Oakland City Planning Commission STAFF REPORT

Case File Number: A12-070 **August 29, 2012**

Location:	**9850 Kitty Lane (See map on reverse)**
Assessor's Parcel Number:	**044-5020-019-00**
Proposal:	Appeal of a Zoning Administrator's interpretation that the proposed crematorium at 9850 Kitty Lane is subject to the Emergency Ordinance Adopted by the City Council on May 15, 2012, and therefore requires an approval of a Major Conditional Use permit.
Appellant:	Les Hausrath of Wendel, Rosen Black and Dean, LLP on behalf of Stewart Enterprises, Inc.
Owners:	SE Combined Services of CA Inc.
Planning Permits Required:	Not Applicable
General Plan:	Business Mix
Zoning:	CIX-2, Commercial Industrial Mix 2 Zone
Environmental Determination:	Exempt, Section 15321 of the State CEQA Guidelines, Enforcement Actions by Regulatory Agencies
Historic Status:	Not a Potentially Designated Historic Property; rating: F3
Service Delivery District:	6
City Council District:	7
Status:	Pending
Action to be Taken:	Decision on appeal
Staff Recommendation:	Deny the appeal thereby upholding the Zoning Administrator's Determination
Finality of Decision:	Final
For Further Information:	Contact case planner **Peterson Z. Vollmann** at **(510) 238-6167** or by email at **pvollman@oaklandnet.com.**

SUMMARY

In August 2011, Stewart Enterprises, Inc. obtained a Zoning Clearance from the Planning and Zoning Division for the operation of a crematorium, which is classified as a General Manufacturing Industrial Activity, for the property located at 9850 Kitty Lane. The subject property was and is still zoned CIX-2, which allows General Manufacturing Industrial Activities by right, and thus the Zoning Clearance was granted.

A crematorium, because of the burning process, must receive an Air Quality permit from the Bay Area Air Quality Management District (BAAQMD). On November 8, 2011, the applicant received an "Authority to Construct" from BAAQMD for their application number 23669.

In March 2012, Stewart Enterprises, Inc. filed for a building permit application for a tenant improvement and voluntary structural upgrades to the building at 9850 Kitty for the purpose of installation of a crematorium. On May 10, 2012, a building permit (B1200987) was issued.

On May 15, 2012, the City Council adopted Emergency Ordinance No. 13115, C.M.S., which establishes interim controls that require a major conditional use permit pursuant to Oakland Planning Code Chapter 17.134 prior to establishing or expanding crematorium uses (see Attachment A, which includes the

Emergency Ordinance among the documents submitted with the Appeal). The Emergency Ordinance was adopted pursuant to City Charter Section 213.

On May 16, 2012 the Planning Director issued a written determination that the proposed crematorium is subject to the Emergency Ordinance and, therefore, must obtain a Major Conditional Use permit (see Attachment A, which includes the Emergency Ordinance among the documents submitted with the Appeal).

PROPERTY DESCRIPTION

The subject property is an approximately 19,000 square foot lot located on the Southeast corner of 98th Avenue and Kitty Lane (on the eastern loop of Kitty Lane) containing an approximately 6,100 square foot industrial building with a surface parking lot. The neighborhood is primarily industrial in character in all directions with some lighter commercial activities to the east.

PROJECT DESCRIPTION

The proposal includes improvements to an existing industrial building for use as a crematorium. As noted above in the Summary, the proposal was granted a Zoning Clearance in August of 2011 because the proposed activity was a permitted in the CIX-2 Zone and no discretionary Zoning permits were required at the time. Subsequent to the Zoning Clearance, the applicant applied for a building permit to move forward with the required improvements to the building in order to establish the proposed crematorium. The building permit was issued on May 10, 2012.

CITY COUNCIL EMERGENCY ORDINANCE

On May 15, 2012, the City Council adopted Emergency Ordinance No. 13115, C.M.S., which establishes interim controls that require a major conditional use permit pursuant to Oakland Planning Code Chapter 17.134 prior to establishing or expanding crematorium uses. The Emergency Ordinance was adopted pursuant to City Charter Section 213, which provides that "[a]ny ordinance declared by the Council to be necessary for preserving the public peace, health or safey in an emergy, and containing a statement of such necessity, may be introduced and adopted at the same meeting if passed by the affirmative vote of at least six members." The Emergency Ordinance included the required findings for adopting an emergency ordinance, citing, among other things, public health and safety concerns regarding pollutants associated with crematoriums, economic impacts associated with a regional cremation center and other factors. Due to the City Council's expressed concerns over the lack of discretionary land use controls for crematoriums the Emergency Ordinance established interim controls that require a Major Conditional Use permit for any crematorium activity within the City to enable staff the time to study and develop permanent regulations for crematorium uses.

The proposed Emergency Interim Ordinance was approved unanimously by the City Council on May 15, 2012, and, per Section 213 of the City Charter, went into effect immediately. The Emergency Ordinance will remain in effect until May for a period of one year or until the City Council adopts permanent controls for crematorium uses.

ZONING ADMINISTRATOR DETERMINATION

On May 16, 2012, following the adoption of the Emergency Ordinance, the Planning Director issued a letter informing the applicant that the proposed crematorium at 9850 Kitty Lane is subject to the ordinance and, as a result, the applicant cannot proceed with any development or establishment of a

crematorium in reliance on the building permit or otherwise without applying for, and obtaining a Major Conditional Use Permit in accordance with Oakland Planning Code Chapter 17.134.

BASIS OF THE APPEAL

On May 29, 2012 the appellant, Wendel, Rosen, Black and Dean LLP, on behalf of Stewart Enterprises Inc., submitted an appeal of the Planning Director's determination that the proposed crematorium activity requires a Major Conditional use permit due to the passing of the Emergency Ordinance #13115 by the Oakland City Council. The applicant's appeal letter received May 29, 2012 contains arguments challenging the Planning Director's determination (see Attachment A). The appellant's arguments are summarized below. Staff's response to the arguments follows.

Appellant's Argument #1: The appellant asserts that pursuant to Planning Code Section 17.102.040, the Emergency Ordinance is not effective to support suspension of the issued building permit for the proposed crematorium. The appellant asserts that Planning Code Section 17.102.040 vests issued building permits from changes to zoning requirements. The appellant argues that because a building permit was issued on May 10, 2012, five days prior to the adoption of the Emergency Ordinance) by the City Council, that the building permit should be considered vested and therefore not be subject to the requirement of the Emergency Ordinance's requirement of obtaining a Major Conditional Use Permit. Appellant further argues that the applicant had relied on the August 30, 2011 zoning clearance to purchase the building and that applicant had received an Authority to Construct from the Bay Area Air Quality Management District.

Staff Response #1: Staff recognizes that Section 17.102.040 of the Planning Code states that, "Whenever any subsisting building permit or sign permit has been lawfully issued beforehand.....neither the original adoption of the zoning regulations nor the adoption of any subsequent rezoning or other amendment thereto shall prohibit the construction.....or use authorized by said permit . . . ."

Staff disagrees, however, that Planning Code Section 17.102.040 confers a vested right upon the applicant. The Emergency Ordinance states that "No building, zoning or other permit that has been issued for any building or structure for which rights to proceed with said building or structure for which rights to proceed with said building or structure have not yet vested pursuant to the provisions of State law shall proceed without complying with this Ordinance." (Emergency Ordinance, Section 4, emphasis added).

Both Planning Code Section 17.102.040 and the Emergency Ordinance were adopted by the City Council, according to City Charter procedures for adopting ordinances. As a result, they, along with all other provisions of the Planning Code, are of equal legal weight and, according to principles of statutory construction, should be read as a whole. Oakland Planning Code Section 17.102.040 does not purport to establish "vested right"; it merely sets forth a general rule that land use regulations typically are applied prospectively. It does not, however, undermine the City's ability to alter regulations consistent with State and Federal constitutional law principles of vested rights. Nor, does it preclude the application of specific rules to existing uses or, as here, uses not yet established but for which a building permit has been issued. To the contrary, other provisions of the Planning Code apply later-enacted regulations to existing (including long-established) uses. Examples of this precedent include, among others, the deemed approved regulations and the performance standards that apply to recycling facilities.

Moreover, to the extent that it may be argued that there is a conflict between the provisions of 17.102.040 and the Emergency Ordinance, well established principles of statutory construction dictate that the more recently enacted legislation controls over earlier enactments. Also, rules of statutory construction dictate that provisions of more specific applicability govern over conflicting rules of general applicability.

Here, the Emergency Ordinance is both more recently enacted and more specific in its applicability than are the provisions of Section 17.102.040 cited by the appellant. As a result, the Emergency Ordinance provision, which applies the Ordinance to applications that have not vested pursuant to State law, applies, and the application should not be considered "vested" due to the provisions of Section 17.102.040.

As discussed in staff's response to appellant's Argument # 2, below, the appellant has not demonstrated that it had obtained vested rights to proceed with the development of a crematorium prior to the enactment of the Emergency Ordinance. Neither the issuance of the zoning clearance, the Authority to Construct, nor the building permit conferred such vested rights.

Appellant's Argument #2: The appellant states that the applicant established vested rights under California law due to obtaining a building permit and [applicant's] expenditure of money in reliance of the building permit, including the purchase of the building, entering a construction contract for the remodel of the building, preparation of plans, and the purchase of equipment. Therefore, the appellant argues that pursuant to Section 4 of the Emergency Ordinance, the ordinance does not apply to the project.

Staff Response #2: The long-established rule in California is that if a city changes its land use regulations, a property owner cannot claim a vested right to build out a project under the prior regulations unless the owner has obtained a building permit, performed substantial work and incurred substantial liabilities in good faith reliance upon that building permit. (*see Avco Community Developers, Inc. v. Couth Coast Reg'l Commission*, 17 Cal.3d 785 (1976).

Timing of expenditures and construction is critical to determining whether a property owner has obtained vested rights. Case law has established that the ***only*** relevant expenditures to a vesting determination are those incurred ***after*** the issuance of the building permit. In addition, land acquisition, pre-development costs and "soft" costs, (e.g., planning and design costs) are not construed by the courts as conferring vested rights.

Although the applicant clearly received a building permit, Staff has not received any information or evidence that suggests substantial costs were incurred *after* issuance of the building permit for the project. According to appellant's own argument, the major costs incurred such as the purchase of the property at 9850 Kitty Lane occurred *prior to* the issuance of the building permit when no potential vesting could occur. As noted above, such expenditures do not confer vested rights.

No evidence has been submitted to staff that demonstrates that the applicant incurred substantial costs or incurred substantial liability between the time of the issuance of the building permit on May 10, 2012 and the adoption of the Emergency Ordinance on May 15, 2012, and subsequent Letter of Determination from the Planning Director on May, 16 2012. Under California law, any work or expenses incurred prior to the issuance of a building permit does not confer vested rights and is at the applicant's risk.

Appellant's Argument #3: The appellant argues that since the building permit was issued to the applicant prior to the adoption of the Emergency Ordinance, pursuant to Section 3 of the ordinance, a Major Conditional Use permit would only be required if the applicant chooses to expand beyond operations permitted prior to the adoption of the Emergency Ordinance.

Staff Response #3: Staff agrees that any future expansion of a permitted crematorium would be required to apply for a Major Conditional Use permit, but as stated in Staff Responses #1 and #2, the applicant has not obtained a vested right to construct or operate any crematorium uses on the site. As a result, the applicant is required to comply with the Emergency Ordinance and apply for, and obtain, for a Major Conditional Use permit prior to proceeding with *any* crematorium development or establishment.

Appellant's Argument #4: The appellant argues that the Emergency Ordinance is in itself invalid for the numerous reasons stated in the appellant's submittal (Attachment A).

Staff Response #4: The validity of the Emergency Ordinance is not within the jurisdiction of the Planning Commission and is not a proper subject for this appeal. The Planning Director's May 16 determination was an administrative action implementing the Council-adopted Emergency Ordinance. The issues currently before the Commission are limited to those raised by staff's May 16, 2012 administrative determination—i.e., whether the Emergency Ordinance requirements for a major conditional use permit have been properly applied to the Kitty Lane application.

Any dispute that the appellant may have the validity of the Emergency Ordinance itself is subject to judicial challenge should appellant decide to pursue litigation.

Appellant's Argument #5: The appellant asserts that the Administrative Determination violates appellant's civil rights by depriving it of its constitutional due process rights, equal protection rights and constitutes and taking without just compensation.

Staff Response #5: The appellant has presented no evidence of any violation of its constitutional rights. The requirements of due process have been fulfilled through, among other things, the provision of proper notice and an ability for the appellant to present its arguments before the Planning Commission (as well as before the City Council at its public hearing on the Emergency Ordinance).

Appellant's equal protection argument appears to rely on the assertion that the Administrative Determination and Emergency Ordinance improperly target a single project that already obtained all necessary approvals. As with any administrative determination, the May 16 determination was properly addressed to this single property owner; however, the Emergency Ordinance applies on a Citywide basis to any potential crematorium applicant. Moreover, as discussed above, the fact that permits have been issued does not preclude applicability of the Ordinance. California law recognizes the authority of a city to apply new land use regulations where, as in this case, there is no showing that the applicant has expended substantial funds and incurred substantial liabilities in reliance upon a building permit. The fact that permits have been issued does not, alone, preclude new regulation.

There also is no evidence to support appellant's assertion that the Administrative Determination constitutes a taking without just compensation. To the contrary, the City has not deprived the applicant of any potential use or development of its property. The only requirement the City has imposed is a requirement to apply for and obtain a major conditional use permit prior to the establishment of one particular use: a crematorium.

Finally, the appellant asserts that the Administrative Determination and the Emergency Ordinance were issued/adopted without any rational basis and constitute a prejudicial abuse of discretion. The basis for the Administrative Determination is clear: it is an administrative implementation of a properly-adopted City Council ordinance. Regarding the Emergency Ordinance itself, as noted above, the validity of the ordinance is not before the Commission.[1]

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[1] It should be noted, however, that staff believes the Emergency Ordinance's legislative findings are legally supported, that the Ordinance has a rational basis, is properly within the Council's jurisdiction, and was adopted in accordance with all applicable legal requirements.

Appellant's Argument #6: The appellant asserts that the City is estopped from suspending the building permit because applicant justifiably relied to its detriment on the zoning clearance and building permit.

Staff Response #6: As discussed above, the City is authorized to apply changes to land use regulations, such as the Emergency Ordinance, where a property owner has not obtained a vested right to develop the property. Under California law, the applicant bears the risk of proceeding with a project until a vested right is obtained. As a result, the applicant was not legally entitled to rely on the zoning clearance or the building permit unless and until it had incurred substantial expenses and liability in reliance upon (i.e., after the issuance of) the building permit.

CONCLUSION

Staff believes the appellant has not sufficiently demonstrated that there was an abuse of discretion in the Planning Director's determination that the proposal is subject to the City Council Emergency Ordinance (#13115) and such determination should be upheld.

RECOMMENDATIONS:

1. Affirm staff's environmental determination;
2. Uphold the Planning Director's determination that a Major Conditional use permit is required pursuant to City Council Emergency Ordinance #13115.

Prepared by:

PETERSON Z. VOLLMANN
Planner III

Approved by:

ROBERT MERKAMP
Acting Zoning Manager

Approved for forwarding to the
City Planning Commission:

SCOTT MILLER
Interim Planning & Zoning Director

ATTACHMENTS:

A. Appellant's Letter, dated May 29, 2012
B. Correspondence

Attachment A

Community and Economic Development Agency

CITY OF OAKLAND
APPEAL FORM
FOR DECISION TO PLANNING COMMISSION, CITY COUNCIL OR HEARING OFFICER

RECEIVED
MAY 29 2012
City of Oakland
Planning & Zoning Division

PROJECT INFORMATION

Case No. of Appealed Project: Building Permit B1200987

Project Address of Appealed Project: 9850 Kitty Lane, Oakland, CA

Assigned Case Planner/City Staff: Scott Miller

APPELLANT INFORMATION:

Printed Name: Les Hausrath/Todd Williams

Phone Number: (510) 834-6600

Mailing Address: 1111 Broadway, 24th Floor

Alternate Contact Number: (510) 622-7630

City/Zip Code Oakland, CA 94607

Representing: Stewart Enterprises, Inc.

Email: lhausrath@wendel.com / tawiiliams@wendel.com

An appeal is hereby submitted on:

☑ **AN ADMINISTRATIVE DECISION (APPEALABLE TO THE CITY PLANNING COMMISSION OR HEARING OFFICER)**

YOU MUST INDICATE ALL THAT APPLY:

- ☐ Approving an application on an Administrative Decision
- ☐ Denying an application for an Administrative Decision
- ☑ Administrative Determination or Interpretation by the Zoning Administrator
- ☐ Other (please specify) _____

Please identify the specific Adminstrative Decision/Determination Upon Which Your Appeal is Based Pursuant to the Oakland Municipal and Planning Codes listed below:

- ☑ Administrative Determination or Interpretation (OPC Sec. 17.132.020)
- ☐ Determination of General Plan Conformity (OPC Sec. 17.01.080)
- ☐ Design Review (OPC Sec. 17.136.080)
- ☐ Small Project Design Review (OPC Sec. 17.136.130)
- ☐ Minor Conditional Use Permit (OPC Sec. 17.134.060)
- ☐ Minor Variance (OPC Sec. 17.148.060)
- ☐ Tentative Parcel Map (OMC Section 16.304.100)
- ☐ Certain Environmental Determinations (OPC Sec. 17.158.220)
- ☐ Creek Protection Permit (OMC Sec. 13.16.450)
- ☐ Creek Determination (OMC Sec. 13.16.460)
- ☐ City Planner's determination regarding a revocation hearing (OPC Sec. 17.152.080)
- ☐ Hearing Officer's revocation/impose or amend conditions (OPC Secs. 17.152.150 &/or 17.156.160)
- ☐ Other (please specify) _____

(continued on reverse)

(Continued)

☐ **A DECISION OF THE CITY PLANNING COMMISSION (APPEALABLE TO THE CITY COUNCIL)** ☐ Granting an application to: **OR** ☐ Denying an application to:

YOU MUST INDICATE ALL THAT APPLY:

Pursuant to the Oakland Municipal and Planning Codes listed below:

- ☐ Major Conditional Use Permit (OPC Sec. 17.134.070)
- ☐ Major Variance (OPC Sec. 17.148.070)
- ☐ Design Review (OPC Sec. 17.136.090)
- ☐ Tentative Map (OMC Sec. 16.32.090)
- ☐ Planned Unit Development (OPC Sec. 17.140.070)
- ☐ Environmental Impact Report Certification (OPC Sec. 17.158.220F)
- ☐ Rezoning, Landmark Designation, Development Control Map, Law Change (OPC Sec. 17.144.070)
- ☐ Revocation/impose or amend conditions (OPC Sec. 17.152.160)
- ☐ Revocation of Deemed Approved Status (OPC Sec. 17.156.170)
- ☐ Other (please specify) _____

FOR ANY APPEAL: An appeal in accordance with the sections of the Oakland Municipal and Planning Codes listed above shall state specifically wherein it is claimed there was an error or abuse of discretion by the Zoning Administrator, other administrative decisionmaker or Commission (Advisory Agency) or wherein their/its decision is not supported by substantial evidence in the record, or in the case of Rezoning, Landmark Designation, Development Control Map, or Law Change by the Commission, shall state specifically wherein it is claimed the Commission erred in its decision.

You must raise each and every issue you wish to appeal on this Appeal Form (or attached additional sheets). Failure to raise each and every issue you wish to challenge/appeal on this Appeal Form (or attached additional sheets), and provide supporting documentation along with this Appeal Form, may preclude you from raising such issues during your appeal and/or in court. However, the appeal will be limited to issues and/or evidence presented to the decision-maker prior to the close of the public hearing/comment period on the matter.

The appeal is based on the following: *(Attach additional sheets as needed.)*

See attached Statement of Reasons

Supporting Evidence or Documents Attached. *(The appellant must submit all supporting evidence along with this Appeal Form;* however, the appeal will be limited evidence presented to the decision-maker prior to the close of the public hearing/comment period on the matter. See attached Evidence

(Continued on reverse)

(Continued)

Todd Williams

Signature of Appellant or Representative of Appealing Organization

5/29/12

Date

Below For Staff Use Only

Date/Time Received Stamp Below:

Cashier's Receipt Stamp Below:

STATEMENT OF APPEAL GROUNDS

Stewart Enterprises, Inc. ("Stewart") appeals the Administrative Determination dated May 16, 2012, suspending the duly issued building permit (Application No. B1200987) dated May 10, 2012 in light of the Emergency Ordinance ("EO") adopted on May 15, 2012 by the City Council and purporting to require a major conditional use permit (CUP) for a crematorium at 9850 Kitty Lane, on the following independent and alternative grounds:

1. Pursuant to Oakland Municipal Code ("OMC") section 17.102.040 (which vests issued building permits from changes to zoning regulations), the EO is not effective to support suspension of the permit or to require a major CUP as to crematorium at 9850 Kitty Lane (the "facility"). The City acknowledged that the building permit – which clearly disclosed a crematorium use – for the facility was issued on May 10, 2012, five days prior to the adoption of the EO.

Under the applicable CIX-2 zoning at the time the building permit was issued, a crematorium was a permitted use and no CUP was required (under both a light or general manufacturing use class) as the facility is located over 300 feet from a residential zone. (The facility is located over 1,000 feet from the nearest residential zone.)

Further Stewart relied on an earlier issued zoning clearance by the City (No. ZC111983, issued 8/30/11) – which also clearly identified a crematory use – to purchase the building at 9850 Kitty Lane. The zoning clearance determined that the application was consistent with the existing zoning and general plan and was exempt from CEQA. In addition, the Bay Area Air Quality Management District ("BAAQMD"), the agency with jurisdiction over air quality and emissions regulation, granted Stewart an Authority to Construct on November 8, 2011.

2. Stewart established vested rights under California law due to obtaining a building permit and expenditure of money in reliance on the building permit, including its purchase of the building, entering a construction contract to remodel the facility, preparation of plans and the purchase of equipment. As such, pursuant to Section 4 of the EO, the EO does not apply to Stewart.

3. Since the building permit was issued to Stewart prior to adoption of the EO, pursuant to Section 3 of the EO, a major CUP would only be required if Stewart chooses to expand operations beyond those permitted prior to the adoption of the EO.

4. The EO is invalid and void ab initio and thus does not provide grounds for suspending the building permit and requiring a major CUP for the facility for the following reasons:

A. Adoption of the EO for 1-year in the first instance conflicts with California Government Code section 65858(a) and (b) which provide that an interim ordinance may not be in effect beyond 45 days from the time of initial adoption

The EO further conflicts with Government Code section 65858(a) since the EO was adopted to prevent a use that is not in conflict with any contemplated general plan, specific plan or zoning proposal currently being considered by the City.

B. The legislative findings contained in the EO and required by Government Code section 65858(c) and City Charter section 213 regarding a current and immediate threat to the public health, safety, or welfare and that approval of additional permits for

crematory use would result in that threat to public health, safety, or welfare are inadequate, unsupported, lack a rational basis and constitute a prejudicial abuse of discretion.

i. The EO's findings are unsupported, speculative, irrational, arbitrary and capricious, and false.

a. There is no showing of emergency whatsoever. The distance from the nearest residential district to the facility is over 1,000 feet (more than three times the distance that would necessitate a use permit under CIX-2 zoning for light or general manufacturing uses).

b. BAAQMD – the agency charged with air quality jurisdiction and regulation and with expertise regarding such issues – granted approval in November 2011 for the facility.

c. Existing crematoriums in the City of Oakland have operated for decades in the Piedmont Avenue area without any evidence of complaints. The same model or similar machines manufactured by the same company currently operate at other Oakland locations.

d. There is no showing that a crematorium use results in any negative economic impact on surrounding properties, or would displace retail activities or compromise economic opportunities as evidenced by the thriving retail and commercial uses in areas adjacent to crematoriums operating in Emeryville and the Piedmont Avenue area. (The facility is not located within the Airport Area Gateway Specific Plan area.)

e. There is no evidence to support unfounded claims that diesel trucks trips would result from transportation of bodies to the facility since diesel trucks are not used for such purposes and the facility will utilize vans and average fewer than 10 trips per day on an annual basis.

C. Adoption of the EO, based on the inadequate findings and lack of rational basis, violates OMC section 17.144.020 and Government Code section 65853, providing that the City Council may not amend zoning regulations without a report and recommendation from the Planning Commission. No such report or recommendation was sought or obtained. In doing so the Council circumvented the expertise of the Planning Commission and foreclosed an opportunity for public input regarding a proposed amendment to the zoning code. Further, the title of the ordinance was changed at the last minute and without justification from "interim" to "emergency" as a pretext since no emergency existed.

D. In adopting the EO, the City Council acted in excess of its jurisdiction since air quality issues and emissions regulation allegedly underlying the EO are the province of BAAQMD. BAAQMD granted approval to construct the facility in November 2011 and imposed conditions addressing emissions issues pursuant to its authority.

5. The Administrative Determination based on the City Council's adoption of the EO violates Stewart's civil rights by depriving it of its constitutional procedural due process rights, equal protection rights and constitutes a taking without just compensation. The Administrative Determination and adoption of the EO improperly and illegally targets a single project that already obtained all necessary approvals, and the Administrative Determination and

EO were issued/adopted without any rational basis and constitute a prejudicial abuse of discretion.

6. The City is estopped from suspending the building permit and use through the Administrative Determination and applying the EO to Stewart since Stewart justifiably relied to its detriment on the zoning clearance and building permit as the City was aware Stewart would rely, and intended it to rely, on these actions, and no legitimate public policy is served by the Administrative Determination.

Evidence supporting this appeal has been submitted herewith, along with the appropriate appeal form and fee.

RECEIVED
MAY 29 2012
City of Oakland
Planning & Zoning Division

EVIDENCE PACKET
(B1200987)

CITY OF OAKLAND

DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 2114 • OAKLAND, CALIFORNIA 94612-2031

Community and Economic Development Agency
Planning & Zoning Services Division

(510) 238-3911
FAX (510) 238-4730
TDD (510) 238-3254

May 16, 2012

Stewart Enterprises, Inc.
1 Loraine Court
San Francisco, California 94118

RE: Determination of Requirement for Major Conditional Use Permit for Crematorium at 9850 Kitty Lane, Oakland.

To Whom It May Concern:

At the City Council meeting of May 15, 2012, the Council adopted an Emergency Ordinance, which requires issuance of a Major Conditional Use Permit prior to the establishment of a Crematorium (the "Ordinance").

Although you have been issued a building permit from the City of Oakland as of May 10, 2012, we have determined that the aforementioned Ordinance adopted on May 15th applies to a Crematorium activity at 9850 Kitty Lane. As a result, you may not proceed with any development or establishment of a Crematorium in reliance on the building permit or otherwise, unless and until you file an application, and obtain approval for, , a Major Conditional Use Permit in accordance with Oakland Planning Code chapter 17.134 prior to the establishment of such activity.

This administrative determination that the Ordinance applies to your proposal is, pursuant to Oakland Planning Code Section 17.132.020, appealable to the City Planning Commission. If you, or any interested party, seeks to challenge this decision on any basis, including, without limitation, provisions set forth in Ordinance Section 4, an appeal **must** be filed by no later than ten calendar (10) days from the date of this letter, by **4:00 p.m. on May 29, 2012.** An appeal shall be on a form provided by the Planning and Zoning Division of the Community and Economic Development Agency, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of **Scott Miller**. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Interim Planning & Zoning Director or wherein his decision is not supported by substantial evidence and must include payment of **$1,352.91** in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude

you, or any interested party, from challenging the City's decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so may preclude you, or any interested party, from raising such issues during the appeal and/or in court.

Please do not hesitate to contact me at (510) 238-2235 or smiller@oaklandnet.com should you have any questions in this matter.

Sincerely,

Scott Miller
Interim Planning & Zoning Director

Cc: Vernon Goins, Attorney (Goins & Associates, 1330 Broadway, Ste. 1530, Oakland, CA 94612)

_____REQUIRES 6 VOTES FOR PASSAGE

Approved as to Form and Legality

_____
Oakland City Attorney's Office

REVISED

OAKLAND CITY COUNCIL

ORDINANCE NO. . _____C.M.S.

AN EMERGENCY ORDINANCE, PURSUANT TO CHARTER SECTION 213, ESTABLISHING INTERIM CONTROLS THAT REQUIRE A MAJOR CONDITIONAL USE PERMIT TO ESTABLISH A CREMATORIUM, AS IT IS CURRENTLY DEFINED AS MANUFACTURING AND INDUSTRIAL USEAGE TO REMAIN IN EFFECT THROUGH May 10, 2013, OR WHEN PERMANENT REGULATIONS ARE ADOPTED, WHICHEVER OCCURS FIRST.

WHEREAS, Since 1965, Oakland has defined Extensive Impact Civic Activities as including "Cemeteries, mausoleums, and columbarium", and activities accessory thereto, which require a Conditional Use Permit;

WHEREAS, Currently Crematoria are permitted uses in certain industrial areas within the City - under code section 17.10.0570, General Manufacturing Industrial Activities of the Zoning Ordinance. No planning permits or public notice are required prior to issuance of a building permit for such a use

WHEREAS, The issue of whether it is appropriate to allow crematoria as a permitted use under General Manufacturing or under code section 17.10.240 (B) Extensive Impact Civic Activities of the Zone Ordinance has been raised in the context of the public exposure to certain types of pollutants and emissions and the ability to review those impacts

WHEREAS, except as provided in the Interim Controls, these uses do not require discretionary approval under City zoning laws; and

WHEREAS, Crematoria emit particulate matter falling under the category of toxic pollutants, and the possibility of trucking many thousands of bodies into Oakland from the Bay Area and beyond would add to those emissions, increase traffic congestion, and tax Oakland's infrastructure, and

S-9.4

MEETING OF THE
OAKLAND CITY COUNCIL

MAY 15 2012

WHEREAS, in addition to the impacts a cemetery, mausoleum, columbarium and accessory activities may have on a community's character, crematoria emit particulate matter and other toxic pollutants (as described below), and the possibility of trucking many thousands of bodies into Oakland from the Bay Area and beyond would add to those emissions, increase traffic congestion, and tax Oakland's infrastructure, and;

- Acetaldehyde
- Arsenic
- Benzene
- Beryllium
- Cadmium
- Chromium, hexavalent
- Copper
- Formaldehyde
- Hydrogen Chloride
- Hydrogen Fluoride
- Lead
- Mercury
- Nickel
- Selenium
- Zinc
- Chlorinated dibenzo-doxins and furans of concern
- Polycyclic aromatic hydrocarbons

WHEREAS, the Airport Area Gateway is a recently revitalized corridor, a regional cremation center can displace retail activities and compromise the economic opportunities of the Airport Area Gateway plan

WHEREAS, A Regional cremation center in Oakland would impact the total environment of our neighborhoods and backslide efforts to address the cumulative impacts of environmental inequalities in less than fortunate areas of Oakland, and;

WHEREAS, staff would need time to work on permanent regulations that will be adopted by the expiration of the Emergency Ordinance May 10, 2013; and

WHEREAS, the provisions of the California Environmental Quality Act (CEQA) have been satisfied and the proposal relies on the following environmental document to satisfy any requirements under CEQA: the previously certified Final Environmental Impact Report for the Land Use and Transportation Element of the General Plan, adopted in 1998 (General Plan EIR) and for the reasons stated in the July 7, 2010 Planning Commission report and summarized below; and

WHEREAS, as a separate and independent basis, the proposal also is exempt from CEQA under several CEQA Guidelines: including without limitation, 15061(b)(3), known as the "General Rule," which states that a project is exempt from CEQA if there is no possibility that the activity in question will have a significant effect on the environment; and

WHEREAS, for the reasons set forth above, pursuant to City Charter section 213, the Council declares that this ordinance is necessary to preserve the public peace, health, welfare or safety and to avoid a direct threat to the health, safety, and welfare of the community, and the "Whereas" clauses above taken together constitute the City Council's statement of reasons constitute the City Council's statement of the reasons constituting such necessity and emergency; now, therefore

NOW THERFORE BE IT RESOLVED, THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The recitals above are true and correct and are an integral part of this Ordinance.

Section 2. This Ordinance complies with the California Environmental Quality Act.

Section 3. Crematoriums or existing crematoria uses expanded shall only be permitted upon the granting of a major conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 of the Planning Code.

Section 4. No building, zoning or other permit that has been issued for any building or structure for which rights to proceed with said building or structure have not vested pursuant to the provisions of State law shall proceed without complying with this ordinance. Further, no building, zoning or other permit for any building or structure shall be issued by any department, agency, employee or agent of the City of Oakland to allow for any building or structure, without complying with the requirements of Sections 3 above. No use which has not vested prior to the date of this Ordinance shall commence in violation of the provisions of this Ordinance.

Section 5. The controls imposed by this ordinance shall remain in place and be effective for a continuous 1 year period from the effective date of this ordinance, or until the City Council adopts permanent controls for Crematoria, whichever comes first.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAFF, BRUNNER, AND PRESIDENT REID

NOES –
ABSENT –
ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California

S-9.4

MEETING OF THE
OAKLAND CITY COUNCIL

MAY 15 2012

MISSING ORIGINAL LEGISLATION

Resolution / Ordinance Number: 13115

City Council Meeting Date 5/15/12

Agenda Item No. 9.4

Recorded Vote 8 ayes

Reason for Missing Legislation:

- [x] Draft submitted in agenda packet, original never received
- [ ] Council amended legislation at the meeting

Responsible Contact Information:

Department City Council

Contact Person/Ext. I. Merriouns X7578

Notes (if any)

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 MAY -3 PM 6:35

Approved as to Form and Legality
DRAFT
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

ORDINANCE NO. . _____ C.M.S.

AN INTERIM ORDINANCE PURSUANT TO CHARTER SECTION 213 REQUIREMENT FOR A MAJOR CONDITIONAL USE PERMIT TO ESTABLISH ANY NEW ACTIVITY RELATING TO THE CREATION OF CREMATORIUM ACTIVITY AS IT IS CURRENTLY DEFINED AS MANUFACTURING AND INDUSTRIAL USEAGE (INTERIM CONTROL)

WHEREAS, Currently Crematoria are permitted uses in certain industrial areas within the City - under code section 17.10.0570, General Manufacturing Industrial Activities of the Zoning Ordinance. No planning permits or public notice are required prior to issuance of a building permit for such a use .

WHEREAS, The issue of whether it is appropriate to allow crematoria as a permitted use under General Manufacturing or under code section 17.10.240 (B) Extensive Impact Civic Activities of the Zone Ordinance has been raised in the context of the public exposure to certain types of pollutants and emissions and the ability to review those impacts

WHEREAS, Crematoria emit particulate matter falling under the category of toxic pollutants, and the possibility of trucking many thousands of bodies into Oakland from the Bay Area and beyond would add to those emissions, increase traffic congestion, and tax Oakland's infrastructure, and;

WHEREAS, Crematoria may release the following toxic substances as part of their operations:

- Acetaldehyde
- Arsenic
- Benzene
- Beryllium
- Cadmium
- Chromium, hexavalent
- Copper

- Formaldehyde
- Hydrogen Chloride
- Hydrogen Fluoride
- Lead
- Mercury
- Nickel
- Selenium
- Zinc
- Chlorinated dibenzo-doxins and furans of concern
- Polycyclic aromatic hydrocarbons
-

WHEREAS, A Regional cremation center in Oakland would impact the total environment of our neighborhoods and backslide efforts to address the cumulative impacts of environmental inequalities in less than fortunate areas of Oakland, and;

RESOLVED, Therefore be it resolved, that the Oakland City Council Adopt an Interim Ordinance Pursuant to Charter Section 213 Requirement for a Major Conditional Use Permit to establish any new activity relating to the creation of crematorium activity as it is currently defined as manufacturing and industrial usage (Interim Control)

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAFF, BRUNNER, AND PRESIDENT REID

NOES –
ABSENT –
ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of the City of Oakland, California

CITY OF OAKLAND • Department of Planning, Building and Neighborhood Preservation
250 Frank H. Ogawa Plaza 2nd Floor, Oakland, CA 94612 • Phone (510) 238-3443 • Fax (510) 238-2263

Applications for which no permit is issued within 180 days shall expire by limitation. No refund more than 180 days after expiration or final.

Appl# B1200987 Job Site 9850 KITTY LN

Parcel# 044 -5020-019-00
District: BD-INSP 06A
Permit Issued 05/10/12
To schedule inspection
call (510) 238-3444

Descr T.I. WITH VOLUNTARY STRUCTURAL IMPROVEMENTS
INSTALLATION OF CREMATORIUM

Work Type CHANGE IN U	#Units	Plans 3	Energy Calcs X
Bldg Sq Ft	#Stories 1	Survey	Struct Calcs X
Est Value $150,000	Const Type 5A	Soil Report	Occup Codes F-1
Bldg Use MIXED USE		Sprinkler 5	Zoning

	Applcnt	Phone#	Lic#	--License Classes--
Owner S E COMBINED SERVICES OF CALIF		(661)233-6508		
Contractor DELTA CONSTRUCTION	X	(209)825-7929	638488	B
Arch/Engr FLEWELLING & MOODY ARCHITECTS		(661)233-6508		
Agent JOSELITO LACSON III				

Applic Addr P O BOX 920, MANTECA, CA, 95336

$4,907.17 FEES TO BE PAID AT FILING		$4,549.47 FEES TO BE PAID AT ISSUANCE	
$71.00 Applic	$582.37 State Regs	$.00 Applic	$.00 State Regs
$1,588.28 Process	$.00 School	$.00 Process	$.00 School
$.00 Bedroom	$.00 Plot Plan	$.00 Bedroom	$.00 Plot Plan
$.00 Address	$.00	$.00 Address	$.00
$15.00 SMIP	$224.51	$.00 SMIP	$208.14 Tech Enhc
$.00 Fire	$.00 Zone Conds	$3,964.69 Fire	$.00 Zoning Cnd
$1,764.75 Inspects	$406.26 Recd Mgmt	$.00 Inspects	$376.64 Recd Mgmt
$.00 Wrk Cmnc	$150.00 Gen Plan	$.00 Wrk Cmnc	$.00 Gen Plan
$.00 Other	$99.00 Fld Chk	$.00 Other	$.00 Fld Chk
$.00 Zone Insp	$.00 Proc Coord	$.00 Zone Insp	$.00 Proc Coord
$6.00 CBSC		CBSC	

Plans Checked By _____ Date _____ Permit Issued By [illegible] Date 5-10-12

Special Inspections BOLT IN CONC REINF STEEL SPECIAL CASE C&D TRACKING

Finaled By _____ Date _____

APPLICANT COPY

ADDRESS:

DIST:

CITY OF OAKLAND

Applications for which no permit is issued within 180 days shall expire by limitation. No refund more than 180 days after expiration or final.

Licensed Contractors' Declaration
I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Construction Lending Agency Declaration
I hereby affirm under penalty of perjury that there is a construction-lending agency for the performance of the work for which this permit is issued, as provided by Section 3097 of the Business and Professions Code. N/A under Lender implies No Lending Agency.

Lender_____
Address_____

Workers' Compensation Declaration

I hereby affirm under penalty of perjury one of the following declarations:

[ ] I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

[ ] I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

[ ] I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE ONE HUNDRED THOUSAND IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3707 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

Hazardous Materials Declaration
I hereby affirm that the intended occupancy [ ] WILL [ ] WILL NOT use, handle or store any hazardous, or acutely hazardous, materials.
(Checking "WILL" acknowledges that Sections 25505, 25533, & 25534 of the Health & Safety Code, as well as filing instructions were made available to you.)

I HEREBY CERTIFY THE FOLLOWING:
That I have read this document; that the above information is correct; and that I have truthfully affirmed all applicable declaractions contained in this document. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes.

I hereby agree to save, defend, indemnify and keep harmless the City of Oakland and its officials, officers, employees, representatives, agents and volunteers from all actions, claims, demands, litigation, or proceedings, including those from attorneys' fees, against the City in consequence of the granting of this permit or from the use or occupancy of the public right-of-way, public easement, or any sidewalk, street or sub-sidewalk or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted. I further certify that I am fully authorized by the owner to access the property and perform the work authorized by this permit.

Name :_____

Signature _____
Contractor, or [ ] Agent Date

NOTICE: No activities related to the approved work, including storage/use of materials, is allowed within the public right-of-way without an encroachment permit. Dust control measures shall be used throughout all phases of construction.

ADDRESS: _____

DIST: _____

PTS2..-01 PARCEL FEE PAYMENT HISTORY /10/12 11:57:10
Unpaid Fees Only NEXT OPTION: 215

PARCEL#: 044 -5020-019-00
OR STREET: KITTY SFX: LN NO.: 9850

APPL/CMPL	PAYMENT NO.	TYPE	AMOUNT	EFF DATE	DLQ	PAID	RCPT#	NSF	REDEEMED
_ B1200987	002	FIRE2	1,316.28	05/10/12					
_ B1200987	003	F-OT2	3,233.19	05/10/12					

Bottom

TOTAL 4,549.47

F3=Ext F4=All F7=Fwd F8=Bck F11=Fnd F12=Prv F24=Com

C I T Y O F O A K L A N D
Community & Economic Development Agency
250 Frank H. Ogawa Pl, Oakland CA, 94612
Phone: (510)238-4774 FAX: (510)238-2263

PAYMENT RECEIPT

==========

Application#: B1200987 Payment#: 002
RECORDS MANAGEMENT FEE $108.97
PERFORMANCE BOND/FIRE/VEG $1,147.09
TECHNOLOGY ENHANCEMENT $60.22
Subtotal: $1,316.28

Application#: B1200987 Payment#: 003
RECORDS MANAGEMENT FEE $267.67
FIRE-OVERTIME PLANCHECK F $2,817.60
TECHNOLOGY ENHANCEMENT $147.92
Subtotal: $3,233.19

Sales Tax: $.00
****** TOTAL PAID: $4,549.47

==========

Credit Card Sale : $4,549.47
VISA Card# **********4998 Exp XXXX
Auth# 07705C Ref# R02-160277-120510

==========

Payor: RICHARD STEWART
Date: 05/10/12 Time: 11:58:30
By: MKH Register R02 Receipt# 160277

****
ORIGINAL RECEIPT REQUIRED FOR REFUND
****

Date: 05/10/12 Amt Paid: $4,549.47
By: MKH Register R02 Receipt# 160277

INVOICE

Please Remit To:

East Bay Muni Utility District
EBMUD Mail Remittance
PO Box 24055
MS 101
Oakland CA 94623
United States

Bill To:

DELTA CONSTRUCTION
P.O. BOX 920
MANTECA CA 95336
United States

Page:	1
Invoice No:	NBOIV007297
Invoice Date:	04/18/2012
Customer Number:	DECO5001
Payment Terms:	Net Cash
Due Date:	04/18/2012

AMOUNT DUE: 317.00 USD

Amount Remitted

For billing questions, please call

Line	Adj	Identifier	Description	Quantity	UOM	Unit Amt	Net Amount
1		FSR	Fire Service Request	1.00	EA	317.00	317.00
			FEE FOR AVAILABLE FLOW AND PRESSURE INFORMATION @ 9850 KITTY LANE IN OAKLAND				

SUBTOTAL: 317.00

TOTAL AMOUNT DUE : 317.00

where is Flow Chart
pk by ✓

4/16 - called 4/20

Sara - New Bus Office

Kathy Shull
510 287-1235

STANDARD

Original

Refer
Fire Service # 3894

CITY OF OAKLAND • Community and Economic Development Agency
250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, CA 94612 • Phone (510) 238-3441 • Fax (510) 238- 7287
KEEP AVAILABLE WITH THE APPROVED PLANS -- PROTECT FROM WEATHER

Address: 9850 KITTY LN Suite: APN: 044 -5020-019-00

Description: T.I. WITH VOLUNTARY STRUCTURAL IMPROVEMENTS
INSTALLATION OF CREMATORIUM

Owner: S E COMBINED SERVICES OF CALIF
Contractor: DELTA CONSTRUCTION
Construction Type: 5A
Spec Insp: 02 BOLT IN CONC 04 REINF STEEL 14 SPECIAL CASE 16 C&D TRACKING
Appl# B1200987
Prepaid Insp: 12

Issued: 05/10/12
Nbr Units:
Sprinklers: 5

MAJOR INSPECTION	BUILDING	ELECTRICAL	PLUMBING	MECHANICAL	ZONING
	TO SCHEDULE INSPECTION CALL 510-238-3441				510-238-6345

- ZONING ROUGH & FINAL SIGN-OFF IS REQUIRED PRIOR TO BUILDING ROUGH & FINAL SIGN-OFF. SEE PHONE NUMBER ABOVE TO SCHEDULE.
- BUILDING, ELECTRICAL, PLUMBING, AND MECHANICAL INSPECTIONS MUST BE SCHEDULED SEPARATELY (PLEASE CALL WELL IN ADVANCE).
- *ALL PERMITS ARE SEPARATE AND WILL EXPIRE UNLESS MAJOR INSPECTIONS ARE APPROVED BY THE CITY EVERY 6 MONTHS* (OR SOONER).
- DO NOT CONCEAL ANY WORK UNTIL "OK TO POUR"; "OK TO COVER" HAS BEEN SIGNED AND DATED BY THE CITY.
- "BEST MANAGEMENT PRACTICES" MUST BE USED DAILY FOR DUST CONTROL AND TO PROTECT STORM WATER DRAINAGE SYSTEMS.
- SEPARATE PERMITS ARE REQUIRED TO RESERVE PARKING, OR TO OBSTRUCT THE SIDEWALK OR STREET IN ANY WAY. THIS INCLUDES SCAFFOLDING, PEDESTRIAN CANOPY, CONSTRUCTION FENCING, MATERIAL STOCKPILES, DUMPSTERS, TRAFFIC LANE CLOSURES, ETC. WORK ON SIDEWALK, CURB, GUTTER, AND/OR DRIVEWAY APPROACH REQUIRES SEPARATE CGS PERMIT.
- SPRINKLER SYSTEM PERMITTED THROUGH FIRE PREVENTION BUREAU. DO NOT DEMOLISH THE FIRE SUPPRESSION STANDPIPES UNLESS A REPLACEMENT IS READY TO BE INSTALLED.

