ___________________________  ___________________________
   Date  Judge of the Superior Court  Dept. No.
Outreach

Name

E-Mail Address

How did you hear about the Civil Grand Jury? (Please check all that apply)

1. Friend/Personal Referral
2. Former Grand Juror
3. Invitation Ltr from Jury Div
4. Community Org announcement
5. Television/Radio
6. Newspaper/Newsletter
7. Grand Jury website
8. LACERA announcement
9. Walk-in
10. Other (specify)

What motivated you to apply?
possible nomination. The Superior Court judges nominate persons representing the cultural, ethnic, and diverse life experience of residents in the County of Los Angeles in order that the Civil Grand Jury may reflect the many interests and concerns of its citizens.

From a final list of nominated persons, forty names and thirty alternates are selected at random through a computerized program. After the selected prospective civil grand jurors have been screened by law enforcement agencies, a second drawing takes place, and the final twenty-three civil grand jurors and a designated number of alternates are drawn. The twenty-three civil grand jurors selected in the final drawing are sworn in during the first week of July and given a description of their duties and responsibilities by the Supervising Judge of the Superior Court Criminal Departments and their legal advisor, County Counsel.

Compensation

The Civil Grand Jury is provided with meeting facilities and adjacent parking. Each Civil Grand Juror is paid $60.00 for each day's attendance at sessions of the full Civil Grand Jury and any sessions of the Civil Grand Jury called by the foreperson.

Applications/Information:

For more information or to request a grand jury application packet, please write or call.

Civil Grand Jury
Clara Shortridge Foltz-Criminal Justice Center
210 West Temple Street, 11th Floor,
Room 11-506
Los Angeles, CA 90012

Mailing Address: PO Box 866008
Los Angeles, CA 90086-6008

Telephone: (213) 628-7914
or visit our website. http://grandjury.co.la.ca.us/
Participation in Civil Grand Jury investigation and discussion is a rich and rewarding experience. It is an opportunity to get an intimate look at how government works and to make informed and valuable recommendations regarding possible improvements. It is also an opportunity to serve with fellow county residents and to discover how a body of twenty-three citizens reaches consensus. This is the heart of the democratic process, and service on the Civil Grand Jury is a valuable way to learn to contribute and to make a difference in your community.

Functions of the Civil Grand Jury

The civil, or "watchdog", responsibilities of the civil grand jury encompass the examination of all aspects of the county government, including special districts, to ensure that the county is being governed honestly and efficiently and that county monies are being handled appropriately. The Civil Grand Jury is mandated by law to inquire into the condition and management of public jails.

The Civil Grand Jury may conduct investigations of public agencies and the administration and affairs of any city within the county, as well as examine books and records of redevelopment agencies. It is also appropriate for any private citizen, county official or county employee to present a written complaint to the grand jury for investigation.

During its term, the Civil Grand Jury selects the aspects of government it wishes to investigate. These investigations are generally conducted by committees. Committees may ask for support and advice from the Superior Court, County Counsel, or outside consultants.

By law, on the last day of each fiscal year, the Civil Grand Jury is required to submit all final reports to the Supervising Judge of the Criminal Departments. These reports include all studies and investigations conducted by the Civil Grand Jury during its term, with appropriate recommendations. Copies of individual reports are submitted to each county entity investigated, with instructions that a response to the findings/recommendations is required to be made by the responsible governing body within 60 to 90 days of receipt of the report.

Past Civil Grand Jury reports are available for inspection by the public at most public libraries and may also be viewed on the Grand Jury website at http://grandjury.co.la.ca.us/

Grand Juror Qualifications

The law states Civil Grand Jury applicants must have these qualifications:

- Citizen of the United States.
- 18 years of age or older.
- Resident of the state and county for at least one year prior to being selected.
- In possession of natural faculties, ordinary intelligence, sound judgment, fair character.
- Possess sufficient knowledge of the English language.

Applicants are disqualified if any of the following apply:

- Presently serving as a trial juror or grand juror in any court in the state.
- Presently serving as an elected public official.
- Discharged as a grand juror in any court in the state within one year.
- Convicted of malfeasance in office or any felony or other high crime.

