

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER APRIL 9, 2015  
RIVERSIDE MEETING  
CORRECTED COPY**

A regular scheduled meeting of the Airport Land Use Commission was held on April 9, 2015 at the Riverside County Administrative Center, Board Chambers.

**COMMISSIONERS PRESENT:** Simon Housman, Chairman  
Rod Ballance, Vice Chairman  
Arthur Butler  
Glen Holmes  
John Lyon  
Steve Manos

**COMMISSIONERS ABSENT:** Greg Pettis

**STAFF PRESENT:** Ed Cooper, ALUC Director  
John Guerin, Principal Planner  
Russell Brady, Contract Planner  
Barbara Santos, ALUC Secretary  
Anna Wang, ALUC Counsel

**OTHERS PRESENT:** Beth LaRock, Flabob Airport  
Joe Mineo, Applicant Representative  
Marvin Roos, MSA Consulting  
Jon Shardlow, Walmart, Inc.  
Jeff Trenton, Proficiency 215, LLC  
Shane Wickwire, River Springs Charter School

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- I. **AGENDA ITEM 2.1:** ZAP1107MA14 – Proficiency 215 LLC/Proficiency Capital LLC/Jeff Trenton (Representative: Pam Steele, MIG/Hogle-Ireland) – March Joint Powers Authority (JPA) Case No. PP 14-02 (Plot Plan). A proposal to build a 709,083 square foot industrial warehouse (including 15,000 square feet of office area, 3,000 square feet of which will be on a mezzanine level) on 39.42 acres (Assessor’s Parcel Nos. 297-100-013 and 297-100-045) located southerly of Alessandro Boulevard, easterly of Interstate 215, westerly of Old 215 Frontage Road, and northerly of Cactus Avenue. (Airport Compatibility Zones B1-APZ I and B1-APZ II of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan). Continued from February 5, and March 12, 2015.

II. **MAJOR ISSUES**

Air Force Reserve Command officials have advised that the basins at this site should be covered due to the proximity to the runway and location directly underlying the extended runway centerline, noting that standing water would be a bird attractant.

Staff recommends addition of Condition Nos. 11 and 12.

Staff has received one e-mail in opposition to the project, specifically in opposition to the location of the point of access off Old 215 Frontage Road.

The associated General Plan Amendment and Change of Zone were determined to be consistent with the 2014 March Air Reserve Base Airport Land Use Compatibility Plan on March 12, 2015.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONDITIONAL CONSISTENCY for the Plot Plan, subject to the conditions included herein and such additional conditions as may be necessary to comply with the requirements of the Federal Aviation Administration Obstruction Evaluation Service.

IV. **PROJECT DESCRIPTION**

The applicant proposes to build a 709,083 square foot industrial warehouse building (including 15,000 square feet of office area, 3,000 square feet of which would be at a mezzanine level) on the property.

**CONDITIONS: Revised and corrected as of 6/1/15**

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

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- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, places of assembly, restaurants, hazardous materials manufacture/storage (excluding storage of quantities of less than 6,000 gallons of flammable materials in the APZ II portion of the property), noise sensitive outdoor nonresidential uses, and hazards to flight.
  - (f) Retail trade, eating and drinking establishments, personal services, professional services, educational services, governmental services, medical facilities, cultural activities, and any other uses providing on-site services to the public.
  - (g) Commercial/service uses; civic uses; churches, chapels, and other places of worship; classrooms; gymnasiums; theaters; conference or convention halls; auditoriums; fraternal lodges; bowling alleys; gaming; auction rooms.
  - (h) Manufacturing of: food and kindred products, textile mill products, apparel, chemicals and allied products, rubber and plastic products, fabricated metal products, professional, scientific, and controlling instruments, photographic and optical goods, watches and clocks.
3. Prior to issuance of any building permits, the landowner shall convey and have recorded an aviation easement to the March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
  4. The attached notice shall be given to all prospective purchasers of the property and/or tenants of the building. While not required, the applicant and its successors-in-interest are encouraged to provide a copy of said notice to employees who would regularly be working at this location.
  5. The proposed detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the retention basin(s) shall not include trees that produce seeds, fruits, or berries.
  6. This project has been evaluated as a proposal for the establishment of a high-cube logistics warehouse with a maximum of 10,000 square feet of office space in the northerly portion of

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the building and a maximum of 5,000 square feet of office space in the southerly portion of the building. March Joint Powers Authority shall require additional review by the Airport Land Use Commission prior to the establishment of office uses exceeding the amounts specified above.