	10 SETBACK	30 CONSTRUCT POWER			60 ORIG GRADE ELEV
01 FOUNDATION (6 MONTHS MAXIMUM	11 PIERS	31 UFER			61 LOT COVERAGE
	12 REPORT / CERT / FEE				
OK TO POUR	13 FTG / SLAB / EMBED	32 UNDER GROUND	40 UNDER GROUND	50 UNDER GROUND	62 SITE
	14 REPORT / CERT / FEE				
02 FLOOR (6 MONTHS MAXIMUM)	15 UNDER FLOOR	33 UNDER FLOOR	41 UNDER FLOOR	51 UNDER FLOOR	63 FLOOR ELEVATION
OK TO COVER	16 LATH / CEILING	34 SUSPENDED CEILING	42 DWV PIPING	52 SUSPENDED CEILING	64 ROOF HEIGHT
03 FRAME (6 MONTHS MAXIMUM)	17 MASNRY / RET WALL	35 PREMISES WIRING	43 GAS PIPING	53 FLUE	
	18 SHEARWALL / ROOF	36 SUBPANEL	44 WATER PIPING	54 DUCT (LOW PRESS)	
	19 SHAFT / FIREWALL	37 SERVICE / MCC	45 CONDENSATE PIPING	55 DUCT (TYPE I HOOD)	
	20 TUB / SHOWER WALL		46 TUB / SHOWER PAN	56 FIRE DAMPER	
	21 INSULATION		47 WATER SERVICE	57 MANUF FIREPLACE	
	22 ROUGH	38 ROUGH	48 ROUGH	58 ROUGH	68 ROUGH (REQUIRED)
OK TO COVER	23 WALLBRD / SHINGLE				
04 FINAL (6 MONTHS MAXIMUM)	29 REPORT / CERT / FEE	39 EMERG SYSTEMS	49 GAS TEST	59 EQUIPMENT / HOOD	69 TREE ISSUES OPR (510) 615-5850
	80 ENGR SERVICES (510) 238-4770	80 UTILITY RELEASE	80 UTILITY RELEASE	80 UTILITY RELEASE	80 LANDSCAPING / IRRIG
	81 FIRE PREVENTION (510) 238-3851	82 PUBLIC WORKS (510) 238-3051	83 SEWER FINAL 510 / 238 - 3651	84 COUNTY HEALTH (510) 567-6700	85 SIDEWALK FINAL 510 / 238 – 3651
OK TO OCCUPY	86 FINAL BUILDING	86 FINAL ELECTRICAL	86 FINAL PLUMBING	86 FINAL MECHANICAL	86 FINAL PLAN (REQUIRED)

FOR BUILDING & TRADE INSPECTIONS CALL 510-238-3441 FOR ZONING CALL 510-238-6345

OFFICIAL USE ONLY

88 STOP WORK 89 SUSPEND PERMIT 90 INSPECT NOT PERFORMED 91 INSPECT CANCELLED
92 NOT READY 93 ADDRESS NOT FOUND 94 NO ACCESS/ APPROVED PLANS NOT AVAILABLE
95 RE-INSPECT FEE 96 CORRECTION NOTICE 97 PARTIAL APPROVAL 98 APPROVED

BUILDING

ELECTRICAL

PLUMBING / MECHANICAL

PLANNING, ZONING, DESIGN REVIEW, LANDSCAPING

PTS100-01 UPDATE/QUERY PROJECT INFORMATION 5/09/12 :31:19

Applic#* ZC111983 Type: Tract
Date Filed: 08/30/11 Complete By: Disposition: G GRANTED 08/30/11

	NUMBER	STREET NAME	SUFFIX*	SUITE	ASSESSOR PARCEL#
Site addr: 1)	9850	KITTY	LN		044 -5020-019-00
2)					
3)					

Zoning* CIX2 GP Use 9BM Prcl Cond: Cond Aprvl: Viol:
Proj Descr: Zoning Clearance for Light Manufacturing (crematory for human remains)- RDM consult --- updated - per SM, is General Manufacturing - also a Permitted Activity (see F24); SM
Envirn Rev: Exempt? (Y/N): Y Sect: 15268 EX ER Applic#:
Track:

	Lic#	Phone#	Applicant
Owner: DOST THOMAS B & VIRGINIA B TRS			
Contractor:			
Arch/Engr:			
Agent: STEWART ENTERPRISES, INC.		(415)771-0717	X

No Fee:
Applicant Addr: 1 LORAINE CT.
City/State: SAN FRANCISCO, CA Zip: 94118
Other Related Applic#s:

F3=Ext F23=Dsc F24=Com

APPLICANT COPY

PTS113-CPD UPDATE/QUERY APPLICATION FEE RECORD 8/30/11 08:19:15
Next Option: 106

Appl#: ZC111983 Pmt#: 001 Disp: 08/30/11 Type: Filed: 08/30/11
Address: 9850 KITTY LN Unit: Parcel: 044 -5020-019-00
Descr: Zoning Clearance for Light Manufacturing (crematory for
Other Related Applic#s:

Envirn Rev Determ: EX Date: 08/30/11 Sect#: 15268 ER Appl#:

Payment Type* FILZC BUSINESS TAX (ZONING CLEARANCE)

Applic		Exempt		Appeal		Eng-Svcs	
Notific		Special	34.99	Notific		Other	
		Tech	1.84	Rcd Mgt	3.32	Invstg	
Total	40.15	Effctv 08/30/11		Init MCB Paid		Rg	Rcpt
NSF				Refunded		Amount	
Dlnq	Notice						

Comment:

F1=Hlp F3=Ext F5=Chg F6=Add F7=Fwd F8=Bck F9=Del F11=Fnd F12=Prv F24=Com

Date: 08/30/11 Amt Paid: $40.15
By: SYK Register R03 Receipt# 159985

PTS100-01 UPDATE/QUERY PROJECT INFORMATION 8/30/11 08:18:10

Next Option: 101

Applic#* ZC111983 Type: Tract

Date Filed: 08/30/11 Complete By: Disposition: G GRANTED 08/30/11

	NUMBER	STREET NAME	SUFFIX*	SUITE	ASSESSOR PARCEL#
Site addr: 1)	9850	KITTY	LN		044 -5020-019-00
2)					
3)					

Zoning* CIX2 GP Use 9BM Prcl Cond: Cond Aprvl: Viol:

Proj Descr: Zoning Clearance for Light Manufacturing (crematory for human remains)- RDM consult

Envirn Rev: Exempt? (Y/N): Y Sect: 15268 EX ER Applic#:

Track:

	Lic#	Phone#	Applicant
Owner: DOST THOMAS B & VIRGINIA B TRS			
Contractor:			
Arch/Engr:			
Agent: STEWART ENTERPRISES, INC.		(415)771-0717	X

Applicant Addr: 1 LORAINE CT. No Fee:

City/State: SAN FRANCISCO, CA Zip: 94118

Other Related Applic#s:

F3=Ext F5=Chg F6=Add F7=Fwd F8=Bck F11=Fnd F12=Prv F23=Dsc F24=Com

800 RECORD ADDED

PTS100-02J UPDATE/QUERY PROJECT INFORMATION 8/30/11 08:18:56
Next Option: 101

Applic#* ZC111983 Business Mix
Type: Filed: 08/30/11 Disposition: G GRANTED 08/30/11
Planners Inits: MCB

Business Name: SENTINEL CREMATORY
Proposed Hours of Operation: to Proposed number of Employees: 3

Will Manufacturing occur on the property? (F24 Required if Y): Y
Conversion from residential to commercial or industrial activity? N
Proposal for signs or exterior changes to the building? N
Had there been any prior commercial activity at this address? Y
(If Yes:) Type of Business: LIGHT MANUFACTURING
Date of Closure:

N Conforms to Home Occupation Standards (Sec. 17.112 OMC)
N Proposed activities to be conducted via email,phone, fax or off site
Y Exterior alterations are subject to Design Review
Y The proposed activity complies with the existing zoning and General Plan
Other

F3=Ext F5=Chg F6=Add F7=Fwd F8=Bck F11=Fnd F12=Prv F24=Com
808 Press ENTER to return to page 1 data

CITY OF OAKLAND
Community & Economic Development Agency
250 Frank H. Ogawa Pl, Oakland CA, 94612
Phone: (510)238-4774 FAX: (510)238-2263

PAYMENT RECEIPT

Application#: ZC111983	Payment#: 001
ZONING CLEARANCE	$34.99
RECORDS MANAGEMENT FEE	$3.32
TECHNOLOGY ENHANCEMENT	$1.84
Subtotal:	$40.15
Sales Tax:	$.00
****** TOTAL PAID:	$40.15
Cash Payment:	$.15
Check Payment:	$40.00

Payor: NEPTUNE SOCIETY OF N CA
Date: 08/30/11 Time: 08:21:40
By: SYK Register R03 Receipt# 159985

****
ORIGINAL RECEIPT REQUIRED FOR REFUND
****

Chris,
I believe you should have this.
The Appl# will need to be provided when we go for a business license to City of Oakland.
Thx Jon

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Authority to Construct

(This is not a Permit to Operate)

Plant No. 20905
Application No. 23669

Sentinel Cremation Societies, Inc
9850 Kitty Lane, Oakland, CA 94603

is hereby granted an *Authority to Construct* for the following equipment:

S-1 Human Crematory Retort, Facultative Technologies, FTIII, Natural Gas Fired, 0.90 MMBtu/hr Primary Burner and 1.20 MMBtu/hr Secondary Burner, 200 lbs/hr capacity

Equipment above is subject to attached condition no. 25096.

Approved by _____ *for*
JACK P. BROADBENT
EXECUTIVE OFFICER / APCO

Issue date: November 8, 2011
Expiration date: November 7, 2013

Start-up Notification

Instructions: At least **seven days** before the scheduled initial operation contact your assigned Permit Engineer via email or complete and send this Start-up Notification to the District via fax or mail.

Engineer: Nancy M Yee, Senior Air Quality Engineer
Tel: (415) 749-4798 **Fax:** (415) 749-5030
Email: nyee@baaqmd.gov

Plant No. 20905
Source No. S-1
Application No. 23669

The initial operation of this equipment is scheduled for _____ (month/day/year)

Print your first and last name _____

Telephone No. _____

Plant Name: Sentinel Cremation Societies, Inc

S-1 and S-2 Human Crematory Retort, Facultative Technologies

Condition No. 25096 Plant No. 20905 Application No. 23669

1. The owner/operator shall operate cremator S-1 & S-2 in such a way that each unit's processing rate shall not exceed 200 pounds per hour and the maximum firing rate shall not exceed 2.1 MM BTU/Hr.

2. The owner/operator of S-1 & S-2 shall not perform more than a total of 3000 facility cremations in any consecutive 12-month period. (Basis: cumulative increase; toxic risk screen)**

3. The owner/operator must limit the cremations so that only one cremation may begin within any one hour period. The start of the subsequent cremation must be an hour later from the start of the previous cremation. (Regulation 2-5)

4. The owner/operator of S-1 & S-2 shall maintain the operating temperature in the secondary chamber of each cremator at or above 1650 degree Fahrenheit during the cremation mode. Any temperature excursion below 1600 degree Fahrenheit during the cremation mode will be considered a violation of this permit condition. The owner/operator shall equip each cremator S-1 & S-2 with a District approved continuous temperature monitoring and recording device to ensure compliance with this condition. The location of the thermocouple shall be approved by the Source Test Section of the District. Natural gas input to the secondary chamber burner shall be increased, if necessary, to increase temperature sufficiently to control odor and visible plume.
(Basis: Regulation 6-301, 6-310; TBACT)

5. After a shutdown, the owner/operator of S-1 & S-2 shall not cremate until the cremator has been preheated so that the temperature in the secondary chamber is at least 1650 degree Fahrenheit. (Basis: Regulation 6-301, 6-310; TBACT)

6. The owner/operator of S-1 & S-2 shall fire each cremator with natural gas only.
(Basis: cumulative increase; TBACT)

7. The owner/operator of S-1 & S-2 shall use each cremator to cremate only human remains. No other material contaminated with toxic air contaminants as listed by Air Resources Board, including radioactive and bio-hazardous waste, shall be incinerated in this cremator without prior approval of the District.
(Basis: cumulative increase; toxic risk screen)

8. The District may require the owner/operator of the cremator to conduct a District approved source test to determine particulate matter, hydrocarbon, NOX, CO, O2, HCl, and toxic emissions under unusual conditions, such as: obese case, disaster bags. The Source Test Section of the District shall be contacted to obtain approval for the source test method. The Source Test Section shall be notified at least 7 days in advance of any expected source test. A copy of source test report for each test shall be provided to the District within 30 days of source test date.
(Basis: cumulative increase; toxic risk screen)

9. The owner/operator shall have each cremator equipped with sampling ports and platforms, the location of which shall have the approval of the Source Test Section of the District.
(Basis: Regulation 6-310)

10. The owner/operator shall have an operator present at all times during cremations.
(Basis: Regulation 6-301)

11. The owner/operator shall keep each cremator in good working condition per manufacturer's recommendations. The date and detailed description of the type of maintenance done on each cremator shall be recorded in a District approved logbook. (Basis: Regulation 6-301, 6-310)

12. To determine compliance with the above conditions, the owner/operator shall maintain the following records and provide all of the data necessary to evaluate compliance with the above conditions, including but not limited to daily records of the following information:
    a. operating hours
    b. number of cremations
    c. processing rate
    (Basis: Regulation 1-441, cumulative increase, TBACT, toxic risk screen)

13. The owner/operator shall keep all monitoring, source test, and maintenance records as required per Parts 2, 4, 8, and 11 on site for at least two years from the date of data entry, and the records shall be made available to the District staff for inspection. These recordkeeping requirements shall not replace the recordkeeping requirements contained in any applicable District Regulations.
    (Basis: cumulative increase, TBACT; Regulation 6-301, 6-310).

14. **The owner/operator may increase the number of cremations in Part 2 to 3600 facility cremations a year if the exhaust outlets are located at or near the N or NE side of the building. The owner/operator must submit a letter and a photo indicating compliance with this requirement. Upon verification, the limit in Part 2 will be changed and this part will be removed prior to the issuance of the permit to operate.

End of Conditions

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT
SINCE 1955

November 8, 2011

Sentinel Cremation Societies, Inc
9850 Kitty Lane
Oakland, CA 94603

Attention: Thomas H Snyder

Authority to Construct for Permit Application No. 23669, Plant No. 20905

Required Action

Your Authority to Construct is enclosed. This Authority to Construct is not a Permit to Operate. **To receive your Permit to Operate you must:**

1. Complete the Start-up Notification portion of the Authority to Construct.
2. Send the Start-up Notification to the assigned Permit Engineer via e-mail, fax or mail **at least seven days** prior to operating your equipment.

Note: *Operation of equipment without sending the Start-up Notification to the District may result in enforcement action.*

Authorization of Limited Use

The Authority to Construct authorizes operation during the start-up period from the date of initial operation indicated in your Start-up Notification until the Permit to Operate is issued, up to a maximum of 90 days. All conditions (specific or implied) included in this Authority to Construct will be in effect during the start-up period.

Contact Information

If you have any questions, please contact your assigned Permit Engineer:

Nancy M Yee, Senior Air Quality Engineer

Tel: (415) 749-4798 **Fax:** (415) 749-5030 **Email:** nyee@baaqmd.gov

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LAW OFFICES OF
CLEMENT, FITZPATRICK & KENWORTHY
INCORPORATED
3333 MENDOCINO AVENUE, SUITE 200
SANTA ROSA, CALIFORNIA 95403
FAX: 707 546-1360

TELEPHONE: (707) 523-1181

TINA WALLIS
twallis@cfk.com

March 26, 2012

VIA FACSIMILE AND U.S. MAIL
(415) 928-8560

William Guy
Jane Lundquist
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

Re: *Sentinel Cremation Societies, Inc.*
AB-2588
Site No. A4735 - 4080 Horton Street, Emeryville, CA 94608

Dear Mr. Guy and Ms. Lundquist:

Thank you very much for taking the time to meet with Tom Snyder and me on Wednesday, March 21, 2012. We really appreciate your preparatory efforts and the District's willingness to work with the property owner on this matter. The purpose of this letter is to confirm the agreements that we reached during our meeting and to provide additional follow-up information regarding Sentinel's permits for its future site within the City of Oakland.

During our meeting we agreed that Sentinel will endeavor to stop using its current Emeryville facility as quickly as is possible. Sentinel anticipates that it may be able to cease using this facility as early as May 15, 2012; however, it could also be as late as the end of June 2012. All of Sentinel's representations about its ability to stop using this property are expressly contingent upon Sentinel obtaining all necessary permits from the City of Oakland for its replacement facility.

As requested, I spoke with the City of Oakland and reviewed the zoning for the replacement facility. Zoning for the replacement facility is CIX-2 or Commercial Industrial Mixed 2 Zone. Under the CIX-2 zoning, light manufacturing is a permitted use as a matter of right and does not require a use permit. For your convenience, I have enclosed a copy of the relevant portions of the City of Oakland's Municipal Code. Sentinel already obtained zoning clearance from the City of Oakland for the light manufacturing facility and I am also enclosing a copy of a query from Oakland's database showing that application ZC111983 was approved on August 30, 2011 and that the City of Oakland found this approval to be categorically exempt

under CEQA Guidelines section 15268. Since the approval was dated August 30, 2011 the statute of limitations to file a CEQA challenge has lapsed.

I am also attaching a copy of an Authority to Construct for Permit Application 23669, Plant Number 20905 from the District. This permit application was made for Sentinel's new Oakland facility, which will replace the Emeryville facility.

As we agreed during the meeting, under the District's 1992 "Air Toxic's Hot Spots Act Notification Requirements" since Sentinel has submitted a permit application for its new facility and will cease using the existing facility, Sentinel has taken the necessary steps that will result in a reduction of emissions sufficient to reduce any risks below the relevant criterion. Since Sentinel has submitted an application for the replacement facility, the existing Emeryville facility's impacts will be reclassified. As we agreed during our meeting because Sentinel submitted the subsequent permit application and its Emeryville facility's impact is being reclassified, Sentinel is not required to take any further action to respond to the District's January 31, 2012 letter; to make any election to accept or decline the District's HRA; or to submit any plan or take any other action beyond working to close the Emeryville facility within the time periods set forth above.

We thank you again for your assistance with replacing the Emeryville facility. If I have misunderstood our discussion or if you disagree with this letter please feel free to call me at (707) 568-2265.

Very truly yours,

Tina Wallis

TINA WALLIS

TW/lh
Enclosures: City of Oakland's Municipal Code
Oakland Database Query for ZC111983
BAAQMD Permit Application 23669
c w/enc: client

OAK AND CITY 1. CODE

Chapter 17.73

CIX-1, CIX-2, IG AND IO INDUSTRIAL ZONES REGULATIONS

Sections:

17.73.010 Title, Purpose, and Applicability
17.73.020 Permitted and Conditionally Permitted Uses and Facilities
17.73.030 Property Development Standards
17.73.035 Special Regulations for Primary Collection Centers in the Industrial Zones
17.73.040 Special Regulations for Work/Live Units in the Industrial Zones
17.73.050 Parking and Loading Dock Restrictions
17.73.060 Referral to Other Applicable Regulations

17.73.010 Title, Purpose, and Applicability

The provisions of this chapter shall be known as the industrial zones regulations. This chapter establishes regulations for the (CIX-1) Commercial Industrial Mix-1, (CIX-2) Commercial Industrial Mix-2, (IG) General Industrial, and (IO) Industrial Office.

These industrial zoning districts are intended to create, preserve, and enhance areas for industrial uses, including manufacturing, scientific and product-related research and development, construction, transportation, warehousing/storage/distribution, recycling/waste-related activities, clean technology, and similar uses. The primary purposes of these areas are to support Oakland's economic base and to provide employment opportunities. The specific purposes of these industrial districts are to:

A. Provide a diversified economic base and a wide range of employment opportunities;
B. Maximize Oakland's regional role as a transportation, distribution, and communications hub;
C. Support Port operations and expansion by providing land for Port services such as trucking, warehousing, and distribution;
D. Preserve areas with good freeway, rail, seaport, and/or airport access for business and industrial uses;
E. Prohibit residential uses and limit commercial uses in General Industrial (IG) areas so that a maximum amount of the City's land base is preserved for industrial uses, and so that industrial uses may operate without impacting those activities;
F. Locate high impact industrial uses away from residential areas; and
G. Allow heavy-impact or large scale commercial retail uses on sites with direct access to the regional transportation system.

A. CIX-1 Commercial Industrial Mix 1 Zone. The CIX-1 zone is intended to create, preserve, and enhance the industrial areas of West Oakland that are appropriate for a wide variety of businesses and related commercial and industrial establishments. This zone is intended to accommodate existing older industries and provide flexibility in order to anticipate new technologies. Large-scale commercial and retail uses will be limited to sites with direct access to the regional transportation system.

B. CIX-2 Commercial Industrial Mix 2 Zone. The CIX-2 zone is intended to create, preserve, and enhance areas of the Central and Eastern portions of the City that are appropriate for a wide variety of heavy commercial and industrial establishments. Uses with greater off-site impacts may be permitted provided they meet specific performance standards and are buffered from residential areas.

C. IG General Industrial Zone. The IG zone is intended to create, preserve and enhance areas of the City that are appropriate for a wide variety of businesses and related commercial and industrial

establishments that may have the potential to generate off-site impacts such as noise, light/glare, odor, and traffic. This zone allows heavy industrial and manufacturing uses, transportation facilities, warehousing and distribution, and similar and related supporting uses. Uses that may inhibit such uses, or the expansion thereof, are prohibited. This district is applied to areas with good freeway, rail, seaport, and/or airport access.

D. IO Industrial Office Zone. The IO zone is intended to create and support areas of the City that are appropriate for a wide variety of businesses and related commercial and industrial establishments in a campus-style setting. Development and performance standards in this district are more restrictive and accommodate large-parcel development in an attractive, well-landscaped setting. Future development shall reflect large-scale office, research and development, light industrial, wholesaling and distribution, and similar and related supporting uses.

17.73.020 Permitted and Conditionally Permitted Uses and Facilities

The following table lists the permitted, conditionally permitted, and prohibited uses and facilities in the CIX-1, CIX-2, IG and IO zones. The descriptions of these uses are contained in Chapter 17.10.

"P" designates permitted uses and facilities in the corresponding zone.

"C" designates uses and facilities that are permitted only upon the granting of a conditional use permit (see Chapter 17.134) in the corresponding zone.

"L" designates uses and facilities subject to certain limitations listed at the bottom of the Table.

"--" designates uses and facilities that are prohibited in the corresponding zone.

Table 17.73.020: Permitted and Conditionally Permitted Uses and Facilities

Uses	Zones				Additional Regulations
	CIX-1	CIX-2	IG	IO	
Residential Uses	All residential uses prohibited in each zone				
Civic Uses					
Essential Service	C	C	C	C	
Limited Child-Care	--	--	--	--	
Community Assembly	P	C	--	C	
Recreational Assembly	P	C	--	C	
Community Education	P	C	--	C	
Nonassembly Cultural	P	C	--	C	
Administrative	P	C	--	C	
Health Care	P	--	--	--	
Special Health Care	C	C	--	--	-
Utility and Vehicular	P	C	C	C	
Extensive Impact	C	C	C	C	
Commercial Uses					
General Food Sales	P	C (L1)	C (L1)	P (L1)	
Full Service Restaurant	P	C (L1)	C (L1)	P (L1)	
Limited Service Restaurant and Café	P	C (L1)	C (L1)	P (L1)	
Fast Food Restaurant	C	C	--	C	See Section 17.102.210
Convenience Market	C	C	--	C	
Alcoholic Beverage Sales	L2	C	--	--	
Mechanical or Electronic Games	L3	--	--	--	
Medical Service	P	C	--	C	

Table 17.73.020: Permitted and Conditionally Permitted Uses and Facilities

Uses	Zones				Additional Regulations
	CIX-1	CIX-2	IG	IO	
General Retail Sales	P	–	–	–	In the CIX-2 and IO zones, Retail allowed as an accessory use only per Section 17.10.040
Large-Scale Combined Retail and Grocery Sales	–	–	–	–	
Consumer Service	P	P	–	C	
Consultative and Financial Services	P	–	–	–	
Check Cashier and Check Cashing	–	–	–	–	
Consumer Cleaning and Repair Service	P	C	–	–	
Consumer Dry Cleaning Plant	P	C	–	–	
Group Assembly	P (L7)	C (L8)	C (L8)	C (L8)	
Personal Instruction and Improvement and Small Scale Entertainment	P (L7)	C (L8)	C (L8)	C (L8)	
Administrative	P	P	L9	P	
Business, Communication, and Media Service	P	P	P	P	
Broadcasting and Recording Service	P	P	P	P	
Research Service	P	P	C	P	
General Wholesale Sales	P	P	P	P	No retail ancillary activities for this use allowed in IG or IO.
Transient Habitation	–	–	–	–	
Building Material Sales	L3	L3	–	–	
Automobile and Other Light Vehicle Sales and Rental	P	C	–	C	
Automobile and Other Light Vehicle Gas Station and Servicing	P	P	P	–	If located within (150) feet of any residential zone boundary is pursuant to the design review procedure in Chapter 17.136.
Automotive and Other Light Vehicle Repair and Cleaning	L3	L3	P	–	If located within (150) feet of any residential zone boundary is pursuant to the design review procedure in Chapter 17.136.
Automotive Fee Parking	L3	P	P	P	
Animal Care	L4	C	C	–	
Animal Boarding	L4	C	C	–	
Undertaking Service	P	C	C	–	
Industrial Uses					
Custom Manufacturing	P	P	P	P	
Light Manufacturing	P	P	P	P	
General Manufacturing	L3	L3	P	–	

Table 17.73.020: Permitted and Conditionally Permitted Uses and Facilities

Uses		Zones				Additional Regulations
		CIX-1	CIX-2	IG	IO	
Heavy Manufacturing		–	–	C	–	
Research and Development		P	P	P	P	
Construction Operations		L3	L3	L3	C	
Warehousing, Storage and Distribution						
A.	General Warehousing, Storage and Distribution	P	P	P	P	No retail component of this use allowed in IG or IO. See Section 17.73.060
B.	General Outdoor Storage	C	L3	P	P	
C.	Self or Mini Storage	C	C	–	C	
D.	Container Storage	–	L3	P	–	
E.	Automotive Salvage and Junk Yards	–	–	L3	–	
Regional Freight & Transportation:						
A.	Seaport	–	–	P	C	
B.	Rail Yard	–	C	P	–	
Trucking & Trucking-related Activities:						
A.	Freight/Truck Terminal	L5	L3	P	–	If located within (150) feet of any residential zone boundary is pursuant to the design review procedure in Chapter 17.136.
B.	Truck Yard	L5	C	P	C	
C.	Truck Weigh Stations	–	P	P	–	
D.	Truck & Other Heavy Vehicle Sales, Rental & Leasing	L6	P	P	P	
E.	Truck & Other Heavy Vehicle Service, Repair, and Refueling	L5	P	P	–	
Recycling & Waste Related Activities						
A.	Satellite Recycling Collection Centers	C	C	C	C	
B.	Primary Collection Centers	L10	L10	L11	–	
Hazardous Materials Production, Storage & Waste-Related Activities						L12 See also Health & Safety Protection Zone (S-19)
A.	Small Scale Transfer and Storage	–	C	C	–	
B.	Industrial Transfer/Storage	–	–	C	–	
C.	Residuals Repositories	–	–	C	–	
D.	Oil and Gas Storage	–	–	L2	–	
Agricultural and Extractive uses						
Plant nursery		P	P	P	–	
Crop and animal raising		C(L13)	C(L13)	C(L13)	–	See Section 17.102.220
Mining and Quarrying Extractive		–	–	C	–	

Facility Types	Zones				Additional Regulations
	CIX-1	CIX-2	IG	IO	
Residential Facilities	All residential uses prohibited in each zone				
Nonresidential Facilities					
Enclosed Nonresidential	P	P	P	P	
Open Nonresidential	P	P	P	P	
Sidewalk Cafe	C	C	–	–	See Section 17.102.335
Drive-In Nonresidential	–	–	–	–	
Drive-Through Nonresidential	C	C	C	C	See Section 17.102.290
Shopping Center Facility	–	–	–	–	
Telecommunications					
Micro Telecommunications	P	P	P	P	See Chapter 17.128
Mini Telecommunications	P	P	P	P	
Macro Telecommunications	C	C	P	P	
Monopole Telecommunications	C	C	P	P	
Tower Telecommunications	–	–	P	P	
Signs					
Residential Signs	–	–	–	–	See Chapter 17.104
Special Signs	P	P	P	P	
Development Signs	P	P	–	–	
Realty Signs	P	P	P	P	
Civic Signs	P	P	P	P	
Business Signs	P	P	P	P	
Advertising Signs	–	–	–	–	

Limitations:

L1. Limited to location on a ground floor in CIX-2, IG and IO. Over 5,000 sf floor area requires a conditional use permit in CIX-2, IG, and IO.

L2. Prohibited within 300 feet of a residential zone and requires a conditional use permit elsewhere throughout the zone. (Conditional use permit is required in CIX-2).

L3. A conditional use permit is required if within 300 feet of a residential zone; Permitted if beyond 300 feet of a residential zone.

L4. A conditional use permit is required if the use involves any of the following: a) outdoor yard activities; or b) ancillary overnight boarding.

L5. Prohibited within 600 feet of a residential zone. A conditional use permit is required elsewhere throughout the zone.

L6. A conditional use permit is required a) if within 300 feet of a residential zone, and b) if located anywhere in the district when outdoor repair and service activity exceeds 50% of site area.

L7. A conditional use permit is required for entertainment uses.

L8. Entertainment, educational and athletic services are not permitted.

L9. Administrative activities accessory to an existing industrial activity are limited to twenty percent (20%) of floor area in IG.

L10. Prohibited within 300 feet of a residential zone; a conditional use permit containing requirements no less stringent than the performance standards set out in 17.73.035 is required if beyond 300 feet of a residential zone boundary.

OAKLAND

PT5113-CPD UPDATE/QUERY APPLICATION FEE RECORD 8/30/11 08:19:15

Next Option: 106

Appl#: ZC111983 Pmt#: 001 Disp: 08/30/11 Type: Filed: 08/30/11

Address: 9850 KITTY LN Unit: Parcel: 044 -5020-019-00

Descr: Zoning Clearance for Light Manufacturing (crematory for

Other Related Applic#s:

Envirn Rev Determ: EX Date: 08/30/11 Sect#: 15268 ER Appl#:

Payment Type* FILZC BUSINESS TAX (ZONING CLEARANCE)

Applic		Exempt		Appeal		Eng-Svcs	
Notific		Special	34.99	Notific		Other	
		Tech	1.84	Rcd Mgt	3.32	Invstg	
Total	40.15	Effctv 08/30/11		Init MCB Paid		Rg	Rcpt
NSF				Refunded		Amount	
Dlnq	Notice						

Comment:

F1=Hlp F3=Ext F5=Chg F6=Add F7=Fwd F8=Bck F9=Del F11=Fnd F12=Prv F24=Com

Date: 08/30/11 Amt Paid: $40.15
By: SYK Register RO3 Receipt# 159985

PTS100-01 UPDATE/QUERY PROJECT INFORMATION 8/30/11 08:18:10

Next Option: 101

Applic#* ZC111983 Type: Tract

Date Filed: 08/30/11 Complete By: Disposition: G GRANTED 08/30/11

	NUMBER	STREET NAME	SUFFIX*	SUITE	ASSESSOR PARCEL#
Site addr: 1)	9850	KITTY	LN		044 -5020-019-00
2)					
3)					

Zoning* CIX2 GP Use 9BM Prcl Cond: Cond Aprvl: Viol:

Proj Descr: Zoning Clearance for Light Manufacturing (crematory for human remains)- RDM consult

Envirn Rev: Exempt? (Y/N): Y Sect: 15268 EX ER Applic#:

Track: Lic# Phone# Applicant

Owner: DOST THOMAS B & VIRGINIA B TRS

Contractor:

Arch/Engr:

Agent: STEWART ENTERPRISES, INC. (415)771-0717 X

Applicant Addr: 1 LORAINE CT. No Fee:

City/State: SAN FRANCISCO, CA Zip: 94118

Other Related Applic#s:

F3=Ext F5=Chg F6=Add F7=Fwd F8=Bck F11=Fnd F12=Prv F23=Dsc F24=Com

800 RECORD ADDED

PTS100-02J UPDATE/QUERY PROJECT INFORMATION 8/30/11 08:18:56
Next Option: 101

Applic#* ZC111983 Business Mix
Type: Filed: 08/30/11 Disposition: G GRANTED 08/30/11
Planners Inits: MCB

Business Name: SENTINEL CREMATORY
Proposed Hours of Operation: to Proposed number of Employees: 3

Will Manufacturing occur on the property? (F24 Required if Y): Y
Conversion from residential to commercial or industrial activity? N
Proposal for signs or exterior changes to the building? N
Had there been any prior commercial activity at this address? Y
(If Yes:) Type of Business: LIGHT MANUFACTURING
Date of Closure:

N Conforms to Home Occupation Standards (Sec. 17.112 OMC)
N Proposed activities to be conducted via email,phone, fax or off site
Y Exterior alterations are subject to Design Review
Y The proposed activity complies with the existing zoning and General Plan
Other

F3=Ext F5=Chg F6=Add F7=Fwd F8=Bck F11=Fnd F12=Prv F24=Com
808 Press ENTER to return to page 1 data

CITY OF OAKLAND
Community & Economic Development Agency
250 Frank H. Ogawa Pl, Oakland CA, 94612
Phone: (510)238-4774 FAX: (510)238-2263

PAYMENT RECEIPT

Application#: ZC111983	Payment#: 001
ZONING CLEARANCE	$34.99
RECORDS MANAGEMENT FEE	$3.32
TECHNOLOGY ENHANCEMENT	$1.84
Subtotal:	$40.15
Sales Tax:	$.00
****** TOTAL PAID:	$40.15
Cash Payment:	$.15
Check Payment:	$40.00

Payor: NEPTUNE SOCIETY OF N CA
Date: 08/30/11 Time: 08:21:40
By: SYK Register R03 Receipt# 159985

****
ORIGINAL RECEIPT REQUIRED FOR REFUND
****

Chris,
I believe you should have this.
The Appl# will need to be provided when we go for abatement license to City of Oakland.
Thx. Joan

BAY AREA AIR QUALITY MANAGEMENT DISTRICT SINCE 1955

November 8, 2011

Sentinel Cremation Societies, Inc
9850 Kitty Lane
Oakland, CA 94603

Attention: Thomas H Snyder

Authority to Construct for Permit Application No. 23669, Plant No. 20905

Required Action

Your Authority to Construct is enclosed. This Authority to Construct is not a Permit to Operate. To receive your Permit to Operate you must:

1. Complete the Start-up Notification portion of the Authority to Construct.
2. Send the Start-up Notification to the assigned Permit Engineer via e-mail, fax or mail at least seven days prior to operating your equipment.

Note: Operation of equipment without sending the Start-up Notification to the District may result in enforcement action.

Authorization of Limited Use

The Authority to Construct authorizes operation during the start-up period from the date of initial operation indicated in your Start-up Notification until the Permit to Operate is issued, up to a maximum of 90 days. All conditions (specific or implied) included in this Authority to Construct will be in effect during the start-up period.

Contact Information

If you have any questions, please contact your assigned Permit Engineer:

Nancy M Yee, Senior Air Quality Engineer

Tel: (415) 749-4798 Fax: (415) 749-5030 Email: nyee@baaqmd.gov

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LAW OFFICES OF
CLEMENT, FITZPATRICK & KENWORTHY
INCORPORATED
3333 MENDOCINO AVENUE, SUITE 200
SANTA ROSA, CALIFORNIA 95403
FAX: 707 546-1360

TELEPHONE: (707) 523-1181

TINA WALLIS
twallis@cfk.com

February 28, 2012

VIA FACSIMILE AND U.S. MAIL
(415) 928-8560

Jane Lundquist
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

Re: *Sentinel Cremation Societies, Inc.*
AB-2588
Site No. A4735 - 4080 Horton Street, Emeryville, CA 94608

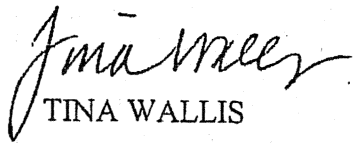
Dear Ms. Lundquist:

The purpose of this letter is to confirm our telephone call of February 27, 2012. During our conversation, you agreed that Sentinel Cremation Societies, Inc. has through and including March 15, 2012, to respond to Glen Long's January 31, 2012 letter and to notify you of whether or not Sentinel will submit a formal HRA or accept BAAQMD's HRA dated January 2012.

I also want to confirm that no further action is required of Sentinel Cremation Societies, Inc. between now and March 15, 2012, in response to the January 31, 2012 letter.

If you have any questions about this letter, or if I've misunderstood our conversation, please feel free to call me at 707-523-1181.

Very truly yours,



TINA WALLIS

TW/pd
bc: client

AIR TOXICS "HOT SPOTS" ACT
NOTIFICATION REQUIREMENTS

STAFF REPORT

0008

GENERAL REQUIREMENTS AND DEFINITIONS:

This document contains BAAQMD policy regarding compliance with the notification requirements of AB2588, the Air Toxics "Hot Spot" Information and Assessment Act of 1987. This policy applies to all facilities which have been identified as "high priority" facilities pursuant to AB2588. The "affected area" for each degree of impact is the area where the risk falls in the specified range. For example, a facility with a Level 2 degree of impact will have an area where the impact exceeds the threshold of Level 2 impact. This area will be surrounded by a larger area where the impact is Level 1; the facility will not have to meet the Level 2 impact notice requirements for this area, but will have to meet the Level 1 impact notice requirements.

A facility's impact will be reclassified if the operator submits a permit application which will result in a reduction of emissions sufficient to reduce the risk below the relevant criterion. The proposed reduction must occur with two years of the date of submittal of the authority to construct. If the proposed reductions are not achieved on schedule, the permit application will be considered a "knowingly submitted false statement or representation" subject to the penalties in Health and Safety Code Section 44381 (b). Alternatively, the operator may submit a risk assessment which utilizes newly available information (local meteorology, new emission factors from source tests, etc.) which presents a more accurate risk estimate. The operator of a facility which is required to provide periodic notification or hold periodic meetings shall continue to do so until relieved of that requirement, in writing, by the Air Pollution Control Officer.

All requirements [illegible] ctive as of the date that the Board accepts the staff report sum[illegible] ts of the risk assessments. The first notification letter m[illegible] within 90 days of that date.

DEGREE OF IMPACT: LEVEL 0

RESIDENTIAL RISK: less than 10×10^{-6}

Recordkeeping & Monitoring:

No special Recordkeeping requirements. Facilities which are subject to AB2588 (emissions above the "degree of accuracy" threshold) will be required to submit updated operating information periodically. The maximum period between updates will be two years, in conformance with the provisions of the "Hot Spots" Act.

Public Notice

None. The results of any risk assessments performed by or for these companies will be summarized in the BAAQMD's annual report on the Toxic Air Contaminant program.

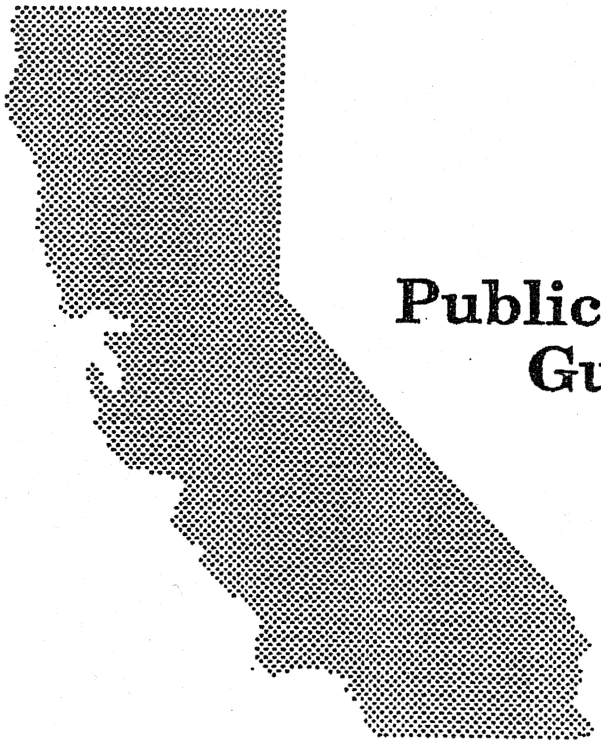
Risk Reduction

None required due to this program.

Final
CAPCOA

189 - 200

Air Toxics "Hot Spots" Program



Public Notification Guidelines

Prepared by the:

AB 2588 Risk Assessment Committee of the
California Air Pollution Control
Officers Association (CAPCOA)

October 1992

TENANT IMPROVEMENTS AT APOLLO CREMATORIUM FOR S.E. COMBINED SERVICES OF CALIFORNIA, INC.

9850 KITTY LANE
OAKLAND, CA 94603

GENERAL NOTES

PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING AND PROPOSED CONSTRUCTION, PIPING, CONDUITS, CLEAN-OUTS, PULL BOXES, ETC. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE DISTRICT AND ARCHITECT PRIOR TO COMMENCING WORK.

CONTRACTOR SHALL VISIT THE SITE AND VERIFY ALL GRADES ELEVATIONS, DIMENSIONS, AND CONDITIONS OF INSTALLATION PRIOR TO PROVIDING BID. ANY DISCREPANCIES DISCOVERED BY THE CONTRACTOR DURING THE ABOVE INVESTIGATIONS SHALL BE REPORTED IMMEDIATELY TO THE ARCHITECT. THE CONTRACTOR BY MEANS OF OFFERING A BID SHALL THEREBY CERTIFY THAT THE ABOVE STATED REQUIREMENTS HAVE BEEN MET.

GENERAL CONTRACTOR SHALL INCLUDE ALL LABOR, MATERIAL, EQUIPMENT, AND TRANSPORTATION NECESSARY FOR THE COMPLETE AND PROPER EXECUTION OF THE WORK.

THE ADEQUACY AND SAFETY OF ERECTION BRACING, SHORING, TEMPORARY SUPPORTS, ETC., IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR, AND HAS NOT BEEN CONSIDERED BY THE ARCHITECT AND / OR STRUCTURAL ENGINEER.

ALL WORK SHALL CONFORM TO THE "APPLICABLE CODES" AS LISTED HEREON.

PROPERLY REMOVE ALL DEMOLISHED ITEMS AND MATERIALS FROM THE SITE AND DISPOSE OF ALL IN A LEGAL MANNER.

REPAIR OR REPLACE EXISTING WALKS, UTILITY LINES, LANDSCAPING, ETC. THAT ARE DAMAGED DURING CONSTRUCTION. PROTECT ALL EXISTING CONSTRUCTION DESIGNATED TO REMAIN.

CONTRACTOR TO COORDINATE ALL REQUIRED INSPECTORS THROUGH BUILDING AND SAFETY DEPARTMENT.

APPLICABLE CODES

2010 California Administrative Code (CAC) – (Part 1, Title 24, CCR)

2010 California Building Code (CBC), Volumes 1 and 2 – (Part 2, Title 24, CCR)
(2009 Edition International Building Code with 2010 California amendments)

2010 California Electrical Code – (Part 3, Title 24, CCR)
(2008 Edition National Electrical Code with 2010 California amendments)

2010 California Mechanical Code (CMC) – (Part 4, Title 24, CCR)
(2009 Edition IAPMO Uniform Mechanical Code with 2010 California amendments)

2010 California Plumbing Code (CPC) – (Part 5, Title 24, CCR)
(2009 Edition IAPMO Uniform Plumbing Code with 2010 California amendments)

2010 California Energy Code – (Part 6, Title 24, CCR)
(2008 Edition California Energy Commission Building Energy Efficiency Standards)

2010 California Fire Code (CFC) – (Part 9, Title 24, CCR)
(2009 Edition of International Fire Code with 2010 California amendments)

2010 California Green Code – (Part 11, Title 24, CCR)

2010 California Referenced Standards Code – (Part 12, Title 24, CCR)
NFPA 13 – 2010
NFPA 72 – 2010

REFERENCE CODE SECTIONS FOR APPLICABLE STANDARDS
2010 CBC, Chapter 35
2010 CFC, Chapter 45

NFPA STANDARDS :

NFPA 13	AUTOMATIC SPRINKLER SYSTEMS	2002 EDITION
NFPA 14	STANDPIPE SYSTEMS	2007 EDITION
NFPA 17a	WET CHEMICAL SYSTEMS	2002 EDITION
NFPA 24	PRIVATE FIRE MAINS	2007 EDITION
NFPA 72	NATIONAL FIRE ALARM CODE (CALIFORNIA AMENDED) (NOTE SEE UL STANDARD 1971 FOR "VISUAL DEVICES")	2007 EDITION
NFPA 253	CRITICAL RADIANT FLUX OF FLOOR COVERING SYSTEMS	2006 EDITION
NFPA 2001	CLEAN AGENT FIRE EXTINGUISHING SYSTEMS	2004 EDITION

REFERENCE CODE SECTION FOR NFPA STANDARDS – 2007 CBC (SFM) CHAPTER 35

OWNER INFORMATION

STEWART ENTERPRISES, INC.
1333 S. CLEARVIEW PARKWAY
JEFFERSON, LA 70121
TELEPHONE: (504) 729–1931

PROJECT MANAGER: CHRIS DOYLE

SCOPE OF WORK

THE PROJECT SCOPE OF WORK CONSISTS OF BUT IS NOT LIMITED TO THE FOLLOWING :

1. REMODEL (E) RECEPTION AND RESTROOM AREAS.
2. ADD TENANT IMPROVEMENT SPACES IN (E) BUILDING.
3. RETROFIT EXTERIOR COLUMN AND ADD (1) ONE EXTERIOR COLUMN AT MAIN ENTRY CANOPY
4. INSTALL PRE–FABRICATED WALK–IN COOLER
5. INSTALL CREMATION RETORTS.
6. RE–STRIPE PARKING AREA AND PROVIDE ADA REQUIRED SIGNAGE.
7. ELECTRICAL AND MECHANICAL UPGRADES TO ACCOMODATE NEW WORK.