Beyond the legal requirements, several other qualifications are desirable for a Civil Grand Juror:

- General knowledge of the functions, authorities, and responsibilities of county and city government and of other civic entities.
- Research abilities, including ability to read and comprehend complex material, a background in accessing/analyzing facts, and experience in report writing.
- Substantial background in group/committee work.
- Good to excellent health.
- Ability to respect and be objective concerning the positions and view of others.
- Willingness to complete financial disclosure forms, in compliance with California Government Code Sections 8100-91015.

Term of Service

Each July, twenty-three citizens of Los Angeles County are sworn as civil grand jurors for a twelve-month service term ending June of the following year. Service is a full-time job with each Grand Jury establishing its own work schedule. Anyone who is nominated to serve on the Civil Grand Jury must be fully cognizant of the time involved. Each prospective civil grand juror should sincerely and thoughtfully weigh any and all family, personal, and business obligations before accepting this nomination.

Selection Process

Each year, prior to March 1st, every Los Angeles Superior Court judge in Los Angeles County may nominate two applicants deemed by the judge to be qualified to serve as civil grand jurors. Interested citizens may also apply as volunteers by obtaining Grand Jury application forms via the Grand Jury website: http://grandjury.co.la.ca.us/ or by calling the Grand Jury Office at (213) 628-7914. A member of the Grand Jurors Committee interviews each volunteer applicant. The interviewing judge then assigns a qualification rating to each volunteer interviewed. The volunteers’ application forms are then circulated among the Superior Court judges for
TITLE 22

45-DAY PUBLIC NOTICE AND COMMENT PERIOD

TOXICITY CRITERIA FOR HUMAN HEALTH RISK ASSESSMENTS,
SCREENING LEVELS AND REMEDIATION GOALS RULE

Department Reference Number: R-2016-08
Office of Administrative Law Notice File Number: Z-2017-0725-08

NOTICE IS HEREBY GIVEN that the Department of Toxic Substances Control (Department) proposes to adopt California Code of Regulations (CCR), Title 22, Division 4.5, sections 68400.5, 69020, 69021, and 69022 to set a narrative cleanup performance standard, and adopt the listed toxicity criteria for all human health risk assessments calculating health-based (hereinafter risk-based) screening levels and risk-based remediation goals at hazardous substance release cleanup sites in California.

PUBLIC WORKSHOPS

The Department will hold public workshops on the proposed regulations at the following times and locations:

NORTHERN CALIFORNIA

Date: August 28, 2017
Time: 2:00 to 4:00 PDT
Location: California Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826
Board Room

Webinar Link: [http://calepa.ca.gov/Broadcast/](http://calepa.ca.gov/Broadcast/)

SOUTHERN CALIFORNIA

Date: August 31, 2017
Time: 2:00 to 4:00 PM PDT
Location: California Department of Toxic Substances Control
5796 Corporate Ave.
Cypress, California 90630
All-Staff Room

Webinar Link: [http://calepa.ca.gov/Broadcast/](http://calepa.ca.gov/Broadcast/)
At the times and locations listed above, any person(s) may ask questions about the proposed rule in an interactive workshop setting. The workshops will convene at 2:00 PM PDT and will remain open until 4:00 PM PDT, or until attendees have no further questions, whichever occurs first. Attendees are also welcome to attend the Public Hearing (below) to have questions or comments on record.

PUBLIC HEARING

The Department will hold a public hearing on the proposed regulations at the following time and location:

Date: September 20, 2017
Time: 2:00 PM – 4:00 PM PDT
Location: 8800 Cal Center Drive
Sacramento, California 95826
Board Room
Webcast Link: http://calepa.ca.gov/Broadcast/

At the time and location listed above, any person(s) may present statements or arguments, orally or in writing, relevant to this proposal described in the Informative Digest. The public hearing will convene at 2:00 PM PDT and will remain open until 4:00 PM PDT, or until no attendees present testimony, whichever occurs first.

Representatives of the Department will preside at the hearing. The Department requests persons who wish to speak to please register before the hearing. Pre-hearing registration is conducted at the location of the hearing from 1:00 PM PDT until the hearing commences. Registered persons will be heard in the order of their registration. Anyone else wishing to speak at the hearing will have an opportunity after all registered persons have been heard.