7. Mezzanine areas shall be limited to a maximum of 3,000 square feet, and shall be permitted only in the northerly portion of the building outside Accident Potential Zone I.
8. Zoned fire sprinkler systems shall be required throughout the building.
9. Office space must have sound attenuation features sufficient to reduce interior noise levels from exterior aviation-related sources to no more than CNEL 45 dB. March Joint Powers Authority shall require an acoustical study to ensure compliance with this requirement.
10. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- 11.\* In order to ensure proper functioning of the project drain system to avoid potential hazards to March Air Reserve Base flights, an additional Best Management Practice (BMP) shall be added to the project Water Quality Management Plan (WQMP). The applicant shall enter into a covenant and agreement with the March Joint Powers Authority similar to the Water Quality Management Plan and Urban Runoff BMP Transfer, Access and Maintenance Agreement between March Joint Powers Authority and Sun Life Assurance Company of Canada (Document No. 2014-0030862), which shall be recorded prior to issuance of a certificate of occupancy. A copy of the recorded agreement and BMP shall be provided to the Riverside County Airport Land Use Commission. The BMP shall include the following program:
  - a. The property owner (Proficiency 215 LLC or its successor(s)-in-interest, hereinafter "Owner") or its designated representative shall monitor the conditions of the detention basins and promptly inspect such basins following the completion of each "significant" rain event and the 48-hour period thereafter.
  - b. If any standing water remains in a basin that is not beneath a rock, gravel, or other layer following the completion of the "significant" rain event and the 48 hour period thereafter, Owner or its designated representative shall arrange to have such standing water either removed or covered within the next two business days following the conclusion of the 48 hour period.
  - c. In the event that the standing water situation recurs on a regular basis following the 48-hour detention period, the detention basin may no longer be draining as originally designed to prevent standing water from rising above a rock, gravel or other layer (for example, due to a rise in groundwater levels or other circumstance beyond Owner's ability to control). In that situation, Owner or its designated representative shall promptly engage a licensed civil engineer to prepare a design plan to assure that such condition does not persist for more than 48 hours following the conclusion of a "significant" rain event. The required engineering design solution shall be implemented promptly, but no later than 180 days following its approval by all applicable authorities, providing that, until such time as the engineered design solution is implemented, Owner or its designated representative will maintain water

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levels below the rock, gravel, or other layer.

\*(As amended by the Airport Land Use Commission on April 9, 2015)

12. (Condition No. 12 was deleted by the Airport Land Use Commission on April 9, 2015)

**The following conditions have been added subsequent to the ALUC hearing pursuant to the terms of the FAA Obstruction Evaluation Service letter issued on May 29, 2015 for Aeronautical Study No. 2015-AWP-566-OE.**

13. **The Federal Aviation Administration has conducted an aeronautical study of the proposed structure (Aeronautical Study No. 2015-AWP-566-OE) and has determined that neither marking nor lighting of the structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.**
14. **The maximum height of the proposed structure (including any roof-mounted equipment) shall not exceed 48 feet above ground level, and the maximum elevation of the proposed structure at top point shall not exceed 1,585 feet above mean sea level.**
15. **The specific coordinates, height, and top point elevation of the proposed structure shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.**
16. **Temporary construction equipment used during actual construction of the proposed structure shall not exceed the height of the structure (48 feet), unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.**
17. **Within five (5) days after construction of the proposed structure reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned (i.e., in the event a decision is made not to construct the proposed structure.)**

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org)

The following spoke in favor of the project:

Jeff Trenton, Proficiency 215, LLC, 11777 San Vicente Blvd. #780, Los Angeles, CA 90049

No one spoke in neutral or opposition to the project.

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0 found the project **CONDITIONALLY CONSISTENT**, as amended pursuant to staff recommended revisions. Absent: Commissioner Greg Pettis

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at [basantos@rctlma.org](mailto:basantos@rctlma.org).

ITEM 2.1: TIME 9:05 A.M.