SHEET INDEX

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A1.01 SITE PLAN
A2.01 DEMOLITION FLOOR PLAN
A2.02 RECONSTRUCTION FLOOR PLAN
A2.03 RECONSTRUCTION REFLECTED CEILING PLAN – TENANT IMPROVEMENT AND CEILING DETAILS
A2.04 RECONSTRUCTION REFLECTED CEILING PLAN – CREMATION AREA AND CEILING DETAILS
A2.05 ROOF PLAN
A3.01 EXTERIOR ELEVATIONS
A3.02 EXTERIOR ELEVATIONS AND DETAILS
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S1.0 STRUCTURAL SPECIFICATIONS, NOTES AND DETAILS
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S3.0 ROOF FRAMING PLAN AND DETAILS
S4.0 STRUCTURAL DETAILS
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MECHANICAL

MT1 MECHANICAL TITLE 24 FORMS
M1 MECHANICAL SPECIFICATIONS, NOTES & SCHEDULES
M2 MECHANICAL FLOOR PLAN
M3 MECHANICAL ROOF PLAN
M4 MECHANICAL DETAILS

PLUMBING

P1 PLUMBING SPECIFICATIONS, NOTES & SCHEDULES
P2 PLUMBING FLOOR PLAN
P3 PLUMBING ROOF PLAN

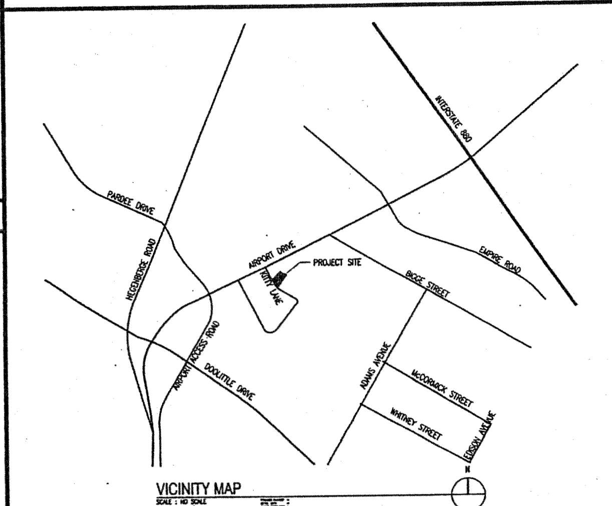
ELECTRICAL

E0.1 SYMBOLS, DIAGRAMS AND SCHEDULES
E3.1 LIGHTING PLAN
E4.1 POWER PLAN
E4.2 ROOF ELECTRICAL PLAN
E5.1 TITLE 24
E5.2 TITLE 24
E6.1 DETAILS
E7.1 SPECIFICATIONS

PROJECT DATA

OCCUPANCY: F1
CONSTRUCTION TYPE: VB
ACTUAL BUILDING SQ. FT.: 8,327 SQ. FT. O.E. ALLOWABLE SQ. FT.: 8500
ALLOWABLE STORY(IES): 1@40 FT O.E.

VICINITY MAP



VICINITY MAP
SCALE : NO SCALE

FIRE DEPARTMENT NOTES

1. VEHICULAR ACCESS MUST BE PROVIDED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION.
2. FIRE RESISTIVE ASSEMBLIES FOR PROTECTION OF OPENINGS TO COMPLY WITH CBC SECTION 706.6 AND 715.
3. EXIT DOORS SHALL SWING IN THE DIRECTION OF EXIT TRAVEL WHEN SERVING ANY HAZARDOUS AREA OR WHEN SERVING AN OCCUPANT LOAD OF 50 OR MORE. CBC 1008.1.2.
4. WIDTH AND HEIGHT OF REQUIRED EXIT DOORWAYS TO COMPLY WITH CBC TITLE 24 1008.1.1.
5. ALL 1–HOUR, FIRE–RESISTIVE CORRIDORS (IF APPLICABLE) SHALL COMPLY WITH CBC 1017.
6. ALL CORRIDOR OPENINGS SHALL MEET THE REQUIREMENT OF CBC 1008 INCLUDING STEEL FRAMES, 20–MINUTE LABELED DOOR HINGES, LATCHING DEVICES AND CLOSERS. CBC TITLE 24, 1008.1.8.
7. EXITS SHALL BE ILLUMINATED AT ALL TIMES. INTERNALLY ILLUMINATED EXIT SIGNS SHALL BE LISTED AND LABLED AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURES INSTRUCTIONS AND SECTION 2702. CBC 1011.4. EXTERNALLY ILLUMINATED EXIT SIGNS SHALL COMPLY WITH CBC 1011.5.
8. PROVIDE LOW LEVEL EXIT SIGNS PER CBC 1011.6 AT ALL RATED CORRIDORS AND PASSAGEWAYS.
9. PROVIDE APPROVED EXITING ILLUMINATION IN ACCORDANCE WITH CBC 1006. PROVIDE ILLUMINATION EMERGENCY POWER IN ACCORDANCE WITH CBC 1006.3.
10. FIRE RESISTIVE ASSEMBLIES FOR PROTECTION OF OPENINGS SHALL COMPLY WITH CBC SECTION 715. SEE DOOR AND WINDOW SCHEDULES FOR ASSEMBLY RATING REQUIREMENTS.
11. THE MAIN EXIT SHALL COMPLY WITH TITLE 24, SECTION 1008.1.8, 1008.9 AND 1133B.2.1 & 1133B.2.5.1.
12. IN ASSEMBLY AREAS PROVIDE SIDE EXITS THAT COMPLY WITH TITLE 24, SECTION 1025.3
13. THE MAXIMUM OCCUPANT LOAD FOR AN ASSEMBLY USE SHALL NOT EXCEED THE OCCUPANT LOAD AS DETERMINED IN ACCORDANCE WITH TITLE 24, SECTION 1004.3, AND TABLE 1004.1.1.
14. PRIVATE ROADS USED FOR FIRE DEPARTMENT ACCESS SHALL BE CAPABLE OF SUPPORTING THE WEIGHT OF A 25 TON VEHICLE.
15. FIRE DEPARTMENT ACCESS ROADS – 26'–0" MIN. WIDTH AS INDICATED ON SITE PLANS TO 13'–6" HIGH, CLEAR TO SKY. VEHICULAR ACCESS TO WITHIN 150' OF ALL PORTIONS OF THE FIRST STORY OF EXTERIOR WALLS OF BUILDINGS. FIRE CODE 503
16. FIRE DEPARTMENT ACCESS ROAD GRADES SHALL BE WITHIN THE LIMITS ESTABLISHED BY THE FIRE CODE OFFICIAL BASE UPON THE FIRE DEPARTMENT APPARATUS.
17. ALL FIRE DEPARTMENT ACCESS ROADS 10% OR GREATER SLOPE SHALL BE PAVED PRIOR TO CONSTRUCTION.
18. BUILDING ADDRESS NUMBERS SHALL BE PROVIDED AND MAINTAINED SO AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY. THE NUMBERS SHALL BE A MINIMUM OF 3" HIGH, 1" WIDE WITH A $\frac{1}{2}$" STROKE. FOR BUILDINGS SET BACK MORE THAN 150 FEET FROM THE STREET, THE NUMBERS SHALL BE A MINIMUM 5" HIGH, 2" WIDE WITH A $\frac{1}{2}$" STROKE. FIRE CODE 505.1.
19. ALL FIRE HYDRANTS SHALL MEASURE 6"x4"x2$\frac{1}{2}$", BRASS OR BRONZE, CONFORMING TO AMERICAN WATER WORKS ASSOCIATION STANDARD C503, OR APPROVED EQUAL; AND SHALL BE INSTALLED IN COMPLIANCE WITH FIRE DEPARTMENT REGULATION 8.
20. REQUIRED FIRE FLOW FOR PUBLIC FIRE HYDRANTS AT THIS LOCATION IS 1750 GPM, AT 20 PSI RESIDUAL PRESSURE, FOR A DURATION OF 2 HOURS OVER AND ABOVE MAXIMUM DAILY DOMESTIC DEMAND. FIRE CODE 903.2 AND FIRE DEPT. REGULATION–8.
21. PORTABLE FIRE EXTINGUISHER REQUIREMENTS SHALL BE DETERMINED BY FIRE DEPARTMENT FIELD INSPECTOR IN ACCORDANCE WITH FIRE CODE 906.
22. FIRE DEPARTMENT VEHICULAR ACCESS ROADS MUST BE INSTALLED AND MAINTAINED IN A SERVICEABLE MANNER PRIOR TO AND DURING THE TIME OF CONSTRUCTION. FIRE CODE 501.4.
23. ALL FIRE HYDRANTS TO MEASURE 6"x4"x2$\frac{1}{2}$", BRASS OR BRONZE, CONFORMING TO AMERICAN WATER WORKS ASSOCIATION STANDARD C503, OR APPROVED EQUAL; AND SHALL BE INSTALLED IN COMPLIANCE WITH FIRE DEPARTMENT REGULATION 8. FIRE CODE 508.1.1.

ELECTRICAL ENGINEER

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1290 B STREET, SUITE 209
HAYWARD CA 94541
(925) 373–0943

STRUCTURAL ENGINEER

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MECHANICAL ENGINEER

LMR CONSULTING ENGINEERS
1165 A STREET
HAYWARD, CA 94541
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FLEWELLING & MOODY
architects for education

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ANTELOPE VALLEY OFFICE:

ARCHITECT

LICENSED ARCHITECT C-26053 STATE OF CALIFORNIA

CONSULTANT

AGENCY

Drawn by
Checked by
Revisions

No.	Date	Description

APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

9850 KITTY LANE
OAKLAND, CA 94603

COVER SHEET

Job No. 2486
Date 05–08–12

A0.01

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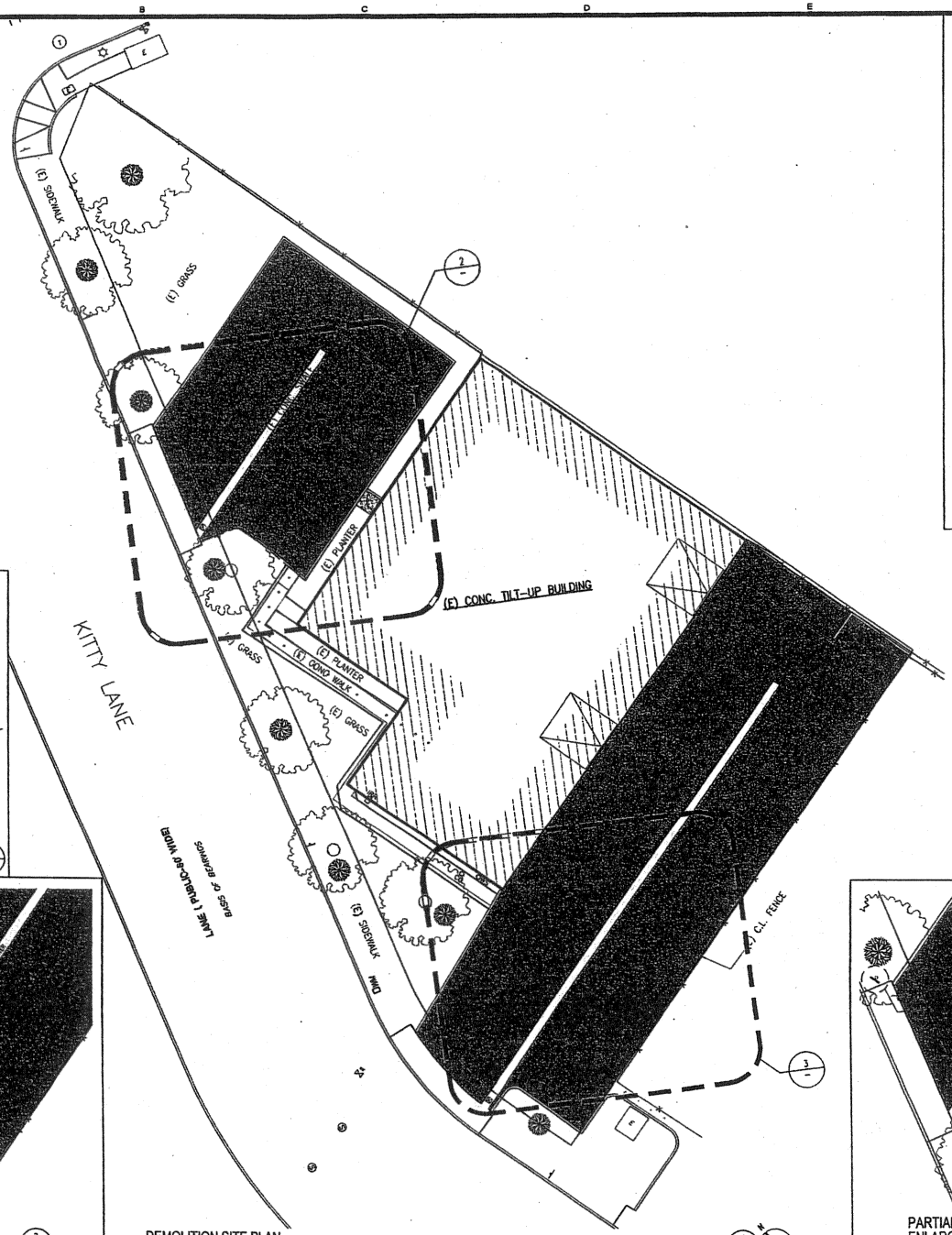


DEMOLITION SITE PLAN
SCALE : 1" = 16'-0"
1 A1.01

DEMOLITION NOTES:

1. DEMO (E) CURB
2. REMOVE (E) PARKING STRIPING

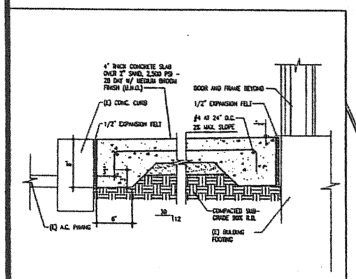
RECONSTRUCTION NOTES:

1. PROVIDE NEW CONCRETE CURB, SEE DETAIL 6/A1.02
2. PROVIDE NEW PAINTED (WHITE) 4" WIDE PARKING STRIPING
3. PROVIDE NEW PAINTED (BLUE) 4" WIDE ACCESSIBLE PARKING STRIPING
4. PROVIDE NEW 6'-0"H ARCHITECTURAL PANEL FENCE BY OMEGA FENCE SYSTEMS, INSTALL PER MANUFACTURERS RECOMMENDATIONS.
5. PROVIDE 5'-0" H X 15'-0" WIDE CANTILEVERED SLIDE GATE BY OMEGA FENCE SYSTEMS, INSTALL PER MANUFACTURERS RECOMMENDATIONS.

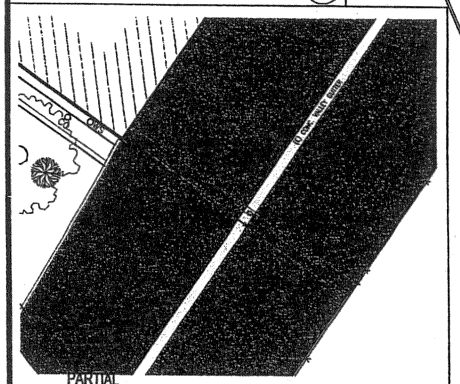
LEGEND:

ACCESSIBLE PATH OF TRAVEL (P.O.T.) AS INDICATED IS A COMMON BARRIER FREE ACCESS ROUTE WITHOUT ANY ABRUPT VERTICAL CHANGES EXCEEDING 1/2" AT 1:2 MAXIMUM SLOPE, EXCEPT THAT LEVEL CHANGES DO NOT EXCEED 1/4" VERTICAL. P.O.T. IS A MINIMUM OF 48" WIDE. THE SURFACE SHALL BE FIRM, STABLE AND SLIP RESISTANT. PARKING SPACES (11338.2.1) AT LEAST 60"x96" SHALL BE LOCATED NOT MORE THAN 200' APART. PARTS OF P.O.T. WITH CONVEXED GROUNDS SHALL HAVE 60" LEVEL AREAS AT INTERVALS OF 400' MAXIMUM (11338.7.6). SLOPES SHALL NOT EXCEED 2% CROSS-SLOPE AND 5% RUNNING SLOPE IN THE DIRECTION OF TRAVEL (11338.7.3) SLOPES GREATER THAN 5% TO A MAXIMUM OF 8.33% SHALL BE CONSIDERED AS A RAMP (11338.5). THERE SHALL BE NO DROP-OFF OVER 4" ALONG THE EDGE OF WALK OR LANDING. P.O.T. SHALL BE MAINTAINED FREE OF OVERHANGING OBSTRUCTIONS AND OBJECTS PROTRUDING GREATER THAN 4" FROM A WALL, BETWEEN 27" TO 80" ABOVE FINISH GRADE.

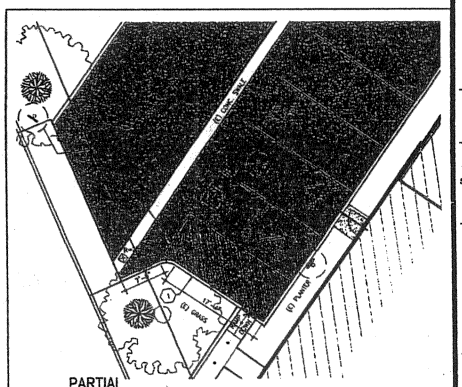
PATCH AND REPAIR (E) DAMAGED A.C. PAVING. PROVIDE 2" OVERLAY A.C. PAVING AND RESTRIPE TO MATCH EXISTING EXCEPT WHERE OTHERWISE NOTED IN DETAIL 2/A1.01



CONCRETE WALK AT DOOR
SCALE : 1-1/2"=1'-0"
4 A1.01



PARTIAL
ENLARGED SITE RECONSTRUCTION PLAN
SCALE : 1/8" = 1'-0"
3 A1.01



PARTIAL
ENLARGED PARKING RECONSTRUCTION PLAN
SCALE : 1/8" = 1'-0"
2 A1.01

FLEWELLING & MOODY
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ARCHITECT

LICENSED ARCHITECT
C-25053
Exp. Date 12/31/2012
STATE OF CALIFORNIA

CONSULTANT

AGENCY

Drawn by: JL
Checked by: --

Revisions

No.	Date	Description
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APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

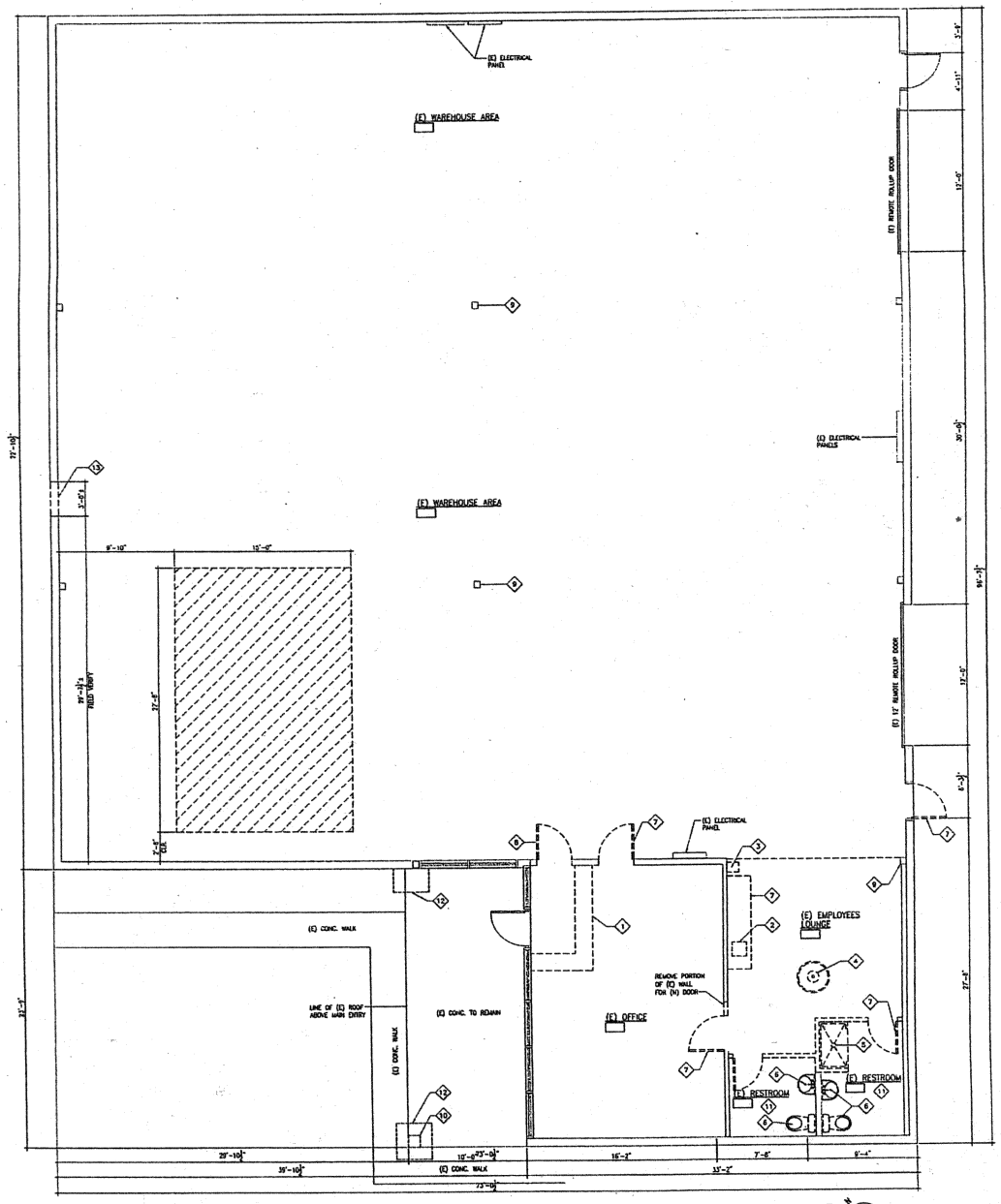
9850 KITTY LANE
OAKLAND, CA 94603

SITE PLAN

Job No. 2486

Date 03-27-12

A1.01



DEMOLITION FLOOR PLAN

SCALE : 1/4" = 1'-0"

1 / A2.01

DEMOLITION NOTES:

1. DEMO EXISTING BASE CABINET AND COUNTERTOP IN ITS ENTIRETY.
2. DEMO EXISTING SINK AND PLUMBING ACCESSORIES IN ITS ENTIRETY AND CAP EXISTING PLUMBING LINES. COORDINATE WORK WITH PLUMBING DRAWINGS ON SHEET P2
3. REMOVE EXISTING DRINKING FOUNTAIN IN ITS ENTIRETY AND CAP EXISTING PLUMBING LINE. COORDINATE WORK WITH PLUMBING DRAWINGS ON SHEET P2
4. DEMO EXISTING HAND WASH BASIN IN ITS ENTIRETY AND CAP EXISTING PLUMBING LINE. COORDINATE WORK WITH PLUMBING DRAWINGS ON SHEET P2
5. DEMO EXISTING SHOWER AND FIXTURES IN ITS ENTIRETY AND CAP EXISTING PLUMBING LINES AND DRAIN. COORDINATE WORK WITH PLUMBING DRAWINGS ON SHEET P2. PATCH AND REPAIR EXISTING SLAB TO MAINTAIN PROPER DRAINING IN NEW RESTROOMS.
6. REMOVE EXISTING SINKS, FIXTURES AND TOILETS IN ITS ENTIRETY.
7. DEMO EXISTING DOOR AND FRAME IN ITS ENTIRETY.
8. DEMO EXISTING DOOR, FRAME TO REMAIN.
9. (E) WOOD POST TO REMAIN
10. (E) CONCRETE COLUMN TO BE RETROFITTED. COORDINATE WITH RECONSTRUCTION PLAN SHEET A2.02, ELEVATIONS ON SHEET A3.01 AND STRUCTURAL PLANS ON SHEETS S3.0 AND S-2.
11. REMOVE EXISTING FINISHES TO FACE OF STUD
12. REMOVE PORTION OF (E) WALK/PLANTING AS REQ'D FOR INSTALLATION OF CONCRETE COLUMN FOOTING. PATCH AND REPAIR EXISTING WALK TO MAINTAIN ALL ADA REQUIREMENTS AND MAINTAIN ALL DRAINAGE AND IRRIGATION AT PLANTING.
13. DEMO PORTION OF EXISTING CONCRETE TILT-UP WALL. COORDINATE WITH STRUCTURAL PLANS AND DETAILS.

LEGEND:

- DEMO (E) STUD WALL IN ITS ENTIRETY
- (E) STUD WALL TO REMAIN
- (E) CONC. SLAB TO BE SAWCUT AND REMOVED. COORDINATE AREA AND CONFIGURATION AS REQUIRED FOR INSTALLATION OF NEW RECTIFI UNITS.

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An Employee Owned Corporation

ARCHITECT

LICENSED ARCHITECT
C-28053
STATE OF CALIFORNIA

CONSULTANT

AGENCY

Drawn By: JL
Checked By: –

Revisions

No.	Date	Description
–	–	–

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APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

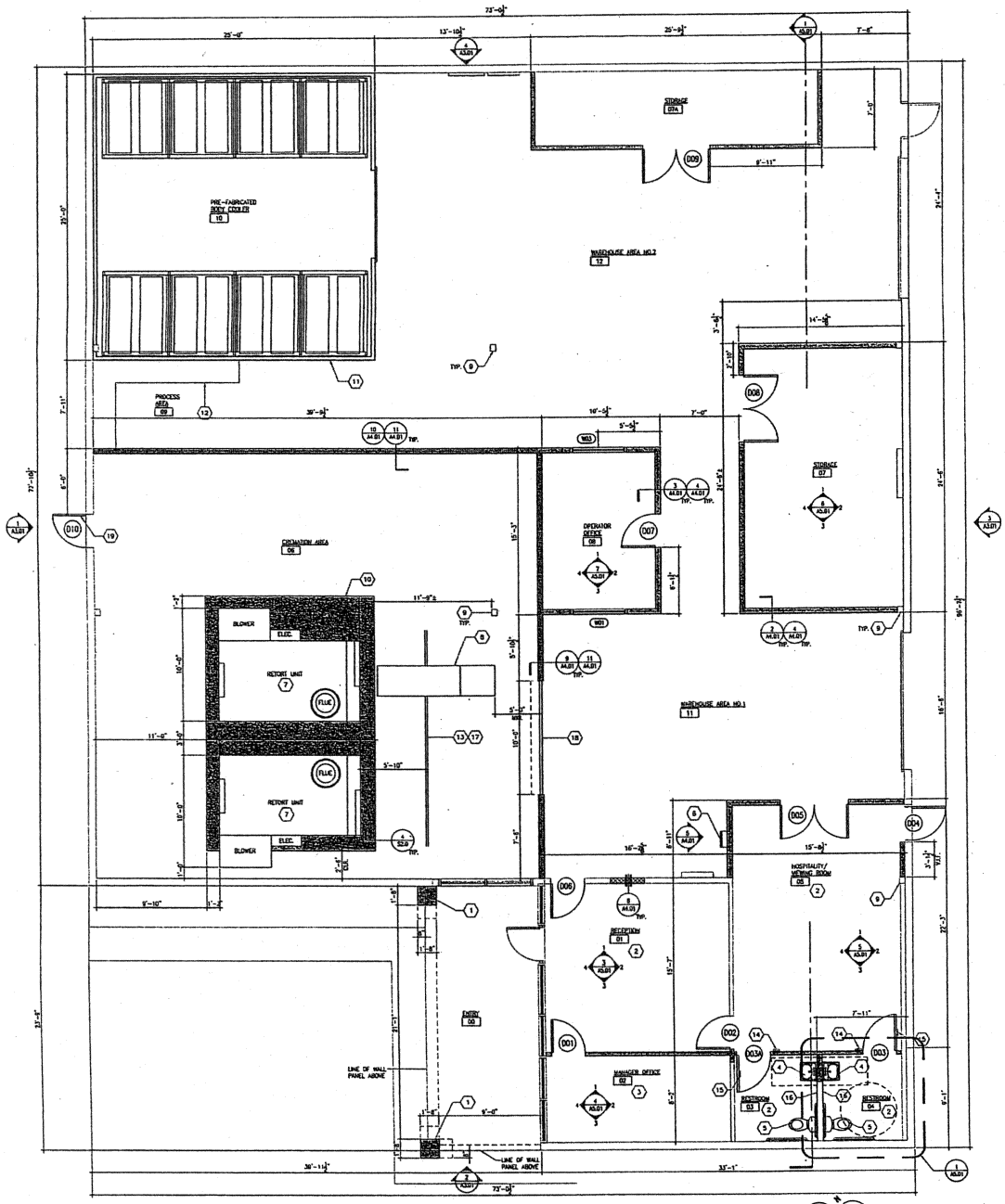
9850 KITTY LANE
OAKLAND, CA 94603

DEMOLITION
FLOOR PLAN

Job No. 2486

Date 05-08-12

A2.01



RECONSTRUCTION FLOOR PLAN
SCALE : 1/4" = 1'-0"

1 A2.02

RECONSTRUCTION NOTES:

1. PROVIDE NEW COLUMN, SEE STRUCTURAL 4/S2.0
2. PROVIDE CERAMIC TILE FLOOR FINISH.
3. PROVIDE CARPET FLOOR FINISH.
4. PROVIDE NEW SINK. REFER TO PLUMBING SHEET P2. RE-ROUTE EXISTING PLUMBING TO ACCOMODATE BACK TO BACK PLUMBING FIXTURES.
5. PROVIDE NEW TOILET. REFER TO PLUMBING SHEET P2.
6. PROVIDE NEW PRE-FAB LADDER AND 6"x6" POSTS, SEE DETAIL 5/M4.01 & 6/S3.0
7. NEW INCINERATOR EQUIPMENT SHALL BE PROVIDED AND INSTALLED BY FACULTATIVE TECHNOLOGIES. FINAL APPROVAL OF INCINERATOR EQUIPMENT IS PENDING CITY OF OAKLAND MECHANICAL PLAN CHECK CODE REQUIREMENTS AND UL LISTING. SEE DET. 8/S4.0 AND 14/S4.0 FOR ANCHORING INFORMATION.
8. NEW FRONT LOADER EQUIPMENT SHALL BE PROVIDED AND INSTALLED BY FACULTATIVE TECHNOLOGIES. FINAL APPROVAL OF FRONT LOADER EQUIPMENT IS PENDING CITY OF OAKLAND MECHANICAL PLAN CHECK CODE REQUIREMENTS AND UL LISTING.
9. EXISTING WOOD POST TO REMAIN
10. PROVIDE NEW 6" THK. CONCRETE SLAB, SEE STRUCTURAL 4/S2.0
11. NEW PRE-FAB COOLER SHALL BE PROVIDED AND INSTALLED BY WESTERN PACIFIC DISTRIBUTORS, INC. AND INSTALLED PER MANUFACTURER'S REQUIREMENTS (ECOMOODLE SYSTEM UL/723). CONTRACTOR SHALL PROVIDE ALL ELECTRICAL AND PLUMBING REQUIREMENTS BY COOLER MANUFACTURER.
12. OWNER SHALL PROVIDE PROCESS TABLE, CONTRACTOR SHALL INSTALL.
13. CONTRACTOR SHALL SAWCUT 6" WIDE X 3" DEEP X 10' LONG OF EXISTING SLAB TO ACCOMODATE TRACK FOR FRONT LOADER. SAWCUT MUST BE DONE ONLY AFTER RETORT UNITS HAVE BEEN SET IN PLACE. OWNER SHALL INSTALL TRACK FOR FRONT LOADER.
14. PROVIDE WALL SCHACE, SEE DOOR SCHEDULE ON A7.01
15. PROVIDE DOOR SIGNAGE, SEE DOOR SCHEDULE ON A7.01
16. PROVIDE DTF. BD FINISH WITH CERAMIC TILE, SEE SCHEDULE ON A7.01
17. FRONT LOADER RAIL SHALL BE INSTALLED BY FACULTATIVE TECHNOLOGIES AFTER RETORTS HAVE BEEN INSTALLED. VERIFY LOCATION IN FIELD.
18. PROVIDE 1½" HOUR OVERHEAD FIRE RATED ROLLING DOOR BY ALPINE OVERHEAD DOORS. I.C. OR EQUAL. OVERHEAD DOOR SIZE SHALL BE 10'-0" WIDE X 9'-0" TALL WITH APPROVED UL/
19. PROVIDE EXTERIOR METAL DOOR AND FRAME FOR EMERGENCY EXIT ONLY.

LEGEND:

- 2x6 WOOD STUDS @ 16" O.C. w/ 1-LAYER ½" TYPE 'X' GYPSUM BOARD ON EACH SIDE @ INTERIOR WALLS, SEE DETAILS 7/A4.01, 3/A4.01, 4/A4.01, 9A/A4.0, 9B/A4.0
- 2-HOUR AREA SEPARATION WALL. 2x6 WOOD STUDS @ 16" O.C. w/ 2-LAYERS ½" TYPE 'X' GYPSUM BOARD ON EACH SIDE @ INTERIOR WALLS (UL DESIGN U301), SEE DETAILS 9/A4.01, 10/A4.01, 11/A4.01
- 2x WOOD STUD IN-FILL PER 8/A4.01
- (E) WALL TO REMAIN
- PROVIDE NEW DOOR, SEE DOOR SCHEDULE ON SHEET A7.01
- PROVIDE 6" THK. CONC SLAB FOR OWNER PROVIDED RETORTS, SEE 4/S2.0

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An Employee Owned Corporation

ARCHITECT

LICENSED ARCHITECT
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C-26053
Exp. 12/31/2012
STATE OF CALIFORNIA

CONSULTANT

AGENCY

Drawn by: JL
Checked by: --

Revisions

No.	Date	Description
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APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

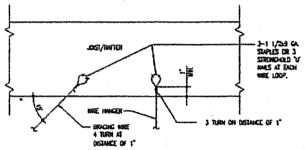
9850 KITTY LANE
OAKLAND, CA 94603

RECONSTRUCTION
FLOOR PLAN

Job No. 2486

Date 05-08-12

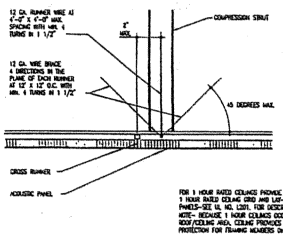
A2.02



WIRE CONNECTION TO RAFTERS

SCALE : 3"=1'-0"

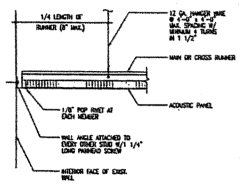
6 A2.03



SUSPENDED ACOUSTICAL CEILING PANEL

SCALE : 3"=1'-0"

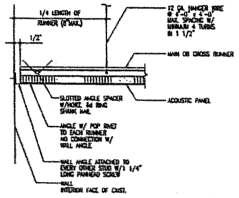
5 A2.03



ACOUSTICAL CEILING AT FIXED SIDE

SCALE : N.T.S.

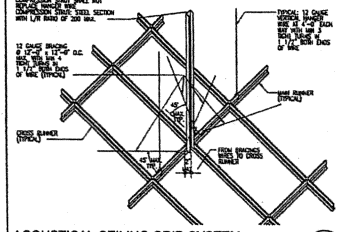
4 A2.03



ACOUSTICAL CEILING AT FLOAT SIDE

SCALE : 3"=1'-0"

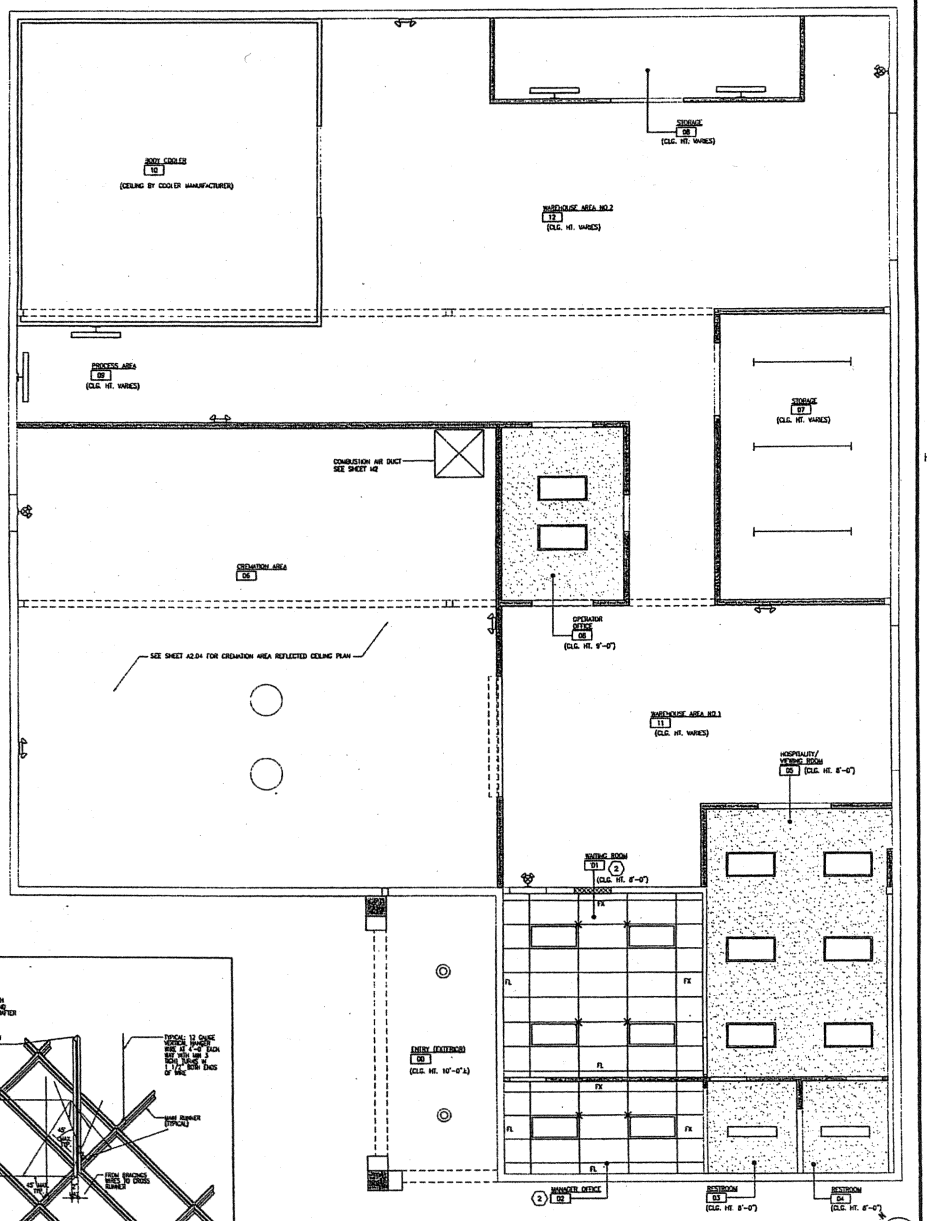
3 A2.03



ACOUSTICAL CEILING GRID SYSTEM

SCALE : N.T.S.

2 A2.03



REFLECTED CEILING - TENANT IMPROVEMENT

SCALE : 1/4" = 1'-0"

1 A2.03

LEGEND:

- PROVIDE SUSPENDED GYP. BD. CEILING SEE DETAIL 4/A2.04
- PROVIDE 2'X4' ACOUSTICAL TILE CEILING GRID W/ COMPRESSION STRUT, CEILING TILES AND RECESSED LIGHTING FIXTURES. SEE DETAILS 2/- 3/- 4/- 5/- 6/- 7/A2.04 8/A2.04
- FL — ACOUSTICAL CEILING GRID AT FLOATING CONNECTION, SEE 2/-
- FX — ACOUSTICAL CEILING GRID AT FIXED CONNECTION, SEE 3/-
- PROVIDE 2'X4' RECESSED LIGHTING FIXTURES, SEE DETAIL 3/A2.04
- PROVIDE 1X4 RECESSED LIGHTING FIXTURE, SEE E3.1.
- PROVIDE WALL MOUNTED EMERGENCY FIXTURE WITH BATTERY BACK-UP, SEE E3.1
- PROVIDE EXIT SIGN WITH DUAL HEADS, CEILING OR WALL MOUNTED, SEE E3.1
- PROVIDE WALL MOUNTED 4' FLUORESCENT FIXTURE, SEE E3.1
- (C) RECESSED LIGHTING TO REMAIN
- 8'-0" CHAIN HUNG FLUORESCENT LIGHT FIXTURE, SEE E3.1

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CONSULTANT

AGENCY

Drawn by: JL

Checked by: --

Revisions

No.	Date	Description
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APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

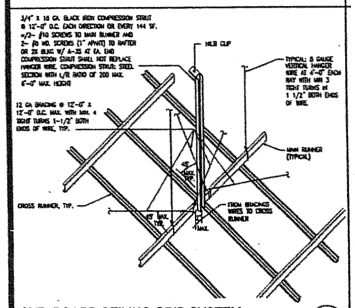
9650 KITTY LANE
OAKLAND, CA 94603

RECONSTRUCTION
REFLECTED CEILING PLAN
OFFICES
AND CEILING DETAILS

Job No. 2486

Date 05-06-12

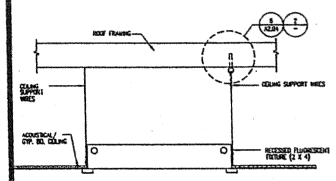
A2.03



GYP. BOARD CEILING GRID SYSTEM

SCALE : N.T.S.

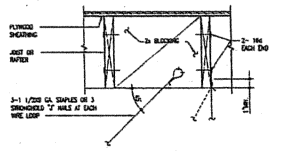
4 A2.04



FIXTURE SUPPORT

SCALE : N.T.S.

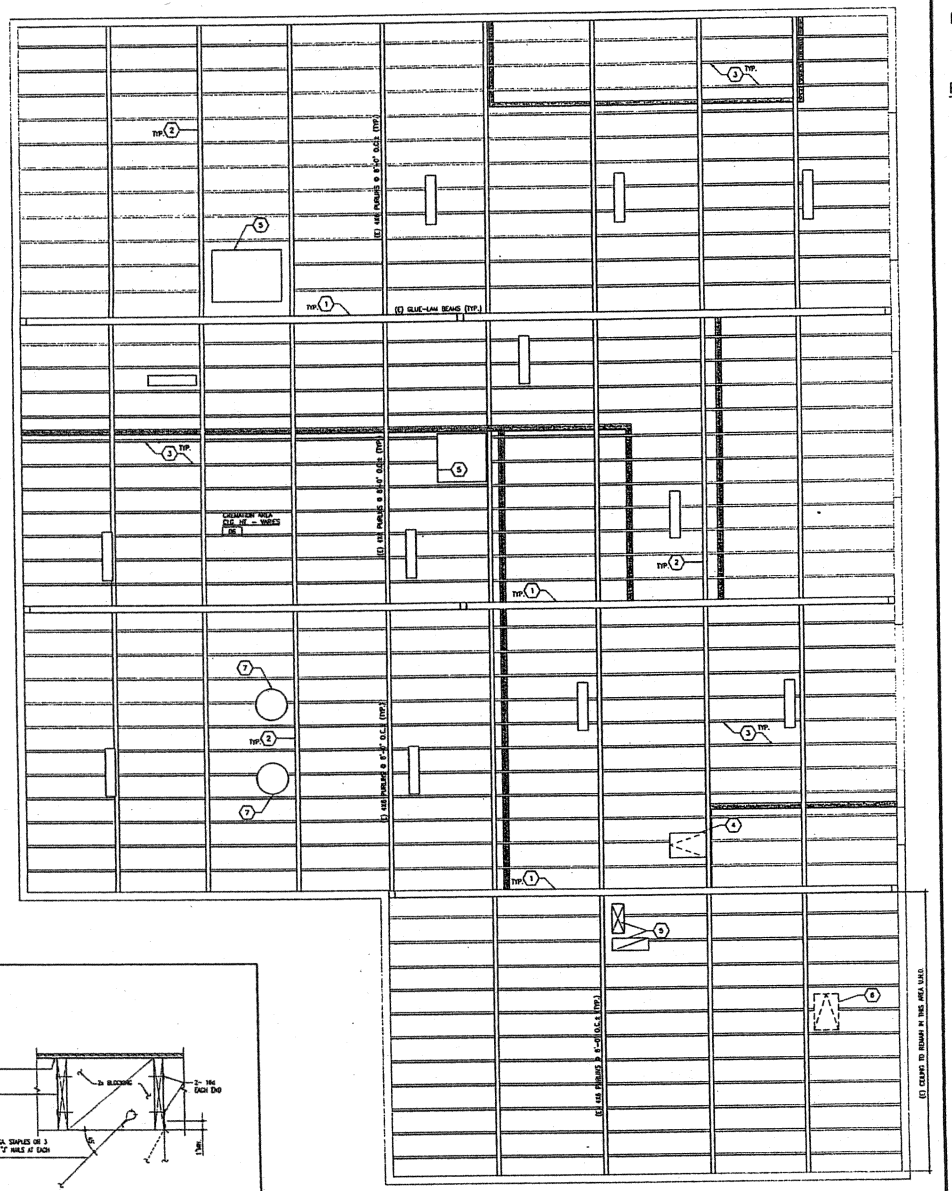
3 A2.04



BRACING WIRE CONNCTION TO JOIST

SCALE : 1-1/2"=1'-0"

2 A2.04



REFLECTED CEILING PLAN - CREMATION AREA

SCALE : 1/4" = 1'-0"

1 A2.04

LEGEND:

NEW 4'-0" PENDANT LIGHTING, SEE E3.1

RECONSTRUCTION NOTES:

1. CONTRACTOR SHALL SAND AND DEGREASE (E) GLU-LAM BEAMS AND PAINT.
2. CONTRACTOR SHALL SAND AND DEGREASE (E) 4X PURLINS AND PAINT.
3. CONTRACTOR SHALL REMOVE (E) FOIL IN ITS ENTIRETY, SAND AND DE-GREASE (E) 2X4 ROOF JOISTS AND PAINT, TYPICAL THROUGHOUT
4. PROVIDE AND INSTALL NEW OSHA CERTIFIED ROOF HATCH, SEE 4/S1.0 FOR FRAMING AND FLASH PER MANUFACTURERS RECOMMENDATIONS/ROOFING MANUFACTURERS GUIDELINES IN ORDER TO MAINTAIN ANY EXISTING WARRANTIES. ALIGN LADDER BELOW CENTERED ON ROOF HATCH.
5. PROVIDE NEW BLOCKING/JOISTS FOR HVAC DUCTS. SEE 4/S1.0 FOR FRAMING.
6. (E) ROOF HATCH TO BE REMOVED, PATCH AND REPAIR ROOF AS REQUIRED TO MAINTAIN ANY WARRANTIES.
7. PROVIDE NEW BLOCKING/JOISTS FOR KEYORT FLUE, SEE 4/S1.0.