All visitors are required to sign in upon arrival to the Sacramento Department Regional Office at the administration desk on the first floor of the building. Please ask the guard at the security desk for directions. Be sure to allow adequate time to sign in and receive a visitor badge before the public hearing begins.

NOTICE PERTAINING TO ACCESSIBILITY & REASONABLE ACCOMMODATION

All documents related to these regulations can be made available in alternate format (i.e., Braille, large print, etc.) or in another language, as requested, in accordance with State and Federal law. Further, to ensure the public has equal access to all available services and information, the Department will provide disability related reasonable accommodations and/or translator/interpreter needs, upon request. For assistance, please contact the following staff person as soon as possible, preferably no later than 10 business days prior to the scheduled hearing:
Ms. Litiana Patino  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806  
Litiana.Patino@dtsc.ca.gov  
Phone: (916) 324-3095

TTY/TDD/Speech-to-Speech users may dial “7-1-1” for the California Relay Service.

WRITTEN COMMENT PERIOD

Any interested person(s) or their authorized representative(s) may submit written comments relevant to the proposed regulatory action to the Department in either electronic or hard-copy formats. Written comments will be accepted until 11:59 P.M on September 20, 2017.

Written comments may be submitted electronically through the Department regulations email address at ToxCriteriaRule@dtsc.ca.gov or please direct hard-copy written comments to:

Mr. Kevin Depies  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826  
Attn: Toxicity Criteria Rule  
E-Mail: ToxCriteriaRule@dtsc.ca.gov  
Fax Number: (916) 255-6560

AUTHORITY & REFERENCE

Authority

These regulations are being adopted under the following express authorities:

- Health and Safety Code (HSC) section 25150 stipulates that the Department shall adopt, and revise when appropriate, standards and regulations for the management of hazardous substances;
- HSC section 25159 states that the Department shall adopt and as necessary revise regulations pertaining to the administration of the state hazardous waste program;
- HSC section 25159.5 authorizes the Department to adopt regulations for corrective action;
- HSC section 25351.5 grants the Department authority to adopt any regulations necessary to carry out its responsibilities pursuant to Chapter 6.5;
• HSC section 58004 grants the Department all duties, powers, purposes, responsibilities and jurisdiction of the Toxic Substances Control Program of the State Department of Health Services, including, but not limited to, those powers and duties specified in Chapter 6.5; and

• HSC section 58012. This section allows the Department to adopt and enforce rules and regulations for the carrying out of the Department's duties.

The Department also has implied rulemaking authority under Chapter 6.82, the California Land Reuse and Revitalization Act of 2004 (Health and Safety Code [HSC] sections 25395.60-25395.109). This law designates the Department as an oversight agency at sections 25395.64 and 25395.71, and requires hazardous substance cleanups done under that chapter, including risk assessments, to meet the requirements of Chapter 6.8 (HSC sections 25395.92 and 25395.94). Therefore, the Department has the implied authority to clarify and implement requirements under this law, and should do so consistent with its express authority for rulemaking under Chapter 6.8.

Reference

These regulations implement, interpret, or make specific the following statutes:

• HSC section 25150 authorizes the Department to apply the standards and regulations adopted for the management of hazardous wastes. It also stipulates that the Department may not adopt standards or regulations that are less stringent than that by RCRA and shall inform other state and local agencies of adoption of relevant regulations;

• HSC section 25159 authorizes the state to receive and maintain federal authorization to administer a state hazardous waste program in lieu of the federal program;

• HSC section 25159.7 authorizes the Department to carry out all hazardous waste management responsibilities imposed or authorized by the federal act and the Comprehensive Environmental Response, Compensation, and Liability Act as amended;

• HSC section 25187 authorizes the Department to issue orders for corrective action to address hazardous waste releases to the environment;

• HSC section 25355.8 prohibits the Department from issuing a no further action determination for hazardous waste sites unless certain conditions are met;

• HSC section 25356.1 and 25356.1.5 authorizes the Department to issue a Remedial Action Plan for designated hazardous waste sites and that remedial action be no less stringent than those required under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and also allows that state requirements can be more stringent than those under the NCP;

• HSC sections 25395.92 requires property owners to address a hazardous substance release site consistent with Chapter 6.8 protections. Section 25395.94

4. Toxicity Criteria – NOPA (2017-07-28)
requires parties to comply with section 25356.1.5, Chapter 6.8's risk assessment provision, for risk assessments;