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I. **AGENDA ITEM 3.1:** ZAP1111MA15 – HHI Riverside, LLC (Representative: Joe Mineo) – County Case Nos. PP25699 (Plot Plan) and VAR 01893 (Variance). The applicant proposes to develop a 19,558 square foot retail and dining center on 3.42 net acres (5.06 gross acres) located at the northeasterly corner of Cajalco Expressway and Harvill Avenue in the unincorporated community of Mead Valley. Plot Plan No. 25699 would authorize development of two retail commercial buildings with a total floor area of 12,872 square feet (one of which would include a 1,440 square foot coffee shop served by a drive-thru lane) and two freestanding restaurants with drive-thru (3,434 and 3,252 square feet, respectively, one of which would be a Farmer Boys). Variance Case No. 1893 is a proposal to exceed the allowable number, height, and surface area of on-site advertising signs. Specifically, the applicant proposes a pylon sign 75 feet in height with a total display area of 540 square feet, in addition to two freestanding monument signs. (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**  
None

III. **STAFF RECOMMENDATION**  
Staff recommends a finding of CONDITIONAL CONSISTENCY for the Plot Plan and Variance, subject to the conditions included herein and such additional conditions as may be required by the Federal Aviation Administration (FAA) Obstruction Evaluation Service.

IV. **PROJECT DESCRIPTION**  
Plot Plan No. 25699 would authorize development of two retail commercial buildings with a total floor area of 12,872 square feet (one of which would include a 1,440 square foot coffee shop served by a drive-thru lane) and two freestanding restaurants with drive-thru (3,434 and 3,252 square feet, respectively, one of which would be a Farmer Boys). Variance Case No. 1893 is a proposal to exceed the allowable number, height, and surface area of on-site advertising signs. Specifically, the applicant proposes a pylon sign 75 feet in height with a total display area of 540 square feet, in addition to two freestanding monument signs.

**CONDITIONS: Conditions added pursuant to FAA letter subsequent to hearing shown in bold type**

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the

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area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Noise sensitive outdoor nonresidential uses and hazards to flight.
3. The attached notice shall be given to all prospective purchasers and/or tenants of the property and shall be recorded as a deed notice.
  4. Any proposed detention basin(s) on the site (including bioretention areas for water quality treatment) shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the retention basin(s) shall not include trees that produce seeds, fruits, or berries.

The bioretention area(s) shall be inspected after each significant rainfall event. In the event that standing water is observed in the bioretention area(s) beyond the 48-hour detention period, upon notification to either the United States Air Force or the March Inland Port Airport Authority (the "airport operators"), the airport operators shall notify HHI Riverside, LLC (or its successor(s)-in-interest) (hereafter referred to as "Owner") in writing.

The Owner shall be required to take all measures necessary as soon as possible, but not later than 15 days after written notice, to either drain or cover the standing water. Should the Owner fail to take such action, Owner authorizes the airport operators to take such action as may be necessary to eliminate a hazard to flight. The Owner shall work with the airport operators to prevent recurrence of standing water situations beyond the 48-hour detention period. For each such incidence made known to the Owner, the necessary remediation shall only be considered to have been fulfilled when the airport operators state in writing that the situation has been remediated to the airport operators' satisfaction.

5. Prior to issuance of a building permit for the proposed 75-foot tall pylon sign, the applicant shall have received a "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration Obstruction Evaluation Service.

**[This condition shall be considered to have been MET.]**

6. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.



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The following conditions have been added subsequent to the ALUC hearing pursuant to the terms of the FAA Obstruction Evaluation Service letter issued on May 28, 2015 for Aeronautical Study No. 2015-AWP-2773-OE.

7. The Federal Aviation Administration has conducted an aeronautical study of the proposed pylon sign (Aeronautical Study No. 2015-AWP-2773-OE) and has determined that neither marking nor lighting of the structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.
8. The maximum height of the proposed pylon sign shall not exceed 75 feet above ground level, and the maximum elevation of the proposed pylon sign shall not exceed 1,594 feet above mean sea level.
9. The specific coordinates, height, and top point elevation of the proposed pylon sign shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in sign height or elevation shall not require further review by the Airport Land Use Commission.
10. Temporary construction equipment used during actual construction of the pylon sign shall not exceed 75 feet in height, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
11. Within five (5) days after construction of the pylon sign reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the sign.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at [rbrady@rctlma.org](mailto:rbrady@rctlma.org)

The following spoke in favor of the project:

Joe Mineo, Applicant Representative, 3800 Orange Street, #250, Riverside, CA

No one spoke in neutral or opposition to the project

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0 found the project **CONDITIONALLY CONSISTENT**, pending FAA review. Absent: Commissioner Greg Pettis

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at [basantos@rctlma.org](mailto:basantos@rctlma.org). ITEM 3.1: TIME: 9:48 A.M.