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Exp. 12/31/2013

CONSULTANT

AGENCY

Drawn by: JL

Checked by: --

Revisions

No.	Date	Description
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APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

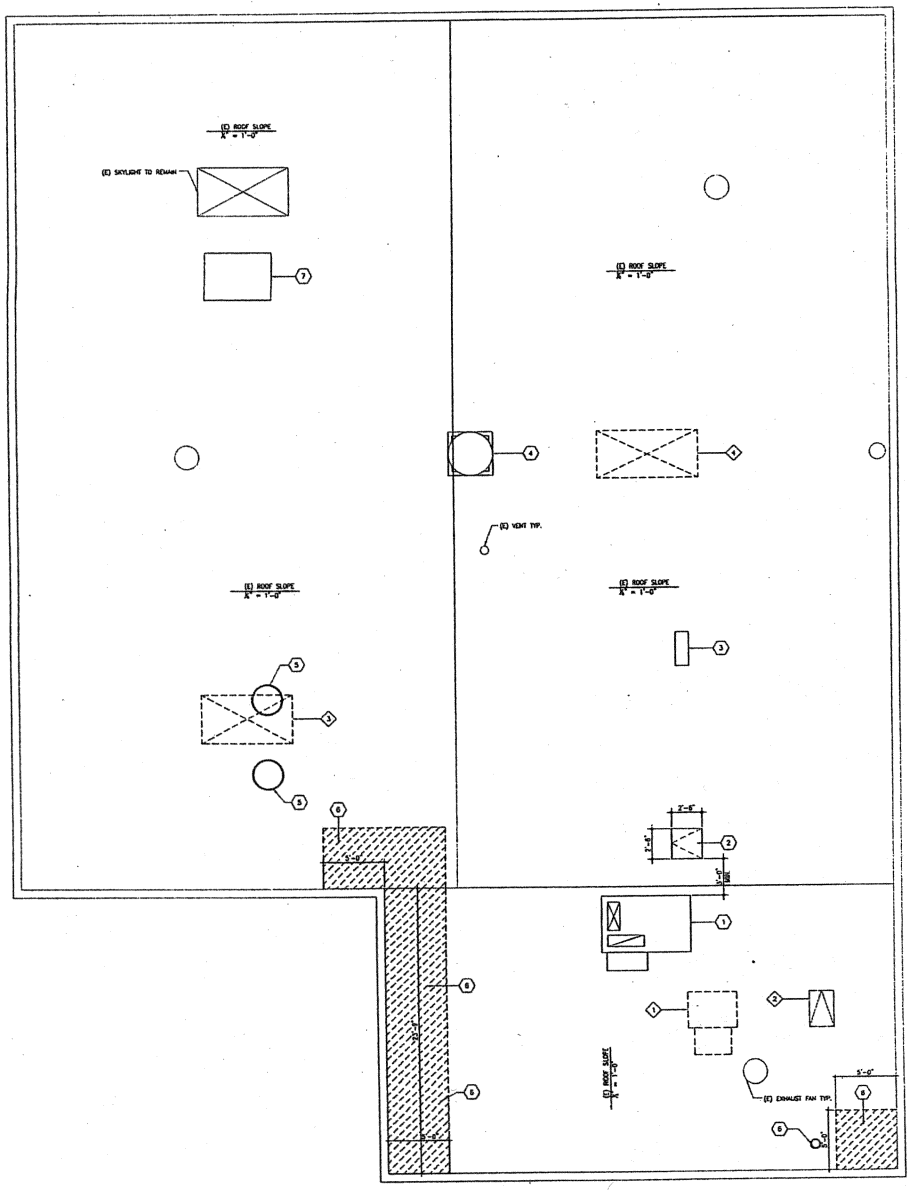
9650 KITTY LANE
OAKLAND, CA 94603

RECONSTRUCTION
REFLECTED CEILING PLAN
CREMATION AREA
AND CEILING DETAILS

Job No. 2486

Date 03-27-12

A2.04



ROOF PLAN
SCALE : 1/4" = 1'-0"

1 A2.05

DEMOLITION NOTES:

1. REMOVE EXISTING A/C UNIT, PATCH AND REPAIR ROOF AS NECESSARY TO MAINTAIN ANY EXISTING ROOF WARRANTIES.
2. REMOVE EXISTING ROOF MATCH, PATCH AND REPAIR ROOF AS NECESSARY TO MAINTAIN ANY EXISTING ROOF WARRANTIES, SEE 5/S1.0
3. CONTRACTOR SHALL REMOVE EXISTING SKYLIGHT ACCOMMODATE NEW RETORT FLUE. CONTRACTOR SHALL PATCH AND REPAIR EXISTING ROOF AS REQUIRED TO MAINTAIN ANY EXISTING WARRANTIES. SEE 5/S1.0 FOR ROOF INFILL DETAILS.
4. CONTRACTOR SHALL REMOVE EXISTING SKYLIGHT ACCOMMODATE NEW STUD WALL BELOW. CONTRACTOR SHALL PATCH AND REPAIR EXISTING ROOF AS REQUIRED TO MAINTAIN ANY EXISTING WARRANTIES. SEE 5/S1.0 FOR ROOF INFILL DETAILS.

RECONSTRUCTION NOTES:

1. PROVIDE HVAC UNIT PER MECHANICAL DRAWING SHEET M3.
2. PROVIDE OSHA CERTIFIED ROOF MATCH BY PRECISION LADDER. SEE 3/A2.01 COORDINATE LOCATION WITH STRUCTURAL SHEET S3.0 AND PROVIDE 6"x6" POSTS FOR ANCHORING PER 4/S3.0
3. PROVIDE HEAT PUMP UNIT PER MECHANICAL DRAWING SHEET M3.
4. PROVIDE COMBUSTION AIR DUCT THROUGH ROOF PER MECHANICAL SHEETS M2 & M3.
5. 18"ø STAINLESS STEEL FLUE PROVIDED AND INSTALLED BY RETORT MANUFACTURER. CONTRACTOR SHALL COORDINATE INSTALLATION WITH RETORT MANUFACTURER AND REPAIR (E) ROOF TO MEET ANY EXISTING ROOF WARRANTIES. SEE 5/S1.0 FOR ROOF INFILL DETAILS.
6. CONTRACTOR SHALL REMOVE PORTION OF (E) ROOFING AND INVESTIGATE IF THERE IS WATER LEAKING INTO WALL PANELS BELOW. CONTRACTOR SHALL CLEAN AND REPLACE ALL WATER DAMAGED ROOF MEMBERS AND RE-ROOF TO MATCH EXISTING.
7. OWNER TO PROVIDE AND INSTALL CONDENSING UNIT FOR PRE-FAB COOLER. CONTRACTOR SHALL PROVIDE ADDITIONAL FRAMING FOR UNIT PER STRUCTURAL DETAILS 1, 2 & 4/S1.0. CONTRACTOR SHALL PROVIDE ALL ELECTRICAL AND PLUMBING REQUIREMENTS AS SHOWN ON SHEET M3 & E4.2.

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Drawn by JL
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Revisions

No.	Date	Description
--	--	--

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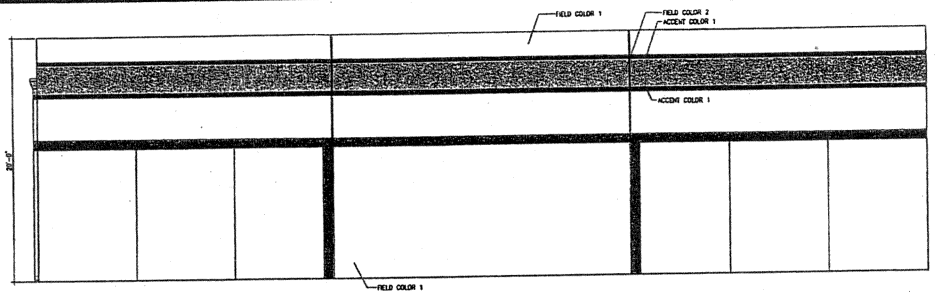
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

8850 KITTY LANE
OAKLAND, CA 94603

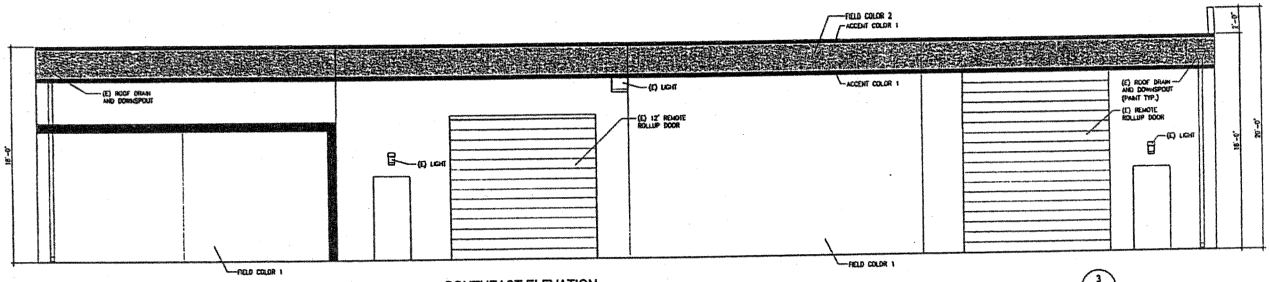
ROOF PLAN

Job No. 2488
Date 05-08-12

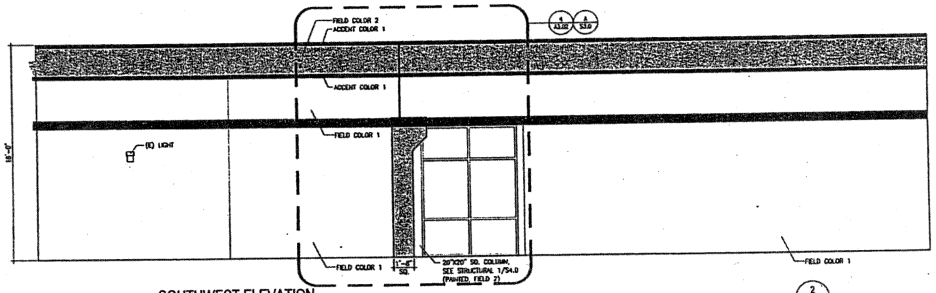
A2.05



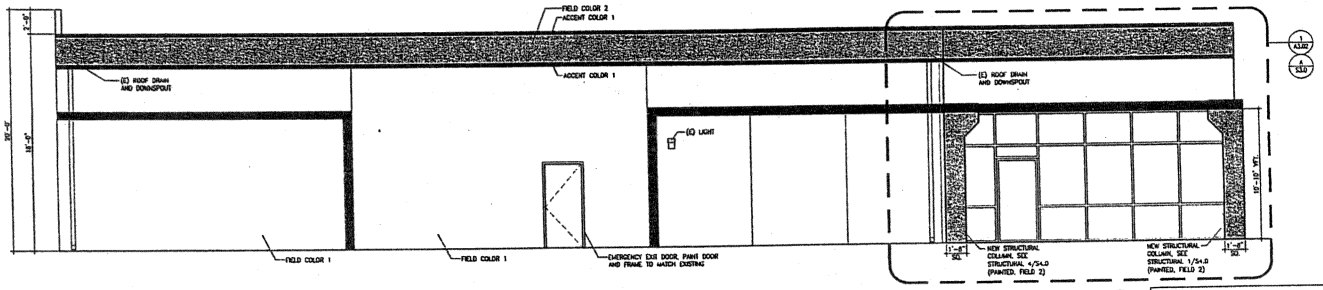
SOUTHWEST ELEVATION
SCALE : 1/4" = 1'-0"
4 A3.01



SOUTHEAST ELEVATION
SCALE : 1/4" = 1'-0"
3 A3.01



SOUTHWEST ELEVATION
SCALE : 1/4" = 1'-0"
2 A3.01



NORTHWEST ELEVATION
SCALE : 1/4" = 1'-0"
1 A3.01

NOTE:
PATCH AND REPAIR ALL SURFACES AND APPURTENANCES AND PREPARE AND PRIME FOR PAINTING. PAINT ALL EXPOSED SURFACES TYP.

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CONSULTANT

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Drawn by: JL
Checked by: –

Revisions

No.	Date	Description
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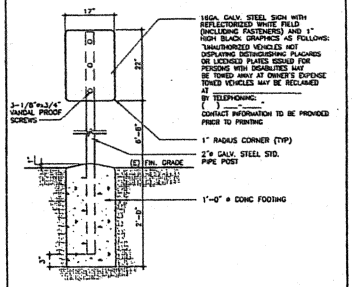
APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

8850 KITTY LANE
OAKLAND, CA 94603

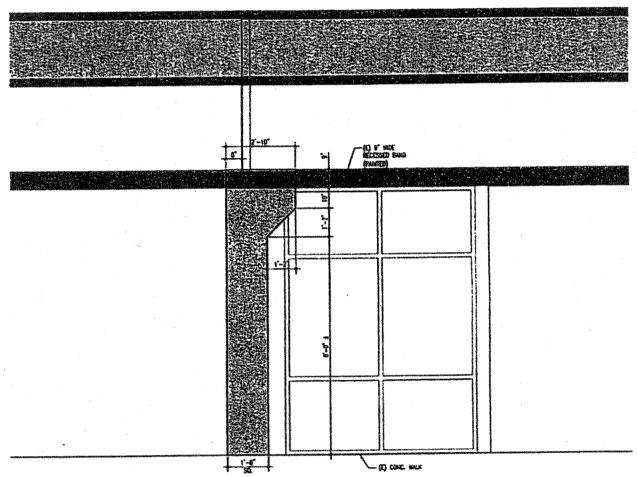
EXTERIOR ELEVATIONS

Job no. 2486
Date 05-08-12

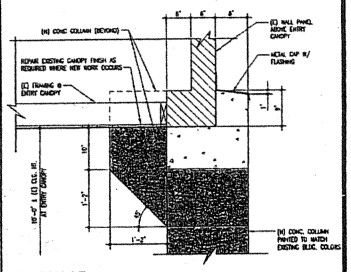
A3.01



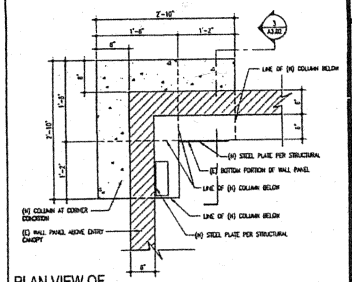
ACCESSIBILITY CONFORMANCE SIGN
SCALE : 1"=1'-0"
5 A3.02



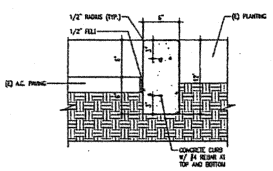
PARTIAL ENLARGED SOUTHWEST ELEVATION - (SEE A/S3.0 FOR STRUCTURAL COLUMN DETAILS)
SCALE : 1/2" = 1'-0"
4 A3.02



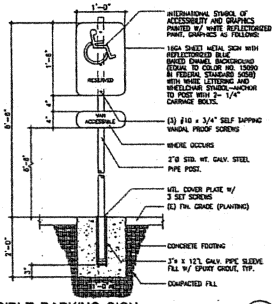
SECTION OF
(N) CONC. COLUMN AT CORNER CONDITION
SCALE : 1"=1'-0"
3 A3.02



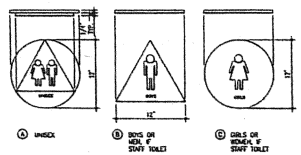
PLAN VIEW OF
(N) CONC. COLUMN AT CORNER CONDITION
SCALE : 1"=1'-0"
2 A3.02



CONCRETE CURB AT PLANTER AREA
SCALE : 1-1/2"=1'-0"
11 A3.02

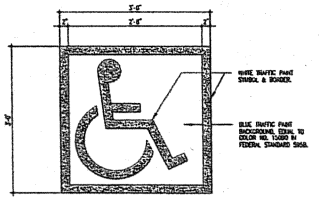


ACCESSIBLE PARKING SIGN
SCALE : 1"=1'-0"
6 A3.02



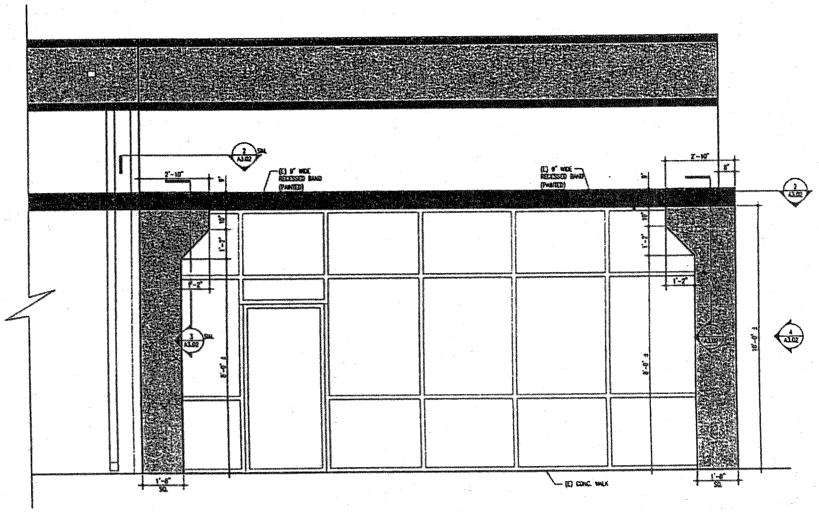
NOTES:
1. MOUNT SIGNS CENTERED ON DOOR AT +60" ABOVE FINISHED FLOOR.
2. SIGN COLOR & CONTRAST SHALL BE DISTINCTLY DIFFERENT FROM THAT OF DOOR.
3. SEE 9 A3.02 FOR SIGN MOUNTING LOCATIONS.

TOILET DOOR SIGNAGE, TYPES A, B, C
SCALE : NOT TO SCALE
10 A3.02

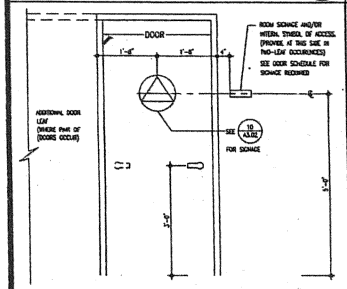


NOTE:
1) ALL STROKES TO BE 2" WIDE.
2) PROVIDE TWO (2) COATS OF TRAFFIC PAINT.
3) LOCATE SYMBOL AT CENTER OF STALL WHERE SHOWN ON SITE PLAN.

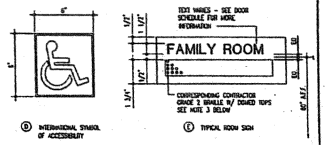
ACCESSIBILITY SYMBOL
SCALE : 1"=1'-0"
7 A3.02



PARTIAL ENLARGED NORTHWEST ELEVATION - (SEE A/S3.0 FOR STRUCTURAL COLUMN DETAILS)
SCALE : 1/2" = 1'-0"
1 A3.02



SIGNAGE MOUNTING HEIGHTS
SCALE : 3/8"=1'-0"
9 A3.02



NOTES:
1. SIGN (B) TO HAVE BLUE FIGURE (FEDERAL STANDARD 595B 15090) AND BORDER WITH WHITE BACKGROUND. SEE BUILDING DOOR SCHEDULES FOR LOCATIONS. LOCATE SIGN MAXIMUM 12" AWAY FROM DOOR STRIKE.
2. SIGNS TO BE 1/8" THICK ES PLASTIC WITH 1/32" RAISED BORDER, GRAPHICS AND LETTERS. PROVIDE MECHANICAL MOUNTING WITH VANDAL RESISTANT FASTENERS. COMPLY WITH ARTICLE 4.30 B 44.30 OF THE ADAG.
3. BRAILLE STANDARD: CALIFORNIA GRADE 2 BRAILLE WITH RAISED TEXTS SHALL BE USED WHEREVER BRAILLE STANDARDS ARE SPECIFICALLY REQUIRED AS NOTED IN THE SPECIFICATIONS. DOTS SHALL BE 1/10 INCH (2.54mm) ON CENTERS IN EACH CELL WITH 2/10 INCH (5.08mm) SPACE BETWEEN CELLS. DOTS SHALL BE RAISED A MINIMUM OF 1/40 INCH (0.635mm) ABOVE THE BACKGROUND.
4. FOR SIGN MOUNTING LOCATIONS, SEE 9 A3.02

ROOM SIGNAGE TYPES D, E
SCALE : N.T.S.
8 A3.02

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ARCHITECT

CONSULTANT

AGENCY

Drawn by: JL
Checked by: –

No.	Date	Description
–	–	–

All drawings shall be delivered to the job in the contractor's hands and remaining the property of the architect upon the completion of the work. Some parts of the specifications or construction drawings have been prepared for a specific site, and not all responsibility for their use in whole or in part on any other site is hereby disclaimed by Flewelling & Moody.

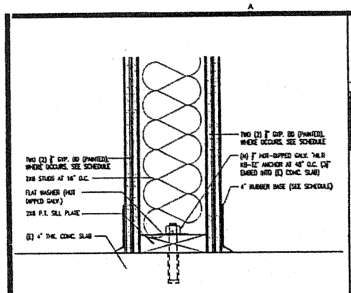
APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

9850 KITTY LANE
OAKLAND, CA 94603

EXTERIOR ELEVATIONS AND DETAILS

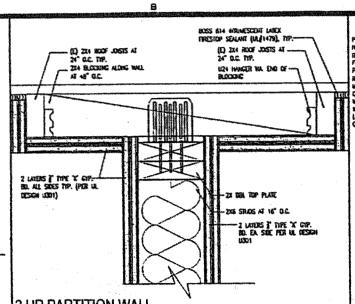
Job No. 2486
Date 03-27-12

A3.02



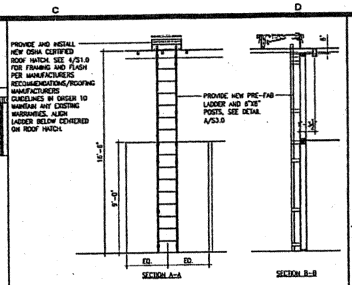
2-HOUR PARTITION WALL BOTTOM CONNECTION

SCALE : 1" = 1'-0" — 11 A4.01



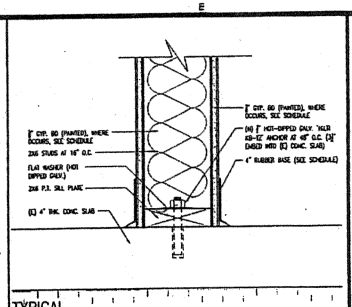
2 HR PARTITION WALL TOP CONNECTION (PARALLEL)

SCALE : 1" = 1'-0" — 10 A4.01



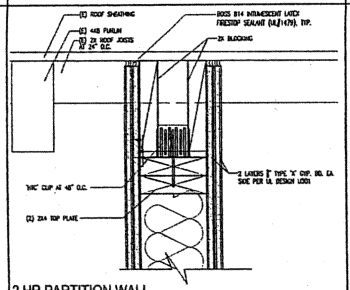
LADDER SECTIONS

SCALE : 1/4" = 1'-0" — 5 A4.01



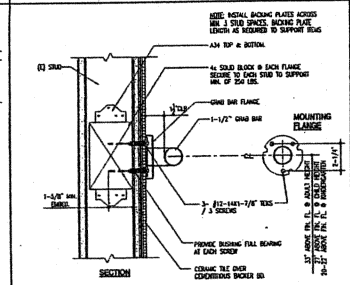
TYPICAL PARTITION WALL BOTTOM CONNECTION

SCALE : 1" = 1'-0" — 4 A4.01



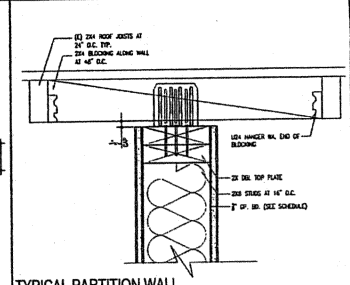
2 HR PARTITION WALL TOP CONNECTION (PERPENDICULAR)

SCALE : 1" = 1'-0" — 9 A4.01



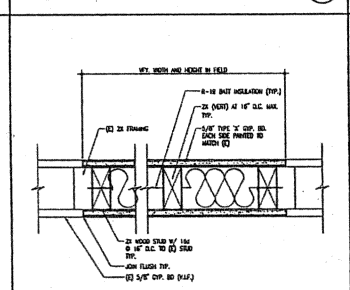
GRAB BAR

SCALE : 3"=1'-0" — 6 A4.01



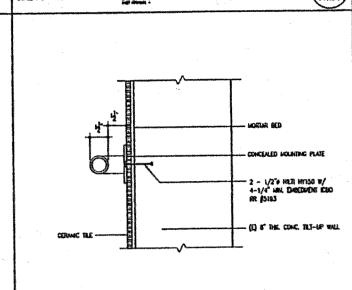
TYPICAL PARTITION WALL TOP CONNECTION (PERPENDICULAR)

SCALE : 1" = 1'-0" — 3 A4.01



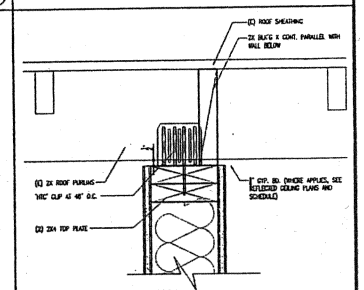
TYPICAL WALL IN-FILL

SCALE : 3"=1'-0" — 8 A4.01



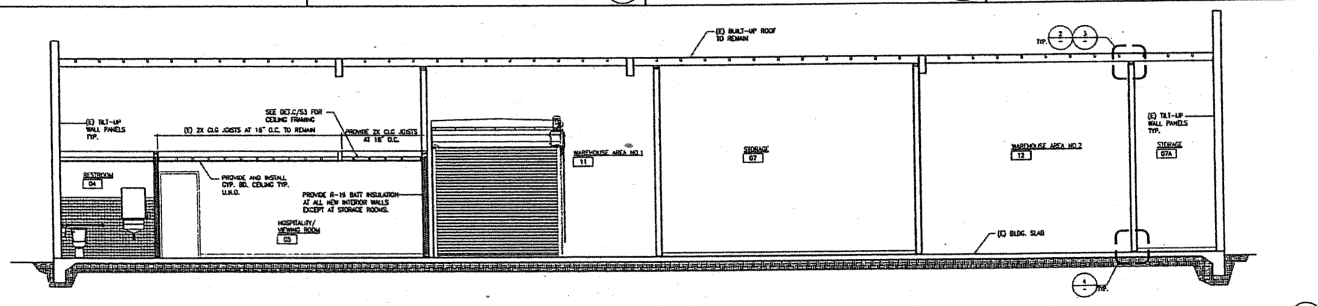
GRAB BAR @ CMU WALL

SCALE : 3"=1'-0" — 7 A4.01



TYPICAL PARTITION WALL TOP CONNECTION (PERPENDICULAR)

SCALE : 1" = 1'-0" — 2 A4.01



BUILDING SECTION

SCALE : 1/4" = 1'-0" — 1 A4.01

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Drawn by: JL
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Revisions

No.	Date	Description
–	–	–

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APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

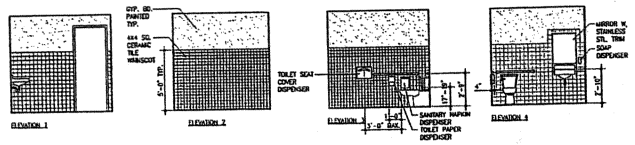
9650 KITTY LANE
OAKLAND, CA 94603

BUILDING SECTION

Job No. 2486

Date 05-08-12

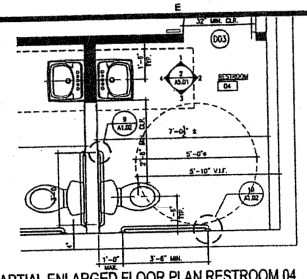
A4.01



ELEVATION - RESTROOM 04 (RESTRROM 03 SIM. OPPOSITE HAND)

SCALE : 1/4" = 1'-0"

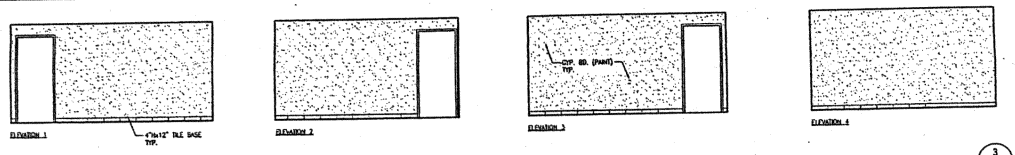
2 A5.01



PARTIAL ENLARGED FLOOR PLAN RESTROOM 04 (RESTROOM 03 SIM. OPPOSITE HAND)

SCALE : 1/2" = 1'-0"

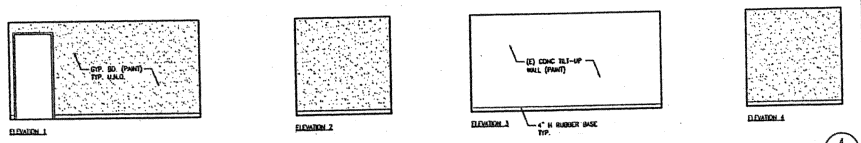
1 A5.01



INTERIOR ELEVATION - WAITING ROOM 01

SCALE : 1/4" = 1'-0"

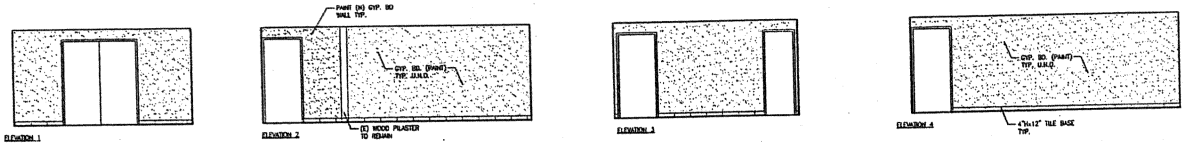
3 A5.01



INTERIOR ELEVATION - MANAGER OFFICE 02

SCALE : 1/4" = 1'-0"

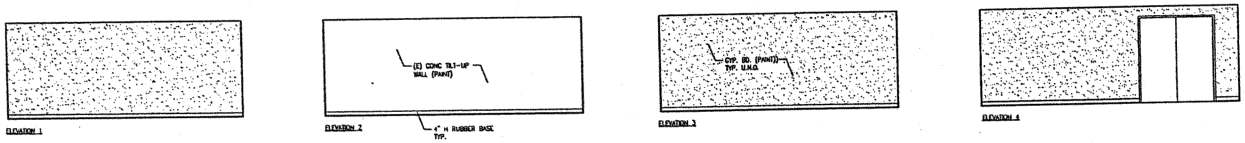
4 A5.01



INTERIOR ELEVATION - HOSPITALITY / VIEWING ROOM 05

SCALE : 1/4" = 1'-0"

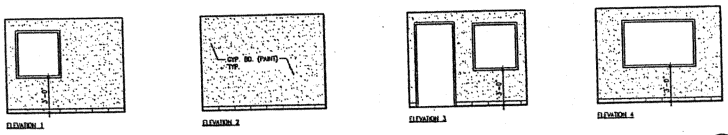
5 A5.01



INTERIOR ELEVATION - STORAGE 07

SCALE : 1/4" = 1'-0"

6 A5.01



INTERIOR ELEVATION - OPERATOR OFFICE 08

SCALE : 1/4" = 1'-0"

7 A5.01

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C-26053
STATE OF CALIFORNIA

CONSULTANT

AGENCY

Drawn by JL
Checked by --

Revisions

No.	Date	Description
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APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

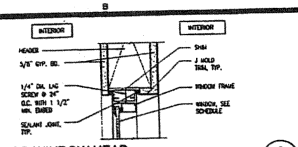
9850 KITTY LANE
OAKLAND, CA 94603

INTERIOR ELEVATIONS

Job No. 2486

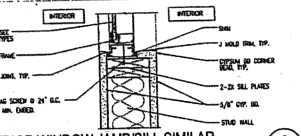
Date 03-27-12

A5.01



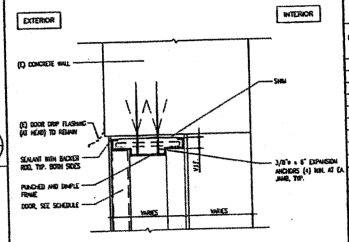
INTERIOR WINDOW HEAD (5 / A7.01)

SCALE : 3"=1'-0"



INTERIOR WINDOW JAMB/SILL SIMILAR (6 / A7.01)

SCALE : 3"=1'-0"



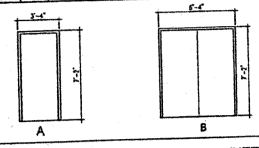
NOTE: 1. DOOR FRAME SHALL BE PLACED IN LOCATION OF (E) DOOR FRAME AND SHOULD MATCH EXISTING DIMENSIONS. V.I.F. ALL DIMENSIONS PRIOR TO INSTALLATION OF DOOR.

JAMB/HEAD SIMILAR AT (E) CONCRETE WALL (4 / A7.01)

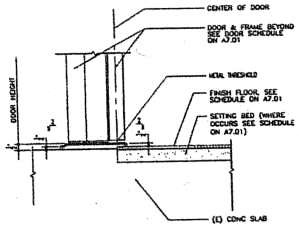
SCALE : 3"=1'-0"

DOOR SCHEDULE

DOOR NO.	DOOR TYPE	DOOR SIZE	SWING	MAT'L	FRAME TYPE	DETAIL HEAD	DETAIL JAMB	DETAIL SILL	FIRE ASSEMBLY	HDWR SET	GLASS TYPE	REMARKS	SIGNAGE
D01	A	3'-0" X 7'-0"	90	SC	HM	2/A7.01	3/A7.01	7/A7.01	-	-	N/A	-	-
D02	A	3'-0" X 7'-0"	90	SC	HM	2/A7.01	3/A7.01	7/A7.01	-	-	N/A	-	
D03	A	3'-0" X 7'-0"	90	SC	HM	2/A7.01	3/A7.01	7/A7.01	-	-	N/A	-	
D03A	A	3'-0" X 7'-0"	90	SC	HM	2/A7.01	3/A7.01	7/A7.01	-	-	N/A	-	-
D04	A	3'-0" X 7'-0"	180	MM	HM	4/A7.01	4/A7.01	1/A7.01	-	-	*	-	
D05	B	3'-0" X 7'-0" (PR)	180	SC	HM	2/A7.01	3/A7.01	7/A7.01	-	-	N/A	-	-
D06	A	3'-0" X 7'-0"	90	SC	HM	2/A7.01	3/A7.01	7/A7.01	-	-	*	-	-
D07	A	3'-0" X 7'-0"	180	SC	HM	2/A7.01	3/A7.01	7/A7.01	-	-	N/A	-	-
D08	B	3'-0" X 7'-0" (PR)	180	SC	HM	2/A7.01	3/A7.01	7/A7.01	-	-	N/A	-	-
D09	B	3'-0" X 7'-0" (PR)	180	SC	HM	2/A7.01	3/A7.01	7/A7.01	-	-	N/A	-	-
D10	A	3'-0" X 7'-0"	180	MM	HM	4/A7.01	4/A7.01	1/A7.01	-	-	N/A	-	-

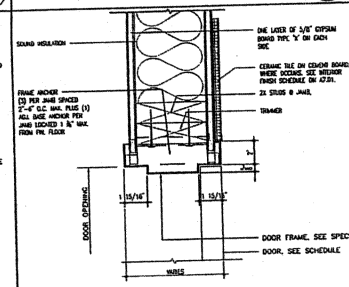


NOTE: DOORS AND DOOR FRAMES TO BE OWNER SELECTED



INTERIOR DOOR SILL (7 / A7.01)

SCALE : 3"=1'-0"



INTERIOR DOOR JAMB (3 / A7.01)

SCALE : 3"=1'-0"

INTERIOR FINISH SCHEDULE

ROOM NUMBER	ROOM NAME	FINISH MATERIALS: FLOOR	BASE	WALLS N	WALLS E	WALLS S	WALLS W	WAINSCOT TYPE	WAINSCOT WALL	WAINSCOT HEIGHT	CEILING TYPE	CEILING HEIGHT	PAINTING (● = REQUIRED): WALLS N	WALLS E	WALLS S	WALLS W	CEILING	METAL DOOR	WOOD DOOR	METAL TRIM	WOOD TRIM	MILLWORK	CABINET	DR. FRAMES	ROOM NUMBER	REMARKS
00	ENTRY (EXTERIOR)	-	-	-	-	-	-	-	-	-	C10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
01	RECEPTION	F2	B2	W3	W1	W1	W4	-	-	-	C2	8'-0"	●	●	●	●	-	-	●	-	-	-	-	●	-	-
02	MANAGER OFFICE	F3	B3	W1	W1	W3	W4	-	-	-	C2	8'-0"	●	●	●	●	-	-	●	-	-	-	-	●	-	-
03	RESTROOM	F2	B2	W1	W4	W4	W1	Q1	Q3	5'-0"	C1	8'-0"	●	●	●	●	●	-	●	-	-	-	-	●	-	-
04	RESTROOM	F2	B2	W1	W1	W4	W1	Q1	Q3	5'-0"	C1	8'-0"	●	●	●	●	●	-	●	-	-	-	-	●	-	-
05	HOSPITALITY/VIEWING ROOM	F2	B2	W1	W3	W1	W1	-	-	-	C1	8'-0"	●	●	●	●	-	-	●	-	-	-	-	●	-	-
06	CREMATION AREA	F1	B1	W3	W3	W3	W3	-	-	-	-	-	●	●	●	●	●	-	-	-	-	-	-	●	-	-
07	STORAGE	F1	B3	W1	W3	W1	W1	-	-	-	C1	VARIES	-	-	-	-	●	-	●	-	-	-	-	●	-	-
07A	STORAGE	F1	B3	W3	W1	W1	W1	-	-	-	C1	VARIES	-	-	-	-	●	-	●	-	-	-	-	●	-	-
08	OPERATOR OFFICE	F2	B3	W1	W1	W1	W1	-	-	-	C1	9'-0"	●	●	●	●	-	-	●	-	-	-	-	●	-	-
09	PROCESS AREA	F1	B1	W3	W3	W3	W3	-	-	-	-	-	●	●	●	●	●	●	-	-	-	-	-	●	-	-
10	PRE-FABRICATED BODY COOLER	F1	B3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11	WAREHOUSE AREA #1	F3	B1	W3	W3	W3	W3	-	-	-	-	-	●	●	●	●	●	●	-	-	-	-	-	●	-	-
12	WAREHOUSE AREA #2	F1	B1	W3	W3	W3	W3	-	-	-	-	-	●	●	●	●	●	●	-	-	-	-	-	●	-	-

LEGEND:

FLOORING:

CONCRETE	F1
CERAMIC TILE	F2
CARPET	F3

BASE:

CONCRETE	B1
CERAMIC TILE	B2
TOP SET	B3

CEILINGS:

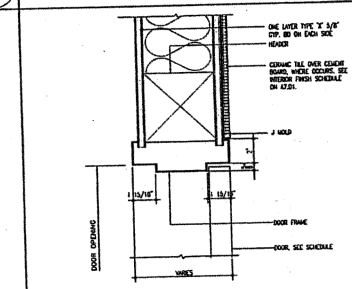
5/8" GYPSUM BOARD	C1
ACOUSTIC TILE	C2

WALLS:

5/8" GYPSUM BOARD	W1
CERAMIC TILE	W2
(E) CONC. TILT-UP	W3
(E) STOREFRONT	W4

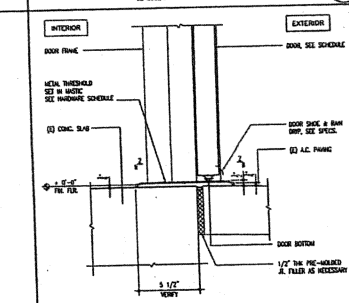
WAINSCOT:

CERAMIC TILE	Q1
5/8" GYPSUM BOARD	Q3
EXPOSED CONCRETE	Q6



INTERIOR DOOR HEAD (2 / A7.01)

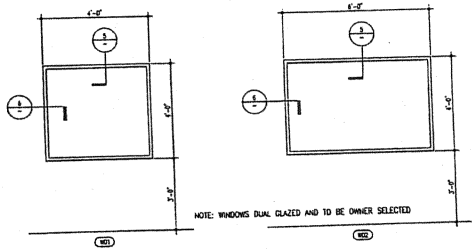
SCALE : 3"=1'-0"



EXTERIOR DOOR SILL (1 / A7.01)

SCALE : 3"=1'-0"

WINDOW ELEVATIONS



NOTE: WINDOWS DUAL GLAZED AND TO BE OWNER SELECTED

FLEWELLING & MOODY
architects for education

HEADQUARTERS OFFICE:
141 South Lake Avenue, 2nd Floor
Pasadena, California 91101
626.449.8787 FAX 626.449.8177
E-MAIL fm-pasadena@flewelling-moody.com

ANTELOPE VALLEY OFFICE:
1035 West Lancaster Boulevard
Lancaster, California 93534
661.948.2771 FAX 661.948.3842
E-MAIL fm-lancaster@flewelling-moody.com

An Employee Owned Corporation

ARCHITECT

LICENSED ARCHITECT
C-26053
STATE OF CALIFORNIA

CONSULTANTS

AGENCY

Drawn by: JL
Checked by: --

Revisions

No.	Date	Description
--	--	--

All dimensions must be verified at the job by the contractor who accepts full responsibility for their correctness prior to proceeding. These plans & the specifications to accompany them have been prepared for a specific site, city and all responsibility for their use in whole or in part on any other site is hereby disclaimed by Flewelling & Moody.

APOLLO CREMATORIUM
TENANT IMPROVEMENT
FOR
S.E. COMBINED SERVICES OF CA, INC.

9650 KITTY LANE
OAKLAND, CA 94603

DOOR SCHEDULE
INTERIOR FINISH SCHEDULE
AND DETAILS

Job No. 2486

Date 03-27-12

A7.01

17.102.040 - Effect of prior permits.

A.

Building and Sign Permits and Development Agreements. Whenever any subsisting building permit or sign permit has been lawfully issued beforehand, or whenever a subsisting development agreement has been approved beforehand under Section 17.102.310 and the development agreement procedure in Chapter 17.138, neither the original adoption of the zoning regulations nor the adoption of any subsequent rezoning or other amendment thereto shall prohibit the construction, other development or change, or use authorized by said permit or agreement. The uses as they result shall be deemed nonconforming uses and subject to the nonconforming use regulations in Chapter 17.114, except to the extent that they are authorized by a subsisting conditional use permit, development agreement, variance, or other special zoning approval.

17.114.030 - Prior permits.

A.

Building and Sign Permits and Development Agreements. As specified in Sections 17.102.040 and 17.102.310, uses may in certain cases be established, constructed, altered, extended, substituted, moved, or otherwise changed on the basis of building or sign permits or development agreements although the zoning regulations or a rezoning or other amendment thereto would otherwise prohibit such use, development, or change.

B.

Alcoholic Beverage Control Licenses. Notwithstanding the provisions of the nonconforming use regulations, said provisions shall not apply to the extent that they would preclude the exercise of the same rights and privileges as those conferred by a valid state of California Alcoholic Beverage Control license for premises which had been used in the exercise of such rights and privileges at a time immediately prior to the effective date of the applicable provisions of Section 17.102.210. For the purposes of this Subsection, the word "premises" shall mean and include only the actual space within a building devoted to the sale of alcoholic beverage.

(Prior planning code § 7402)

17.144.010 - Title, purpose, and applicability.

The provisions of this chapter shall be known as the rezoning and law change procedure. The purpose of these provisions is to prescribe the procedure by which changes may be made in the text of the zoning regulations and in the application thereof to specific properties. This procedure shall apply to all proposals to rezone property, to change the text of the zoning regulations, or to establish, amend, or delete any development control map or designated landmark or landmark site.

(Prior planning code § 9500)

17.144.020 - No Council action without Planning Commission recommendation.

The City Council shall not rezone any property, change the text of any provision of the zoning regulations, or establish, amend, or delete any development control map or designated landmark or landmark site until after it has received, pursuant to this procedure, a recommendation and/or findings from the City Planning Commission.

(Prior planning code § 9501)

ARTICLE II - THE COUNCIL

Section 200. Composition of the Council. The Council shall consist of eight Councilmembers, nominated and elected as hereinafter provided. The Mayor shall not be a member of the Council, but he shall have a vote on the Council if the councilmembers are evenly divided.

(Amended by: Stats. November 1998.)

Section 201. Qualifications. No person shall be eligible for or continue to hold the office of Councilmember, either by election or appointment, unless he is a citizen of the United States, a qualified elector, a resident for at least thirty days of the City or of a territory lawfully annexed or consolidated, and a resident of the district from which he may be a candidate for at least thirty days immediately next preceding his nomination or appointment.

(Amended by: Stats. November 1988.)

Section 202. Public Ethics Commission; Council Salaries. (a) There is hereby established a Public Ethics Commission which shall be responsible for responding to issues with regard to compliance by the City of Oakland, its elected officials, officers, employees, boards and commissions with regard to compliance with City regulations and policies intended to assure fairness, openness, honesty and integrity in City government including, Oakland's Campaign Finance Reform Ordinance, conflict of interest code, code of ethics and any ordinance intended to supplement the Brown Act, and to make recommendations to the City Council on matters relating thereto, and it shall set City Councilmember compensation, as set forth herein.

(b) The members of the Public Ethics Commission shall consist of seven (7) members who shall be Oakland residents.

(1) Initial appointments. The first seven members of the Commission shall be appointed as follows: Three (3) members who represent local civic organizations with a demonstrated history of involvement in local governance issues shall be nominated for appointment by the Mayor and confirmed by the City Council; and four (4) members shall be appointed following a public recruitment and application following a public recruitment and application process, by the unanimous vote of the three (3) representatives appointed by the City Council. The four (4) members so appointed shall reflect the interest of the greater Oakland neighborhood and business communities.

(2) Subsequent Mayoral appointments. A vacancy in any of the three (3) positions nominated for appointment by the Mayor and confirmed by the City Council shall be filled in the same manner and upon consideration of the same criteria as for the initial Mayoral appointments.

(3) Subsequent Non-Mayoral appointments. A vacancy in any of the four (4) positions initially selected by the unanimous vote of the three (3) Mayoral appointments shall be filled, following a public recruitment and application process, by a candidate who receives the affirmative vote of at least four (4) members of the Commission. Any member so appointed shall reflect the interests of the greater Oakland neighborhood and business communities.

(4)

Staggered Terms. Both categories of member shall be appointed to staggered terms.

(5) Functions, duties, powers, jurisdiction and terms. The City shall by ordinance prescribe the function, duties, powers, jurisdiction and the terms of members of the Commission, in accordance with this Article.

(C) Beginning with Fiscal Year 2003-2004, the Public Ethics Commission shall annually adjust the salary for the office of Councilmember by the increase in the consumer price index over the preceding year. The Commission may adjust salaries beyond the increase in the consumer price index up to a total of five percent. Any portion of an increase in compensation for the office of Councilmember that would result in an overall increase for that year in excess of five percent must be approved by the voters.

(Amended by: Stats. November 1996, June 1998 and November 1998 and March 2004.)

Section 203. Nomination and Election of Councilmembers. Seven Councilmembers shall be nominated from districts and one shall be nominated at large. The Councilmember-at-large shall be nominated and elected by the qualified electors of the City at large. The District Councilmembers shall be nominated and elected by the qualified electors of their respective districts. The districts shall be as they exist upon the taking effect of this section, until revised by ordinance. In the year 1993, and every ten years thereafter, and whenever any substantial territory is annexed to or consolidated with the City, the Council shall form new districts not exceeding seven. Districts shall be composed of contiguous territory, as equal as possible in population, and as geographically compact as practicable. No change in the boundary of a district shall operate to exclude an incumbent from office before the expiration of the term for which he was elected or appointed.