- HSC section 25159.5 stipulates that state standards and regulations conform with corresponding U.S. Environmental Protection Agency (U.S. EPA) standards and regulations, respectively but also that the state may adopt standards more stringent than U.S. EPA;

- HSC Section 116365 authorizes the State Water Board to adopt primary drinking water standards enforced by the Department which are not being replaced by the proposed regulations; and

- Public Resources Codes section 71110 requires the California Environmental Protection Agency to, among other things, designing its mission for programs and standards to “conduct its programs in a manner that, including minority populations and low-income populations of the state” and “promote enforcement of all health and environmental statues within its jurisdiction” in the same manner.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Policy Statement Overview

For specified contaminants at hazardous substance release sites, the proposed regulations would require the use of California's Office of Environmental Health Hazard Assessment (OEHHA) toxicity criteria, which take into account California specific considerations, and are more stringent than federal toxicity criteria. Toxicity criteria are used for risk assessments, and setting risk-based screening levels and remediation goals for contaminants at hazardous substance release (e.g., cleanup) sites. The proposed regulations will formalize the long standing current practice dating back to 1994. Finally, the proposed regulations will ensure consistency in selecting the appropriate toxicity criteria for all cleanup sites in California factoring in California's overall environmental goals and environmental justice objectives, across age, racial, ethnic, cultural and income differences.

Proposed Regulations

The proposed regulations will adopt specified California toxicity criteria, for use in human health risk assessments, to set risk-based screening levels and remediation goals, for both corrective action under the Hazardous Waste Control Law (Chapter 6.5) and response actions under the Hazardous Substances Account Act (Chapter 6.8). Note also that because execution of the California Land Reuse and Revitalization Act (Chapter 6.82) specifically refers to Chapter 6.8 for risk assessments; risk assessments, screening levels and remediation goals under Chapter 6.82 will also be governed by this rule.
**Anticipated Benefits**

The proposed regulation will:

1) Provide more protection than federal toxicity criteria for California’s population from hazardous substances in the environment;

2) Ensure that human health risk assessments protect the entirety of California’s diverse population (age, race, culture, and income levels) based on known science and consistent with state environmental justice and children’s health-protection goals, through adoption of the OEHHA toxicity criteria in Appendix I;

3) Define the protective risk-based screening level as one in a million for cancer risk and a hazard quotient of 1 for non-cancer risk for all screening level risk assessments which is consistent with federal guidance;

4) Ensure that toxicity criteria used in California are of high scientific quality and credibility, and apply the best available science;

5) Ensure consistency by applying these toxicity criteria to risk-based cleanups of all hazardous substances release sites (corrective action and hazardous substance remediation) in California;

6) Mandate that risk-based cleanup screening levels and remediation goals (cleanup levels) achieve the same protection at federal hazardous substance cleanup sites as for all other cleanup sites in California; and

7) Reduce uncertainty and time spent resolving differing interpretations of federal guidance to decide applicable toxicity criteria.

**Summary of Existing Statutes and Regulations**

The Department has researched existing state statutes and regulations determining toxicity criteria for human health risk evaluations including determining human health screening levels and setting remediation goals. The Department has identified only the following statutes and regulations for evaluating human health risk in California:

- Health and Safety Code section 25356.1.5, subdivision (c). Specifies that human health risk assessments be consistent with the federal National Contingency Plan; include the most current sound scientific methods, knowledge, and practices of public health and environmental professionals; and be based on public health considerations, to the extent scientific data are available;

- Water Code, Division 7, section 13304.2 Water Quality Enforcement and Implementation. Specifies human health risk assessments for “Brownsfield” sites;

- Health and Safety Code, Division 26, section 39660 Identification of Toxic Air
Contaminants. Requires the Air Resources Board to evaluate health risks of certain chemicals emitted to the atmosphere;

- Health and Safety Code, Division 26, section 42315 Air District Permitting for Non-vehicular Air Pollution Control. Requires the Air Resources Board to evaluate health effects of toxic substances released to the atmosphere;

- Health and Safety Code Division 26, section 44300 et seq. Air Toxics Hot Spots Program. Requires the Air Resources Board to evaluate human health risk of emissions derived from industrial, commercial, and disposal facilities in California;

- Health and Safety Code, Division 104, Section 116365 California Safe Drinking Water Act. Requires the State Water Board to assess human health risks in adopting drinking water standards; and

- Health and Safety Code, Section 901: Children's Environmental Health Center. Authorizes the Department of Public Health to assess health risks for proposed school sites.