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- I. **AGENDA ITEM 3.2:** ZAP1025PS15 – PS Country Club, LLC (Representative: Marvin Roos, MSA Consulting, Inc.) – City of Palm Springs Case Nos. 5.1327, PD-366, and Tentative Tract Map No. 36691 “Serena Park”. The applicant proposes to develop 429 single-family residential dwellings within the area that was formerly the Palm Springs Country Club golf course. Tentative Tract Map No. 36691 would divide 131.25 acres located northerly of Verona Road, easterly of Sunrise Way, and southwesterly of the Whitewater River Channel into 429 residential lots (292 detached units and 137 attached units), 5.39 acres of public open space, and 25 private open space lots. Case No. 5.1327 is a proposal to amend the General Plan designation of 125.86 acres from Open Space-Parks/Recreation (OS-P/R) to Very Low Density Residential (up to 4.0 dwelling units per acre) (VLDR). PD-366 is a proposal to place the same 125.86 acres in a Planned Development District, superseding the existing O and O5 open space zoning. (Airport Compatibility Zones C and D of the Palm Springs International Airport Influence Area).

II. **MAJOR ISSUES**

The project meets the overall open area requirement as a result of an open space remainder lot to be preserved as part of the Whitewater Wash. However, the open area is located within Compatibility Zone D. The project is technically not compliant with the requirement for open area in Zone C, but the amount of open space overall is well above the minimum level required.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the General Plan Amendment and CONDITIONAL CONSISTENCY for the Tentative Tract Map.

**STAFF RECOMMENDED AT HEARING**

CONSISTENT for the General Plan Amendment and Tract Map.

IV. **PROJECT DESCRIPTION**

Tentative Tract Map No. 36691 would divide 131.25 acres located northerly of Verona Road, easterly of Sunrise Way, and southwesterly of the Whitewater River Channel into 429 residential lots (292 detached units and 137 attached units), 5.39 acres of public open space, and 25 private open space lots. Case No. 5.1327 is a proposal to amend the General Plan designation of 125.86 acres from Open Space-Parks/Recreation (OS-P/R) to Very Low Density Residential (up to 4.0 dwelling units per acre) (VLDR). PD-366 is a proposal to place the same 125.86 acres in a Planned Development District, superseding the existing O and O5 open space zoning.

The 137 attached single-family lots would encircle the existing Golden Sands Mobile Home Park accessed via Golden Sands Drive, easterly from Sunrise Way. The 292 detached single-family lots would encircle a residential neighborhood accessed via Whitewater Club Drive, easterly from Farrell Drive.

**CONDITIONS:**

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Lights must be downward facing.
2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a

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landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, and wastewater management facilities.
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

3. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.

4. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.

In the event that the requirements of this condition cannot be met, the permittee shall work with Palm Springs International Airport management and a qualified bird strike/wildlife hazard management consultant to prepare a Wildlife Hazard Management Plan that is acceptable to both the airport operator and the United States Department of Agriculture Wildlife Services agency.

5.\* Prior to approval of the Tentative Tract Map by the City of Palm Springs, the applicant shall have received a determination of "Not a Hazard to Air Navigation" from the Federal Aviation Administration (FAA) Obstruction Evaluation Service for the following twelve (12) lots: 13, 17, 117, 121, 125, 126, 129, 165, 166, 167, 168, and 169.

• **This condition shall be considered to have been met as of April 2, 2015.**

6. Prior to issuance of building permits for any lot within Tentative Tract Map No. 36691, the applicant shall provide evidence that either: (a) the elevation of the structure at its top point in feet above mean sea level would not exceed the elevation of the runway at Palm Springs International Airport at its northwesterly terminus by more than one foot for every 100 feet of distance between the structure and said **northwesterly\*** terminus of the runway; (b) the Federal Aviation Administration has issued a Determination of No Hazard to Air Navigation for that lot allowing for a top point elevation that equals or exceeds the proposed top point elevation; or (c) the Federal Aviation Administration Obstruction Evaluation Service has issued a statement that review of the proposal for the specific lot is not required due to its

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previous review and determination for the twelve (12) lots specified above.