(Amended by: Stats. October 1980, June 1990 and March 2004.)

Section 204. Term Office, Council. The Councilmembers shall be elected to a term of four years beginning at 11:00 a.m. on the Monday following January 1 following their election. The Councilmembers elected or appointed to office to serve terms beginning in 1985 shall serve in office until 11:00 a.m. on the Monday following January 1 in 1991. The Councilmembers elected or appointed to office to serve terms beginning in 1987 shall serve in office until 11:00 a.m. on the Monday following January 1, 1993. In 1990 Municipal Elections will be held to select City officers for four year terms for the following offices: Councilmember, District #2; Councilmember, District #4, and, Councilmember, District #6. In 1992 Municipal Elections will be held to select City Councilmembers for four year terms for the following offices: Councilmember, District #1; Councilmember, District #3; Councilmember, District #5; Councilmember, District #7; and Councilmember-At-Large.

(Amended by: Stats. November 1988.)

Section 205. Vacancy, Filling of. All vacancies occurring in the office of Councilmember shall be filled by special election within 120 days of a vacancy. An extension of up to 60 days may be allowed for the express purpose of consolidating the special election with the next Municipal Election or Statewide Election. If the special election is to take place before the first use of ranked choice voting in a Municipal Election, the Council shall have the authority to provide for a ranked choice voting election by ordinance. Otherwise, the candidate who receives the highest number of votes at the special election shall be declared the winner and thereafter sworn into office as soon as legally possible. Special elections for the office of Councilmember that take place during or after the first use of ranked choice voting in a Municipal Election shall be conducted using the same ranked choice voting procedures used to elect Councilmembers in General Municipal Elections. Whenever the period of vacancy in a Councilmember's term of office equals or exceeds 120 days

the vacancy may be temporarily filled by appointment through the majority vote of the remaining Councilmembers, provided the appointee is not a candidate for the office which created the vacancy and provided the appointment does not exceed 128 days or go beyond the date the new incumbent is sworn in, whichever is shortest. Alternative legal voting procedures shall be used to the greatest extent feasible to increase voter participation in special elections including but not limited to mail ballot voting, electronic voting and extended voting period. Notwithstanding any other provision of this section 205 or this Charter, an election shall not be required to fill a vacancy in the office of Councilmember that occurs when the Vice Mayor fills a mayoral vacancy pursuant to Sections 303 and 304 of this Charter, and the Vice Mayor shall be entitled to return to his/her seat.

(Amended by: Stats. November 1998, November 2000, March 2002 and February 2007.)

Section 206. Vacancy, What Constitutes. An office of Councilmember shall be declared vacant by the Council when the person elected or appointed thereto fails to qualify within ten days after his term is to begin, dies, resigns, ceases to be a resident of the City or of the district from which he was nominated, absents himself continuously from the City for a period of more than thirty days without permission from the Council, absents himself from any ten consecutive regular meetings except on account of his illness or when absent from City by permission of the Council, is convicted of a felony, is judicially determined to be an incompetent, is permanently disabled as to be unable to perform the duties of his office, forfeits his office under any provision of this Charter, or is removed from office by judicial procedure. A finding of disability shall require the affirmative vote of at least six members of the Council after considering competent medical evidence bearing on the physical or mental capability of the Councilmember.

(Amended by: Stats. November 1988 and November 2000.)

Section 207. Powers of the Council. The Council shall be the governing body of the City. It shall exercise the corporate powers of the City and, subject to the expressed limitations of this Charter, it shall be vested with all powers of legislation in municipal affairs adequate to provide a complete system of local government consistent with the Constitution of the State of California. It shall have no administrative powers. The Council shall fix the compensation of all City employees, officers and officials except as otherwise provided by this Charter.

(Amended by: Stats. November 1988 and November 2000.)

Section 208. Meetings of the Council. At 11:00 a.m. on the first Monday following January 1 following each General Municipal Election, the Council shall meet at the established Council meeting place, at which time and place the newly elected members of the Council shall assume the duties of their office; and at such meeting, and at its first meeting in January of each year, the Council shall elect a Vice-Mayor from among its members to serve for a one-year term. Thereafter, the Council shall meet regularly at the time and place fixed by resolution. Special meetings may be held at the regular place of meeting and shall be called, and notice thereof given, by the City Clerk upon the written request of the Mayor, the City Administrator or three members of the Council and such notice shall state the special subject to be considered at the special meeting; and no other subject shall be there considered. Regular or special meetings may be held at places other than the regular meeting place only in an emergency in which the regular meeting place is untenable, or for some purpose of public convenience, upon the posting of a public notice at the regular meeting place that the Council is meeting elsewhere to be designated on the notice.

(Amended by: Stats. June 1988 and March 2004.)

Section 209. Quorum. Five members of the Council shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

Section 210. Council Action. The Council shall provide by resolution for the order of business and the rules of procedure for the conduct of Council meetings. The Council shall act by ordinance or resolution or motion. The "ayes" and "noes" shall be taken on the passage of all ordinances and resolutions and entered upon the journal of the Council's proceedings. Each proposed ordinance or resolution shall be introduced in written or printed form. The affirmative vote of five members of the Council shall be required to adopt any ordinance or resolution, except as otherwise provided by this Charter or by general law.

Section 211. Enactment of Ordinances. In addition to such other action of the Council as is required by statute or by this Charter to be by ordinance, every act of the Council establishing a penalty or granting a franchise shall be by ordinance. The enacting clause of all ordinances shall be: "The Council of the City of Oakland does ordain as follows:"

Section 212. Adoption and Amendment of Ordinances. Except for emergency ordinances, no ordinance shall be adopted by the Council on the day of its introduction, nor within five days thereafter, nor except at a regular or adjourned regular or special meeting. If an ordinance is altered after its introduction (except for the correction of typographical or clerical errors), it shall not be adopted except at a regular or adjourned regular or special meeting held not less than five days after the date of such alteration. Any section or subsection of an ordinance may be amended solely by the reenactment of such section or subsection at length as amended.

Section 213. Emergency Ordinances. Any ordinance declared by the Council to be necessary for preserving the public peace, health, or safety in an emergency, and containing a statement of the reasons constituting such necessity, may be introduced and adopted at the same meeting if passed by the affirmative vote of at least six members. Appropriations to meet an urgent need for public expenditure, to protect the public health, safety, or welfare may be made as an emergency ordinance.

Section 214. Publication. Before final adoption of an ordinance, its title, a digest thereof, a notice showing the vote on its introduction and the date, time, and place of hearing on its final adoption, and notice that three full copies thereof are available for use and examination by the public in the Office of the City Clerk, shall be published once in the official newspaper of the City at least three days before said hearing date. Notice of the adoption of an emergency ordinance, the vote thereon, its title, and a digest thereof shall be similarly published once within three days after its adoption. The notices and digests shall be prepared by the City Attorney.

Section 215. Codification. The duly adopted and effective ordinances of the City may be compiled and arranged as comprehensive codes, which may be adopted by reference by the passage of an ordinance for such purpose.

Section 216. Effective Date of Ordinance. An ordinance receiving upon final adoption the affirmative vote of at least six members of the Council shall be effective immediately, unless a later date is specified therein. All other ordinances, unless a different date is required by this Charter, shall be effective upon the seventh day after final adoption; provided, that within three days after said date of final adoption, the Mayor may file in the Office of the City Clerk written notice to the Council that he has suspended the taking effect of the ordinance, stating in said notice the reason or reasons for his action, which notice the City Clerk shall forthwith deliver to the members of the Council. Such notification shall automatically cause the reconsideration of the ordinance by the Council at its regular meeting next following the sixth day after the aforesaid final adoption of the ordinance. If, upon reconsideration, the ordinance is approved by the affirmative vote of at least five

members of the Council, it shall take effect immediately; and if not so approved, it shall be ineffective.

(Amended by: Stats. November 1998 and March 2004.)

Section 217. Penalty for Violation of Ordinances. The Council may make the violation of its ordinances a misdemeanor, which may be prosecuted in the name of the People of the State of California or may be redressed by civil action, and may prescribe punishment for such violations by a fine not to exceed $1,000 or by imprisonment not to exceed one year, or by both such fine and imprisonment.

Section 218. Non-Interference in Administrative Affairs. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service for which the City Administrator, Mayor and other appointed or elected officers are responsible, solely through the City Administrator, Mayor or such other officers. Neither the Council nor any Council member shall give orders to any subordinate of the City under the jurisdiction of the City Administrator or such other officers, either publicly or privately; nor shall they attempt to coerce or influence the City Administrator or such other officers, in respect to any contract, purchase of any supplies or any other administrative action; nor in any manner direct or request the appointment of any person to or his removal from office by the City Administrator or any of his subordinates or such other officers, nor in any manner take part in the appointment or removal of officers or employees in the administrative service of the City. Violation of the provisions of this section by a member of the Council shall be a misdemeanor, conviction of which shall immediately forfeit the office of the convicted member.

(Amended by: Stats. November 1988, November 2000 and March 2004.)

Section 219. Ordinance: When Required. In addition to other actions required by law or by specific provision of this Charter to be done by ordinance, those actions of the Council shall be by ordinance which:

(1) Adopt or amend an administrative code or establish, alter or abolish any City department, office or agency as authorized in Article VI of this Charter.

(2) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed.

(3) Levy taxes except as otherwise provided in this Charter with respect to the property tax levied by adoption of the budget.

(4) Regulate the rates charged for its services by a public utility.

(5) Authorize the borrowing of money except as otherwise provided in Section 812 of this Charter.

(6) Convey or lease, or authorize the conveyance or lease for longer than one year, of any real property of the City, or any interest therein, or the acquisition of real property, the purchase price of which is more than Five Thousand Dollars ($5,000.00).

(7) Amend or repeal any ordinance previously adopted.

Provided, acts other than those referred to hereinabove under this section, or other than may be specifically otherwise provided for in other sections of this Charter, may be done either by ordinance or by resolution.

mapquest

Bay Area Crematories

Notes

1. **Mountain View Cemetery/Crematory**
   5000 Piedmont Ave
   Oakland, CA 94611-4220
   Map

2. **Chapel of the Chimes**
   4499 Piedmont Ave
   Oakland, CA 94611-4218
   Map

3. **Evergreen Crematory**
   6450 Camden St
   Oakland, CA 94605-2042
   Map

4. **Alameda Cremations**
   2900 Main St Ste 1161
   Alameda, CA 94501-7732
   Map

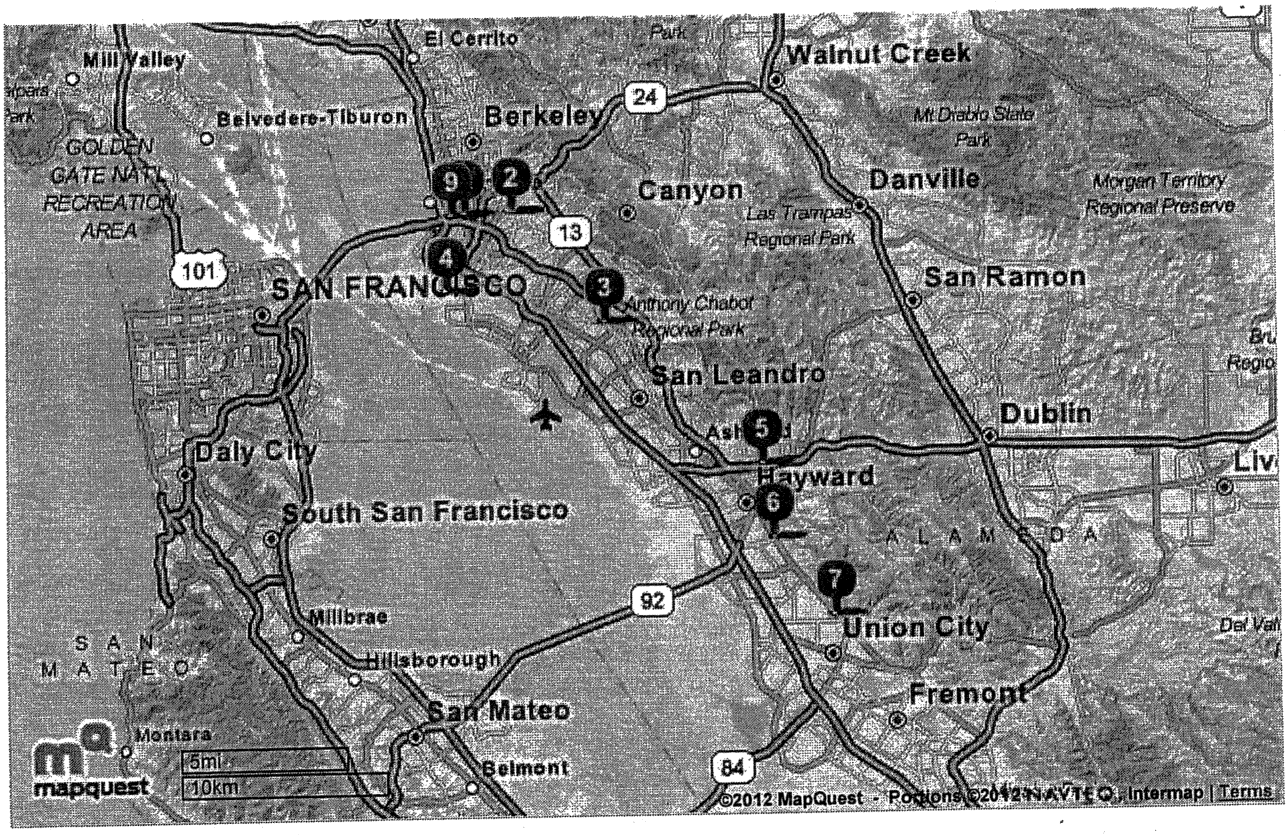
5. **Castro Valley Crematory Inc.**
   21228 Redwood Rd
   Castro Valley, CA 94546-5924
   Map

6. **Catholic Cremation Services**
   1051 Harder Rd
   Hayward, CA 94542-1964
   Map

7. **Chapel of The Chimes /Hayward**
   32992 Mission Blvd
   Hayward, CA 94544-8257
   Map

8. **Pacific Interment**
   1094 Yerba Buena Ave
   Emeryville, CA 94608-3836
   Map

9. **Apollo Crematory**
   4080 Horton St
   Emeryville, CA 94608-3510
   Map



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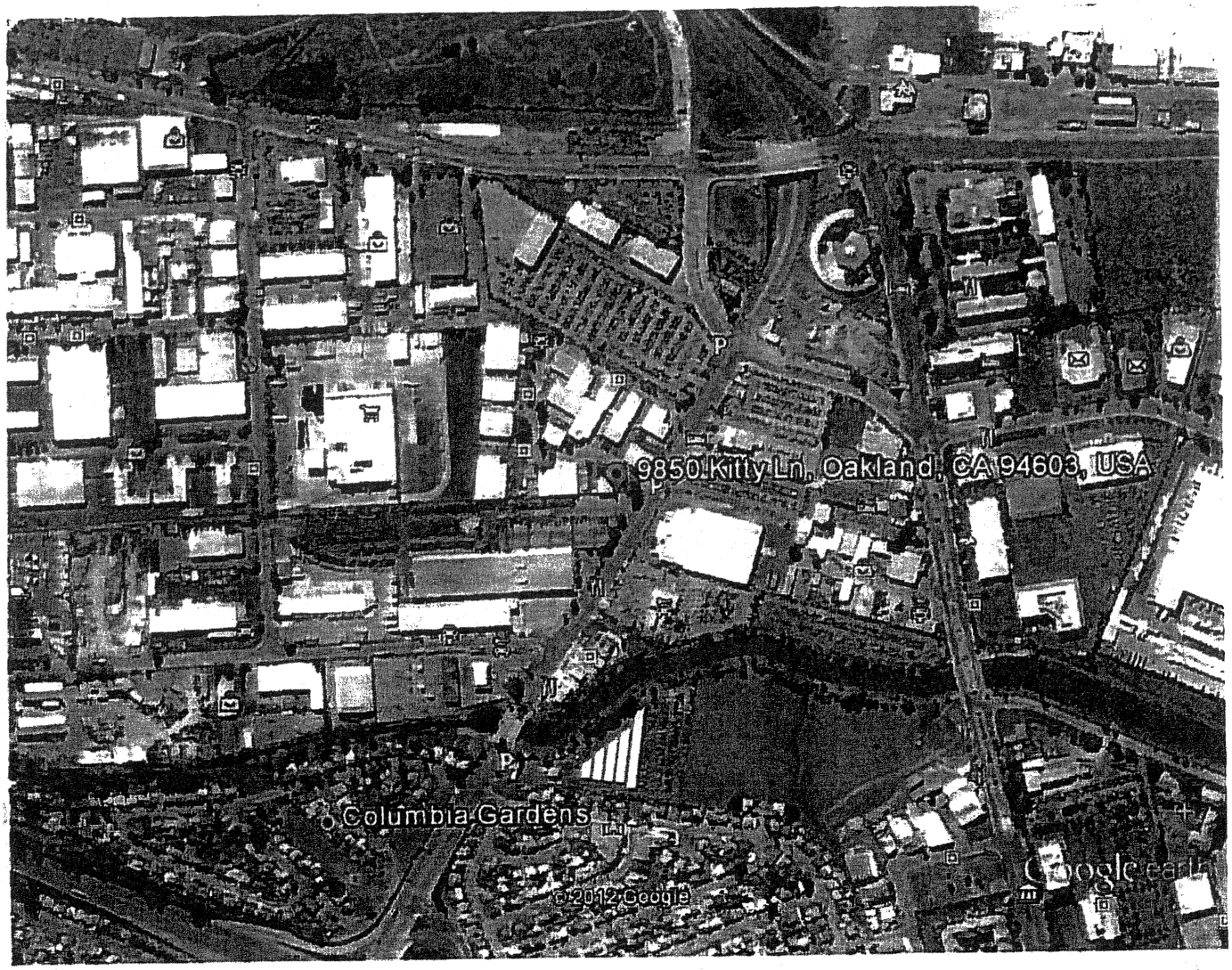
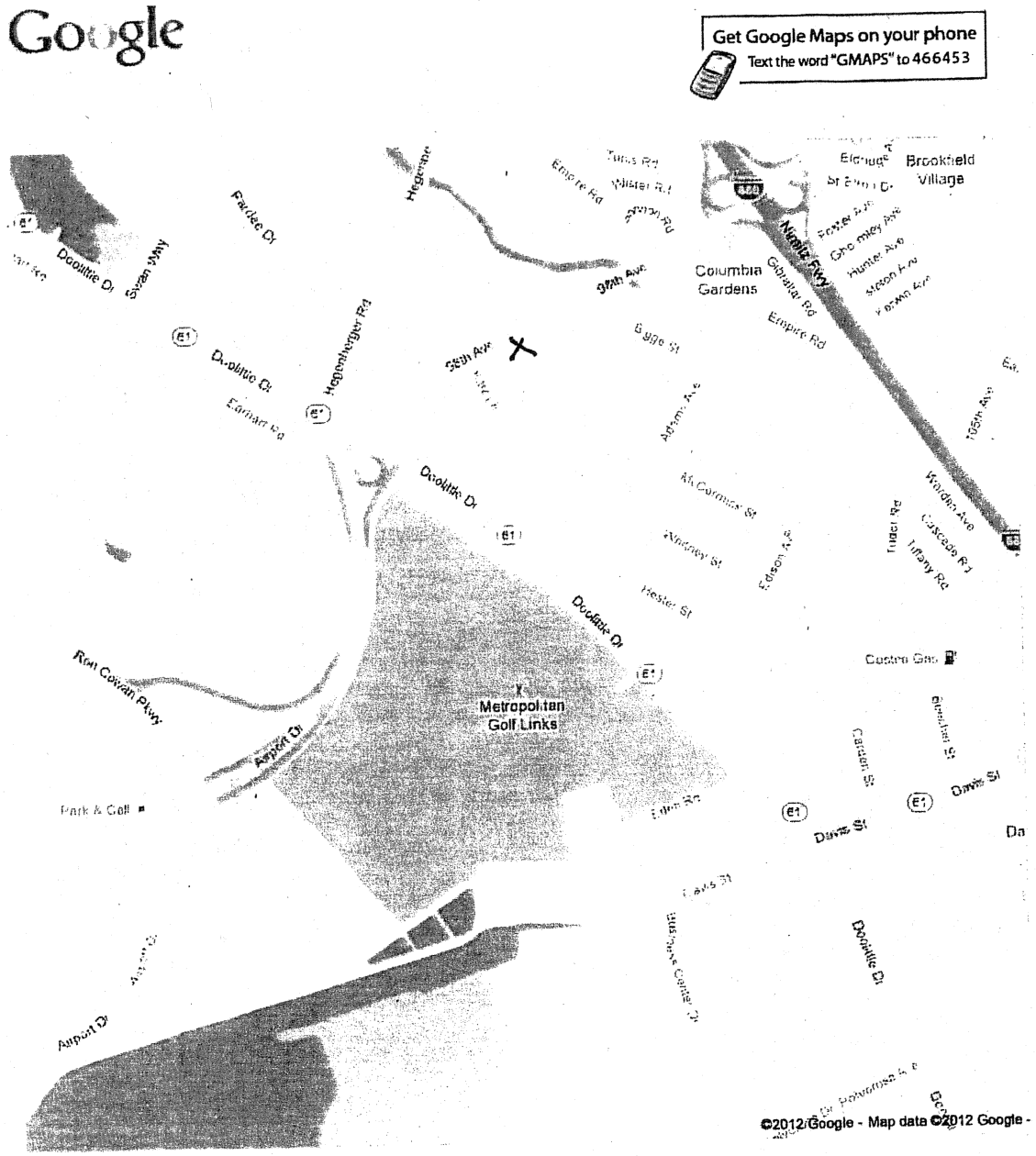


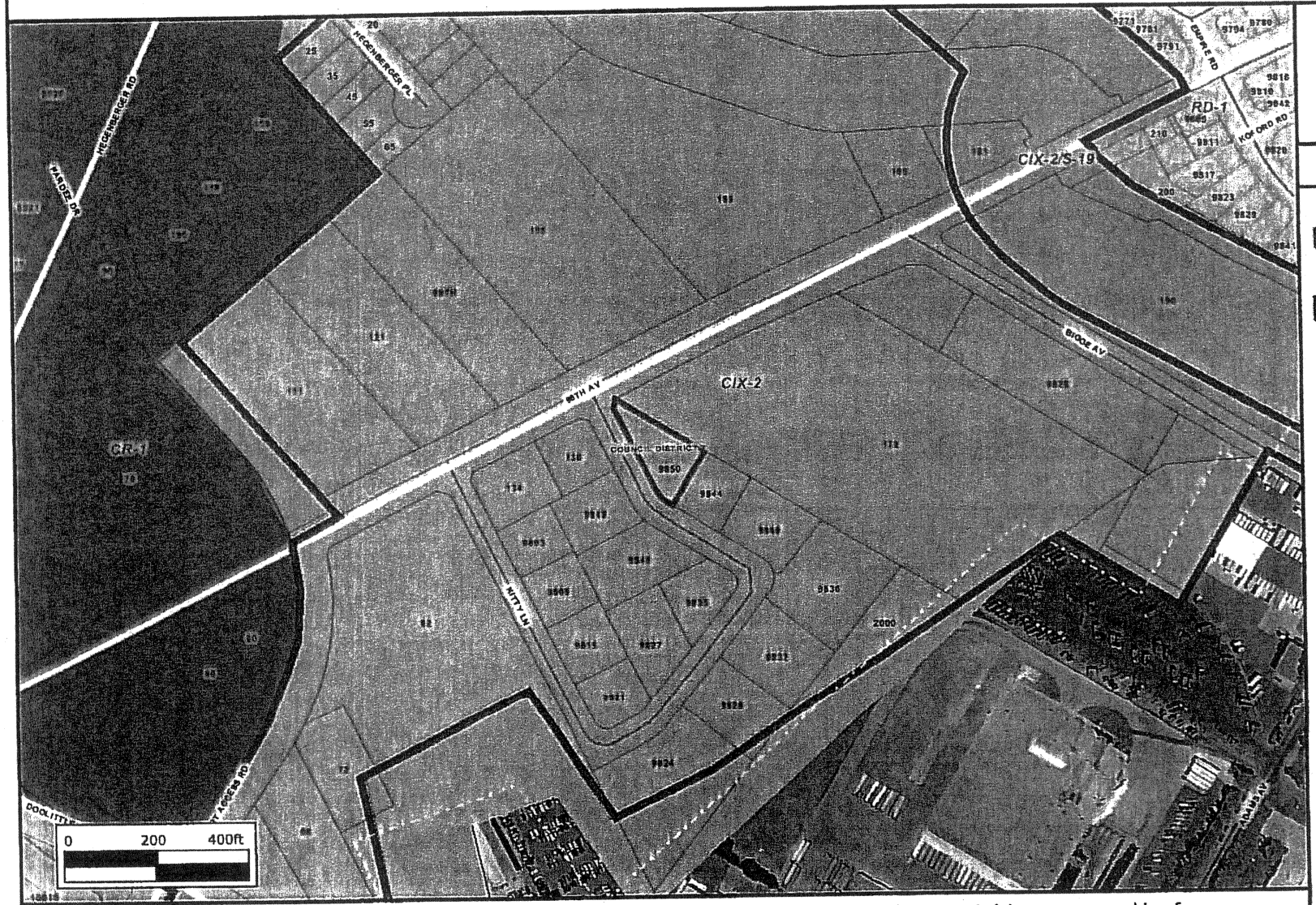
Google earth

feet 2000

meters 800


Google
Get Google Maps on your phone
Text the word "GMAPS" to 466453
Brookfield Village
Columbia Gardens
Doolittle Dr
Swan Way
Hegenberger Rd
Earhart Rd
Gyge St
Adams St
McCormick St
Hester St
Edison St
Tulagi Rd
Tulany Rd
Cascade Rd
Ron Cowan Pkwy
Airport Dr
Metropolitan Golf Links
Davis St
Edes Rd
Hughes Center Dr
©2012 Google - Map data ©2012 Google -

Kitty Lane Surrounding Uses



It is imperative that you obtain BOTH the Zoning and General Plan designations for the property(s) you are searching for.

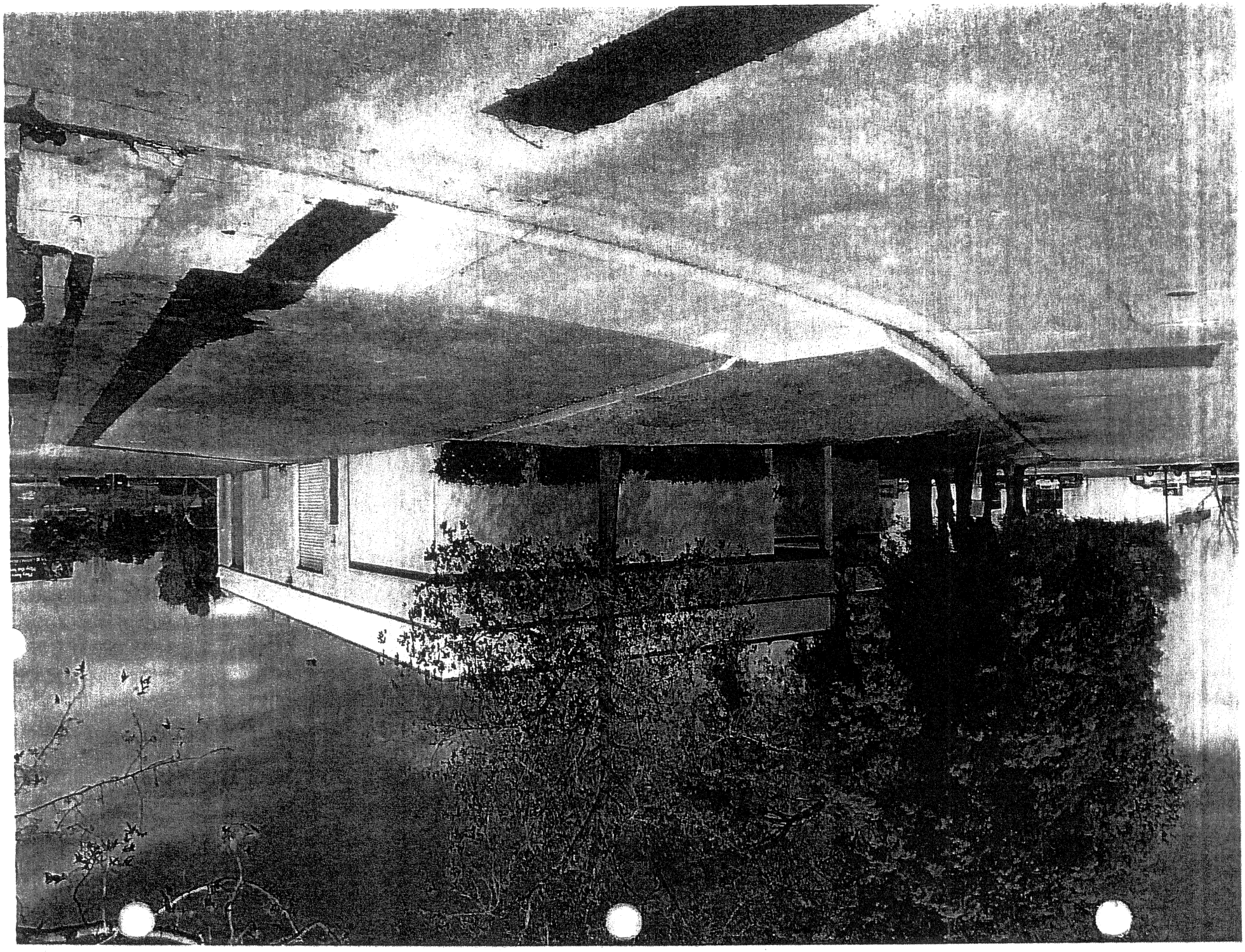
Questions? Contact a planner at (510)238-3911.

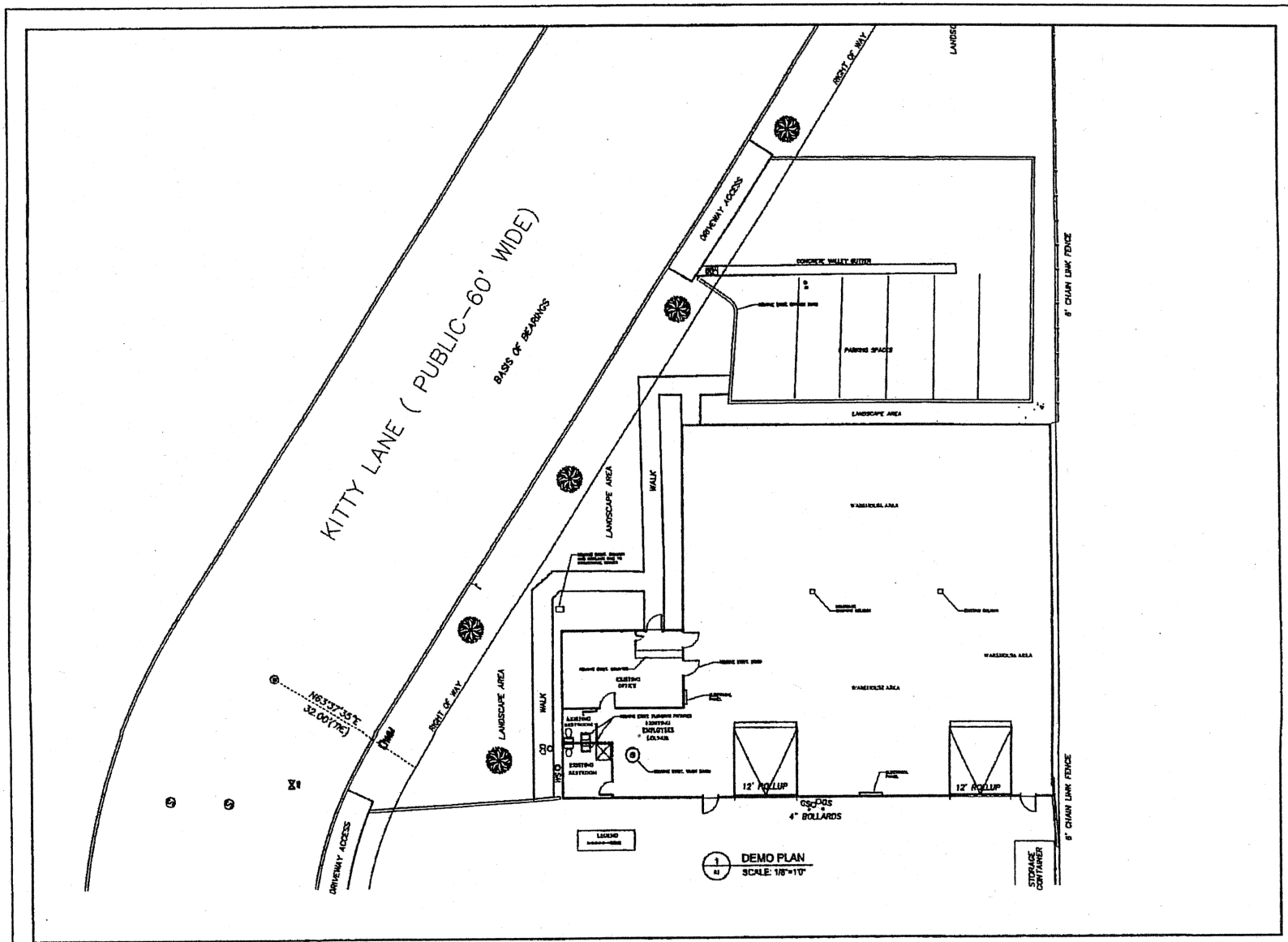
Printed: 5/14/2012 8:44:58 PM

City of Oakland

Legend

- Selected Features
- City Limits
- Zoning
- Parcels
- Freeways
- MajorSts
- Streets
- Water
- General Plan
- Business Mix
- Central Business District
- Community Commercial
- Detached Unit Residential
- Estuary Plan Area
- General Industrial/Transp
- Hillside Residential
- Housing and Business Mix
- Institutional
- Mixed Housing Type
- Neighborhood Center
- Regional Commercial
- Resource Conservation
- Urban Open Space
- Urban Residential
- Council District





1 DEMO PLAN
SCALE: 1/8"=1'0"

MAX C. CANNON III
Architect

PROPOSED
NEW APOLLO
CREMATORY

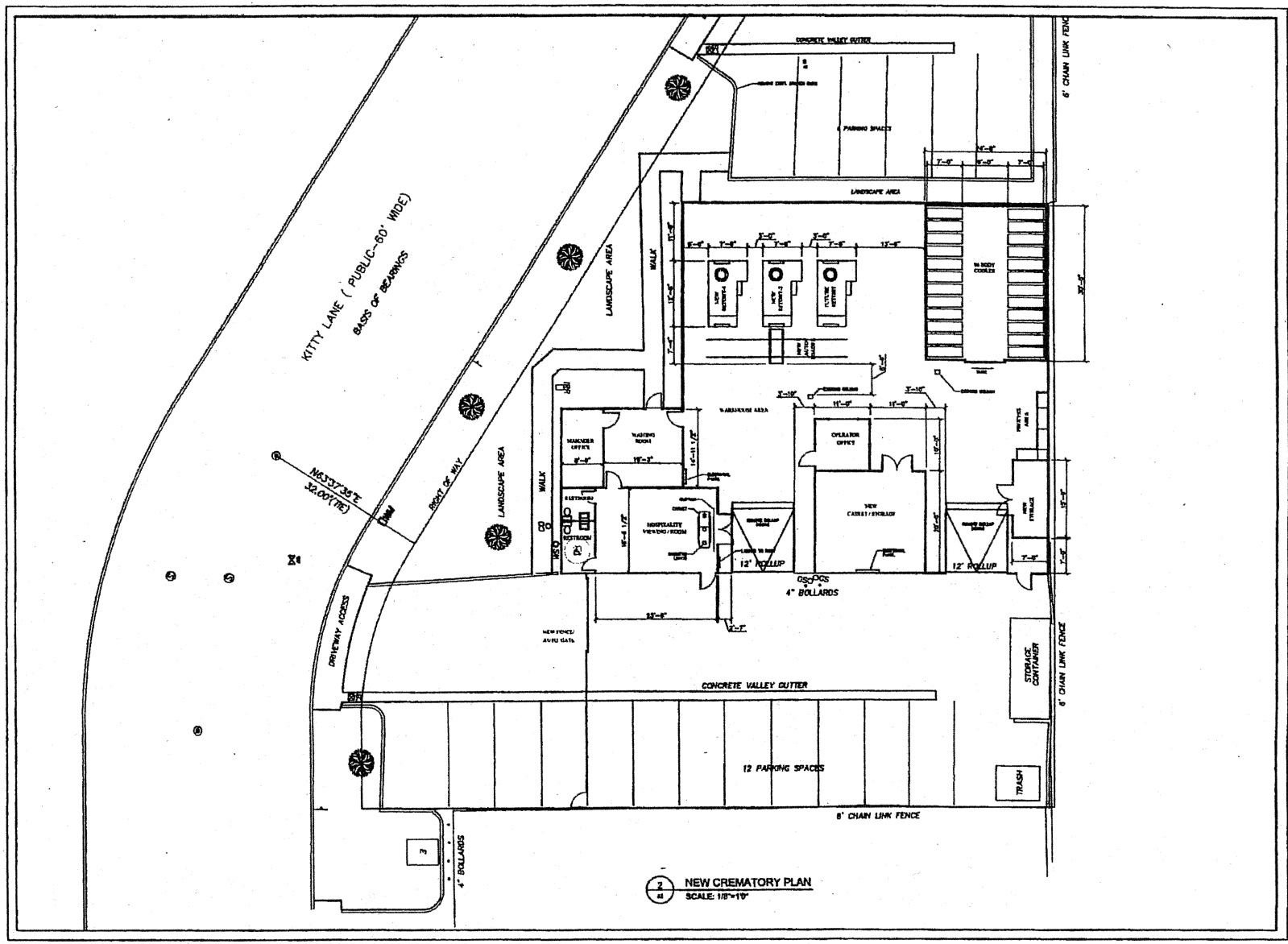
NEW APOLLO
CREMATORY

OAKLAND, CA

ISSUE	DATE	BY	CK
PRELIM	2-7-12	CD	CD

EXISTING
DEMO PLAN

DWG.NO.: XXXX
01
OF 01 02



2 NEW CREMATORY PLAN
SCALE: 1/8"=1'0"

PROPOSED
NEW APOLLO
CREMATORY

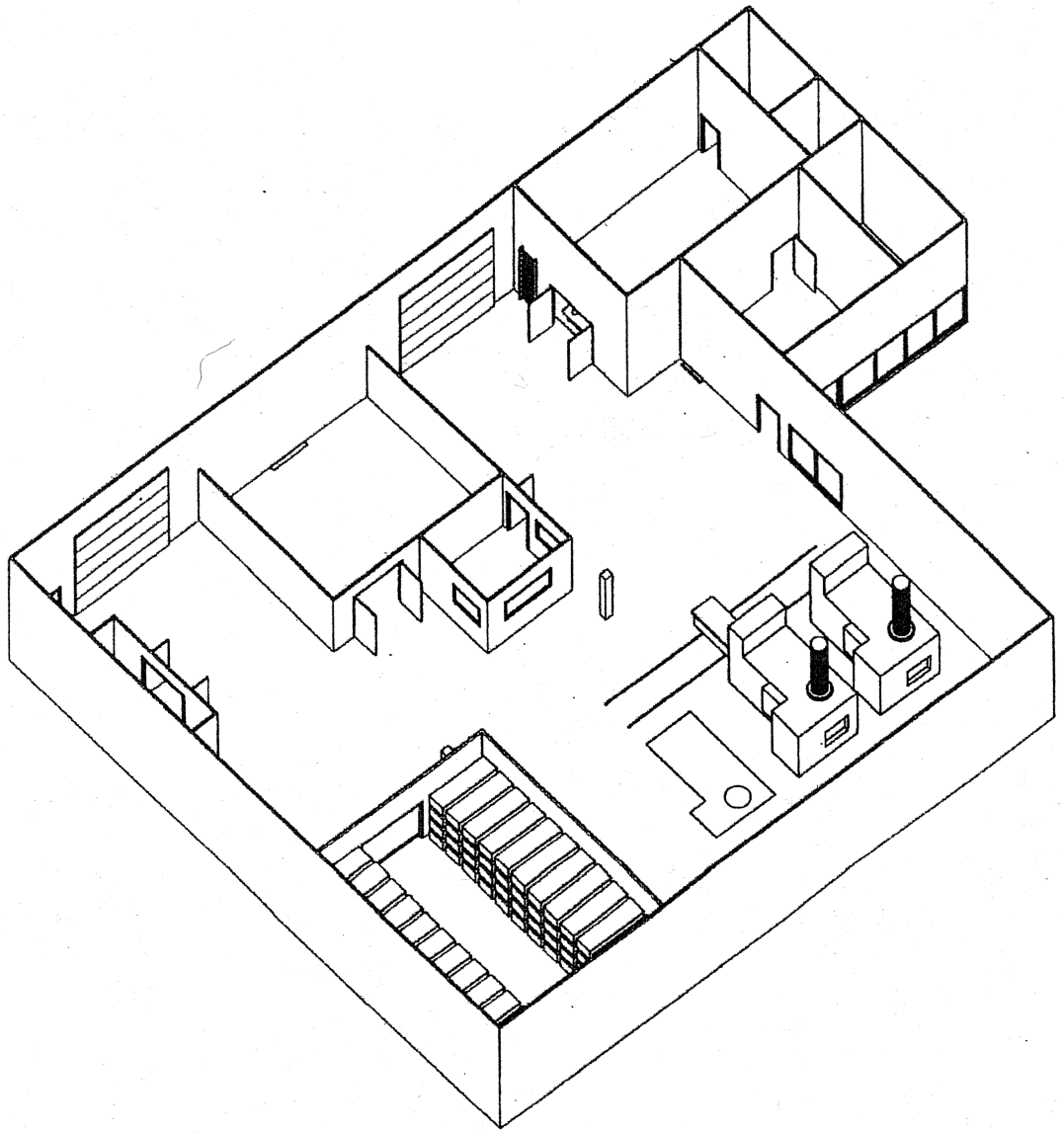
NEW APOLLO CREMATORY

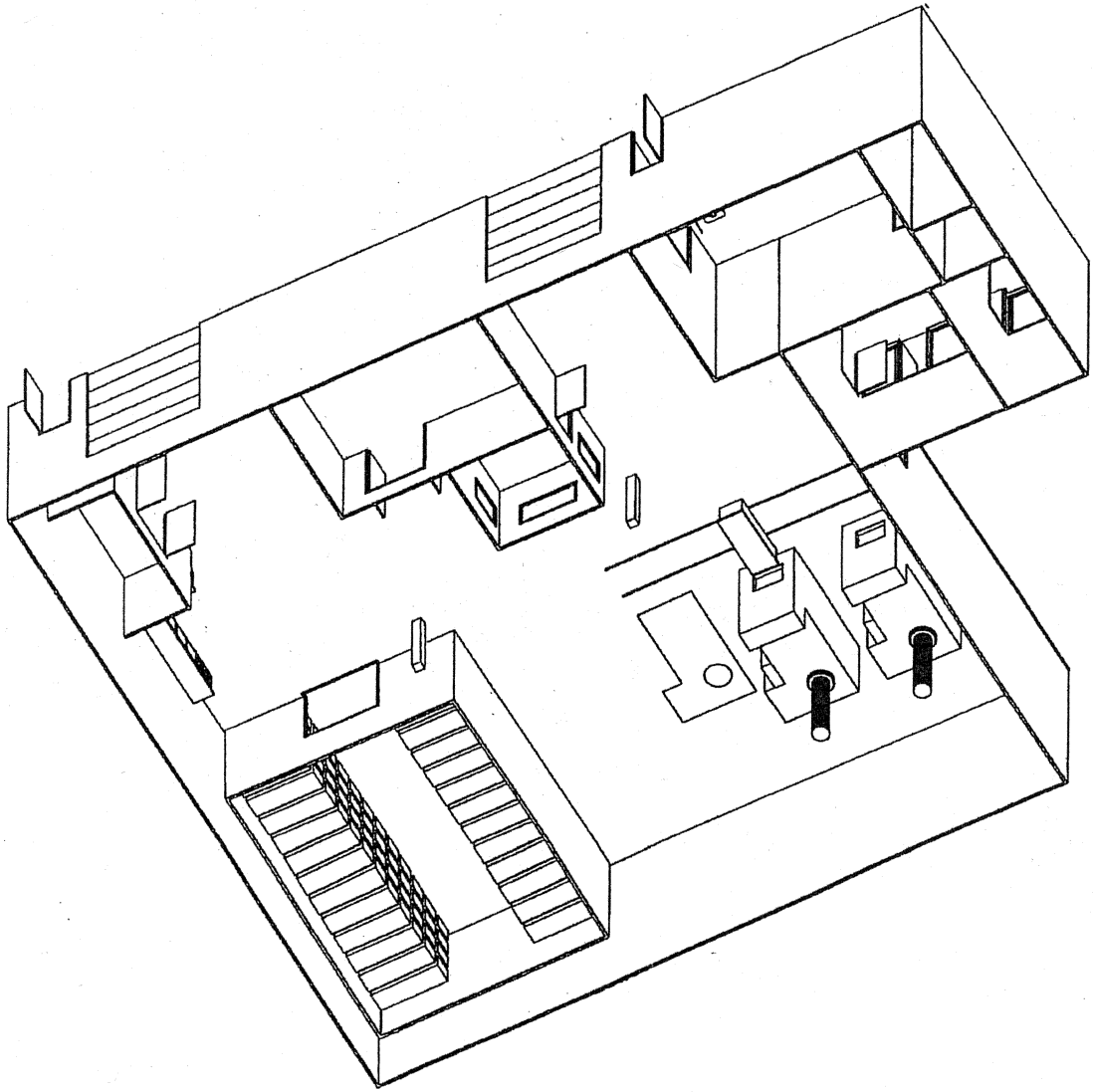
OAKLAND, CA

ISSUE	DATE	BY	CK
PRELIM	2-7-12	CD	CD

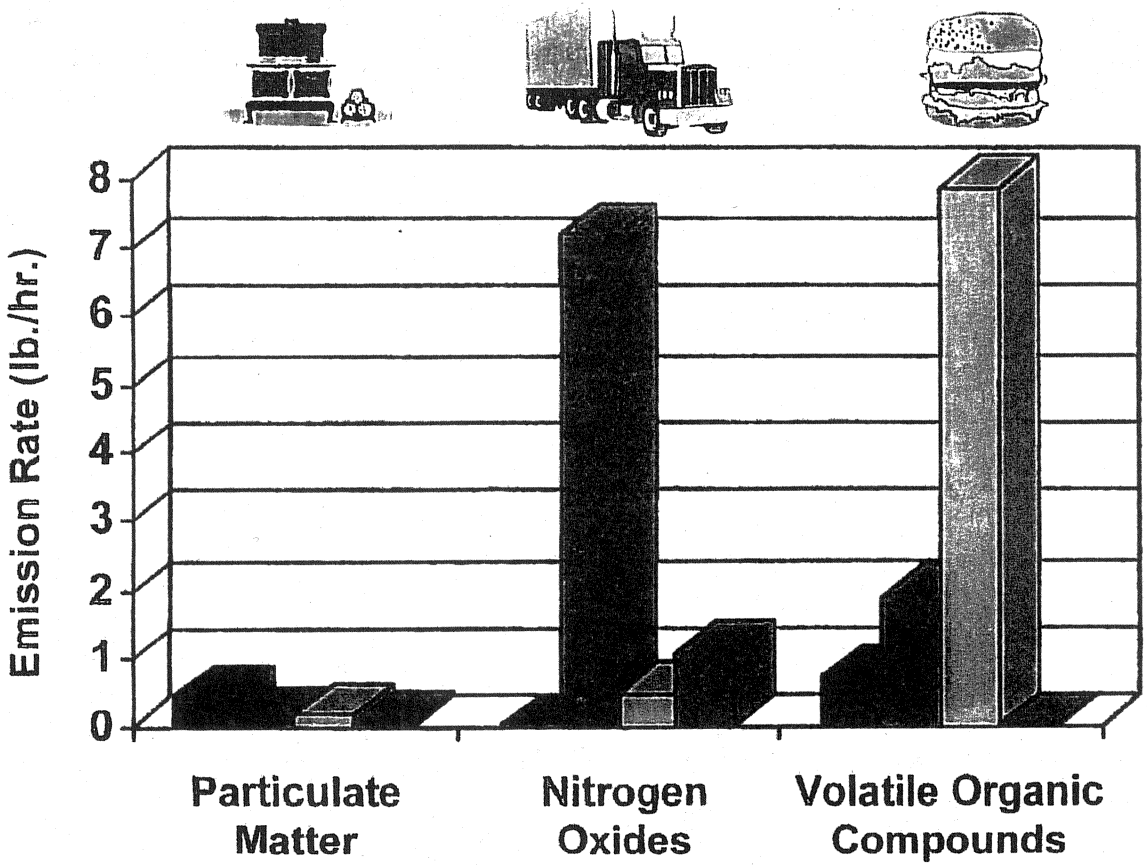
NEW
FLOOR PLAN

DWG.NO.: XXXX
02
SHEET: 02 OF 02





Emissions Comparison



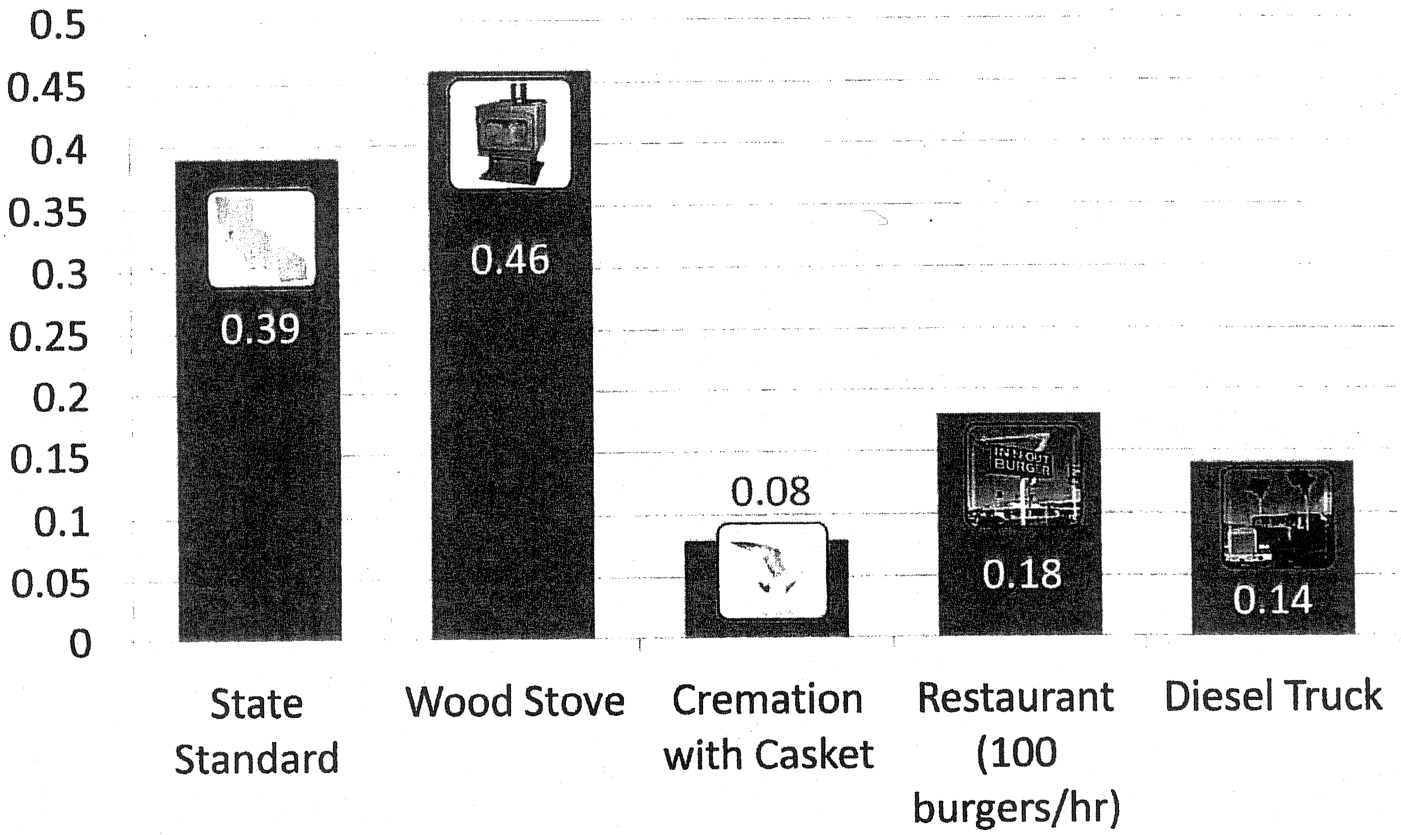
Legend:

- Residential Fireplace
- Diesel Truck
- Restaurant Cooking 100 Hamburgers Per Hour
- MCD Cremation Unit

Particulate Crematory Emissions

Cremation equipment does not have unusual emissions from those you might find in very common sources of air pollution. Average Particulate emissions (PM) are expressed in pounds per hour

Emissions Expressed in Pounds Per Hour



Overview of the Air Toxics "Hot Spots" Information and Assessment Act

I. INTRODUCTION

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, 1987, Connelly) was enacted in September 1987. Under this, stationary sources are required to report the types and quantities of certain substances their facilities routinely release into the air. Emissions of interest are those that result from the routine operation of a facility or that are predictable, including but not limited to continuous and intermittent releases and process upsets or leaks.

The goals of the Air Toxics "Hot Spots" Act are to collect emission data, to identify facilities having localized impacts, to ascertain health risks, and to notify nearby residents of significant risks. In September 1992, the "Hot Spots" Act was amended by Senate Bill (SB) 1731 (Calderon) to address the reduction of significant risks. The bill requires that owners of significant-risk facilities reduce their risks below the level of significance.

The Act requires that toxic air emissions from stationary sources (facilities) be quantified and compiled into an inventory according to criteria and guidelines developed by the ARB, that each facility be prioritized to determine whether a risk assessment must be conducted, that the risk assessments be conducted according to methods developed by the Office of Environmental Health Hazard Assessment (OEHHA), that the public be notified of significant risks posed by nearby facilities, and that emissions which result in a significant risk be reduced. Since the amendment of the statute in 1992 by enactment of SB 1731, facilities that pose a potentially significant health risks to the public are required to reduce their risks, thereby reducing the near-source exposure of Californians to toxic air pollutants. Owners of facilities found to pose significant risks by a district must prepare and implement risk reduction audit and plans within 6 months of the determination.

The Air Resources Board (ARB) is required to develop a program to make the emission data collected under the "Hot Spots" Program available to the public. If requested, districts must make health risk assessments available for public review. Districts must also publish annual reports which summarize the health risk assessment program, rank facilities according to the cancer risk posed, identify the facilities posing non-cancer health risks, and describe the status of the development of control measures.

The "Hot Spots" Program has complemented the ARB's existing air toxics identification and control programs. It has located sources of substances not previously under evaluation, and it has provided exposure information necessary to prioritize substances for control measures and develop regulatory action. Also, the preparation of the "Hot Spots" emission inventory made facility owners aware of their toxics problems. As a result, facilities have taken voluntary steps to reduce emissions of air toxics. Limited district and facility surveys have identified voluntary reductions of over 1.9 million pounds per year in the emission of air toxics from just 21 facilities in California. The benefits that come from this type of action are less risk to workers and to the public, reduced operation costs, demonstration of emission reduction options for other sources, and improved community relations.

The Act was further modified by AB 564, chaptered on September 19, 1996. The passage of AB 564 amended the Hot Spots statute

in several ways, including adding provisions that: exempt specified low priority facilities from further compliance with the Hot Spots program; reinstate exempted facilities if specified criteria are met; specify an alternative evaluation process for facilities subject to district permit programs; and other changes to exempt specified facilities from further compliance with the Hot Spots Program.

Emission Inventory

An emission inventory is an itemized list of emission estimates for sources of air pollution in a given area for a specified time period. Present and future year inventories are critical components of air quality planning and modeling. The ultimate goal of the planning process is to identify and achieve emission patterns that do not result in violations of ambient air quality standards.

Emissions are calculated by BAAQMD staff using various procedures. Emission computation methodology by source category is outlined in the BAAQMD publication, "Source Category Methodologies." The BAAQMD participates in the California Emission Inventory Technical Advisory Committee (EITAC) and maintains the best available inventory methodologies.

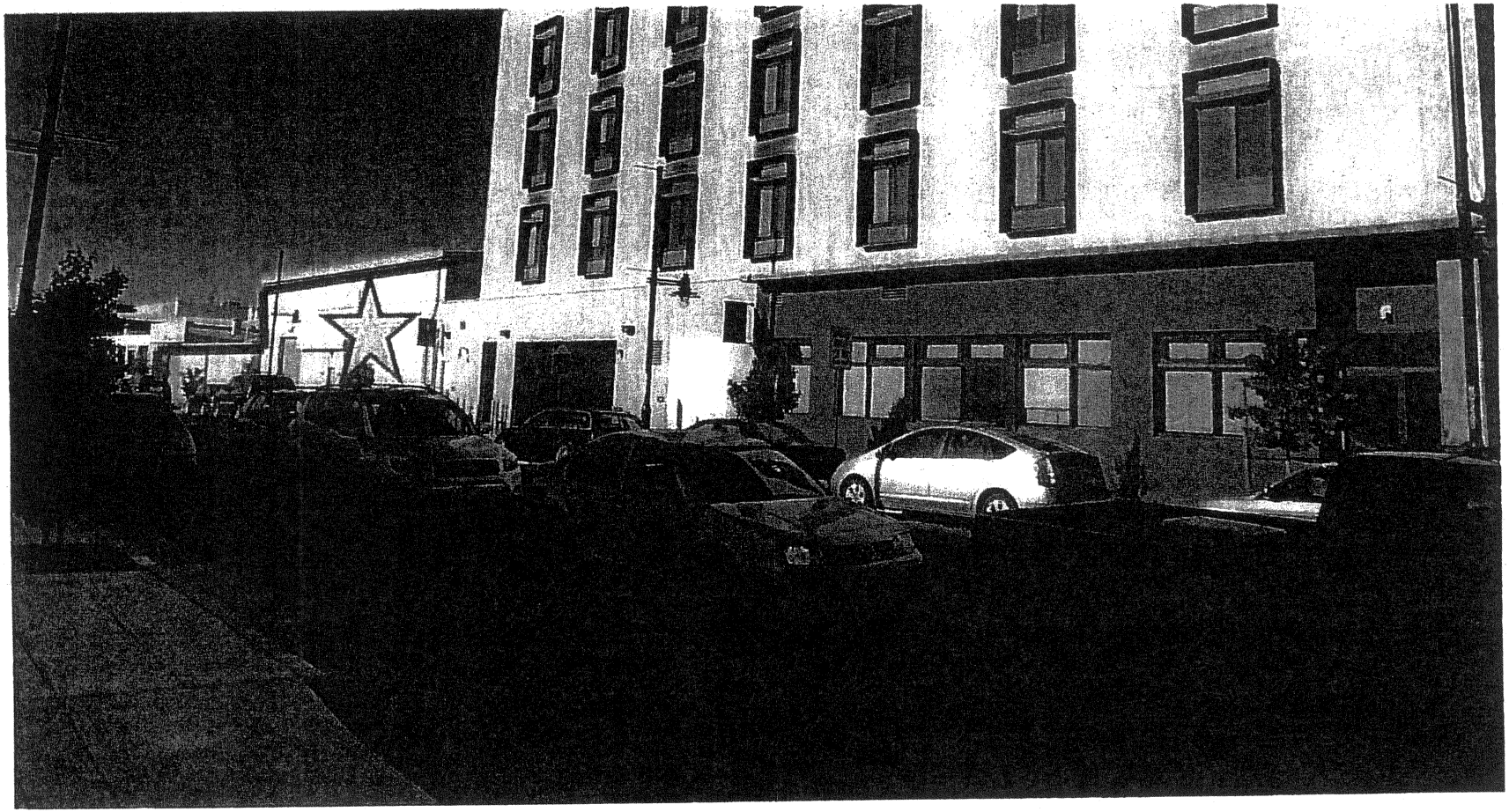
The emission inventory is divided into stationary, mobile, and biogenic sources.

Hot Spots inventory is for stationary sources.

The inventory includes but is not limited to:

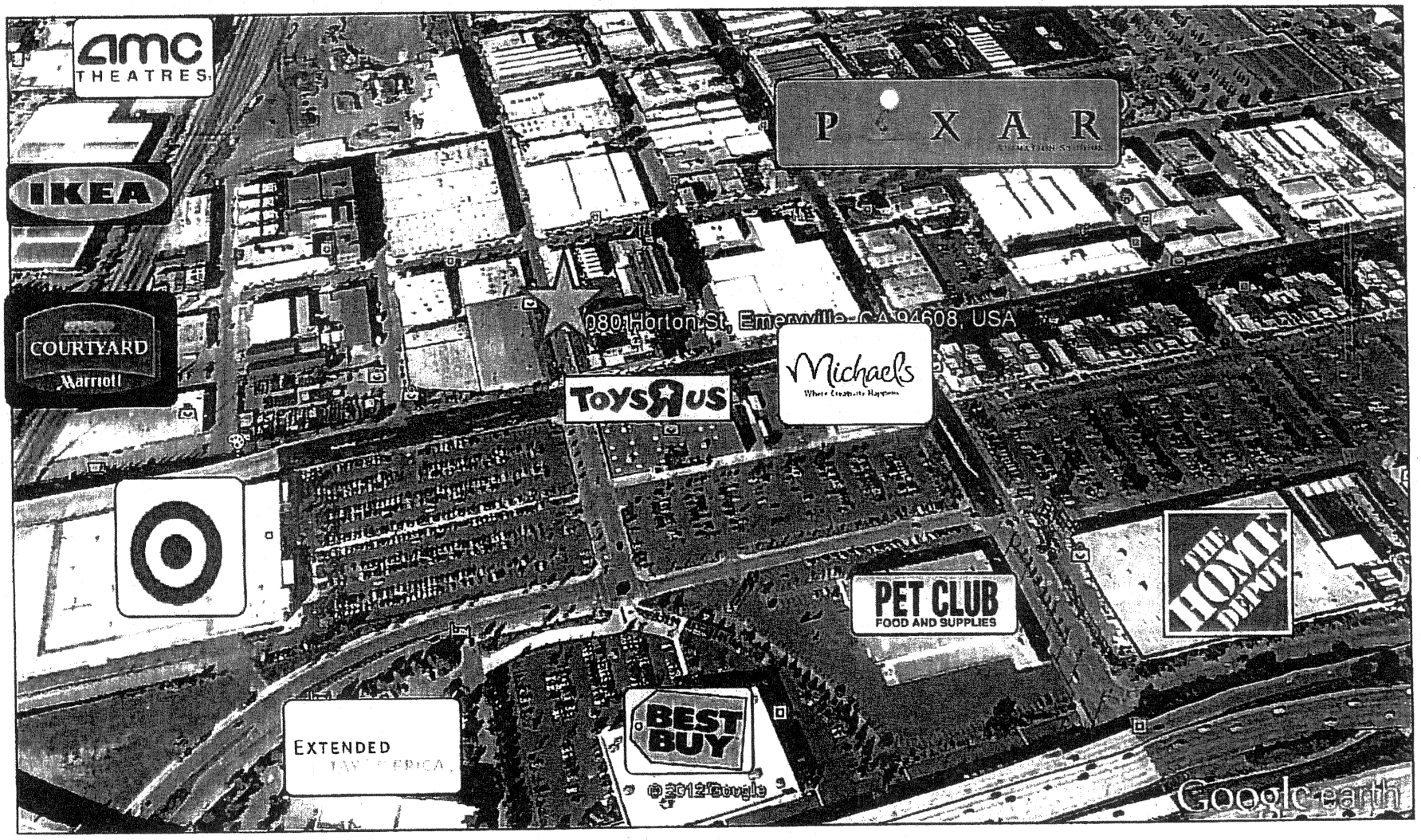
- Acetaldehyde
- Arsenic
- Benzene
- Beryllium
- Cadmium
- Chromium, hexavalent
- Copper
- Formaldehyde
- Hydrogen Chloride
- Hydrogen Fluoride
- Lead
- Mercury
- Nickel
- Selenium
- Zinc
- Chlorinated dibenzo-doxins and furans of concern
- Polycyclic aromatic hydrocarbons

When properly operated, a crematory is undetectable as to it's use by neighbors and surrounding businesses.



Crematories do not limit potential future economic growth. All of these businesses have come to Emeryville, after Apollo crematory.

☆ = Apollo Crematory 4080 Horton Street



THIS DOCUMENT HAS A TRUE DOCUCHECK™ WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

CITY OF OAKLAND
BUSINESS TAX CERTIFICATE

ACCOUNT NUMBER
28030952

The issuing of a Business Tax Certificate is for revenue purposes only. It does not relieve the taxpayer from the responsibility of complying with the requirements of any other agency of the City of Oakland and/or any other ordinance, law or regulation of the State of California, or any other governmental agency. The Business Tax Certificate expires on December 31st of each year. Per Section 85.04.190A, of the O.M.C. you are allowed a renewal grace period until March 1st the following year.

EXPIRATION DATE
12/31/2012

BUSINESS LOCATION
APOLLO CREMATORY
9850 KITTY LN
OAKLAND, CA 94603-1070

BUSINESS TYPE F Professional/Semi-Professional

NAME
APOLLO CREMATORY

MAILING ADDRESS
9850 KITTY LN
OAKLAND, CA. 94603-1070

A BUSINESS TAX CERTIFICATE IS REQUIRED FOR EACH BUSINESS LOCATION AND IS NOT VALID FOR ANY OTHER ADDRESS

YOU MAY BE REQUIRED TO OBTAIN A VALID ZONING CLEARANCE TO OPERATE YOUR BUSINESS LEGALLY. RENTAL OF REAL PROPERTY IS EXCLUDED FROM ZONING

PUBLIC INFORMATION ABOVE THIS LINE TO BE CONSPICUOUSLY POSTED!

THIS DOCUMENT IS ALTERATION PROTECTED AND REFLECTS FLUORESCENT FIBERS UNDER UV LIGHT

Document No. 2012-016523
Date Recorded 1·18·2012

STATEMENT OF TAX DUE AND REQUEST THAT AMOUNT OF TAX NOT BE MADE A PART OF THE PERMANENT RECORD IN THE OFFICE OF THE COUNTY RECORDER

(Pursuant to Section 11932 of the California Revenue and Taxation Code)

To: Registrar Recorder
County of Alameda

Request is hereby made in accordance with the provisions of the Documentary Transfer Tax Act that the amount of tax due not be shown on the original document which names:

Dennis R. Caprio and Rosemary C. Caprio, Trustees of the Caprio 1996 Family Trust, as to an undivided one-half interest, and Thomas B. Dost and Virginia B. Dost, Trustees of the Dost 1997 Revocable Trust, as to an undivided one-half interest
(as grantor)

and

S.E. Combined Services of California, Inc., a California corporation
(as grantee)

The Property described in the accompanying document is located in the City of Oakland, County of Alameda.

The amount of tax due on the accompanying document is:

City: $21,000.00
County: $1,540.00

X Computed on full value of property conveyed, which value is equal to $1,400,000.00; or

___Computed on full value less liens and encumbrances remaining at time of sale.

Dennis Caprio
Dennis R. Caprio, Trustee of the Caprio 1996 Family Trust

Rosemary C Caprio
Rosemary C. Caprio, Trustee of the Caprio 1996 Family Trust

Virginia B Dost
Virginia B. Dost, Trustee of the Dost 1997 Revocable Trust

Thomas B Dost
Thomas B. Dost, Trustee of the Dost 1997 Revocable Trust

NOTE: After the permanent record is made, this form will be affixed to the conveying document and returned with it, but prior to recording, the document must have the following notation typed in it in lieu of the usual declaration:

"Pursuant to Section 11932 of the Revenue and Taxation Code the amount of transfer tax will be shown on a separate statement."

PTS2..-01 PARCEL FEE PAYMENT HISTORY 5/10/12 11:57:10
Unpaid Fees Only NEXT OPTION: 215

PARCEL#: 044 -5020-019-00
OR STREET: KITTY SFX: LN NO.: 9850

APPL/CMPL	PAYMENT NO.	TYPE	AMOUNT	EFF DATE	DLQ	PAID	RCPT#	NSF	REDEEMED
_ B1200987	002	FIRE2	1,316.28	05/10/12					
_ B1200987	003	F-OT2	3,233.19	05/10/12					

Bottom

TOTAL 4,549.47

F3=Ext F4=All F7=Fwd F8=Bck F11=Fnd F12=Prv F24=Com

CITY OF OAKLAND
Community & Economic Development Agency
250 Frank H. Ogawa Pl, Oakland CA, 94612
Phone: (510)238-4774 FAX: (510)238-2263

PAYMENT RECEIPT

==========

Application#: B1200987 Payment#: 002
RECORDS MANAGEMENT FEE $108.97
PERFORMANCE BOND/FIRE/VEG $1,147.09
TECHNOLOGY ENHANCEMENT $60.22
Subtotal: $1,316.28

Application#: B1200987 Payment#: 003
RECORDS MANAGEMENT FEE $267.67
FIRE-OVERTIME PLANCHECK F $2,817.60
TECHNOLOGY ENHANCEMENT $147.92
Subtotal: $3,233.19

Sales Tax: $.00
****** TOTAL PAID: $4,549.47

==========

Credit Card Sale : $4,549.47
VISA Card# **********4998 Exp XXXX
Auth# 07705C Ref# R02-160277-120510

==========

Payor: RICHARD STEWART
Date: 05/10/12 Time: 11:58:30
By: MKH Register R02 Receipt# 160277

****
ORIGINAL RECEIPT REQUIRED FOR REFUND
****

Date: 05/10/12 Amt Paid: $4,549.47
By: MKH Register R02 Receipt# 160277

City of Oakland

Meeting Agenda

*Rules & Legislation Committee

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: http://www.oaklandnet.com

Thursday, April 26, 2012 **10:45 AM** **City Council Chambers - 3rd Floor**

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call to Order

COMMITTEE MEMBERSHIP: Desley Brooks, District 6; Pro Tempore Ignacio De La Fuente, District 5; Libby Schaaf, District 4; and Council President Larry Reid; District 7

1 Determinations of Closed Session

2 Approval of the Draft Minutes from the Committee meeting of April 12, 2012.

There are no minutes to approve.

3 Determination of Schedule of Outstanding Committee Items

(rules041912)

4 Scheduling of Agenda Items and revisions to the agenda(s) for the City Council meeting of May 1, 2012 (SUPPLEMENTAL)

S-4.1 Subject: Contracting Benefits Program - Oakland Army Base
From: Department Of Contracts And Compliance
Recommendation: Receive A Report And Approve Recommendations For The Oakland

Army Base Contracting Benefits Program; On The May 8, 2012 Community And Economic Development Committee Agenda
(11-0422)

S-4.2 Subject: Workers' Compensation Report 2nd Qtr 2011 - 2012
From: Department Of Human Resources Management
Recommendation: Receive An Informational Report Regarding The Workers' Compensation Program For The 2nd Quarter Of Fiscal Year 2011-2012
(11-0434)

S-4.3 Subject: Preschool Program Expansion Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The California State Preschool Program (CSPP) Expansion Grant From The California Department Of Education (CDE) In An Estimated Amount Of One Million Thirteen Thousand Two Hundred Twenty Dollars ($1,013,220) For Program Year 2012-2013, And Authorizing A Grant Agreement With The Unity Council For An Estimated Amount Of One Hundred Six Thousand One Hundred Forty Two Dollars ($106,142) To Fund Prekindergarten And Family Literacy Services In Accord With Said Grant
(11-0418)

S-4.4 Subject: Child And Adult Care Food Program
From: Department Of Human Services
Recommendation: Adopt A Resolution On Behalf Of The City Of Oakland, Authorizing The City Administrator To Apply For, Accept And Appropriate The Child And Adult Care Food Program (CACFP) Grant From The California Department Of Education, Nutrition Services Division, In An Estimated Amount Of Five Hundred Forty Five Thousand Dollars ($545,000) To Provide Funding For Nutritious Meals To Eligible Children Enrolled In The Oakland Head Start Program For Program Year 2012-2013
(11-0419)

S-4.5 Subject: California Gang Reduction, Intervention And Prevention Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate California Gang Reduction, Intervention And Prevention (CalGRIP) Grant Funds In An Amount Not To Exceed Two Hundred Forty Three Thousand Seven Hundred Fifty Nine Dollars ($243,759) From The State Of California, California Emergency Management Agency (Calema) To Department Of Human Services (DHS) For The Time Period Of January 1, 2012 Through December 31, 2013, And 2) Enter Into A Grant Agreement For One Year, With A One Year Option To Renew, With Oakland Community Organization (OCO) For An Estimated Amount Of Twenty Five Thousand ($25,000) Annually For Follow- Up Services For Participants From January 1, 2012 Through December 31, 2013; On The May 8, 2012 Public Safety Committee Agenda
(11-0420)

S-4.6 Subject: Head Start Training And Technical Grants
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf

Of The City Of Oakland, To Apply For, Accept, And Appropriate Head Start Basic, Head Start Training And Technical Assistance, Early Head Start Basic, Early Head Start Training And Technical Assistance Grants For Program Year 2012-2013 From U.S. Department Of Health And Human Services, Administration For Children And Families (DHHS/ACF), In An Estimated Amount Of Eighteen Million Three Hundred Fifty Two Thousand Four Hundred Eighty Six Dollars ($18,352,486), And To Authorize Grant Agreements To Fund Comprehensive Child Development Services In Accord With Said Grants, And To Review And Approve Oakland Head Start/Early Head Start Governance Procedures Developed In Accordance With Head Start Legislation And Updated Annually With: 1) Unity Council In An Estimated Amount Of Four Million Nine Hundred Seventy Three Thousand One Hundred Seventy Seven Dollars ($4,973,177); 2) The Salvation Army In An Estimated Amount Of One Hundred Sixty Two Thousand Six Hundred Ninety One Dollars ($162,691); 3) Brighter Beginnings In An Estimated Amount Of Four Hundred Eighty Eight Thousand Seven Hundred Sixty Three Dollars ($488,763); 4) Children's Hospital Oakland In An Estimated Amount Of Forty Five Thousand Dollars ($45,000);
And, 5) For City Administrator To Have An Authority To Accept And Appropriate Additional Federal Grant Funding If It Becomes Available And Amend The Existing Grant Agreements With Unity Council, Salvation Army, Brighter Beginnings, And Children's Hospital, Oakland, Without Returning To Council
(11-0421)

S-4.7 Subject: Haitian Family Reunification Parole Program
From: Councilmember Brooks
Recommendation: Adopt A Resolution Urging President Obama's Administration/U.S. Department Of Homeland Security (DHS) To Create A Haitian Family Reunification Parole Program To Help Haiti Recover, Save Lives, And End A Double Standard; On The May 15, 2012 City Council Agenda
(11-0396)

S-4.8 Subject: Lakeshore/Lake Park Business Improvement Plan
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Form The Lakeshore/Lake Park Business Improvement Management District Of 2012, Granting Preliminary Approval Of The Management Plan, Directing Filing Of The Proposed Assessment District Boundary Description, Submitting A Proposed Assessment To The Affected Property Owners For Majority Protest Procedure Approval, And Scheduling A Public Hearing For July 17, 2012; On The May 8, 2012 Community And Economic Development Agenda; And As A Public Hearing On The July 17, 2012 City Council Agenda
(11-0414)

S-4.9 Subject: Harrison Senior Housing Project Grant
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing A Grant In The Amount Of $500,000 To Oakland Housing Initiatives And Christian Church Homes Of Northern California From State Of California Proposition 1C Funds For Development Of Parking At The Harrison Senior Housing Project Located At 1633 Harrison Street And 321 17th Street; On The May 8, 2012 Community And Economic Development Committee

Agenda
(11-0439)

S-4.10 Subject: Rehabilitation Of Oak Center Homes And Various Sites
From: Department Of Housing And Community Development
Recommendation: Adopt A Resolution Amending, Terminating And Waiving Deed Covenants Encumbering Oak Center Homes At Scattered Sites Throughout West Oakland To Facilitate Rehabilitation Of The Properties.; On The May 8, 2012 Community And Economic Development Committee Agenda And As A Public Hearing On The May 15, 2012 City Council Agenda
(11-0440)

S-4.11 Subject: Stormwater Treatments Project - BASMAA
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To 1) Accept And Appropriate Up To Five Hundred Thousand Dollars ($500,000.00) Of Grant Funds And 2) Enter Into An Agreement With The Bay Area Stormwater Management Agencies Association (BASMAA) To Use These Grant Funds To Implement Stormwater Treatment Projects To Capture And Treat Poly Chlorinated Biphenyls
(11-0423)

S-4.12 Subject: YEP Agreement - Team Oakland Program
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A One-Year Agreement With Youth Employment Partnership, In An Amount Not To Exceed Two Hundred Forty Nine Thousand Dollars ($249,000.00) To Implement The Team Oakland Program, With An Option To Extend The Agreement For An Additional Two Years, In An Amount To Be Determined, Based On Satisfactory Contractor Performance And Available Funds Approved By Council And Budgeted In Fiscal Cycle 2013-15
(11-0425)

S-4.13 Subject: Sanitary Sewers Rehabilitation - Andes Construction
From: Public Works Agency
Recommendation: Adopt A Resolution: Authorizing The City Administrator To Award A Construction Contract For The Rehabilitation Of Sanitary Sewers In The Area Bounded By San Leandro Street, Edes Avenue And 85th Avenue (Sub-Basin 85-101 -Project No. C268310) To Andes Construction, Inc., The Lowest Responsive And Responsible Bidder, For An Amount Not-To-Exceed Two Million Five Hundred Seventeen Thousand Dollars ($3,517,000.00) In Accord With The Project Plans And Specifications And The Contractor's Bid
(11-0426)

S-4.14 Subject: Sanitary Sewers Rehabilitation - Pacific Trenchless
From: Public Works Agency
Recommendation: Adopt A Resolution: Authorizing The City Administrator To Award A Construction Contract For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Lochard Street, Edgemont Way, And Kerrigan Drive (Sub-Basin 85-232 - Project No. C312010) To Pacific Trenchless, Inc., The Lowest Responsive And

Responsible Bidder, For The Amount Of One Million Nine Hundred Fifty-Eight Thousand Three Hundred Forty-Seven Dollars ($1,958,347.00) In Accord With The Project Plans And Specifications And The Contractor's Bid
(11-0427)

S-4.15 Subject: Transportation Development Act Projects
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Three Hundred Thousand Dollars ($300,000.00) In Fiscal Year 2012-2013 State Transportation Development Act Article 3 Funds As Follows: (1) CityRacks Bicycle Parking Program, Seventy Five Thousand Dollars ($75,000.00); (2) Storm Drain Inlet Grates Project, Fifty Thousand Dollars, ($50,000.00); And (3) Pedestrian Stairs And Paths Rehabilitation Projects, One Hundred Seventy-Five Thousand Dollars ($175,000.00)
(11-0428)

S-4.16 Subject: Citywide Bikeways - Various Locations
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On Broadway From 38th Street To Broadway Terrace By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes;
2) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On East 12th Street From 14th Avenue To Fruitvale Avenue By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes;
3) A Resolution Authorizing The Reconfiguration Of MacArthur Boulevard From Richards Road To Seminary Avenue Reducing Travel Lanes From Four (4) Through Lanes To Two (2) Through Lanes, Prohibiting Parking Along The Frontage Of Mills College, And Installing Class II Bicycle Lanes;
4) A Resolution To Establish "No Parking Anytime" On The East Side Of Ardley Avenue Between East 30th Street And Interstate 580; On The May 8, 2012 Public Works Committee Agenda
(11-0437)

S-4.17 Subject: Pacific Gas And Electric Turnkey Project
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Authorizing A Contract With Pacific Gas And Electric Company (PG & E) Not To Exceed Two Hundred Fifty Thousand Dollars ($250,000) For A Turnkey Project To Replace Existing High Pressure Sodium (HPS) Cobra Style Street Lighting In East Oakland Along Designated Portions Of MacArthur Blvd., Seminary Ave. And International Blvd. With Light Emitting Diode (LED) Street Lights Using The PG & E "On Bill Financing" Option And Accepting All Energy Rebates Associated With Upgrade Projects For Appropriation And Expenditure By The Electrical Services Division As Needed To Support Sustainable Lighting Enhancement Efforts; On The May 8, 2012 Public Safety Committee Agenda
(11-0416)

S-4.18 Subject: LLAD Levy Assessment

From: Finance And Management Agency
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2012-2013 Preliminary Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing
(11-0417)

S-4.19 Subject: Goldman Sachs Swap Agreement Termination
From: Finance And Management Agency
Recommendation: Adopt A Resolution Of The City Council Of The City Of Oakland Authorizing The City Administrator To Negotiate And Terminate The City's Interest Rate Swap Agreement With Goldman Sachs & Co. To The Extent That The City Is Able To Do So At A Below Market Value Cost And Not Later Than The End Of The Next Fiscal Year, June 30, 2013; On The May 8, 2012 Finance And Management Committee Agenda
(11-0424)

S-4.20 Subject: Sale Of Pension Obligation Bonds
From: Finance And Management Agency
Recommendation: Adopt An Ordinance Authorizing The Issuance And Sale Of City Of Oakland, California Taxable Pension Obligation Bonds, Series 2012 And Approving Certain Related Matters
(11-0431)

S-4.21 Subject: Single Audit Report FY 2010 - 2011
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Single Audit Report For The Fiscal Year Ended June 30, 2011
(11-0432)

S-4.23 Subject: Oakland Army Base Audit Report FY 2010 - 2011
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Oakland Army Base Audit Report For The Fiscal Year Ended June 30, 2011
(11-0433)

S-4.23 Subject: Tax And Revenue Anticipation Notes - 2012 -2013
From: Finance And Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2012-2013 In An Amount Not To Exceed $85,000,000; And The Issuance And Sale Of 2012-2013 Tax And Revenue Anticipation Notes Therefore And Approving Certain Related Matters; And
2) A Resolution Authorizing The Sale Of The 2012-2013 Tax And Revenue Anticipation Notes In An Amount Not To Exceed $85,000,000; Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Actions
(11-0435)

S-4.24 Subject: WPAD 2012 - 2013 Preliminary Annual Report
From: Finance And Management Agency

Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2012-13 Preliminary Annual Report For The City Of Oakland Wildfire Prevention Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing
(11-0436)

S-4.25 Subject: Vacant Residential Property Registration Program Amendment
From: Councilmember Brunner
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.54 (The Foreclosed And Vacant Residential Building Registration Program) By Expanding It To Include Both Vacant And Occupied Residential Properties And Multiple Unit Buildings In The Foreclosed And Defaulted Residential Property Registration Program, To Set Out More Specific Maintenance And Security Requirements, And To Provide For Abatement Of Blight And Nuisances At Such Properties; And
2) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13078 C.M.S.) To Establish New Fees For Registering Defaulted And Foreclosed Properties; And
3) A Resolution Amending The City Of Oakland's Fiscal Year 2011- 2013 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 83693 C.M.S. On January 31, 2012, Adding The Positions Of Program Manager And An Administrative Support Position To The Building Services Budget For The Administration Of The Foreclosed Properties Registration And Blight Abatement Programs; On The May 8, 2012 Community And Economic Development Committee Agenda
(11-0429)

S-4.26 Subject: City Council And City Attorney Term Limits
From: Councilmember Brunner
Recommendation: Adopt A Resolution Submitting On The Council's Own Motion, A Proposed Charter Amendment, Entitled, "Establishing Term Limits For The City Council And The City Attorney" Which Will Enact A Lifetime Limit Of 3 Terms Of 4 Years For A Maximum Of 12 Years, To Be Submitted To The Electors At The Next Special Or General Municipal Election And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The Next Special Or General Election Date; On The May 10, 2012 Rules And Legislation Committee Agenda
(11-0430)

S-4.27 Subject: Renaming Eastshore State Park
From: Vice Mayor Nadel
Recommendation: Adopt A Resolution In Support Of Renaming The Eastshore State Park To The McLaughlin Eastshore State Park; On The May 15, 2012 City Council Agenda
(11-0438)
(rules042612item4)

5 A review of the Council Committees' actions from April 24, 2012 and determination of scheduling to the City Council meeting of May 1, 2012 or future dates (MATRIX)
(rules042612item5)

6 A review of the Agendas for the Council Committees for the meetings of May 8, 2012 and the Rules and Legislation Committee meeting of May 10, 2012 (rules042612item6)

OPEN FORUM (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

NOTE: Americans With Disabilities Act
If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit
Phone: (510) 238-3226
Fax: (510) 238-6699
Recorded Agenda: (510) 238-2386
Telecommunications Display Device: (510) 839-6451
(TTD)

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30AM TO 5:00PM

* In the event a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however, no final City Council action can be taken.

LaTonda Simmons
City Clerk and
Clerk of the Council

Items Submitted on the Dais

#1 Subject: Honoring East Bay Agency For Children
From: Councilmember Patricia Kernighan
Recommendation: Adopt A Resolution Celebrating The 60th Anniversary Of The East Bay Agency For Children
11-0444

Scheduled to * Meeting of the Oakland City Council on 5/15/2012
As a Ceremonial Item

View Report.pdf
83829 CMS.pdf

#2 Subject: Cabaret Permits
From: Councilmember Rebecca Kaplan
Recommendation: Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.12 Cabarets, To Continue The Pilot Extended Hours Permits Program For An Additional Two Years And To Set Out Procedures For Immediate Suspension Of Any Cabaret Permit To Protect Patrons Or The Public
11-0446

Scheduled to *Public Safety Committee on 5/8/2012
View Report.pdf

#3 Subject: Transit Village At The Coliseum BART Station
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing An Exclusive Negotiating Agreement With The Oakland Economic Development Corporation For Development Of Phase I Of The Transit Village At The Coliseum BART Station, And Authorizing A Predevelopment Loan For The Project In An Amount Not To Exceed $400,000
11-0447

Scheduled to *Community & Economic Development Committee on 5/8/2012
View Report.pdf

#4 Subject: Crematorium Activity
From: Council President Reid
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim Ordinance Pursuant To Charter Section 213 Requirement For A Major Conditional Use Permit To Establish Any New Activity Relating To The Creation Of Crematorium Activity As It Is Currently Defined As Manufacturing And Industrial Usage (Interim Control)
11-0449

Scheduled to * Meeting of the Oakland City Council on 5/15/2012
View Report.pdf
View Report.pdf
13115 CMS.pdf

SUPPLEMENTAL

City of Oakland

Meeting Agenda

* Meeting of the Oakland City Council

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612

City of Oakland Website: http://www.oaklandnet.com

Tuesday, May 15, 2012 **5:30 PM** **City Council Chambers, 3rd Floor**

DEFINITION OF TERMS:

CONSENT ITEM: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee. These items are heard on the 5:30 P.M. portion of the agenda.

NON-CONSENT ITEM: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee. These items are heard on the 6:30 P.M. portion of the agenda.

ACTION ITEM: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

INFORMATIONAL ITEM: an item of the agenda consisting only of an informational report that does not require or permit Council action.

1 Pledge of Allegiance

2 Roll Call / ORA & Council
COUNCIL MEMBERS: Desley Brooks, Dist. 6; Jane Brunner, Dist. 1, Ignacio De La Fuente; Dist. 5; Rebecca Kaplan, At-Large; Pat Kernighan, Dist. 2; Nancy Nadel, Dist. 3; Libby Schaaf, Dist. 4; Council President Larry Reid, Dist. 7

3 Open Forum / Citizens Comments
(Time Available: 15 minutes)

4 ACTIONS ON SPECIAL ORDERS OF THE DAY
(Ceremonial Presentations, Reports/Presentations from the Mayor, Council Acknowledgements/Announcements):

4.1 Subject: Honoring East Bay Agency For Children
From: Councilmember Patricia Kernighan
Recommendation: Adopt A Resolution Celebrating The 60th Anniversary Of The East Bay Agency For Children
(11-0444)

4.2 Subject: Marcel Uzegbu Retirement
From: Council Member Brooks, Council President Reid, and Pro Tem De La Fuente
Recommendation: Adopt A Resolution Acknowledging The Retirement Of Marcel Uzegbu After Twenty-Six Years Of Dedicated Service To The City Of Oakland
(11-0323)

This item was rescheduled from the April 3, 2012 City Council Agenda.

5 APPROVAL OF THE DRAFT MINUTES FROM THE SPECIAL MEETING OF APRIL 30, 2012

6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS
(Requests to: Reschedule items from consent to Non-Consent to the next Council Agenda, Speak on Consent Calendar, Register Votes, Change order of Items, Reconsiderations, Pull Items held in Committee):

7. CONSENT CALENDAR (CC) ITEMS:

7.1 Subject: Declaration Of A Local Emergency Due To AIDS Epidemic
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency Syndrome ("AIDS") Epidemic
(11-0458)

7.2 Subject: Medical Cannabis Health Emergency
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In The City Of Oakland
(11-0459)

7.3 Subject: Renaming Eastshore State Park
From: Vice Mayor Nadel
Recommendation: Adopt A Resolution In Support Of Renaming The Eastshore State Park To The McLaughlin Eastshore State Park
(11-0438)

7.4 Subject: Haitian Family Reunification Parole Program
From: Councilmember Brooks
Recommendation: Adopt A Resolution Urging President Obama's Administration/U.S. Department Of Homeland Security (DHS) To Create A Haitian Family Reunification Parole Program To Help Haiti Recover, Save Lives, And End A Double Standard
(11-0396)

~~7.5~~ ~~Subject: Council Member Desley Brooks Travel~~
~~From: Council Member Desley Brooks~~
~~Recommendation: Adopt A Resolution Authorizing Council Member Desley Brooks To Travel To Las Vegas, Nevada To Attend The 2012 International Council Of Shopping Centers (ICSC) RECON Convention From May 20-23, 2012~~
~~(11-0473)~~

This item was withdrawn by the May 10, 2012 Rules and Legislation Committee.

7.6 Subject: Salary Schedule Amendment - Recreation Specialist III
From: Department Of Human Resources Management
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Permanent Part Time And Temporary Part Time Designations For The Classification Of Recreation Specialist III
(11-0371)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE
Introduction (First Reading) was passed on April 30, 2012; 8 Ayes

7.7 Subject: Salary Schedule Amendment - Fire Suppression Line Employees
From: Office Of The City Administrator
Recommendation: Adopt An Ordinance Amending The Salary Schedule Of Ordinance 12187 C.M.S (The Salary Ordinance) To Restore A 52-Hour Workweek To Fire Suppression Line Employees In Unit FQL Effective June 13, 2012
(11-0403)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE
Final Passage (Second Reading) is scheduled for June 5, 2012; 8 Ayes

7.8 Subject: Sunfield Development LLC - DDA Property Seminary And Foothill
From: Office Of Neighborhood Investment
Recommendation: Adopt An Ordinance Authorizing A Disposition And Development Agreement With Sunfield Development, LLC, For The Sale Of Property At Foothill Boulevard And Seminary Avenue For $6,000 For Development As A Retail Shopping Center, And Allocating $150,000 For Remediation Of The Site
(11-0372)

ACTION ON THIS ITEM WILL RESULT IN FINAL PASSAGE (Second Reading) OF THIS ORDINANCE
Introduction (First Reading) was passed on April 30, 2012 6 Ayes, 2 No - Schaaf, Kernighan

7.9 Subject: Settlement Agreement - Kravitz
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Linda Kravitz Vs. City Of Oakland, Alameda County Superior Court Case No. RG11556138, City Attorney's File No. 27949, In The

Amount Of Seventy Five Thousand Dollars And No Cents ($75,000.00). (Public Works - Trip And Fall)
(11-0468)

This item was heard in the April 30, 2012 Closed Session.

7.10 Subject: Settlement Agreement - John Smith
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Pay Plaintiffs' Attorneys' Fees Incurred In The Case Of John Smith (Spencer Lucas And Kirby Bradshaw) V. City Of Oakland, Et Al, United States District Court No. C-0706298 SI, Our File No. SS25818, In The Amount Of $832,639.41 (Oakland Police Department - Unlawful Search)
(11-0469)

This item was heard in the March 20, 2012 Closed Session.

7.11 Subject: Settlement Agreement - Bautista
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Noralinda Bautista V. City Of Oakland, Alameda County Superior Court Case No. Rg10533188, In The Amount Of $24,000.00 As A Result Of A Trip And Fall Accident. (Public Works Agency - Trip And Fall)
(11-0470)

This item was not heard in Closed Session.

7.12 Subject: Settlement Agreement - Domer
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of Carmen Domer V. City Of Oakland, Alameda County Superior Court Case No. RG1155133 In The Amount Of $8,000.00 (Public Works Agency - Trip And Fall)
(11-0471)

This item was not heard in Closed Session.