**Evaluation of Inconsistency/Incompatibility with Existing State Regulations**

The Department has evaluated the proposed regulations for any inconsistency or incompatibility with existing state statutes and regulations. The Department has identified no state regulations specific to toxicity criteria application to human health risk assessments and has determined that the proposed regulations are consistent with the requirements specified in the above state statutes.

**Evaluation of Inconsistency/Incompatibility with Existing Federal Regulations**

The proposed draft rulemaking is consistent with federal requirements, particularly 40 Code of Federal Regulations Part 264 and especially section 300.430.

**Incorporated By Reference**


**DISCLOSURE REGARDING THE PROPOSED ACTION**

**MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The Department has determined that the proposed regulations will not impose a mandate on local agencies or school districts.
COST OR SAVINGS TO STATE OR LOCAL AGENCIES, OR SCHOOL DISTRICTS

The proposed regulations will not result in costs to any local agency or school district requiring reimbursement pursuant to Government code sec. 17500 et seq.

OTHER NONDISCRETIONARY COST OR SAVINGS ON LOCAL AGENCIES

The Department has determined that there are no other nondiscretionary cost or savings imposed upon local agencies.

COST OR SAVINGS IN FEDERAL FUNDING TO THE STATE

The Department does not anticipate any changes to federal funds which the State of California receives.

COST OR SAVINGS TO ANY STATE AGENCY

The proposed regulations implement procedures that have been historically applied to California hazardous substance release sites. Implementation of the regulations may result in cost savings to the state by the anticipated reduction in regulatory staff time debating and negotiating risk assessments, screening levels and remediation goals at hazardous substance release sites. However, the potential cost savings is unquantifiable.

DETERMINATION OF NO SIGNIFICANT STATEWIDE ECONOMIC IMPACT

The Department has made a determination through the economic impact assessment that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California business to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations will not impact small businesses. First, this action does not change the liability of parties responsible for cleanup. Second, this action does not change the screening and cleanup levels presently required at sites in California under Department oversight because it does not change existing practices for evaluating risk and developing risk-based cleanup actions for hazardous substance cleanup sites in California. The proposed regulations do not increase cleanup costs or the scale or scope of hazardous substance release cleanups in California. In contrast, implementation of the proposed regulations may result in cost savings to small businesses due to greater certainty in the application of toxicity criteria applied at hazardous substance release sites. Accordingly the Department has determined that the proposed regulations will have no or minimal effect on small businesses.
EFFECT ON HOUSING COSTS

The proposed regulations formally implement procedures currently and historically used for selecting toxicity criteria for human health risk assessments and determining human health-based screening levels and remediation goals for hazardous substance release sites in California. Accordingly, the Department has determined that the proposed regulations will not impact housing costs.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The proposed regulations clarify and specify the selection of toxicity criteria for human health risk assessments and establishing health-based screening levels and remediation goals at hazardous substance release sites in California and implements procedures in place since at least 1994 to assess human health risk at hazardous substance release sites in California. Because the proposed regulations implement procedures that have been in effect, there will be no change to the liability of businesses responsible for cleanup of hazardous substances.

The Department concludes that there will be no direct economic costs to businesses from this action, including the creation or elimination of jobs, the creation of new businesses or elimination of existing businesses, an impact to expansion of businesses currently doing business in the state of California, and the ability of California businesses to compete with businesses in other states. Conversely, there may be fiscal benefits to California business from the greater certainty in the application of toxicity criteria applied at hazardous substance release sites.

BUSINESS REPORTING REQUIREMENT

The proposed regulations apply no reporting requirement to State of California businesses.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to the affected private persons and equally effective in implementing the statutory policy or other provision of law.