\* Correction to wording in staff report that incorrectly specified "southerly" terminus.

7. During initial sales of properties within the proposed subdivision, pursuant to Palm Springs International Airport Land Use Compatibility Plan Policy 2.5(a), large airport-related informational signs clearly depicting the proximity of the property to the airport and aircraft traffic patterns shall be installed in conspicuous locations and maintained by the developer.
8. The developer shall provide to prospective buyers and/or renters an informational brochure depicting the locations of aircraft flight patterns and describing the frequency of overflights, the typical altitudes of the aircraft, and the range of noise levels that can be expected from individual aircraft overflights.

**The following conditions were added at the Airport Land Use Commission hearing of April 9, 2015:**

9. Prior to the issuance of any building permits for any structures on each lot noted on the attached table exceeding the Federal Aviation Administration (FAA) threshold within the Tentative Tract Map, ALUC staff shall determine based on specific proposed height of the building whether FAA review is required for each of these lots. If FAA review is required, prior to the issuance of any building permits for such lots requiring FAA review, a determination of "Not a Hazard to Air Navigation" from the FAA Obstruction Evaluation Service shall be obtained for each such structure. Copies of such FAA determinations shall be provided to the **City of Palm Springs Planning Department, City of Palm Springs Building Department\***, and the Riverside County Airport Land Use Commission, with sufficient identification of case numbers as to enable prompt filing.

\* **Correction to condition added at hearing to reflect correct jurisdiction as City of Palm Springs, rather than Riverside County.**

10. The Federal Aviation Administration has conducted aeronautical studies of a sample of 12 lots within the proposed tract map (Aeronautical Study Nos. 2015-AWP-3285-OE through 2015-AWP-3291-OE and 2015-AWP-3293-OE through 2015-AWP-3297-OE) and has determined that neither marking nor lighting of structures will be necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1K Change 2 and shall be maintained in accordance therewith for the life of the project.
11. The maximum elevation at the top of any proposed structure on lots 169, 168, 167, 166, 165, 129, 126, 125, 121, 117, 13, and 17, including all roof-mounted appurtenances (if any) shall not exceed the maximum heights analyzed in each **lot's** respective Determination of No Hazard. These maximum elevations shall not be increased without further review by the Airport Land Use Commission and the Federal Aviation Administration.
12. Temporary construction equipment such as cranes used during actual construction of the structures shall not exceed a height of 24 feet unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

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13. Within five (5) days after construction of structures on each of the lots studied in Aeronautical Study Nos. 2015-AWP-3285-OE through 2015-AWP-3291-OE and 2015-AWP-3293-OE through 2015-AWP-3297-OE and any lots subject to FAA review in the future reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions) This requirement is also applicable in the event the project is abandoned.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at [rbrady@rctlma.org](mailto:rbrady@rctlma.org)

The following spoke in favor of the project:

Marvin Roos, MSA Consulting, 34200 Bob Hope Drive

No one spoke in neutral or opposition to the project

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0 found the project **CONSISTENT** for the General Plan Amendment and Tract Map, as amended pursuant to staff recommended revisions and FAA approval. Absent: Commissioner Greg Pettis

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at [basantos@rctlma.org](mailto:basantos@rctlma.org).

ITEM 3.2: TIME: 9:52 A.M.

**AIRPORT LAND USE COMMISSION  
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CORRECTED COPY**

- I. **AGENDA ITEM 3.3:** ZAP1023FL14 – River Springs Charter School (Representative: Dave Black) – City of Jurupa Valley Major Action Case No. MA1492, consisting of Public Use Permit No. 1401. A proposal to relocate and establish Flabob Airport Preparatory Academy as a charter school, including the development of 17,690 square feet of building area (ten classrooms to serve elementary, secondary, and high school students and a 400 square foot administrative office), to be located in the northwesterly portion of the grounds of Flabob Airport, southerly of 42<sup>nd</sup> Street, easterly of Fort Drive and westerly of Twining Street. (Airport Compatibility Zone D of the Flabob Airport Influence Area).

