

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER APRIL 14, 2016  
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on April 14, 2016 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  
Russell Betts, Alternate for Greg Pettis

**COMMISSIONERS ABSENT:** Greg Pettis

**STAFF PRESENT:** Ed Cooper, ALUC Director  
John Guerin, Principal Planner  
Paul Rull, Urban Regional Planner IV  
Russell Brady, Contract Planner  
Barbara Santos, ALUC Commission Secretary  
Raymond Mistica, ALUC Counsel

**OTHERS PRESENT:** Julie Arthur, Palm Springs Unified School District

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I. **AGENDA ITEM 2.1:** ZAP1038PS16 – Palm Springs Unified School District (Representative: John Vega) - Environmental Impact Report State Clearinghouse No. 2015031105. Palm Springs Unified School District proposes to replace existing buildings at Agua Caliente Elementary School located at 30-800 San Luis Rey Drive inside San Gabriel Drive Circle in Cathedral City with five new buildings at different areas within the school's existing campus. The project would facilitate an increase in the capacity of the school so as to allow for an enrollment of up to 850 students, specifically including the addition of 120 pre-kindergarten students. (Airport Compatibility Zone D of the Palm Springs International Airport Influence Area).

II. **MAJOR ISSUES**

The capacity of the proposed elementary school exceeds the maximum allowable average acre criterion of 100 and single-acre criterion of 300 people for Compatibility Zone D based on the Building Code Method. Additionally, children's school uses are a discouraged use within Compatibility Zone D. The proposed elementary school would replace the existing elementary school on the site, but is anticipated to increase enrollment from 599 to an enrollment capacity of 828 and so would not be subject to the provisions for continuing to operate an existing nonconforming use pursuant to Countywide Policy 3.3.2.(b).

The applicant has stated that based on School District and State requirements, total occupancy for the site would comply with the average acre criterion of 100, but Building B occupancy would exceed the single-acre criterion on its own and other single-acre areas exceed the single-acre criterion as well. Additionally, the maximum occupancy of Building E, which is primarily for assembly purposes and does not increase the permissible total enrollment, would substantially exceed the single-acre criterion.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of INCONSISTENCY, based on the proposed project exceeding single-acre non-residential intensity criteria for Compatibility Zone D based on the Building Code Method and the project being a discouraged use within Compatibility Zone D, unless the Commission is willing to accept the applicant's estimates for occupancy or make special circumstance findings pursuant to Countywide Policy 3.3.6.

At the request of the applicant, staff recommends that consideration of the project be CONTINUED to ALUC's April 14, 2016 hearing to provide staff and the applicant additional time to review site design, including measures to mitigate potential hazards from aircraft.

IV. **PROJECT DESCRIPTION**

Palm Springs Unified School District proposes to replace existing buildings at Agua Caliente Elementary School with five new buildings at different areas within the school's existing campus. Outdoor recreation areas would also be provided. The project would facilitate an increase in the capacity of the school to allow for the enrollment of up to 828 students (originally estimated at 850-875). The project description in the Draft EIR referenced the addition of up to 120 students and associated faculty at the pre-kindergarten level (included among the 875).

The purpose of the proposal is to rebuild the school to modernize it and make it safer for the students. The school is the central focus of the neighborhood in which it is located.

**FINDINGS:**

1. The proposed enrollment level would not exceed the actual enrollment that existed at the time of Compatibility Plan adoption; therefore, the project would not increase the average intensity

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of the site.

2. Since no information is available regarding the single-acre intensity that existed at the time of Plan adoption, there is no evidence that the project would result in an increase in single-acre intensity.
3. The proposed capacity of the school would not exceed the peak number of students accommodated at the facility at or slightly after the time of Compatibility Plan adoption.
4. Although Building E has the capacity to accommodate approximately 747 people, the use of the assembly area within the building would be rare and for limited periods of time.
5. There are no other viable sites of residential fee land located outside a flood zone that could accommodate 600 students within the service area for this elementary school.
6. The project site is located in an area where average aircraft noise is below 60 CNEL, thus limiting noise impacts and potential nuisance complaints.
7. The purpose of the rebuilding is to provide for a safer school for the students.
8. All proposed buildings would be constructed of reinforced masonry block, and the Cathedral City Fire Department has prepared a letter that notes that the proposed new buildings and site improvements would include automatic fire sprinklers, integrated fire alarms, and additional fire lanes and fire hydrants that do not exist at the current facility; thus, potential fire hazards to facility occupants would be reduced.
9. The project site is not located beneath or near the extended centerline of the runway at Palm Springs International Airport or within the general traffic pattern envelope, wherein approximately 80% of aircraft overflights are expected to occur.
10. Approximately 25% of the project site would consist of ALUC-qualifying open area, which substantially exceeds the minimum Compatibility Zone D requirement of 10% open area. This additional open area provides a potential location for emergency landings for small aircraft, which may assist in offsetting the risk of an emergency landing within the more intensely used portions of the site.
11. The nearby golf course and Whitewater Wash east of the project site constitute alternative potential emergency landing locations.
12. Based on the above findings, ALUC concludes that Agua Caliente Elementary School constitutes a nonconforming nonresidential development pursuant to Section 3.3.2(b) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan and that the usage intensity is not being increased above the levels existing at the time of adoption of the 2005 Palm Springs International Airport Land Use Compatibility Plan.
13. The above findings constitute extraordinary circumstances warranting a policy exception for the proposed action.
14. Exterior noise levels from aircraft at this location average less than 60 CNEL, and not more than 20% of aircraft utilizing Palm Springs International Airport overfly the site; therefore, the project will not result in excessive aircraft-generated noise exposure for the proposed use.