7.13 Subject: Settlement Agreement - Walker
From: Office Of The City Attorney
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To Compromise And Settle The Case Of William Walker V. City Of Oakland, Alameda County Superior Court Case No. RG11558725 In The Amount Of $6,000.00 (Public Works Agency - Trip And Fall)
(11-0472)

This item was not heard in Closed Session.

7.14 Subject: Board Of Port Commissioners Appointment - Hamlin
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Earl S.

Hamlin To The Board Of Port Commissioners To Complete The Remainder Of Michael Lighty's Term, Which Began On July 11, 2009 And Ends On July 10, 2013
(11-0476)

S-7.15 Subject: Stormwater Treatments Project - BASMAA
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To 1) Accept And Appropriate Up To Five Hundred Thousand Dollars ($500,000.00) Of Grant Funds And 2) Enter Into An Agreement With The Bay Area Stormwater Management Agencies Association (BASMAA) To Use These Grant Funds To Implement Stormwater Treatment Projects To Capture And Treat Poly Chlorinated Biphenyls
(11-0423)

The May 8, 2012 Public Works Committee approved recommendations; 4 Ayes

S-7.16 Subject: Citywide Bikeways - Various Locations
From: Public Works Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) A Resolution Authorizing The Reconfiguration Of Macarthur Boulevard From Richards Road To Seminary Avenue Reducing Travel Lanes From Four (4) Through Lanes To Two (2) Through Lanes, Prohibiting Parking Along The Frontage Of Mills College, And Installing Class II Bicycle Lanes;
(11-0437)

2) A Resolution To Establish "No Parking Anytime" On The East Side Of Ardley Avenue Between East 30th Street And Interstate 580;
(11-0437-1)

3) A Resolution Authorizing The Installation Of Class II Bicycle Lanes On Broadway From 30th Street To Broadway Terrace By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes;
(11-0437-2)

4) Resolution Authorizing The Installation Of Class II Bicycle Lanes On East 12th Street From 14th Avenue To Fruitvale Avenue By Reducing Travel Lanes From Six (6) Through Lanes To Four (4) Through Lanes
(11-0437-3)

The May 8, 2012 Public Works Committee approved recommendations; 4 Ayes

S-7.17 Subject: Transportation Development Act Projects
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Three Hundred Thousand Dollars ($300,000.00) In Fiscal Year 2012-2013 State Transportation Development Act Article 3 Funds As Follows: (1) CityRacks Bicycle Parking Program, Seventy Five Thousand Dollars ($75,000.00); (2) Storm Drain Inlet Grates Project, Fifty Thousand Dollars, ($50,000.00);

And (3) Pedestrian Stairs And Paths Rehabilitation Projects, One Hundred Seventy-Five Thousand Dollars ($175,000.00)
(11-0428)

The May 8, 2012 Public Works Committee approved recommendations; 4 Ayes

S-7.18 Subject: Sanitary Sewers Rehabilitation - Pacific Trenchless
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Lochard Street, Edgemont Way, And Kerrigan Drive (Sub-Basin85-232 - Project No. C312010) To Pacific Trenchless, Inc., The Lowest Responsive And Responsible Bidder, For The Amount Of One Million Nine Hundred Fifty-Eight Thousand Three Hundred Forty-Seven Dollars ($1,958,347.00) In Accord With The Project Plans And Specifications And The Contractor's Bid
(11-0427)

The May 8, 2012 Public Works Committee approved recommendations; 4 Ayes

S-7.19 Subject: Sanitary Sewers Rehabilitation - Andes Construction
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract For The Rehabilitation Of Sanitary Sewers In The Area Bounded By San Leandro Street, Edes Avenue And 85th Avenue (Sub-Basin 85-101 - Project No. C268310) To Andes Construction, Inc., The Lowest Responsive And Responsible Bidder, For An Amount Not-To-Exceed Three Million Five Hundred Seventeen Thousand Dollars ($3,517,000.00) In Accord With The Project Plans And Specifications And The Contractor's Bid
(11-0426)

The May 8, 2012 Public Works Committee approved recommendations; 4 Ayes

S-7.20 Subject: YEP Agreement - Team Oakland Program
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A One-Year Agreement With Youth Employment Partnership, In An Amount Not To Exceed Two Hundred Forty Nine Thousand Dollars ($249,000.00) To Implement The Team Oakland Program, With An Option To Extend The Agreement For An Additional Two Years, In An Amount To Be Determined, Based On Satisfactory Contractor Performance And Available Funds Approved By Council And Budgeted In Fiscal Cycle 2013-15
(11-0425)

The May 8, 2012 Public Works Committee approved recommendations; 4 Ayes

S-7.21 Subject: Contract Increase - Networkfleet, Inc. For Automatic Vehicle Locators

From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Increase Spending Authority On The Existing Contract With Network fleet, Inc., And To Waive Advertising And Bidding Requirement Of The Oakland Municipal Code As Authorized By City Council Resolution No. 83120 C.M.S. On December 21, 2010, For The Purchase And Mounting Of Additional Automated Vehicle Locator (AVL) Units For Both The Public Works Agency (PWA) And Parking Enforcement Vehicles. The Additional Authority Increases The Contract Limit By $250,000, Which Brings The Total Contract Amount Not To Exceed $350,000
(11-0378)

The May 8, 2012 Finance and Management Committee approved recommendations; 4 Ayes

S-7.22 Subject: Police Vehicle Retrofit
From: Finance And Management Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A Contract To Lehr Auto Electric, A Corporation, To Provide All Labor, Material And Equipment To Retrofit One Hundred Forty-Nine (149) Police Vehicles For The City Of Oakland In An Amount Not To Exceed Two Hundred Seventy Six Thousand, Eight Hundred Forty Two Dollars ($276,842.00) Per Request For Quotation (RFQ) 2241, Specification No. 11-928-33 And The General Conditions Therefore On File In The Purchasing Division According To Its Bid Filed With The City On October 24, 2011
(11-0354)

The May 8, 2012 Finance and Management Committee approved recommendations; 4 Ayes

S-7.23 Subject: LLAD Levy Assessment
From: Office Of The City Administrator
Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The Fiscal Year 2012-2013 Preliminary Engineer's Report For The City Of Oakland Landscaping And Lighting Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing
(11-0417)

The May 8, 2012 Finance and Management Committee approved recommendations; 4 Ayes

S-7.24 Subject: Oakland Army Base Audit Report FY 2010 - 2011
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Oakland Army Base Audit Report For The Fiscal Year Ended June 30, 2011
(11-0433)

The May 8, 2012 Finance and Management Committee received and forwarded this item; 4 Ayes

S-7.25 Subject: WPAD 2012 - 2013 Preliminary Annual Report
From: Office Of The City Administrator

Recommendation: Adopt A Resolution Of Intention To Levy Assessments, Acceptance Of The FY2012-13 Preliminary Annual Report For The City Of Oakland Wildfire Prevention Assessment District, And Setting June 5, 2012 As The Date For A Public Hearing
(11-0436)

The May 8, 2012 Finance and Management Committee approved recommendations; 4 Ayes

S-7.26 Subject: Lakeshore/Lake Park Business Improvement Plan
From: Office Of Economic And Workforce Development
Recommendation: Adopt A Resolution Of Intention To Form The Lakeshore/Lake Park Business Improvement Management District Of 2012, Granting Preliminary Approval Of The Management Plan, Directing Filing Of The Proposed Assessment District Boundary Description, Submitting A Proposed Assessment To The Affected Property Owners For Majority Protest Procedure Approval, And Scheduling A Public Hearing For July 17, 2012
(11-0414)

The May 8, 2012 Community and Economic Development Committee approved recommendations; 4 Ayes

S-7.27 Subject: Harrison Senior Housing Project Grant
From: Office Of Neighborhood Investment
Recommendation: Adopt A Resolution Authorizing A Grant In The Amount Of $500,000 To Oakland Housing Initiatives And Christian Church Homes Of Northern California From State Of California Proposition 1c Funds For Development Of Parking At The Harrison Senior Housing Project Located At 1633 Harrison Street And 321 17th Street
(11-0439)

The May 8, 2012 Community and Economic Development Committee approved recommendations; 4 Ayes

S-7.28 Subject: Preschool Program Expansion Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To Apply For, Accept And Appropriate The California State Preschool Program (CSPP) Expansion Grant From The California Department Of Education (CDE) In An Estimated Amount Of One Million Thirteen Thousand Two Hundred Twenty Dollars ($1,013,220) For Program Year 2012-2013, And Authorizing A Grant Agreement With The Unity Council For An Estimated Amount Of One Hundred Six Thousand One Hundred Forty Two Dollars ($106,142) To Fund Pre Kindergarten And Family Literacy Services In Accord With Said Grant
(11-0418)

The May 8, 2012 Life Enrichment Committee approved recommendations; 3 Ayes; 1 Excused - Reid

S-7.29 Subject: Child And Adult Care Food Program
From: Department Of Human Services

Recommendation: Adopt A Resolution On Behalf Of The City Of Oakland, Authorizing The City Administrator To Apply For, Accept And Appropriate The Child And Adult Care Food Program (CACFP) Grant From The California Department Of Education, Nutrition Services Division, In An Estimated Amount Of Five Hundred Forty Five Thousand Dollars ($545,000) To Provide Funding For Nutritious Meals To Eligible Children Enrolled In The Oakland Head Start Program For Program Year 2012-2013
(11-0419)

The May 8, 2012 Life Enrichment Committee approved recommendations; 3 Ayes; 1 Absent - Reid

S-7.30 Subject: California Gang Reduction, Intervention And Prevention Grant
From: Department Of Human Services
Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Accept And Appropriate California Gang Reduction, Intervention And Prevention (CalGRIP) Grant Funds In An Amount Not To Exceed Two Hundred Forty Three Thousand Seven Hundred Fifty Nine Dollars ($243,759) From The State Of California, California Emergency Management Agency (CalEMA) To Department Of Human Services (DHS) For The Time Period Of January 1, 2012 Through December 31, 2013, And 2) Enter Into A Grant Agreement For One Year, With A One Year Option To Renew, With Oakland Community Organization (OCO) For An Estimated Amount Of Twenty Five Thousand ($25,000) Annually For Follow-Up Services For Participants From January 1, 2012 Through December 31, 2013
(11-0420)

The May 8, 2012 Public Safety Committee approved recommendations; 4 Ayes

S-7.31 Subject: Pacific Gas And Electric Turnkey Project
From: Public Works Agency
Recommendation: Adopt A Resolution Waiving Advertising And Competitive Bidding And Authorizing A Contract With Pacific Gas And Electric Company (PG&E) Not To Exceed Two Hundred Fifty Thousand Dollars ($250,000) For A Turnkey Project To Replace Existing High Pressure Sodium (HPS) Cobra Style Street Lighting In East Oakland Along Designated Portions Of Macarthur Blvd., Seminary Ave. And International Blvd. With Light Emitting Diode (LED) Street Lights Using The PG&E "On Bill Financing" Option And Accepting All Energy Rebates Associated With Upgrade Projects For Appropriation And Expenditure By The Electrical Services Division As Needed To Support Sustainable Lighting Enhancement Efforts
(11-0416)

The May 8, 2012 Public Safety Committee approved recommendations; 4 Ayes

S-7.32 Subject: Single Audit Report FY 2010 - 2011
From: Finance And Management Agency
Recommendation: Receive An Informational Report Presenting The Single Audit Report For The Fiscal Year Ended June 30, 2011
(11-0432)

The May 8, 2012 Finance and Management Committee received and forwarded this report and directed staff to provide a supplemental report that includes the following:

1. A copy of the random testing on compliance issues with respect to certified payroll and hiring
2. Information regarding the forgiven debt of $13 million
3. Schedule at Rules Committee the Formulation of Policy and include A133
4. A future report on developing real time data regarding local hiring and prevailing wages

8 Oral Report of Final Decisions Made During Closed Session & Disclosure of Non-Confidential closed session discussions

COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:

9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING REQUIREMENTS:

9.1 Subject: Rehabilitation Of Oak Center Homes And Various Sites
From: Department Of Housing And Community Development
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Amending, Terminating And Waiving Deed Covenants Encumbering Oak Center Homes At Scattered Sites Throughout West Oakland, To Allow A Revised Ownership Structure To Facilitate Acquisition Of Financing For Rehabilitation Of The Properties
(11-0440)

The May 8, 2012 Community and Economic Development Committee approved recommendations; 4 Ayes

9.2 Subject: 2012-2013 HUD Annual Action Plan
From: Office Of Neighborhood Investment
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution 1) Authorizing The City Administrator To Prepare And Submit To The U.S. Department Of Housing And Urban Development The Annual Action Plan For Fiscal Year 2012-2013; 2) Accepting And Appropriating Funds Totaling $12,940,158.00 For The Home, Emergency Shelter Grant (ESG), Housing Opportunities For Persons With Aids (HOPWA), And The Community Development Block Grant Programs; 3) Appropriating $556,408.00 In Program Income , Reprogrammed Funds And Any Amounts In Excess Thereof For Housing Rehabilitation Revolving Loan Fund; And 4) Authorizing The City Administrator To Negotiate And Execute Agreements With Subgrantees For Fiscal Year 2012-2013 For The Community Development Block Grant Program
(11-0397)

The April 24, 2012 Community and Economic Development Committee

approved recommendations; 3 Ayes, 1 Excused - De La Fuente

9.3 Subject: City Of Oakland's Fiscal Year Consolidated Plan
From: Department Of Human Services
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt A Resolution Amending The City Of Oakland's Fiscal Year 2011-2012 Consolidated Plan Annual Action Plan Submitted To The U. S. Department Of Housing & Urban Development, To Include Additional Funds Awarded To The City Under The U. S. Department Of Housing &. Urban Development's 2011 Homeless Emergency And Rapid Transition To Housing (HEARTH) Emergency Solutions Grant (ESG), A Formula Grant (Formerly The Emergency Shelter Grant), Requiring A Substantial Amendment To The City's Fiscal Year 2011-2012 Annual Action Plan
(11-0386)

The April 24, 2012 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente

S-9.4 Subject: Crematorium Activity
From: Council President Reid
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Emergency Ordinance, Pursuant To Charter Section 213, Establishing Interim Controls That Require A Major Conditional Use Permit To Establish A Crematorium, As It Is Currently Defined As Manufacturing And Industrial Useage To Remain In Effect Through May 10, 2013, Or When Permanent Regulations Are Adopted, Whichever Occurs First (TITLE CHANGE)
(11-0449)

This ordinance requires an affirmative vote of 7 Ayes.

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION AND FINAL PASSAGE OF THIS ORDINANCE.

S-9.5 Subject: Cabaret Permits
From: Councilmember Rebecca Kaplan
Recommendation: Conduct a Public Hearing And Upon Conclusion Adopt An Ordinance Amending Oakland Municipal Code Chapter 5.12, Cabarets, To Continue The Pilot Extended Hours Permits Program For An Additional Two Years And To Set Out Procedures For Immediate Suspension Of Any Cabaret Permit To Protect Patrons Or The Public [TITLE CHANGE]
(11-0446)

The May 8, 2012 Public Safety Committee approved recommendations; 4 Ayes

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE
Final Passage (Second Reading) is scheduled for June 5, 2012

ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:

10 Subject: Zero Waste RFP Economic Benefit Measures
From: Public Works Agency
Recommendation: Adopt A Resolution Adopting Zero Waste System Request For Proposals Economic Benefit Measures: Competitive Wages And Benefits, Job Retention, Local Business Participation, Local Hire Preference Points, In-County Landfill Preference Points; And Seeks Proposals From All Qualified Firms To Establish Competition To Avoid Significant Additional Costs To City Rate Payers
(11-0379)

The May 8, 2012 Public Works committee approved recommendations as amended to amend the resolution and RFP as follows:
1. To ensure effective and knowledgeable customer service, the call center/customer service personnel location is preferred to be local. In this instance local includes all of Alameda County. Additionally, the bidder may also propose a non-local location if they can demonstrate how they will provide quality customer service from a non-local facility

2. "Maximization of local business presence participation" includes local non-profit and agency participation

3. Staff will return to a future Public Works Committee with proposals for enforcement that prevent non-franchisee from taking unpermitted work or otherwise undermining the franchise agreements; 4 Ayes

11 Subject: Trade Corridor Improvement Fund Baseline Agreement Amendment
From: Office Of Neighborhood Investment
Recommendation: Adopt The Following Resolutions:
(1) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amendment To The California Transportation Commission (CTC) Trade Corridor Improvement Fund (TCIF) Baseline Agreement Between The Port Of Oakland (Port) And CTC Regarding The Oakland Army Base Project, To Add The City As A Party And As A Grant Recipient, To Combine The Two TCIF Grant Allocations Into One $242.1 Million Allocation, To Change The Scope And Areas Of The Former Oakland Army Base Where TCIF Funds Will Be Used, And To Identify Funding Sources To Match The TCIF Grant; And
(11-0400)

The April 24, 2012 Community and Economic Development Committee approved recommendations; 3 Ayes, 1 Excused - De La Fuente

(2) A Resolution Authorizing The City Administrator To Negotiate And Execute An Amendment To The Cost Sharing Agreement Between The Oakland Redevelopment Agency (Agency) And The Port Of Oakland Pertaining To Infrastructure Improvements At The Former Oakland Army Base, To Reflect The Transfer Of The Property From The Agency To The City Of Oakland, To Acknowledge An Amendment To The Trade Corridor Improvement Funds (TCIF) Baseline Agreement, To Establish Respective Roles And Responsibilities Between The Port And City As To Grant Funding; To Identify The

Funding Sources To Match The TCIF Grant; And To Commit An Additional $22.5 Million In City Funds To Match The TCIF Grant
(11-0400-1)

These items were rescheduled from the April 30, 2012 Special City Council Meeting.

The April 24, 2012 Community and Economic Development Committee approved recommendations as amended to delete every instance of "and execute" from the resolution and approved the terms sheet which will allow staff to proceed with negotiations.

The committee directed staff to provide in a supplemental to the April 30, 2012 Special City Council, a terms sheet that highlights the terms that have changed from the previous iteration of the agreement.

12 Subject: Community Policing Advisory Board
From: Office Of the Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Jennifer Pae And John Nichols And Appointment Of Alex Miller-Cole As Members Of The Community Policing Advisory Board
(11-0363)

This item was rescheduled from the April 30, 2012 Special City Council Agenda pursuant to Rule 7(6) of Resolution 82580 C.M.S., Council's Rules of Procedures.

Staff was directed to return to the May 15, 2012 City Council with the allocation of mayoral appointments to the area(s).

13 Subject: Community Policing Advisory Board Appointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Marcus Johnson, Reappointment Of Greg Novak, Appointment Of Frank Castro As Members Of The Community Policing Advisory Board
(11-0456)

This item was rescheduled from the April 30, 2012 Special City Council Agenda pursuant to Rule 7(6) of Resolution 82580 C.M.S., Council's Rules of Procedures.

14 Subject: Civil Service Board Reappointments
From: Office Of The Mayor
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Winnie Anderson, Alex Drexel And Michael Siegel To The Civil Service Board
(11-0410)

This item was rescheduled from the April 30, 2012 Special City Council Agenda pursuant to Rule 7(6) of Resolution 82580 C.M.S., Council's Rules

of Procedures.

S-15 Subject: Tax And Revenue Anticipation Notes - 2012 -2013
From: Finance And Management Agency
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Providing For The Borrowing Of Funds For Fiscal Year 2012-2013 In An Amount Not To Exceed $85,000,000 And The Issuance And Sale Of 2012-2013 Tax And Revenue Anticipation Notes Therefore And Approving Certain Related Matters; And
(11-0435)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE
Final Passage (Second Reading) is scheduled for June 5, 2012

2) A Resolution Authorizing The Sale Of The 2012-2013 Tax And Revenue Anticipation Notes In An Amount Not To Exceed $85,000,000; Authorizing The Execution And Delivery Of Related Documents And Approving Certain Related Actions
(11-0435-1)

The May 8, 2012 Finance and Management Committee approved recommendations; 4 Ayes

S-16 Subject: Vacant Residential Property Registration Program Amendment
From: Councilmember Brunner
Recommendation: Adopt The Following Pieces Of Legislation:
1) An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.54 (The Foreclosed And Vacant Residential Building Registration Program) By Expanding It To Include Both Vacant And Occupied Residential Properties And Multiple Unit Buildings To The Foreclosed And Defaulted Residential Property Registration Program, To Set Out More Specific Maintenance And Security Requirements And To Provide For Abatement Of Blight And Nuisances At Such Properties
(11-0429)

The May 8, 2012 Community and Economic Development Committee approved recommendations as amended to add language clarifying that the pre-foreclosure homeowner is not responsible for occupied NOD's.

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE
Final Passage (Second Reading) is scheduled for June 5, 2012

2) A Resolution Amending The City Of Oakland's Fiscal Year 2011- 2013 Biennial Budget, Which Was Adopted Pursuant To Resolution No. 83693 C.M.S. On January 31, 2012, Adding The Positions Of Program Manager And An Administrative Support Position To The Building Services Budget For The Administration Of The Foreclosed Properties Registration And Blight Abatement Programs
(11-0429-1)

The May 8, 2012 Community and Economic Development Committee approved recommendations as amended to add the classification of Program Analyst as administrative support to Building Services; 4 Ayes

3) An Ordinance Amending The Master Fee Schedule (Ordinance No. 13078 C.M.S.) To Establish New Fees For Registering Defaulted And Foreclosed Residential Properties (11-0429-2)

The May 8, 2012 Community and Economic Development Committee approved recmmendations; 4 Ayes

S-17 Subject: Contracting Benefits Program - Oakland Army Base
From: Department Of Contracts And Compliance
Recommendation: Receive A Report And Approve Recommendations For The Oakland Army Base Contracting Benefits Program
(11-0422)

The May 8, 2012 Community and Economic Development Committee approved recommendations as amended to establish that city or port staff will gather data and the community will have a monitoring role as it pertains to the monitoring piece of the agreement (d). Also, the financial penalties are to go to job/contractor training or a job center and not the West Oakland Community Fund; 4 Ayes

Continuation of Open Forum

ADJOURNMENT OF COUNCIL SESSION
(Meeting shall conclude no later than 12:00 a.m., unless extended by Majority Vote of the Council)

Americans With Disabilities Act
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City Clerk and
Clerk of the Council

City of Oakland

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File #:	11-0449 Version: 1	Name:	Crematorium Activity
Type:	Ordinance	Status:	In Committee
File created:	4/26/2012	In control:	* Meeting of the Oakland City Council
On agenda:	5/15/2012	Final action:	
Title (Version 1):	Subject: Crematorium Activity From: Council President Reid Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Interim Ordinance Pursuant To Charter Section 213 Requirement For A Major Conditional Use Permit To Establish Any New Activity Relating To The Creation Of Crematorium Activity As It Is Currently Defined As Manufacturing And Industrial Usage (Interim Control)		
Attachments:	View Report.pdf, View Report.pdf, 13115 CMS.pdf		

History (1) Text (Version 1)

1 record Group Export

Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
4/26/2012	1	*Rules & Legislation Committee	Scheduled		Action details	Meeting details	Not available

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File #:	11-0449 Version: 2	Name:	Crematorium Activity
Type:	Ordinance	Status:	In Committee
File created:	4/26/2012	In control:	* Meeting of the Oakland City Council
On agenda:	5/15/2012	Final action:	
Title (Version 2):	Subject: Crematorium Activity From: Council President Reid Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt An Emergency Ordinance, Pursuant To Charter Section 213, Establishing Interim Controls That Require A Major Conditional Use Permit To Establish A Crematorium, As It Is Currently Defined As Manufacturing And Industrial Useage To Remain In Effect Through May 10, 2013, Or When Permanent Regulations Are Adopted, Whichever Occurs First (TITLE CHANGE)		
Attachments:	View Report.pdf, View Report.pdf, 13115 CMS.pdf		

History (1) Text (Version 2)

1 record Group Export

Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
4/26/2012	1	*Rules & Legislation Committee	Scheduled		Action details	Meeting details	Not available

Attachment B

COMMUNITIES FOR A
BETTER
ENVIRONMENT

August 22, 2012

RE: **Appealed Project, Building Permit B1200987 (Proposed Crematorium at 9850 Kitty Lane)**

Case File Number: **A12-070**

Dear Mr. Vollmann,

Our organization opposes the above appeal to be heard by the Oakland City Planning Commission on August 29, 2012. Please find the enclosed:

- Memorandum outlining that the siting of a crematorium at 9850 Kitty Lane without a conditional use permit is illegal.
- Letter from the neighboring Airport Area Business Association opposing the siting of a crematorium at 9850 Kitty Lane.
- Letter from Community Members/City of Oakland residents opposing the siting of a crematorium at 9850 Kitty Lane. (A Spanish and English example of *several* to be distributed to the City Council and Planning Commission prior to the August 29, 2012 public hearing).
- Preliminary Risk Assessment from the Bay Area Air Quality Management District outlining negative health impacts and dangers of the siting of a crematorium at 9850 Kitty Lane.

We will be present, and make comment, with many Community Members and representatives of local businesses, at the August 29, 2012 public hearing. Please contact me directly at our Oakland office, extension 16, if you require any additional information. Thank you for your time and anticipated support.

Sincerely,

Roger Lin
Staff Attorney

6325 Pacific Blvd., Suite 300 • Huntington Park, CA. 90255 •
Tel (323) 826-9771 Fax (323) 588-7079
In Northern California: 1904 Franklin Street, Suite 600 • Oakland, CA 94612 • (510) 302-0430

COMMUNITIES FOR A
BETTER
ENVIRONMENT

August 21st, 2012

VIA PERSONAL DELIVERY and E-MAIL

City of Oakland
250 Frank H. Ogawa Plaza, Ste. 3315
Oakland, CA 94612

RE: Appealed Project, Building Permit B1200987
Case File Number: A12-070

To the Oakland City Planning Commission:

Thank you for upholding the Emergency Ordinance, adopted on May 15, 2012, which correctly applies to and prevents the operation of the proposed crematorium at 9850 Kitty Lane. The operation of a crematorium at this site would create dangers to public health and existing local businesses; requiring a major conditional use permit is essential to mitigate these harms. In support of your Zoning Administrator's position, Communities for a Better Environment offers the following memorandum in opposition to Stewart Enterprises' appeal of Building Permit B1200987, to be heard by your Commission on August 29, 2012.

Stewart Enterprise contends that, despite the dangers its proposed operation would pose, it is entitled to build without a conditional use permit. It claims, incorrectly, that a vested right arose prior to adoption of the Emergency Ordinance and further that the Emergency Ordinance is not valid and does not apply to the proposed crematorium at 9850 Kitty Lane. Stewart Enterprises is incorrect. The Emergency Ordinance is a valid exercise of the City's police power; as Stewart Enterprises is statutorily and judicially barred from claiming any vested right, the Emergency Ordinance applies to the proposed crematorium at 9850 Kitty Lane and the Commission should deny Stewart Enterprises' appeal.

A. <u>The Planning Commission should Deny the Appeal As Stewart Enterprises Cannot Demonstrate Vested Rights</u>

(i) <u>Stewart Enterprises is Statutorily Barred from Claiming Any Vested Interest in 9850 Kitty Lane</u>

No project can be, 'operative, vested or final until the filing fees required pursuant to Section 711.4 of the Fish and Game Code are paid.' Pub. Resources Code § 21089(b); Fish & Game § 711.4(c).

CBE's review of records suggests that Stewart Enterprises never paid any filing fees to the Department of Fish and Game ("DFG"). Section 711.4 of the Fish and Game Code refers to the filing of environmental review documents pursuant to CEQA and includes the filing of Notices of Exemption. CBE contacted DFG, which never received any such filing, let alone any filing fee relating to Stewart Enterprises' proposed crematorium site. Stewart Enterprises may argue that no fee was necessary given the categorical exemption as determined by the local lead agency; however, Section 711.4 reserves such determinations for the DFG itself. From this record, it appears that neither Stewart Enterprises nor the local lead agency ever contacted the DFG. Therefore, until such fees are paid, Stewart Enterprises is statutorily barred from claiming any vested interest in 9850 Kitty Lane.

(ii) *Stewart Enterprises is Judicially Barred from Claiming Any Vested Interest in 9850 Kitty Lane*

In addition, if a property owner has performed substantial work and incurred substantial liabilities in good faith reliance on a permit issued by the government, the owner may acquire a vested right to complete construction in accordance with the terms of the permit. Once the owner has acquired a vested right, the government cannot, by virtue of a change in the zoning law, prohibit construction authorized by the permit. *Avco Community Developers, Inc. v. South Coast Regional Commission*, 17 Cal. 3d 785 (1976). No landowner, however, has any vested right in existing or anticipated zoning. *Id.* By zoning the property or issuing approvals for work preliminary to construction, the government makes no representation to a landowner that he will be exempt from the zoning laws in effect at the subsequent time he applies for a building permit. *Id.* Where no permit has been issued, purchasing property is no basis for estoppel. *Id.* "If (the Court) were to accept the premise that...the zoning of the land...(is) sufficient to afford a developer a vested right to construct...there could be serious impairment of the government's right to control land use policy." *Id.*

Stewart Enterprises argues that it relied on the zoning clearance by the City of Oakland to purchase the building at 9850 Kitty Lane, and therefore has a vested right to commence operation of its prohibited crematorium. Stewart Enterprises argues in its appeal that it has: "established vested rights under California law due to obtaining a building permit and expenditure of money in reliance on the building permit, including its purchase of the building, entering a construction contract to remodel the facility, preparation of plans and the purchase of equipment."

Stewart Enterprises' allegations are factually and legally incorrect. The following timeline highlights this mistaken position:

- On August 30, 2011, Stewart Enterprises received zoning clearance to develop 9850 Kitty Lane. (*See Update/Query Application Fee Record)*

- On January 17, 2012, Stewart Enterprises executed a grant deed indicating a purchase of the building at 9850 Kitty Lane. (*See Grant Deed*)

- On May 10, 2012, Stewart Enterprises received the permit to build from the City of Oakland in order to develop 9850 Kitty Lane. (*See Stewart Enterprises Statement of Appeal Grounds*)

- On May 15, 2012, the Emergency Ordinance requiring a major conditional use permit came into effect. (*See Resolution/Ordinance Number 13115; Emergency Ordinance within Appeal Evidence Packet B1200987*)

Stewart Enterprises' suggestion of any reliance on a building permit to purchase the building at 9850 Kitty Lane is false: Stewart Enterprises purchased the building (in January, 2012) *before* obtaining the building permit (in May, 2012). Contrary to Stewart Enterprises' flawed argument, and pursuant to Supreme Court precedent in *Avco,* the August 30, 2011 zoning clearance does not establish a vested interest. *Avco* clearly holds that only the issuance of a building permit from the City of Oakland could establish a vested interest, or any reliance as a basis for estoppel of any government action. Moreover, in deciding *Avco*, the Supreme Court comments that even an expenditure in excess of two million dollars (more than is alleged in the present case) prior to a building permit's issuance cannot provide a vested interest.

If at all, Stewart Enterprises did not establish any interest until the company received that building permit on May 10, 2012; merely five days before the enactment of the Emergency Ordinance. Therefore, this five day, or two business day, interest does not amount to the substantial work and substantial liabilities required under *Avco* to even come close to satisfying a vested interest. A substantial interest existed, for example, where a developer had borrowed money, bought property, prepared plans *and* began construction by excavating a cellar in reliance on a building permit. *Trans-Oceanic Oil Corp. v. City of Santa Barbara*, 85 Cal.App.2d 776 (2nd Dist. 1948). Between May 10, 2012 and May 15, 2012, Stewart Enterprises did not borrow money, buy property, prepare plans and certainly did not begin construction. Stewart Enterprises made no progress in those five days, and cannot establish anything close to Trans-Oceanic Oil Corporation's substantial interest.

B. <u>The Planning Commission should Deny the Appeal As the Emergency Ordinance Requiring Stewart Enterprises to Obtain a Major Conditional Use Permit is Valid</u>

(i) Oakland Municipal Code § 17.102.040 does not Affect the Validity of the Emergency Ordinance

Stewart Enterprises incorrectly suggests that Oakland Municipal Code § 17.102.040 prevents all emergency ordinances from suspending a permit or, thereafter, requiring a conditional use permit. However, Oakland Municipal Code § 17.102.040 reads:

'Whenever any subsisting building permit or sign permit has been lawfully issued beforehand, neither the original adoption of the zoning regulations nor the adoption of any subsequent rezoning or other amendment thereto shall prohibit the construction, other development or change, or use authorized by said permit or agreement. *The uses as they result shall be deemed nonconforming uses and subject to the nonconforming use regulations in Chapter 17.114, except to the extent that they are authorized by a subsisting conditional use permit, development agreement, variance, or other special zoning approval.*'

The City of Oakland has released no such conditional use permit, development agreement, variance or other special zoning approval. Therefore, Stewart Enterprises' continued use of the building at 9850 Kitty Lane will be deemed a nonconforming use and subject to the nonconforming use regulations in Chapter 17.114. These nonconforming use regulations note that only nonconforming activities or facilities *in existence* at the time of re-zoning are subject to run with the land and therefore not subject to re-zoning. Stewart Enterprises received a building permit five days before the Emergency Ordinance that changed the zoning. Stewart Enterprises has not yet begun construction as a result of that permit. Stewart Enterprises' 9850 Kitty Lane facility is not yet in existence. Stewart Enterprises in no way began operation of its crematorium at 9850 Kitty Lane; even the very mention in its appeal of a contract to *remodel* and *preparation* of plans highlights the non-existence of its proposed crematorium. Stewart Enterprises cannot claim that its crematorium use existed on May 15, 2012 and therefore, such use may never commence without a conditional use permit, development agreement, variance or other special zoning approval.

(ii) Stewart Enterprises Misinterprets Section 3 of the Emergency Ordinance, which Fully Supports the Validity of the Emergency Ordinance

Stewart Enterprises mistakenly claims that conditional use permits are only required should Stewart Enterprises choose to expand its crematorium at 9850 Kitty Lane. Such a broad statement is not mutually exclusive with the actual, and narrower, wording of Section 3 of the Emergency Ordinance which states that if a crematorium wishes to expand, it must apply for a conditional use permit. Section 3 in fact bolsters the above argument that, as the facility at Kitty Lane is not yet operational and does not exist, in order to operate, Stewart Enterprises must obtain a conditional use permit.

(iii) The Emergency Ordinance does not Conflict with Government Code § 65858

Stewart Enterprises also misstates the requirements of Government Code § 65858. While Stewart Enterprises correctly notes that ordinarily, an Emergency Ordinance may not be in effect after 45 days, it fails to include that following a four fifths vote, public notice pursuant to Government Code § 65090 and a public hearing, a City may extend its Emergency Ordinance whether by up to a year (§65858(a)) or for 22 months and 15 days (§65858(b)). Here, the Oakland City Council held a public hearing that unanimously approved the Emergency Ordinance, pursuant to City Charter § 213 and also the notice requirements of Government Code § 65090. The Council voted unanimously not only to approve the Emergency Ordinance, but to extend it beyond the 45 days period and for up to a year.

Stewart Enterprises nevertheless suggests a violation of Government Code § 65858(a), as the Emergency Ordinance conflicts with any contemplated future plan by the City. This is simply incorrect given the plain text within the recitals of the Emergency Ordinance:

> 'WHERAS, staff would need time to work on permanent regulations that will be adopted by the expiration of the Emergency Ordinance…'

This recital clearly indicates the City's desire to extend the life of the Emergency Ordinance beyond its interim term. The Emergency Ordinance is certainly a contemplated future plan by the City.

(iv) The Siting of the Crematorium at 9850 Kitty Lane Poses Risks to Public Health

Stewart Enterprises incorrectly suggests that crematorium operation in residential settings does not provide any threat to public health, safety or welfare. Stewart Enterprises even suggests that such threats are unsupported, speculative, irrational, arbitrary, capricious and false.

Stewart Enterprises currently operates a crematorium in Emeryville, and has done so since the early 1980's. However, after Emeryville rezoned the surrounding area for housing, new neighbors filed complaints against Stewart Enterprises with the Bay Area Air Quality Management District ("BAAQMD"). A recent Preliminary Risk Assessment by the BAAQMD identified mercury emissions from the crematorium. (*See Attached*). Mercury emissions bear obvious risks to any residential or nearby residential area. Stewart Enterprises is well aware of this Preliminary Risk Assessment, and a letter dated March 26, 2012 to BAAQMD notes the company's desire to cease operation of its site located in Emeryville and move it to 9850 Kitty Lane in East Oakland. (*See Attached*).

Stewart Enterprises attempts to bolster its argument that its facility would pose no threat to public health, safety or welfare, merely because BAAQMD issued the proposed facility a Permit to Construct its facility. Such an argument is misplaced at best, given that BAAQMD consistently issues such permits to every polluter; in no way should such an issuance serve as a rubber stamp of no danger to public health. BAAQMD also issued the permit in response to Stewart Enterprises' closure of its Emeryville facility, pursuant to the Air Toxics "Hot Spots" Act. This Act does not determine and is not based on any emissions levels, but is predicated on a prediction of lower emissions data. BAAQMD will issue penalties for failure to match those predictions. Therefore, Stewart Enterprises suggestion that BAAQMD reviewed its 9850 Kitty Lane site is based purely on projection, and cannot reliably warrant a finding of no threat to public health, safety or welfare should the crematorium become operational. In fact, BAAQMD noted unacceptable risk levels to public health should the proposed site at 9850 Kitty Lane exceed related limits. (*See Attached*). To date, CBE is not aware of any guarantees Stewart Enterprises could or has made to maintain proposed operations within those limits.

Stewart Enterprises continues that several other crematoriums operate in the City of Oakland, and have done so for decades without any evidence of complaints. It is astonishing that Stewart Enterprises would make this argument given their move from Emeryville to Oakland amidst complaints from Emeryville residents. Moreover, the 9850 Kitty Lane proposed site would be the first stand-alone crematorium in Oakland, a site designed specifically and only to cremate bodies. Stewart Enterprises cites to the crematorium in the Piedmont Avenue area, but that is a crematorium attached to a cemetery, with other functions besides cremation. By contrast, the design of the 9850 Kitty Lane proposed site has capacity to continually cremate bodies, all day and all night, and is permitted to perform 3000 cremations per year.

(v) The Siting of the Crematorium at 9850 Kitty Lane Poses Risks to Local Businesses

Stewart Enterprises argues that its proposed crematorium would not negatively impact local businesses. Quite the opposite, the local Airport Area Business Association has issued statements to the City of Oakland stating that the crematorium at 9850 Kitty Lane 'would be bad for business.' (*See Attached).* The Association is concerned that (the crematorium's) 'presence could jeopardize budding retail and wholesale food options, and further depress transactions at existing companies.' *Id.*

(vi) The Emergency Ordinance is within the Jurisdiction of the City Council

Finally, Stewart Enterprises suggests that the City Council acted in excess of its jurisdiction in creating an interim ordinance to address a threat to public health, safety and welfare. Stewart Enterprises states that such concerns, when centered on emissions regulation and air quality, remain in the jurisdiction of BAAQMD. Not only is there no

basis for this proposition, but as noted by the Supreme Court: 'the police power of a state is an indispensable prerogative of sovereignty and one that is not to be lightly limited; and even though at times its operation may seem harsh, the imperative necessity for its existence precludes any limitation upon its exercise…(which) is reasonably necessary to promote the public health, safety, morals or general welfare of the people of a community.' *Miller v. Board of Public Works of City of Los Angeles,* 195 Cal. 477 (1925). It is the City, not BAAQMD, with the power and responsibility to regulate the appropriate mix of business and residential, and ensure that special impacts from industry do not harm that mix. The City has done exactly that by adopting the Emergency Ordinance.

C. Conclusion

The siting of a crematorium at 9850 Kitty Lane poses an imminent danger to public health and local businesses. The Emergency Ordinance, adopted on May 15, 2012, is valid. As Stewart Enterprises is both statutorily and judicially barred from claiming any vested interest, the Emergency Ordinance applies to, and prevents, its proposed crematorium at 9850 Kitty Lane. The Commission should therefore deny Stewart Enterprises' appeal.

Furthermore, the siting of the crematorium at 9850 Kitty Lane is vulnerable to a viable and strong CEQA challenge. Overall, any operation of a crematorium at 9850 Kitty Lane without a major conditional use permit is illegal; our organization will continue to fight for the rights of our members and local businesses to not face disproportionate impacts from such developers as Stewart Enterprises. We thank the Planning Commission for its support of our communities and local businesses and trust that such support will continue to the August 29, 2012 appeal. Please contact me directly at our Oakland office if you have any additional questions or require any further information.

Sincerely,

Roger Lin
Staff Attorney

COMMUNITIES FOR A
BETTER
ENVIRONMENT

RE: Appealed Project, building Permit B1200987
Case File Number: A12-070

9850 Kitty Lane Proposed Crematorium
Airport Area Business Association Letter in Opposition

6325 Pacific Blvd., Suite 300 • Huntington Park, CA. 90255 •
Tel (323) 826-9771 Fax (323) 588-7079
In Northern California: 1904 Franklin Street, Suite 600 • Oakland, CA 94612 • (510) 302-0430

The Airport Area Business Association is a regional association of business and industry

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OAKLAND INTERNATIONAL AIRPORT

MICHAEL YOELL
MICHAEL GLENN INVESTIGATIONS

EXECUTIVE DIRECTOR
DEBRA HAUSER

"Business exerts a more effective, influential voice when it speaks and acts in unison."

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August 20, 2012

Vien Truong
Chair, Oakland City Planning Commissioners
City of Oakland
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

Re: Mis-categorization of Crematorium Proposed for 9850 Kitty Lane in East Oakland

Dear Ms. Truong:

On behalf of the board of directors of AABA, I write to express our concern that a crematorium, incorrectly characterized as a manufacturing facility, is seeking City approval to operate in East Oakland without securing a Conditional Use Permit, notifying the community at large, or undergoing environmental review. This crematorium would be located at 9850 Kitty Lane.

A crematorium fits squarely within the City's definition of "Extensive Impact Civic Activities" which "include the activities typically performed by, or the maintenance and operation of, "facilities such as "Cemeteries, mausoleums, and columbariums." Oakland Planning Code, § 17.10.240. Many Bay Area cemeteries offer "complete" services, including cremation. A columbarium is a facility that respectfully houses cremated remains of human beings, a use that, even if separated from cremation itself, is hardly a greater impact on civic activities than the actual cremation service.

By contrast, the City defines General Manufacturing Industrial Activities to include "manufacturing, compounding, processing, assembling, packaging or treatment of products from extracted, raw, recycled or secondary materials..." Code § 17.10.570. The idea that a crematorium is more like a facility that manufactures or processes raw materials than a cemetery that offers cremation services remains is in error.

Correctly categorizing crematoriums is critical because an activity that falls under "Extensive Impact", as a crematorium does, would require the City to issue a Conditional Use Permit (CUP), which includes public notice and a public process. Additionally, it would require environmental review under the California Environmental Quality Act (CEQA). These processes would provide the City and the affected public with critical information about the facility, including the effects it may have on the environment, public health, and the local economy.

Our concerns are for Oakland's public health, economic viability, and environment. Human cremation is linked to significant mercury and dioxin emissions. These pollutants are harmful to human health, and bio-accumulate in the environment.

Further, siting a human crematorium in this developing area would be bad for business. Its presence could jeopardize budding retail and wholesale food options, and further depress transactions at existing companies. Without further information concerning the size of operation, we cannot review the scope of impacts – they could be catastrophic for this already overburdened portion of East Oakland. For these reasons, we respectfully request that you act swiftly to clarify that the City Code as written requires a crematorium to apply for and secure a CUP prior to operation.

Sincerely,

Debbie Hauser
Executive Director, AABA

COMMUNITIES FOR A
BETTER
ENVIRONMENT

RE: Appealed Project, Building Permit B1200987
Case File Number: A12-070

9850 Kitty Lane Proposed Crematorium
Community Member Letter in Opposition (English Example)

6325 Pacific Blvd., Suite 300 • Huntington Park, CA. 90255 •
Tel (323) 826-9771 Fax (323) 588-7079
In Northern California: 1904 Franklin Street, Suite 600 • Oakland, CA 94612 • (510) 302-0430

Council President Larry Reid
Honorable Councilmembers
Oakland City Council
1 Frank Ogawa Plaza
Oakland, CA 94612

Honorable Planning Commissioners
Oakland City Planning Commission
250 Frank H. Ogawa Plaza Ste. 3315
Oakland, CA 94612

August 12, 2012

Re: Deny the Appeal of the Crematorium Proposed for 9850 Kitty Lane

Dear President Reid, Councilmembers and Planning Commissioners:

Thank you for responding to our concerns and establishing the Emergency Ordinance on May 15th, 2012, requiring any crematorium to obtain a Major Conditional Use permit before it can locate in Oakland. I understand that the Neptune Society has appealed to the Planning Commission to nevertheless allow it to build and operate at 9850 Kitty Lane in East Oakland. I write to express my concern. If the Planning Commission grants this appeal, it will hurt my community and the local businesses serving my community.

I am concerned for my community's health, economic viability, and environment. Human cremation is linked to significant mercury and dioxin emissions. These pollutants are harmful to human health and accumulate in all living organisms. Furthermore, siting a human crematorium in this developing area would be bad for business. A crematorium at 9850 Kitty Lane could jeopardize budding retail and wholesale food options, and further depress transactions at existing companies.

If the Planning Commission granted this appeal on August 29th, the crematorium would operate at 9850 Kitty Lane without first obtaining a Conditional Use Permit; exactly what the Emergency Ordinance was meant to stop. Without the further information a Conditional Use Permit process would provide, we cannot review the scope of impacts that this project would have on East Oakland. Also, the City cannot hear the voices of the many different groups and individuals who may be affected by the impacts, since there has been no official notice and comment period for this crematorium's permit. Additionally, granting the appeal would allow the crematorium to operate and emit mercury and dioxins without first undergoing an environmental review under the California Environmental Quality Act ("CEQA"). The CEQA and PUC processes would provide the City and the affected public with critical information about the facility, including the effects it may have on the environment, public health, and the local economy.

We urge you to uphold the Emergency Ordinance requiring any crematorium in Oakland to first obtain a Major Conditional Use permit, and deny the Neptune Society's appeal. On August 29th, please continue your commitment to the community that you showed on May 15th.