II. **MAJOR ISSUES**

The proposed school does not comply with the average acre criterion of 100 people and the single-acre criterion of 300 for Compatibility Zone D based on the building code method. However, based on the applicant's planned maximum occupancy of 265 people, the school would comply with the criteria.

ALUC staff has discussed a posted occupancy of 265 people with the City of Jurupa Valley; however, their building official indicated that they would not enforce a maximum occupancy that is below the building code maximum occupancy. In-lieu of a posted occupancy, ALUC staff recommends the Commission consider proposed Condition 6 which would apply a general maximum occupancy through a maximum student enrollment of 250 and maximum staff of 15 that would be incorporated into the proposed Public Use Permit and enforced by City of Jurupa Valley Planning Department and/or Code Enforcement.

Additionally, children's schools are a discouraged use within Compatibility Zone D. However, the applicant has provided information on the school noting the importance of the location on the airport in its theme, programming, and existing charter.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of INCONSISTENCY, based on the proposed project exceeding the Compatibility Zone D average and single-acre criteria. However, if the Commission is willing to accept recommended Condition 6 as sufficient to ensure occupancy would not exceed the Compatibility Zone D average and single-acre criteria, staff would recommend a finding of CONDITIONAL CONSISTENCY with the 2004 Flabob Airport Land Use Compatibility Plan, subject to a Determination by the FAA for the on-airport facility and any recommended conditions by the FAA and the conditions included herein.

IV. **PROJECT DESCRIPTION**

The Public Use Permit proposes to relocate and establish Flabob Airport Preparatory Academy as a charter school, including the development of 17,690 square feet of building area (ten classrooms to serve elementary, secondary, and high school students and a 400 square foot administrative office), to be located in the northwesterly portion of the grounds of Flabob Airport. The Flabob Aviation Preparatory Academy currently occupies an existing building on the Flabob Airport property and has been operating since 2005.

**CONDITIONS:**

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:

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- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Noise sensitive outdoor nonresidential uses, and hazards to flight.
3. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
  4. Any proposed detention basin(s) on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the retention basin(s) shall not include trees that produce seeds, fruits, or berries.
  5. This project has been evaluated as a proposal for the establishment of a school with ancillary office use. The City of Jurupa Valley shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in this structure:  
  
Commercial/service uses; civic uses; churches, chapels, and other places of worship; classrooms; day care centers; gymnasiums; theaters; conference or convention halls; auditoriums; fraternal lodges; bowling alleys; gaming; auction rooms; and office uses exceeding 7,500 square feet.
  6. The proposed school shall be limited to a maximum enrollment of 250 students and a maximum staff of 15 to comply with Compatibility Zone D average and single-acre criteria.
  7. The project's lease agreement with the airport shall include limitations to a maximum enrollment of 250 students and a maximum staff of 15 to comply with Compatibility Zone D average and single-acre criteria.

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The following conditions have been added subsequent to the ALUC hearing pursuant to the terms of the Federal Aviation Administration Final Determination letter issued on April 17, 2015 for Aeronautical Study Nos. 2015-AWP-288-NRA through 2015-AWP-292-NRA.

8. Construction of the proposed project shall comply with the requirements set forth in FAA Advisory Circular 150/5370-2, "Operational Safety on Airports During Construction."
9. The proponent is required to coordinate all associated activities with the Airport Manager/Airport Traffic Control Tower (ATCT) 5 business days prior to the beginning of the project.
10. The new development must be coordinated with the airport sponsor and included in the next update to the Airport Layout Plan.
11. The Federal Aviation Administration has conducted an aeronautical study of the proposed buildings (Aeronautical Study Nos. 2015-AWP-288-NRA through 2015-AWP-292-NRA) and has determined that neither marking nor lighting of the structures is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.
12. The maximum height of any of the proposed structures shall not exceed 19 feet above ground level, and the maximum elevation of any of the proposed structures, including all roof-mounted appurtenances (if any), shall not exceed 779 feet above mean sea level.
13. The specific coordinates, heights, and top point elevations of the proposed structures shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height or elevation shall not require further review by the Airport Land Use Commission.
14. Temporary construction equipment used during actual construction of the structures shall not exceed the heights of the structures, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
15. Within five (5) days after construction of each structure reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at [rbrady@rctlma.org](mailto:rbrady@rctlma.org)