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15. Based on Findings No. 7 through 11 above, and with the project being subject to the conditions included herein, the project will not expose persons on the ground to an excessive safety hazard or risk, nor will it result in hazards to aircraft in flight.

**CONDITIONS:**

1. Any new 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 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) Hospitals, skilled nursing and care facilities, noise sensitive outdoor nonresidential uses and hazards to flight.
3. Building E shall not be made available to outside entities unless restricted to a maximum of 300 persons, until such time as the Riverside County Airport Land Use Compatibility Plan is amended to potentially allow for single-acre intensities exceeding 450 persons in Compatibility Zone D.
4. The attached notice shall be given to all prospective purchasers of the property and shall be recorded as a deed notice.
5. No detention basins are depicted on the site plan. Any new 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 detention 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.

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6. The recreation field areas including a soccer field and baseball field as generally shown in the northern portion of the site titled ALUC Diagram, dated 3/29/16 and Planting Plan dated 10/05/15 shall be kept free of obstructions such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires excluding those trees shown on the Planting Plan and a backstop/fence for the baseball field. Small trees and shrubs that exceed 4 feet in height and/or thickness of 4 inches may be allowed along the edge of open space areas where the area abuts a wall or other similar feature, provided that they are planted within 4 feet of the wall.

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 neither for or against the project, but added information to the decision making process:

Julie Arthur, Palm Springs Unified School District, 980 E. Tahquitz Canyon, Ste 202, Palm Springs, CA 92262

No one spoke in favor or opposition to the project

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT** pursuant to Policy 3.3.2. (b), based on the findings that: the proposed enrollment level would not exceed the actual enrollment that existed at the time of Compatibility Plan adoption, and that, therefore, the average intensity would not be increased; and that, since no information is available regarding the existing single-acre intensity at the time of Plan adoption, there is no evidence that the proposal would result in an increase in single-acre intensity; and pursuant to Policy 3.3.6, based on the findings presented in the staff report.

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 9:01 A.M.

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I. **AGENDA ITEM 3.1:** ZAP1183MA16 – Jason Radwan (Representative: Blue Peak Engineering) – City of Perris Planning Case No. 15-05196 (Tentative Parcel Map No. 37043). Tentative Parcel Map No. 37043 is a proposal to subdivide a 3.3 gross acre parcel into two commercial parcels. The proposed area of parcel 1 is 2.9 net acres and contains existing parking stalls and storage units as part of the existing commercial shopping center. The proposed area of Parcel 2 is 0.4 net acres and contains a Del Taco restaurant and drive-thru (currently under construction) and existing parking stalls. The project site is southerly of Ramona Expressway and easterly of Perris Boulevard, within the City of Perris. (Airport Compatibility Zone C1 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the Tentative Parcel Map, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

Tentative Parcel Map No. 37043 is a proposal to subdivide a 3.3 gross acre parcel into two commercial parcels. The proposed area of parcel 1 is 2.9 net acres and contains existing parking stalls and storage units as part of an existing commercial shopping center. The proposed area of Parcel 2 is 0.4 net acres and contains a Del Taco restaurant and drive-thru (currently under construction) and existing parking stalls. The Del Taco restaurant was previously reviewed by ALUC staff under ZAP1116MA15 and approved by the Airport Land Use Commission in May 2015.

**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:
  - (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.

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- (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.
- 5. 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.
- 6. The use within Parcel 2 of this parcel map has already been approved as a restaurant with a drive-thru. The floor plan reviewed by ALUC provides for 867 square feet of dining area. Any future tenant improvements that would increase the dining area to more than 1,100 square feet shall be submitted to ALUC as an amended review. The previous consistency determination applies specifically to use of this building as a restaurant.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at [prull@rctlma.org](mailto:prull@rctlma.org)

No one spoke in favor, neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT**.