Sincerely,

Sylvia Turner
Name:

Affiliation:

94603
Zipcode:

COMMUNITIES FOR A
BETTER
ENVIRONMENT

RE: Appealed Project, Building Permit B1200987
Case File Number: A12-070

9850 Kitty Lane Proposed Crematorium
Community Member Letter in Opposition (Spanish Example)

6325 Pacific Blvd., Suite 300 • Huntington Park, CA. 90255 •
Tel (323) 826-9771 Fax (323) 588-7079
In Northern California: 1904 Franklin Street, Suite 600 • Oakland, CA 94612 • (510) 302-0430

Council President Larry Reid
Honorable Councilmembers
Oakland City Council
1 Frank Ogawa Plaza
Oakland, CA 94612

O

Honorable Planning Commissioners
Oakland City Planning Commssion
250 Frank H. Ogawa Plaza Ste. 3315
Oakland, CA 94612

Agosto 11, 2012

Re: Rechazar la Apelación del Crematorio Propuesto para 9850 Kitty Lane

Querido Presidente Ried, Miembros de concilio y la Comisión de Planificación,

Gracias por responder a nuestras inquietudes y por haber establecido una Ordenanza de Emergencia el 15 de Mayo 2012, requiriendo que cualquier crematorio debe obtener un permiso de Mayor Uso Condicional antes de comenzar operaciones en Oakland. Es mi entender que Neptune Society ha presentado una apelación a la Comisión de Planificación para poder continuar construcción y así comenzar operaciones en 9850 Kitty Lane en el Este de Oakland.

Como un/una

Escribo para expresar mis inquietudes. Si la Comisión de Planificación concede la apelación, esta haría mas daño a mi comunidad y a la economía local que la sirve.

Estoy preocupado(a) por la salud y el medio ambiente de mi comunidad así como su economía. La cremación humana está relacionada con la emisión de altos niveles de mercurio y dioxina. Estos contaminantes son dañinos a la salud y se acumulan en el medio ambiente. Además, el situar un crematorio en esta área en pleno desarrollo tendría un efecto negativo para los negocios en los alrededores. Un crematorio en 9850 Kitty Lane podría limitar aún más las opciones de alimentos y pondría en juego aquellos pequeños negocios al disminuir sus transacciones.

Si la Comisión de Planificación concede esta apelación el 29 de Agosto, el crematorio operaria en 9850 Kitty Lane sin haber primero obtenido un permiso de Mayor Uso Condicional; esto es lo que se supone que la Ordenanza de Emergencia prevendría. Sin la información adicional que un Permiso de Uso Condicional prevería, no podemos revisar los impactos que el crematorio tendría en el Este de Oakland. Es mas, la Ciudad de Oakland, no puede escuchar las voces de los diferentes grupos e individuos que serian afectados por los impactos, ya que no ha ávido aviso oficial o un la oportunidad para opinión publica en relación a el permiso de este crematorio. Si se cede la apelación, esta daría permiso al crematorio para poder operar y emitir mercurio y dioxina sin antes pasar por una revisión ambiental bajo la California Enviromental Quality Act (CEQA). La CEQA y el proceso PCU proveerían a la Ciudad de Oakland y al publico afectado, información acerca de esta instalación incluyendo los efectos que esta tendría en el medio ambiente, la salud publica y la economía local.

Urgimos que usted sostenga la Ordenanza de Emergencia requiriendo que cualquier crematorio en Oakland tiene primero que obtener un permiso de Mayor Uso Condicional y negar la apelación de Neptune Society. El 29 de Agosto 2012, por favor mantenga el apoyo que nos brindo el 15 de Mayo de 2012.

Atentamente, Erica Rodriguez

Nombre: Erica Rodriguez Código Postal: 94603 Afiliación:

COMMUNITIES FOR A
BETTER
ENVIRONMENT

RE: Appealed Project, building Permit B1200987
Case File Number: A12-070

9850 Kitty Lane Proposed Crematorium
BAAQMD Preliminary Risk Assessment

6325 Pacific Blvd., Suite 300 • Huntington Park, CA. 90255 •
Tel (323) 826-9771 Fax (323) 588-7079
In Northern California: 1904 Franklin Street, Suite 600 • Oakland, CA 94612 • (510) 302-0430

Interoffice Memorandum
October 13, 2011

To: Nancy Yee
From: Jane Lundquist

Via: Scott Lutz
Daphne Chong

Subject: Risk Screen for Sentinel Cremation Societies, Inc., Oakland, P # 20905, A# 23669, Two Crematory Retorts

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At your request, we have completed a health risk screening analysis for the above referenced permit application. The analysis estimates the incremental health risk resulting from toxic air contaminant (TAC) emissions from the operation of two new crematory retorts. Health risks were calculated for two operating scenarios: 24-hour operation and 14-hour operation (from 6 am to 8 pm). In addition, the California Air Pollution Control Officers Association's Toxics and Risk Managers Committee is currently considering new mercury emission factors for the cremation of human remains. These new mercury emission factors will likely impact this facility under the Air Toxic Hot Spots Program. As such, hazard indices were calculated using both the current mercury emission factors and the proposed higher mercury emission factors.

Table 1 shows the health risks calculated for 3000 annual cremations at exhaust stack outlet locations that result in acceptable results. The maximum cancer risk is 1.7 chances in a million, chronic hazard index is 1.0 and acute hazard index is 0.74. The one-month average lead concentration is well below the 0.30 ug/m3 Hot Spots screening level for areas with average lead exposure.

Table 1 – Health Risk Estimates for 3000 Annual Cremations

Operating Scenario	Receptor	Cancer Risk, chances in a million	Current Mercury Factors		Proposed Mercury Factors		One-month Average Lead Concentration, ug/m^3
			Chronic Hazard Index	Acute Hazard Index	Chronic Hazard Index	Acute Hazard Index	
24-hour	Worker	0.82	0.26	0.065	0.63	**0.74**	na
24-hour	Resident	0.59	0.026	na	0.063	na	**0.000012**
6am to 8pm	Worker	**1.7**	0.42	0.065	**1.0**	0.74	na
6am to 8pm	Resident	0.52	0.023	na	0.056	na	0.0000099

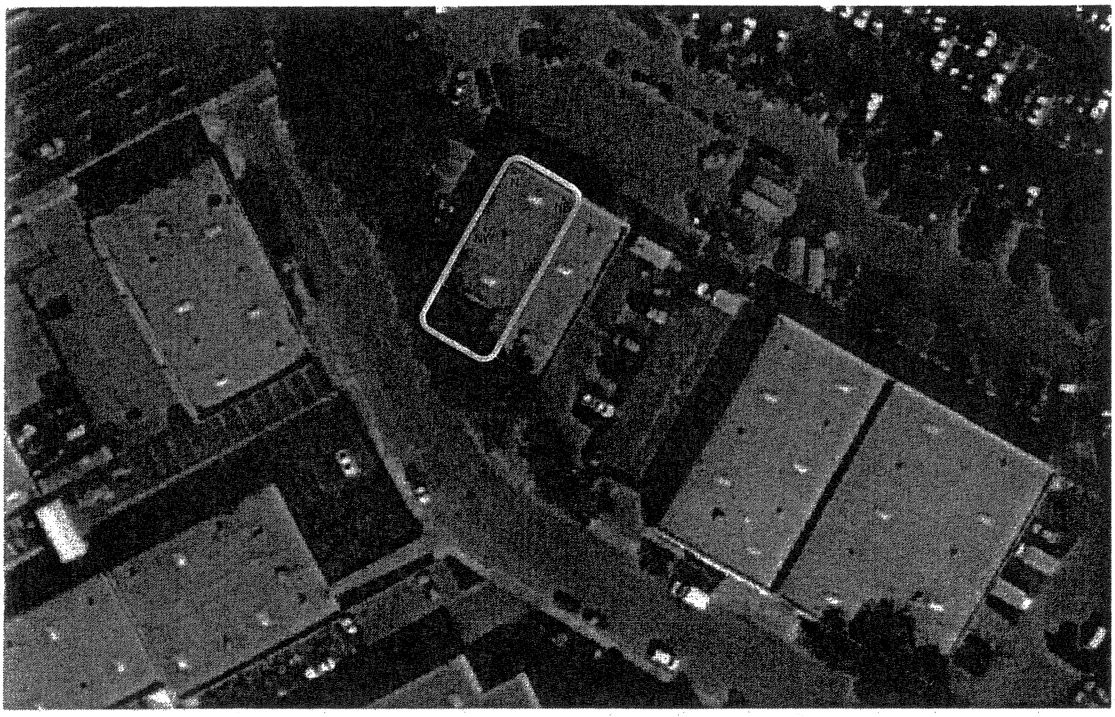
In accordance with the District's Regulation 2, Rule 5, these risk levels are acceptable provided that you determine the operation of the sources meet TBACT. To avoid triggering the requirements of the Air Toxics Hot Spots program in the future when the new mercury emission factors for human cremations are adopted, the applicant should:

1. Locate the exhaust stack outlets in the northwest side of the building. Figure 1 shows modeled exhaust stack outlet locations that result in acceptable health risk results; these locations are labeled N, NE, NW, MID, W, WS, and SW. Modeled exhaust stack outlets along the southeast wall of the building resulted in unacceptable acute exposures for the nearby offsite worker receptors. Acceptable stack locations are those with in the rectangular yellow boundary in Figure 1.

2. Limit facility cremations to no more than 3000 per year. This limit may be increased about 20% if the applicant locates the exhaust outlets at or near the locations labeled N or NE. The applicant may submit a permit modification to increase the number of annual cremations based on a health risk analysis for the final location of the exhaust stack outlets.

3. Limit facility cremations so that only one cremation may begin within any one-hour period: the start of subsequent cremation must be hour later from the start of the previous cremation.

Figure 1 – Modeled Acceptable Exhaust Stack Outlet Locations: labeled N, NE, NW, W, MID, WS and SW



EMISSIONS: TAC emissions were calculated based on 3000 cremations per year at the facility and are presented in Table 2. No additional emissions for personal effects were included.

Table 2 – Toxic Air Contaminant Emission Rates

	Annual Average			Maximum One-Hour		
	Number of cremations:		3000	Number of cremations:		1
Toxic Air Contaminant (TAC)	Emission Factor, lbs/body	Emission Rate, lbs/year	Emission Rate, g/s	Emission Factor, lbs/body	Emission Rate, lbs/hr	Emission Rate, g/s
Acetaldehyde	1.3E-04	3.9E-01	5.6E-06	1.3E-04	1.3E-04	1.6E-05
Arsenic	3.0E-05	9.0E-02	1.3E-06	3.0E-05	3.0E-05	3.8E-06
Beryllium	1.4E-06	4.2E-03	6.0E-08	1.4E-06	1.4E-06	1.8E-07
Cadmium	1.1E-05	3.3E-02	4.7E-07	1.1E-05	1.1E-05	1.4E-06
Chromium, hexavalent	1.4E-05	4.2E-02	6.0E-07	1.4E-05	1.4E-05	1.8E-06
Copper	2.7E-05	8.1E-02	1.2E-06	2.7E-05	2.7E-05	3.4E-06
Formaldehyde	3.4E-05	1.0E-01	1.5E-06	3.4E-05	3.4E-05	4.3E-06
Hydrogen Chloride	7.2E-02	2.2E+02	3.1E-03	7.2E-02	7.2E-02	9.1E-03
Hydrogen Fluoride	6.6E-04	2.0E+00	2.8E-05	6.6E-04	6.6E-04	8.3E-05
Lead	6.6E-05	2.0E-01	2.8E-06	6.6E-05	6.6E-05	8.3E-06
Mercury, current	1.1E-03	3.3E+00	4.7E-05	1.1E-03	1.1E-03	1.4E-04
Mercury, proposed	3.4E-03	1.0E+01	1.5E-04	1.3E-02	1.3E-02	1.7E-03
Nickel	3.8E-05	1.1E-01	1.6E-06	3.8E-05	3.8E-05	4.8E-06
Selenium	4.4E-05	1.3E-01	1.9E-06	4.4E-05	4.4E-05	5.5E-06
2,3,7,8 TCDD equiv.	1.4E-09	4.2E-06	6.0E-11	1.4E-09	1.4E-09	1.8E-10
Benzo(a)pyrene equiv.	4.9E-08	1.5E-04	2.1E-09	4.9E-08	4.9E-08	6.2E-09

MODELING: The ISCST3 dispersion model was used to estimate the annual average, one-hour average and one-month ground-level concentration for a unit emission rate, X/Q. Auer land use analysis indicates that the area is 74% urban. The urban land use option, USGS terrain data for San Leandro area and Oakland Airport meteorological data were used in the model runs. The stack parameters and building heights used were those provided by the applicant. Per a phone conversation with the applicant, Sentinel will typically operate the crematory retorts between 6 am and 8 pm. As such, modeling scenarios were performed to address 24-hour operation and operation between 6 am and 8 pm. For the 6 am to 8 pm operating scenario, emission rate scalars for each hour of the day were used to determine annual average concentrations that corresponded to meteorological conditions occurring only during the hours of operation of the cremators. In order to determine acceptable exhaust stack outlet locations, multiple outlet locations were modeled. The maximum modeled X/Q for the different averaging periods are presented in Table 3 for the 24-hour operating schedule and in Table 4 for the 6 am to 8pm operating schedule.

HEALTH VALUES: In addition to the inhalation exposure pathway, several of the TACs emitted also have non-inhalation exposure pathways: soil ingestion, dermal exposure, and mother's milk ingestion. TACs evaluated that have non-inhalation exposure pathways are arsenic, beryllium, cadmium, hexavalent chromium, hydrogen fluoride, lead, mercury, nickel, polycyclic aromatic hydrocarbons of concern (Benz(a)pryene equivalents), and polychlorinated dioxins and furans of concern (2,3,7,8 TCDD equivalents). The California Air Resources Board's Hotspots Analysis and Reporting Program (HARP), version 1.2a was used to derive the following health values that incorporates the impacts from the additional exposure pathways for use in the health risk calculation: cancer unit risk value (URV) and chronic hazard quotient (HQ) per unit.

For the residential receptor, the cancer URVs are from HARP runs for a unit concentration using the Derived Adjusted analysis method and the chronic HQs for a unit concentration are from HARP runs using the Derived OEHHA analysis method. The residential cancer URVs are presented in Table 5 and residential chronic HQs are presented in Tables 6.

The URVs for the worker receptor are from HARP runs for a unit concentration using the Point Estimate analysis method. Two sets of worker URVs were derived: one for the 24-hour operation and one for the 14-hour operation (6 am to 8 pm); these values are shown in Table 7. The chronic HQs for a unit concentration for the worker receptor are from HARP runs for a unit concentration using the Point Estimate analysis method. Two sets of worker HQs per unit concentration were derived: one for the 24-hour operation and one for the 14-hour operation; these values are shown in Table 8 and 9, respectively.

Table 10 shows the acute inhalation reference exposure levels that are used to calculate the acute hazard quotients.

Table 3 - Ground-level Concentration for a Unit Emission Rate by Stack Assuming 24-hour Operation [1]

Stack	Receptor	Maximum Annual Average			Maximum One-hour Average			Maximum One-month Average		
		NAD27 UTM_E	NAD27 UTM_N	Ann. Avg. X/Q, (ug/m^3)/(g/s)	NAD27 UTM_E	NAD27 UTM_N	1-hr. Avg. X/Q, (ug/m^3)/(g/s)	NAD27 UTM_E	NAD27 UTM_N	1-mon. Avg. X/Q, (ug/m^3)/(g/s)
N	Residential	**571400.0**	**4175880**	**2.62**	-	-	-	**571400.0**	**4175880**	**4.28**
N	Offsite Worker	571006.0	4175740	21.63	570916.0	4175854	252.2	-	-	-
NE	Residential	571400.0	4175880	2.59	-	-	-	571400.0	4175880	4.21
NE	Offsite Worker	571026.0	4175744	21.97	570926.2	4175844	247.9	-	-	-
E	Residential	571400.0	4175880	2.55	-	-	-	571400.0	4175880	4.10
E	Offsite Worker	571026.0	4175744	22.55	570926.3	4175842	459.4	-	-	-
ES	Residential	571400.0	4175880	2.43	-	-	-	571400.0	4175880	3.85
ES	Offsite Worker	571026.0	4175744	26.81	570911.2	4175831	445.2	-	-	-
SE	Residential	571400.0	4175880	2.30	-	-	-	571400.0	4175880	3.59
SE	Offsite Worker	571026.0	4175744	27.41	570984.5	4175721	642.3	-	-	-
S	Residential	571400.0	4175880	2.17	-	-	-	571400.0	4175880	3.35
S	Offsite Worker	571016.0	4175734	27.39	570926.0	4175761	597.1	-	-	-
SW	Residential	571400.0	4175880	2.21	-	-	-	571400.0	4175880	3.45
SW	Offsite Worker	571016.2	4175734	27.09	570996.0	4175734	211.4	-	-	-
WS	Residential	571400.0	4175880	2.31	-	-	-	571400.0	4175880	3.65
WS	Offsite Worker	**571016.0**	**4175744**	**27.48**	**570911.2**	**4175831**	**261.0**	-	-	-
W	Residential	571400.0	4175880	2.35	-	-	-	571400.0	4175880	3.74
W	Offsite Worker	571006.2	4175754	27.14	570906.2	4175834	258.2	-	-	-
NW	Residential	571400.0	4175880	2.47	-	-	-	571400.0	4175880	3.96
NW	Offsite Worker	571006.0	4175754	27.01	570906.2	4175834	222.1	-	-	-
MID	Residential	571400.0	4175880	2.43	-	-	-	571400.0	4175880	3.87
MID	Offsite Worker	571026.0	4175744	26.20	570918.8	4175836	256.6	-	-	-

1. Modeled one-hour average concentrations for exhaust stack outlets designated as E, ES, SE and S would result in unacceptable acute hazard indices at the facility to the southeast.

Table 4 - Ground-level Concentration for a Unit Emission Rate by Stack Assuming Operations from 6 am to 8 pm [2]

Stack	Receptor	Maximum Annual Average			Maximum One-hour Average			Maximum One-month Average		
		NAD27 UTM_E	NAD27 UTM_N	Ann. Avg. X/Q, (ug/m^3)/(g/s)	NAD27 UTM_E	NAD27 UTM_N	1-hr. Avg. X/Q, (ug/m^3)/(g/s)	NAD27 UTM_E	NAD27 UTM_N	1-mon. Avg. X/Q, (ug/m^3)/(g/s)
N	Residential	**571400.0**	**4175880**	**2.32**	-	-	-	**571400.0**	**4175880**	**3.47**
N	Offsite Worker	571006.0	4175754	32.01	570916.2	4175854	252.2	-	-	-
NE	Residential	571400.0	4175880	2.31	-	-	-	571400.0	4175880	3.44
NE	Offsite Worker	571026.0	4175744	31.61	570926.2	4175844	247.9	-	-	-
E	Residential	571400.0	4175880	2.29	-	-	-	571480.0	4175840	3.43
E	Offsite Worker	571026.0	4175744	33.14	570926.3	4175842	459.4	-	-	-
ES	Residential	571400.0	4175880	2.18	-	-	-	571480.0	4175840	3.28
ES	Offsite Worker	571026.0	4175744	38.96	570911.2	4175831	445.2	-	-	-
SE	Residential	571480.0	4175840	2.07	-	-	-	571480.0	4175840	3.13
SE	Offsite Worker	571016.0	4175744	39.68	570984.5	4175721	518.5	-	-	-
S	Residential	571480.0	4175840	1.98	-	-	-	571480.0	4175840	2.97
S	Offsite Worker	571016.2	4175734	39.96	570926.0	4175761	597.1	-	-	-
SW	Residential	571480.0	4175840	1.98	-	-	-	571400.0	4175880	2.91
SW	Offsite Worker	571016.2	4175744	39.09	571100.0	4175700	217.3	-	-	-
WS	Residential	571400.0	4175880	2.06	-	-	-	571480.0	4175840	3.09
WS	Offsite Worker	571006.2	4175744	39.52	**570911.2**	**4175831**	**261.0**	-	-	-
W	Residential	571400.0	4175880	2.07	-	-	-	571480.0	4175840	3.08
W	Offsite Worker	571003.0	4175754	39.37	570906.2	4175834	258.2	-	-	-
NW	Residential	571400.0	4175880	2.18	-	-	-	571480.0	4175840	3.21
NW	Offsite Worker	**571006.2**	**4175754**	**39.65**	570906.2	4175834	222.1	-	-	-
MID	Residential	571400.0	4175880	2.16	-	-	-	571480.0	4175840	3.23
MID	Offsite Worker	571006.0	4175754	38.03	570918.8	4175836	256.6	-	-	-

2. Modeled one-hour average concentrations for exhaust stack outlets designated as E, ES, SE and S would result in unacceptable acute hazard indices at the facility to the southeast.

Table 5 - Resident Unit Risk Value from HARP, $(ug/m^3)^{-1}$

Toxic Air Contaminant	INHAL	DERM	SOIL	MOTHER
Acetaldehyde	2.90E-06	0.00E+00	0.00E+00	0.00E+00
Arsenic	3.48E-03	8.32E-03	4.05E-03	0.00E+00
Beryllium	2.43E-03	0.00E+00	0.00E+00	0.00E+00
Cadmium	4.34E-03	0.00E+00	0.00E+00	0.00E+00
Chromium, hexavalent	1.48E-01	0.00E+00	0.00E+00	0.00E+00
Copper	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Formaldehyde	6.08E-06	0.00E+00	0.00E+00	0.00E+00
Hydrogen Chloride	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Hydrogen Fluoride	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Lead	1.22E-05	6.96E-07	2.29E-05	0.00E+00
Mercury	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Nickel	2.64E-04	0.00E+00	0.00E+00	0.00E+00
Selenium	0.00E+00	0.00E+00	0.00E+00	0.00E+00
2,3,7,8 TCDD equivalents	3.38E+01	1.42E+02	5.95E+01	1.02E+02
Benzo(a)pyrene equivalents	1.01E-03	1.35E-02	2.02E-03	0.00E+00

Table 6 - Residential Chronic HQ per unit concentration from HARP, $HQ/(ug/m^3)$

Toxic Air Contaminant	CV	CNS	BONE	DEVEL	ENDO	GILV	IMMUN	KIDN	REPRO	RESP	SKIN	BLOOD
Acetaldehyde	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	7.14E-03	0.00E+00	0.00E+00
Arsenic	2.52E+03	2.52E+03	0.00E+00	2.52E+03	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	2.52E+03	2.52E+03	0.00E+00
Beryllium	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	2.13E+00	1.43E+02	0.00E+00	0.00E+00	1.43E+02	0.00E+00	0.00E+00
Cadmium	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	5.59E+01	0.00E+00	5.00E+01	0.00E+00	0.00E+00
Chromium, hexavalent	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	5.00E+00	0.00E+00	2.13E-01
Copper	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Formaldehyde	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.11E-01	0.00E+00	0.00E+00
Hydrogen Chloride	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.11E-01	0.00E+00	0.00E+00
Hydrogen Fluoride	0.00E+00	0.00E+00	7.14E-02	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	7.14E-02	0.00E+00	0.00E+00
Lead	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Mercury	0.00E+00	1.41E+02	0.00E+00	1.41E+02	0.00E+00	0.00E+00	0.00E+00	1.41E+02	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Nickel	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.72E-01	0.00E+00	0.00E+00	0.00E+00	2.00E+01	0.00E+00	2.00E+01
Selenium	5.00E-02	5.00E-02	0.00E+00	0.00E+00	0.00E+00	5.00E-02	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00
2,3,7,8 TCDD equiv.	0.00E+00	0.00E+00	0.00E+00	2.65E+05	2.65E+05	2.65E+05	0.00E+00	0.00E+00	2.65E+05	2.65E+05	0.00E+00	2.65E+05
Benzo(a)pyrene equiv.	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00

Table 7 - Worker Unit Risk Value from HARP, $(ug/m^3)^{-1}$

	24-hour Operation			14-hour Operation		
Toxic Air Contaminant	INHAL	DERM	SOIL	INHAL	DERM	SOIL
Acetaldehyde	5.72E-07	0.0E+00	0.0E+00	9.80E-07	0.00E+00	0.00E+00
Arsenic	6.86E-04	3.2E-03	1.3E-03	1.18E-03	3.16E-03	1.33E-03
Beryllium	4.80E-04	0.0E+00	0.0E+00	8.23E-04	0.00E+00	0.00E+00
Cadmium	8.57E-04	0.0E+00	0.0E+00	1.47E-03	0.00E+00	0.00E+00
Chromium, hexavalent	2.91E-02	0.0E+00	0.0E+00	5.00E-02	0.00E+00	0.00E+00
Copper	0.00E+00	0.0E+00	0.0E+00	0.00E+00	0.00E+00	0.00E+00
Formaldehyde	1.20E-06	0.0E+00	0.0E+00	2.06E-06	0.00E+00	0.00E+00
Hydrogen Chloride	0.00E+00	0.0E+00	0.0E+00	0.00E+00	0.00E+00	0.00E+00
Hydrogen Fluoride	0.00E+00	0.0E+00	0.0E+00	0.00E+00	0.00E+00	0.00E+00
Lead	2.40E-06	4.5E-06	7.6E-06	4.11E-06	4.47E-06	7.56E-06
Mercury	0.00E+00	0.0E+00	0.0E+00	0.00E+00	0.00E+00	0.00E+00
Nickel	5.20E-05	0.0E+00	0.0E+00	8.91E-05	0.00E+00	0.00E+00
Selenium	0.00E+00	0.0E+00	0.0E+00	0.00E+00	0.00E+00	0.00E+00
2,3,7,8 TCDD equivalents	7.43E+00	5.4E+01	2.0E+01	1.27E+01	5.40E+01	1.96E+01
Benzo(a)pyrene equivalents	2.23E-04	5.1E-03	6.7E-04	3.82E-04	5.12E-03	6.65E-04

Table 8 - Worker Chronic HQ per unit concentration for 24-hour operation from HARP, $HQ/(ug/m^3)$

Toxic Air Contaminant	CV	CNS	BONE	DEVEL	ENDO	GILV	IMMUN	KIDN	REPRO	RESP	SKIN	BLOOD
Acetaldehyde	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	7.14E-03	0.00E+00	0.00E+00
Arsenic	2.30E+03	2.30E+03	0.00E+00	2.30E+03	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	2.30E+03	2.30E+03	0.00E+00
Beryllium	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.85E+00	1.43E+02	0.00E+00	0.00E+00	1.43E+02	0.00E+00	0.00E+00
Cadmium	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	5.49E+01	0.00E+00	5.00E+01	0.00E+00	0.00E+00
Chromium, hexavalent	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	5.00E+00	0.00E+00	1.85E-01
Copper	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Formaldehyde	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.11E-01	0.00E+00	0.00E+00
Hydrogen Chloride	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.11E-01	0.00E+00	0.00E+00
Hydrogen Fluoride	0.00E+00	0.00E+00	7.14E-02	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	7.14E-02	0.00E+00	0.00E+00
Lead	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Mercury [1]	0.00E+00	1.34E+02	0.00E+00	1.34E+02	0.00E+00	0.00E+00	0.00E+00	1.34E+02	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Nickel	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.56E-01	0.00E+00	0.00E+00	0.00E+00	2.00E+01	0.00E+00	2.00E+01
Selenium	5.00E-02	5.00E-02	0.00E+00	0.00E+00	0.00E+00	5.00E-02	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00
2,3,7,8 TCDD equiv.	0.00E+00	0.00E+00	0.00E+00	1.73E+05	1.73E+05	1.73E+05	0.00E+00	0.00E+00	1.73E+05	1.73E+05	0.00E+00	1.73E+05
Benzo(a)pyrene equiv.	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00

Table 9 - Worker Chronic HQ per unit concentration for 14-hour operation from HARP, HQ/(ug/m^3)

Toxic Air Contaminant	CV	CNS	BONE	DEVEL	ENDO	GILV	IMMUN	KIDN	REPRO	RESP	SKIN	BLOOD
Acetaldehyde	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.22E-02	0.00E+00	0.00E+00
Arsenic	2.34E+03	2.34E+03	0.00E+00	2.34E+03	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	2.34E+03	2.34E+03	0.00E+00
Beryllium	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.85E+00	2.45E+02	0.00E+00	0.00E+00	2.45E+02	0.00E+00	0.00E+00
Cadmium	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	9.06E+01	0.00E+00	8.57E+01	0.00E+00	0.00E+00
Chromium, hexavalent	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	8.57E+00	0.00E+00	1.85E-01
Copper	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Formaldehyde	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.90E-01	0.00E+00	0.00E+00
Hydrogen Chloride	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.90E-01	0.00E+00	0.00E+00
Hydrogen Fluoride	0.00E+00	0.00E+00	1.22E-01	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.22E-01	0.00E+00	0.00E+00
Lead	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Mercury [1]	0.00E+00	1.57E+02	0.00E+00	1.57E+02	0.00E+00	0.00E+00	0.00E+00	1.57E+02	0.00E+00	0.00E+00	0.00E+00	0.00E+00
Nickel	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	1.56E-01	0.00E+00	0.00E+00	0.00E+00	3.43E+01	0.00E+00	3.43E+01
Selenium	8.57E-02	8.57E-02	0.00E+00	0.00E+00	0.00E+00	8.57E-02	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00
2,3,7,8 TCDD equiv.	0.00E+00	0.00E+00	0.00E+00	1.90E+05	1.90E+05	1.90E+05	0.00E+00	0.00E+00	1.90E+05	1.90E+05	0.00E+00	1.90E+05
Benzo(a)pyrene equiv.	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00	0.00E+00

Table 10 - Acute Inhalation Reference Exposure Levels (ug/m^3)

Toxic Air Contaminant	CV	CNS	DEV	EYE	IMMUN	RESP
Acetaldehyde	na	na	na	4.7E+02	na	4.7E+02
Arsenic	2.0E-01	2.0E-01	2.0E-01	na	na	na
Beryllium	na	na	na	na	na	na
Cadmium	na	na	na	na	na	na
Chromium, hexavalent	na	na	na	na	na	na
Copper	na	na	na	na	na	1.0E+02
Formaldehyde	na	na	na	5.5E+01	na	na
Hydrogen Chloride	na	na	na	2.1E+03	na	2.1E+03
Hydrogen Fluoride	na	na	na	2.4E+02	na	2.4E+02
Lead	na	na	na	na	na	na
Mercury	na	6.0E-01	6.0E-01	na	na	na
Nickel	na	na	na	na	6.0E+00	6.0E+00
Selenium	na	na	na	na	na	na
2,3,7,8 TCDD equiv.	na	na	na	na	na	na
Benzo(a)pyrene equiv.	na	na	na	na	na	na

HEALTH RISKS: The health risks were calculated using the following equations.

increase in cancer risk = ∑ (cancer risk contribution of each TAC)

where

cancer risk contribution for each TAC = ∑ (cancer risk contribution of each exposure pathway for the TAC)

Exposure pathways evaluated are inhalation, soil ingestion, dermal exposure, and mother's milk ingestion.

cancer risk contribution of each TAC for the exposure pathway = (annual average TAC emission rate g/s)
* (annual average concentration for a unit emission rate, $(ug/m^3)/(g/s)$)
* (HARP-derived TAC Unit Risk Value for the exposure pathway, $(ug/m^3)^{-1}$)
* (cancer risk adjustment factor for age sensitivity)

For the resident receptor, the cancer risk adjustment factor for age sensitivity is 1.7
For the worker receptor, the cancer risk adjustment factor for age sensitivity is 1

increase in chronic hazard index (HI) = ∑ (chronic hazard quotient (HQ) of each TAC for the target organ)

where

chronic HQ of each TAC for the target organ = (annual average TAC emission rate g/s)
* (annual average concentration for a unit emission rate, $(ug/m^3)/(g/s)$)
* (HARP-derived TAC chronic HQ per unit concentration for the target organ, (ug/m^3))

increase in acute hazard index (HI) = ∑ (acute hazard quotient (HQ) of each TAC for the target organ)

where

acute HQ of each TAC for the target organ = (one-hour average TAC emission rate g/s)
* (one-hour average concentration for a unit emission rate, $(ug/m^3)/(g/s)$)
/ (TAC acute inhalation reference exposure level for the target organ, (ug/m^3))

one-month average lead concentration, ug/m^3 = (lead emission rate g/s)
* (one-month average concentration for a unit emission rate, $(ug/m^3)/(g/s)$)

The data used in these calculations were presented in tables 2 through 10:

Table 2 - Toxic Air Contaminant Emission Rates
Table 3 - Ground-level Concentration for a Unit Emission Rate by Stack Assuming 24-hour Operation
Table 4 - Ground-level Concentration for a Unit Emission Rate by Stack Assuming Operations from 6 am to 8pm.
Table 5 - Resident Unit Risk Value from HARP
Table 7 - Worker Unit Risk Value from HARP
Table 6 - Residential Chronic HQ per unit concentration from HARP
Table 8 - Worker Chronic HQ per unit concentration for 24-hour operation from HARP
Table 9 - Worker Chronic HQ per unit concentration for 14-hour operation from HARP
Table 10 - Acute Inhalation Reference Exposure Levels.

Hexavalent chromium, arsenic and dioxin/furans have the largest contributions to the cancer risks. The highest chronic and acute hazard indices occur for the developmental system, where mercury and arsenic have the most significant impacts.

Stack parameters and setup options for the 24-hour and 6am to 8pm runs:

```
 Input File - C:\RISKSCREENS\p20905\a23669\run_1983_X_Q.DTA
Output File - C:\RISKSCREENS\p20905\a23669\run_1983_X_Q.LST
   Met File - C:\RISKSCREENS\metdata\OakAirport\OAK83.ASC

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                                   *** Two Human Crematory Retorts                                         ***        10:33:45
                                           ***     MODEL SETUP OPTIONS SUMMARY       ***
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
**Intermediate Terrain Processing is Selected
**Model Is Setup For Calculation of Average CONCentration Values.
  --  SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION.  DDPLETE =  F
**Model Uses NO WET DEPLETION.  WDPLETE =  F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations
**Model Uses URBAN Dispersion.
**Model Uses Regulatory DEFAULT Options:
           1. Final Plume Rise.
           2. Stack-tip Downwash.
           3. Buoyancy-induced Dispersion.
           4. Use Calms Processing Routine.
           5. Not Use Missing Data Processing Routine.
           6. Default Wind Profile Exponents.
           7. Default Vertical Potential Temperature Gradients.
           8. "Upper Bound" Values for Supersquat Buildings.
           9. No Exponential Decay for URBAN/Non-SO2
**Model Accepts Receptors on ELEV Terrain.
**Model Assumes No FLAGPOLE Receptor Heights.
**Model Calculates  1 Short Term Average(s) of:  MONTH
    and Calculates PERIOD Averages
**This Run Includes:    11 Source(s);     11 Source Group(s); and    2316 Receptor(s)
**The Model Assumes A Pollutant Type of:  X_Q
**Misc. Inputs:  Anem. Hgt. (m) =    10.00 ;    Decay Coef. =    0.000     ;    Rot. Angle =     0.0
```

*** POINT SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	STACK HEIGHT (METERS)	STACK TEMP. (DEG.K)	STACK EXIT VEL. (M/SEC)	STACK DIAMETER (METERS)	BUILDING EXISTS	EMISSION RATE SCALAR VARY BY
N	0	0.10000E+01	570963.0	4175780.2	3.0	8.53	672.04	9.69	0.46	YES	
NE	0	0.10000E+01	570970.8	4175776.2	3.0	8.53	672.04	9.69	0.46	YES	
E	0	0.10000E+01	570979.1	4175771.2	3.0	8.53	672.04	9.69	0.46	YES	
ES	0	0.10000E+01	570974.8	4175764.5	3.0	8.53	672.04	9.69	0.46	YES	
SE	0	0.10000E+01	570970.6	4175756.8	3.0	8.53	672.04	9.69	0.46	YES	
S	0	0.10000E+01	570966.1	4175749.0	3.0	8.53	672.04	9.69	0.46	YES	
SW	0	0.10000E+01	570959.5	4175753.2	3.0	8.53	672.04	9.69	0.46	YES	
WS	0	0.10000E+01	570960.9	4175760.0	3.0	8.53	672.04	9.69	0.46	YES	
W	0	0.10000E+01	570954.1	4175764.0	3.0	8.53	672.04	9.69	0.46	YES	
NW	0	0.10000E+01	570958.2	4175771.2	3.0	8.53	672.04	9.69	0.46	YES	
MID	0	0.10000E+01	570966.1	4175766.8	3.0	8.53	672.04	9.69	0.46	YES	

Building dimensions for all runs:

```
*** ISCST3 - VERSION 02035 ***     *** Sentinel Cremation Societies Inc.  P#20905 A#23669          ***        10/13/11
                                   *** Two Human Crematory Retorts                                 ***        10:33:45
```

*** DIRECTION SPECIFIC BUILDING DIMENSIONS ***

SOURCE ID: N

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	5.5,	35.3,	0	28	5.5,	34.0,	0	29	5.5,	31.7,	0	30	5.5,	28.7,	0
31	5.5,	30.3,	0	32	5.5,	30.9,	0	33	5.5,	30.7,	0	34	5.5,	31.6,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

SOURCE ID: NE

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	5.5,	35.3,	0	28	5.5,	34.0,	0	29	5.5,	31.7,	0	30	5.5,	28.7,	0
31	5.5,	30.3,	0	32	5.5,	30.9,	0	33	5.5,	30.7,	0	34	5.5,	31.6,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

SOURCE ID: E

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	5.5,	35.3,	0	28	5.5,	34.0,	0	29	5.5,	31.7,	0	30	6.7,	39.9,	0
31	6.7,	48.2,	0	32	6.7,	54.9,	0	33	6.7,	60.0,	0	34	6.7,	63.3,	0	35	6.7,	64.6,	0	36	5.5,	30.4,	0

SOURCE ID: ES

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	5.5,	35.3,	0	28	6.7,	54.2,	0	29	6.7,	47.4,	0	30	6.7,	39.9,	0
31	6.7,	48.2,	0	32	6.7,	54.9,	0	33	6.7,	60.0,	0	34	6.7,	63.3,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

SOURCE ID: SE

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	6.7,	63.3,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	6.7,	59.3,	0	28	6.7,	54.2,	0	29	6.7,	47.4,	0	30	6.7,	39.9,	0
31	6.7,	48.2,	0	32	6.7,	54.9,	0	33	6.7,	60.0,	0	34	6.7,	63.3,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

Building dimensions for all runs:

```
*** ISCST3 - VERSION 02035 ***     *** Sentinel Cremation Societies Inc.  P#20905 A#23669                    ***        10/13/11
                                   *** Two Human Crematory Retorts                                           ***        10:33:45
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*** DIRECTION SPECIFIC BUILDING DIMENSIONS ***

SOURCE ID: S

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	6.7,	62.6,	0	27	6.7,	59.3,	0	28	6.7,	54.2,	0	29	6.7,	47.4,	0	30	6.7,	39.9,	0
31	6.7,	48.2,	0	32	6.7,	54.9,	0	33	5.5,	30.7,	0	34	5.5,	31.6,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

SOURCE ID: SW

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	5.5,	35.3,	0	28	5.5,	34.0,	0	29	5.5,	31.7,	0	30	5.5,	28.7,	0
31	5.5,	30.3,	0	32	5.5,	30.9,	0	33	5.5,	30.7,	0	34	5.5,	31.6,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

SOURCE ID: WS

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	5.5,	35.3,	0	28	5.5,	34.0,	0	29	5.5,	31.7,	0	30	5.5,	28.7,	0
31	5.5,	30.3,	0	32	5.5,	30.9,	0	33	5.5,	30.7,	0	34	5.5,	31.6,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

SOURCE ID: W

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	5.5,	35.3,	0	28	5.5,	34.0,	0	29	5.5,	31.7,	0	30	5.5,	28.7,	0
31	5.5,	30.3,	0	32	5.5,	30.9,	0	33	5.5,	30.7,	0	34	5.5,	31.6,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

SOURCE ID: NW

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	5.5,	35.3,	0	28	5.5,	34.0,	0	29	5.5,	31.7,	0	30	5.5,	28.7,	0
31	5.5,	30.3,	0	32	5.5,	30.9,	0	33	5.5,	30.7,	0	34	5.5,	31.6,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

SOURCE ID: MID

IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK	IFV	BH	BW	WAK
1	5.5,	28.4,	0	2	5.5,	25.5,	0	3	5.5,	21.9,	0	4	5.5,	25.9,	0	5	5.5,	29.8,	0	6	5.5,	32.7,	0
7	5.5,	34.6,	0	8	5.5,	35.5,	0	9	5.5,	35.3,	0	10	5.5,	34.0,	0	11	5.5,	31.7,	0	12	5.5,	28.7,	0
13	5.5,	30.3,	0	14	5.5,	30.9,	0	15	5.5,	30.7,	0	16	5.5,	31.6,	0	17	5.5,	31.4,	0	18	5.5,	30.4,	0
19	5.5,	28.4,	0	20	5.5,	25.5,	0	21	5.5,	21.9,	0	22	5.5,	25.9,	0	23	5.5,	29.8,	0	24	5.5,	32.7,	0
25	5.5,	34.6,	0	26	5.5,	35.5,	0	27	5.5,	35.3,	0	28	5.5,	34.0,	0	29	5.5,	31.7,	0	30	5.5,	28.7,	0
31	5.5,	30.3,	0	32	5.5,	30.9,	0	33	5.5,	30.7,	0	34	5.5,	31.6,	0	35	5.5,	31.4,	0	36	5.5,	30.4,	0

Hourly scalars for the 6 am to 8pm runs:

```
 Input File - C:\RISKSCREENS\p20905\a23669\run6am8pm_1983_X_Q.DTA
Output File - C:\RISKSCREENS\p20905\a23669\run6am8pm_1983_X_Q.LST
   Met File - C:\RISKSCREENS\metdata\OakAirport\OAK83.ASC


 *** ISCST3 - VERSION 02035 ***    *** Sentinel Cremation Societies Inc.  P#20905 A#23669                  ***        10/13/11
                                   *** Two Human Crematory Retorts                                         ***        10:36:41


                          * SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY *

    HOUR    SCALAR      HOUR    SCALAR      HOUR    SCALAR      HOUR    SCALAR      HOUR    SCALAR      HOUR    SCALAR
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -


SOURCE ID = N        ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00


SOURCE ID = NE       ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00


SOURCE ID = E        ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00


SOURCE ID = ES       ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00


SOURCE ID = SE       ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00
```

Hourly scalars for the 6 am to 8pm runs:

```
*** ISCST3 - VERSION 02035 ***    *** Sentinel Cremation Societies Inc.  P#20905 A#23669                  ***        10/13/11
                                  *** Two Human Crematory Retorts                                         ***        10:36:41
**MODELOPTs:                                                                                                         PAGE   8
CONC                    URBAN ELEV         DFAULT

                          * SOURCE EMISSION RATE SCALARS WHICH VARY FOR EACH HOUR OF THE DAY *

    HOUR    SCALAR      HOUR    SCALAR      HOUR    SCALAR      HOUR    SCALAR      HOUR    SCALAR      HOUR    SCALAR
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

SOURCE ID = S        ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00

SOURCE ID = SW       ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00

SOURCE ID = WS       ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00

SOURCE ID = W        ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00

SOURCE ID = NW       ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00

SOURCE ID = MID      ;  SOURCE TYPE = POINT    :
      1   .00000E+00      2   .00000E+00      3   .00000E+00      4   .00000E+00      5   .00000E+00      6   .00000E+00
      7   .17140E+01      8   .17140E+01      9   .17140E+01     10   .17140E+01     11   .17140E+01     12   .17140E+01
     13   .17140E+01     14   .17140E+01     15   .17140E+01     16   .17140E+01     17   .17140E+01     18   .17140E+01
     19   .17140E+01     20   .17140E+01     21   .00000E+00     22   .00000E+00     23   .00000E+00     24   .00000E+00
```

Stack parameters and setup options for the acute run:

```
 Input File - C:\RISKSCREENS\p20905\a23669\acute_1983_X_Q.DTA
Output File - C:\RISKSCREENS\p20905\a23669\acute_1983_X_Q.LST
   Met File - C:\RISKSCREENS\metdata\OakAirport\OAK83.ASC

*** ISCST3 - VERSION 02035 ***    *** Sentinel Cremation Societies Inc.  P#20905 A#23669                  ***        10/13/11
                                   *** Two Human Crematory Retorts                                         ***        10:38:13
                                           ***     MODEL SETUP OPTIONS SUMMARY       ***
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
**Intermediate Terrain Processing is Selected
**Model Is Setup For Calculation of Average CONCentration Values.
  --  SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION.  DDPLETE =  F
**Model Uses NO WET DEPLETION.  WDPLETE =  F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations
**Model Uses URBAN Dispersion.
**Model Uses Regulatory DEFAULT Options:
          1. Final Plume Rise.
          2. Stack-tip Downwash.
          3. Buoyancy-induced Dispersion.
          4. Use Calms Processing Routine.
          5. Not Use Missing Data Processing Routine.
          6. Default Wind Profile Exponents.
          7. Default Vertical Potential Temperature Gradients.
          8. "Upper Bound" Values for Supersquat Buildings.
          9. No Exponential Decay for URBAN/Non-SO2
**Model Accepts Receptors on ELEV Terrain.
**Model Assumes No FLAGPOLE Receptor Heights.
**Model Calculates  1 Short Term Average(s) of:   1-HR
**This Run Includes:    11 Source(s);     11 Source Group(s); and    2316 Receptor(s)
**The Model Assumes A Pollutant Type of:  X_Q
**Misc. Inputs:  Anem. Hgt. (m) =    10.00 ;    Decay Coef. =    0.000     ;    Rot. Angle =     0.0
```

*** POINT SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	STACK HEIGHT (METERS)	STACK TEMP. (DEG.K)	STACK EXIT VEL. (M/SEC)	STACK DIAMETER (METERS)	BUILDING EXISTS	EMISSION RATE SCALAR VARY BY
N	0	0.10000E+01	570963.0	4175780.2	3.0	8.53	672.04	9.69	0.46	YES	
NE	0	0.10000E+01	570970.8	4175776.2	3.0	8.53	672.04	9.69	0.46	YES	
E	0	0.10000E+01	570979.1	4175771.2	3.0	8.53	672.04	9.69	0.46	YES	
ES	0	0.10000E+01	570974.8	4175764.5	3.0	8.53	672.04	9.69	0.46	YES	
SE	0	0.10000E+01	570970.6	4175756.8	3.0	8.53	672.04	9.69	0.46	YES	
S	0	0.10000E+01	570966.1	4175749.0	3.0	8.53	672.04	9.69	0.46	YES	
SW	0	0.10000E+01	570959.5	4175753.2	3.0	8.53	672.04	9.69	0.46	YES	
WS	0	0.10000E+01	570960.9	4175760.0	3.0	8.53	672.04	9.69	0.46	YES	
W	0	0.10000E+01	570954.1	4175764.0	3.0	8.53	672.04	9.69	0.46	YES	
NW	0	0.10000E+01	570958.2	4175771.2	3.0	8.53	672.04	9.69	0.46	YES	
MID	0	0.10000E+01	570966.1	4175766.8	3.0	8.53	672.04	9.69	0.46	YES	