The following spoke in favor of the project:

Beth LaRock, Flabob Airport, 4130 Mennes, Jurupa Valley, CA



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Shane Wickwire, River Springs Charter School, Temecula, CA

No one spoke in neutral or opposition to the project

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 5-0 found the project **CONDITIONALLY CONSISTENT**, including Condition #7 pending FAA review. Absent: Commissioner Greg Pettis; Recuse: Commissioner John Lyon

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at [basantos@rctlma.org](mailto:basantos@rctlma.org).

ITEM 3.3: TIME: 10:00 A.M.

**AIRPORT LAND USE COMMISSION**  
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**CORRECTED COPY**

- I. **AGENDA ITEM 3.4: ZAP1020CH15 – Wal-Mart Stores, Inc.** (Representatives: Kathleen Bonesz, Kimley-Horn and Associates; Jonathan Shardlow, Gresham Savage Nolan and Tilden) – City of Eastvale Case Number 12-0051 (Major Development Plan/Conditional Use Permit, General Plan Amendment [GPA], Change of Zone [CZ], Tentative Tract Map). The applicant proposes to develop Eastvale Crossings, a 218,100 square foot shopping center featuring a 192,000 square foot Wal-Mart, on 24.8 gross acres located at the southeast corner of Archibald Avenue and Limonite Avenue, northerly and westerly of Southern California Edison transmission lines and James C. Huber Park. The shopping center will also include two retail buildings with a combined floor area of 18,400 square feet, a 3,500 square foot fast food restaurant with drive-thru, and a gas station with a 4,200 square foot convenience store, 16 fueling positions, and car wash. The site is presently split between areas designated Light Industrial and Commercial Retail on the City's General Plan. The GPA would designate the entire site as Commercial Retail. Similarly, the site is presently split between areas zoned C-1/C-P (General Commercial) and M-SC (Manufacturing-Service Commercial). The CZ would apply C-1/C-P zoning to the entire site. Finally, Tentative Tract Map No. 35061 would divide the property into six (6) parcels. (Compatibility Zones C and D of the Chino Airport Influence Area).

II. **MAJOR ISSUES**

Project intensity, Open area, Site split by Zone C/Zone D boundary. The single-acre intensities within two of the acres on the westerly side of the project could potentially exceed allowable single-acre intensities in Compatibility Zone C. Staff recommends that this be addressed by limiting serving area within the fast food restaurant to 1,500 square feet and prohibiting restaurant uses in the retail buildings.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the Change of Zone, General Plan Amendment, and Tentative Tract Map. Staff recommends that the Major Development Plan/Conditional Use Permit be found CONSISTENT with the 2008 Chino Airport Land Use Compatibility Plan, subject to the conditions included herein.

**STAFF RECOMMENDED AT HEARING**

CONSISTENT(with risk reduction design bonus of 20%)

IV. **PROJECT DESCRIPTION**

The applicant proposes to develop Eastvale Crossings, a 218,100 square foot shopping center featuring a 192,000 square foot Wal-Mart, on 24.8 gross acres. In addition to the Wal-Mart, the shopping center will include two retail buildings with a combined floor area of 18,400 square feet, a 3,500 square foot fast food restaurant with drive-thru, and a gas station with a 4,200 square foot convenience store, 16 fueling positions, and a car wash. The site is presently split between areas designated Light Industrial and Commercial Retail on the City's General Plan. The GPA would designate the entire site as Commercial Retail. Similarly, the site is presently split between areas zoned C-1/C-P (General Commercial) and M-SC (Manufacturing-Service Commercial). The CZ would apply C-1/C-P zoning to the entire site. Tentative Tract Map No. 35061 would divide the property into six (6) parcels.

**CONDITIONS:**

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.

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2. The following uses shall be prohibited:

- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landscaping utilizing water features, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, and incinerators.
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- (e) Children's schools, hospitals, nursing homes (skilled nursing facilities), day care centers (including children's nurseries), and libraries.
- (f) Highly noise-sensitive outdoor nonresidential uses and hazards to flight.