On November 11, 2016, the Department published a “pre-APA” version (Alternative 1) of the draft regulations and on December 12, 2016, held a public workshop to interactively solicit comment and input from the public on the proposed regulations. This pre-APA version was similar to the current proposed regulations (Alternative 3 discussed below), but less descriptive and more rigidly applied the “most protective” toxicity criteria of the three most reliable (scientifically supported) sources listed in the draft rule. It also
incorrectly implied remediation goals must be set at an excess cancer risk of 1x10^{-6} and a non-cancer hazard index (HI) of “1.0” for contaminants at a hazardous waste release site.

From the input received in the workshop and comments, the Department developed Alternative 2. It “ranked” the primary toxicity criteria sources; included an exclusion for certain metallic elements and a variance procedure; and clarified the application of the 1x10^{-6} cancer risk level and a HI of 1 for non-cancer risk contaminant screening levels and remediation goals.

Upon further internal deliberation and consultation with other state and federal agencies, the Department determined some of the changes incorporated into Alternative 2 were impracticable or did not adequately factor in California’s unique demographic in selecting appropriate criteria, and significantly changed current and historical practice for selecting toxicity criteria. Accordingly, the current proposed regulation (Alternative 3) is consistent with current and past practice, applies the best scientific practice, and factors in California’s unique demographic in selecting toxicity criteria. In contrast to Alternative 1, it also does not include specific language regarding application of the 1x10^{-6} cancer risk level and HI of 1 for non-cancer risk to set remediation goals, but instead refers to the National Contingency Plan for that process.

OTHER APPLICABLE REQUIREMENTS PRESCRIBED BY STATUTE

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

After a preliminary evaluation the Department has determined a Notice of Exemption pursuant to California Code of Regulations, title 14, section 15061(b)(3), is applicable to fulfill CEQA requirements.

CONTACTS

Inquiries regarding technical aspects of the proposed regulations or CEQA documents may be directed to Mr. Kevin Depies at (916) 255-6547 or by email at ToxCriteriaRule@dtsc.ca.gov. If Mr. Depies is not available, contact the Regulations Coordinator, Ms. Jackie Buttle at (916) 255-3730 or regs@dtsc.ca.gov. Note: oral inquiries are not part of the official rulemaking record.

A 45-day public comment period for this rulemaking file, as described above, will commence on August 4, 2017 and close on September 20, 2017 at 11:59 p.m. PDT. During this time, the Department will accept statements, arguments, or contentions and/or supporting documents regarding this rulemaking that must be submitted in writing, or may be presented orally or in writing at the public hearing. Comments must be received by the deadline in order for them to be considered before the Department adopts, amends, or repeals these regulations.
AVAILABILITY OF TEXT OF PROPOSED REGULATIONS, INITIAL STATEMENT OF REASONS, AND RULEMAKING RECORD

Copies of the Notice of Proposed Action, Initial Statement of Reasons, the text of the proposed regulations, all the information upon which its proposal is based, and the express terms of the proposed regulations will be posted to The Department’s Internet site at http://dtsc.ca.gov/LawsRegsPolicies/Regs/Toxicity-Criteria-for-Human-Health-Risk-Assessment.cfm, or may be obtained from Ms. Jackie Buttle, Regulations Coordinator, as specified below.

After the close of the comment period, the Department may adopt the proposed regulations. If substantial changes are made, the modified full text will be made available for comment for no less than 15 days prior to adoption. Only persons who request these specific proposed regulations, attend the hearing, or provide written or oral comments on the proposed regulations will be sent a copy of the modified text if substantive changes are made.

Once the regulations have been adopted, the Department will prepare a Final Statement of Reasons which updates the Initial Statement of Reasons, summarizes how the Department addressed comments, and includes other materials required by Government Code § 11346.9. Copies of the Final Statement of Reasons may also be obtained from the Regulations Coordinator at the address listed below. A copy of the Final Statement of Reasons, along with the date the rulemaking is filed with the Secretary of State, and the effective date of the regulations will also be posted on the Department’s Internet site at: http://dtsc.ca.gov/LawsRegsPolicies/Regs/Toxicity-Criteria-for-Human-Health-Risk-Assessment.cfm.

To be included in this regulation package’s mailing list and to receive updates of this rulemaking, please visit http://www.dtsc.ca.gov/ContactDTSC/ELists.cfm and subscribe to the applicable eList, or to subscribe directly, e-mail: regs@dtsc.ca.gov.