3. This finding of consistency is based upon the site plan dated October 22, 2014. Any changes in the locations, heights, layout, or intended use of buildings, except as necessary to comply with one or more of the conditions herein, shall be subject to further review by the Airport Land Use Commission as an amended project.

4. This determination does not constitute a finding of consistency with respect to the occupancy and use area limits for the future buildings on the parcels identified as Parcels 2, 3, 4, and 5 (and depicted on the site plan dated October 22, 2014 as having gross floor areas of 4,200, 6,200, 3,500, and 12,200 square feet, respectively.) Subsequent review and determination as to consistency by ALUC or its staff will be required for any future buildings located on said parcels.

(Amended by Airport Land Use Commission on April 9, 2015)

5. The City of Eastvale shall require additional review by the Airport Land Use Commission prior to establishment of any of the following uses in any of the structures proposed through this Major Development Plan/Conditional Use Permit:

Auction rooms, auditoriums, bowling alleys, churches and chapels, classrooms (adult), conference rooms exceeding 300 square feet in area, dance floors, drinking establishments, gaming, gymnasiums, lodge rooms, lounges, restaurants (except for one restaurant concession within the Wal-Mart building), reviewing stands, stages, skating rink and swimming pool deck areas, and other uses that would be considered to have an occupancy level greater than one person per 30 square feet (minimum square feet per person less than 30) pursuant to

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the California Building Code (1998) Table 10-A (Table C-1 of Appendix C of the Riverside County Airport Land Use Compatibility Plan).

(Amended by Airport Land Use Commission on April 9, 2015)

6. The attached notice shall be provided to all potential purchasers of the property and all potential tenants of the buildings, and shall be recorded as a deed notice.
7. The proposed on-site detention basin shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
8. The proposed Wal-Mart structure shall be designed and constructed in accordance with the letter from Perkowitz & Ruth Architects dated February 23, 2015 specifying risk-reduction design features and components. Based on these specifications, the Airport Land Use Commission recommends that the City of Eastvale adopt a 20 percent risk-reduction bonus for this structure.

(Added by Airport Land Use Commission on April 9, 2015)

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at [rbrady@rctlma.org](mailto:rbrady@rctlma.org)

The following spoke in favor of the project:

Jon Shardlow, Walmart, Inc.

No one spoke in neutral or opposition to the project

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0 found the project **CONSISTENT**, as amended pursuant to staff recommended revisions. MDP/CUP approval of structures limited to Wal-Mart building. Absent: Commissioner Greg Pettis

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at [basantos@rctlma.org](mailto:basantos@rctlma.org).

ITEM 3.4: TIME: 10:47 A.M.

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I. **4.0 ADMINISTRATIVE ITEMS**

4.1 Director's Approvals – Information Only

II. **5.0 APPROVAL OF MINUTES**

The ALUC Commission by a vote of 6-0 approved the March 12, 2015 minutes. Absent: Greg Pettis

III. **6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

Ed Cooper, ALUC Director, informed Commission that the next ALUC Statewide Consortium will be occurring on August 26-28 in San Diego and requested that any Commissioners interested in attending advise staff soon so that reservations can be made. He also advised that we have elected to apply for, and receive, a grant from the State of California to update the Jacqueline Cochran Regional Airport Policies and the Countywide Policies. Commissioner Holmes inquired as to the status of the Hemet-Ryan ALUCP grant. Mr. Cooper responded that there has been no further progress since the last update provided to the Commission. Staff must wait for the Economic Development Agency to prepare the CEQA documentation for the new Master Plan, or, alternatively, to prepare a revised Airport Layout Plan in accordance with new FAA guidelines. Commissioner Holmes noted that he is often asked about the status of the potential runway extension and relocation of the Cal Fire base. John Guerin, ALUC staff, referred Commissioner Holmes to Daryl Shippy, Airport Manager, Riverside County EDA, for any updated information regarding the status of the Airport Master Plan and Layout Plan for the Hemet-Ryan Airport.

IV. **7.0 COMMISSIONER'S COMMENTS**

Chairman Housman expressed that he will be attending the ALUC Consortium. Commissioner Lyon moved for adjournment in memory of Chris Davis.

V. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 11:21 a.m.

VI. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at [basantos@rctlma.org](mailto:basantos@rctlma.org).

ITEM 4.0: TIME IS 11:07 A.M.