Ms. Jackie Buttle
Regulations Coordinator
Office of Planning and Environmental Analysis
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826

E-mail address: regs@dtsc.ca.gov
Fax number: (916) 255-3785
Phone number: (916) 255-3730

If Ms. Buttle is unavailable, please contact Mr. Depies at (916) 255-6547 or by email at ToxCriteriaRule@dtsc.ca.gov.
## WEEKLY DEPARTMENT INFORMATION
### July 31, 2017 - August 06, 2017

### CRIME 07/31/17-08/06/17 | 07/24/17-07/30/17 | % Change | YTD-17 | YTD-16 | % Change
---|---|---|---|---|---
Homicide | 0 | 0 | 0 | 0 | 5 | -100%
Rape | 0 | 0 | 0 | 9 | 9 | 0%
Robbery | 0 | 0 | 0 | 54 | 37 | 46%
Aggravated Assault | 4 | 8 | -50% | 78 | 95 | -19%
Simple Assault | 3 | 0 | - | 86 | 69 | 25%
Burglary | 4 | 2 | 100% | 96 | 131 | -27%
Larceny | 8 | 7 | 14% | 205 | 256 | -20%
Vehicle Theft | 4 | 1 | 300% | 93 | 92 | 1%
Arson | 0 | 0 | 0 | 0 | 0 | 0%
**Part 1 Crimes Totals** | **23** | **18** | **28%** | **620** | **694** | **-11%**

### OTHER

<table>
<thead>
<tr>
<th>Crime</th>
<th>07/31/17-08/06/17</th>
<th>07/24/17-07/30/17</th>
<th>% Change</th>
<th>YTD-17</th>
<th>YTD-16</th>
<th>% Change</th>
</tr>
</thead>
</table>
Narcotics Arrests | 5 | 7 | -29% | 135 | 283 | -52%
DUI Arrests | 2 | 3 | -33% | 42 | 92 | -54%
T/C Non-Injury | 6 | 4 | 50% | 173 | 251 | -31%
T/C Injury | 1 | 8 | -88% | 109 | 95 | 15%
T/C Fatal | 0 | 0 | 0 | 1 | 0 | -
Citations | 37 | 20 | 85% | 1141 | 1917 | -40%
**Total Incidents** | **524** | **544** | **-4%** | **17363** | **18693** | **-7%**
Graffiti | 3 | 2 | 50% | 63 | 106 | -41%
# WEEKLY DEPARTMENT INFORMATION

**July 31, 2017 – August 06, 2017**

## Patrol Information

<table>
<thead>
<tr>
<th>Description</th>
<th>Count</th>
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<tr>
<td>Total Incidents</td>
<td>524</td>
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<tr>
<td>Calls for Service</td>
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<tr>
<td>Officer Initiated Incidents (OIA)</td>
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</tr>
<tr>
<td>Officer Initiated Incidents (OIA)</td>
<td>259</td>
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<tr>
<td>Traffic Stops</td>
<td>55</td>
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<tr>
<td>Other OIA Incidents</td>
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### Total Officer Reports

<table>
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<tr>
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<tbody>
<tr>
<td>Total Reports</td>
<td>89</td>
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<tr>
<td>CHP 180</td>
<td>5</td>
</tr>
<tr>
<td>Felony</td>
<td>19</td>
</tr>
<tr>
<td>Incident</td>
<td>24</td>
</tr>
<tr>
<td>Misdemeanor</td>
<td>23</td>
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<tr>
<td>Missing Persons</td>
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<tr>
<td>Recovered Vehicle</td>
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<td>Safekeeping</td>
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<tr>
<td>Traffic Accident</td>
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<tr>
<td>Traffic Accident (Criminal)</td>
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<tr>
<td>Voided</td>
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<tr>
<td>Unclassified Reports</td>
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## Total Misd. & Felony Arrests

<table>
<thead>
<tr>
<th>Description</th>
<th>Count</th>
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</thead>
<tbody>
<tr>
<td>Total Misd. &amp; Felony Arrests</td>
<td>18</td>
</tr>
<tr>
<td>Misdemeanor Arrests</td>
<td>12</td>
</tr>
<tr>
<td>Felony Arrests</td>
<td>6</td>
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## Total Part 1 Crimes

<table>
<thead>
<tr>
<th>Description</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Part 1 Crimes</td>
<td>23</td>
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</table>