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 9:23 A.M.

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I. **AGENDA ITEM 3.2:** ZAP1185MA16 – Vogel Properties (Representative: Nick Johnson) – City of Moreno Valley Case No. PA16-0002 (Site Plan Review). The applicant is proposing to develop a 446,350 square foot warehouse/distribution center on 19.61 acres. The building floor plan consists of 426,350 square feet of warehouse area, 10,000 square feet of office area, and 10,000 square feet of mezzanine area. The project site is located northerly of Harley Knox Boulevard, southerly of a straight-line westerly extension of Grove View Road and Nandina Avenue, easterly of Heacock Street, and westerly of Indian Street. (Airport Compatibility Zones B2 and C1 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the Site Plan Review be found CONSISTENT, subject to the conditions included herein.

**STAFF RECOMMENDED AT HEARING**

CONTINUE to 5-12-16 (applicants request)

IV. **PROJECT DESCRIPTION**

The Site Plan Review is a proposal to develop a 446,350 square foot warehouse/distribution center on 19.61 acres. The building floor plan consists of 426,350 square feet of warehouse area, 10,000 square feet of office area, and 10,000 square feet of mezzanine area.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at [prull@rctlma.org](mailto:prull@rctlma.org)

No one spoke in favor, neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0 **CONTINUED** the project to May 12, 2016.

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 9:24 A.M.



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I. **AGENDA ITEM 3.3:** ZAP1184MA16 – MGP X Properties LLC (Representative: Romero Thorsen Design) – City of Riverside Planning Case Nos. P15-0820 (Specific Plan Amendment) and P15-0978 (Design Review). The applicant is proposing to amend the Specific Plan Development Standards (Section IV) of the Canyon Springs Business Park Specific Plan to allow for an additional pylon sign along the 215 Freeway with a maximum height limit of 75 feet and total sign area of 760 square feet and to construct such a sign at the northwest corner of the 15.5 acre parcel that includes the Valley Gateway Plaza shopping center. The proposed sign structure will be 75 feet in height and 31.5 feet in width. The sign will be a non-LED sign and have five tenant sign panels totaling 660 square feet of sign area. The project site is located easterly of Interstate 215 and westerly of Valley Springs Parkway (Airport Compatibility Zone C1 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the proposed Specific Plan Amendment CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and find the proposed Design Review CONSISTENT, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

The applicant is proposing to amend the Specific Plan Development Standards (Section IV) of the Canyon Springs Business Park Specific Plan to allow for an additional pylon sign along the 215 Freeway with a maximum height limit of 75 feet and total sign area of 760 square feet and to construct such a sign at the northwest corner of the 15.5 acre parcel that includes the Valley Gateway Plaza shopping center. The proposed sign structure will be 75 feet in height and 31.5 feet in width. The sign will be a non-LED sign and will include a 100 square foot sign identifying the name of the shopping center, plus five tenant sign panels totaling 660 square feet of sign area.

**CONDITIONS (applicable to the proposed Design Review):**

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses/activities are not included in the proposed project and 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.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

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(e) The use of any structures on this site as children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, places of assembly-entertainment, or places of assembly-non-entertainment, excluding such uses as may have been established prior to November 13, 2014.

3. The attached disclosure notice shall be provided to all prospective purchasers of the property and tenants of the buildings, and shall be recorded as a deed notice.

4. 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.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at [prull@rctlma.org](mailto:prull@rctlma.org)

No one spoke in favor, neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT**.

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 9:25 A.M.

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I. **4.0 ADMINISTRATIVE ITEMS**

4.1 Director's Approvals - Information only

4.2 Recordings of Commission Hearings and Commission Packets

Now that the ALUC hearings held at the County Administrative Center are available on video at our website ([www.rcaluc.org](http://www.rcaluc.org)), the Commissioners agreed that they no longer need the audio CD recordings mailed to them on an ongoing basis. The audio CD recordings will be made available upon request, and will continue to be available to the public at a cost of \$12.50.

4.3 Specific Delegation of Authority: Amendment to Canyon Springs Specific Plan

An applicant proposing to add an additional tenant sign to an existing pylon sign located along Highway 60 in the northeasterly portion of the Canyon Springs Specific Plan requested that the Commission delegate its authority to the ALUC Director to render a consistency finding regarding the associated Specific Plan Amendment.

The ALUC Commission by a unanimous vote of 7-0 approved the Specific Delegation of Authority to the ALUC Director to make the requested determination.

4.4 Commissioner Reappointments

John Guerin, ALUC staff, advised that the City Selection Committee reappointed Commissioner Steve Manos at its meeting of March 14, 2016 and that the Board of Supervisors reappointed Commissioner Arthur Butler at its meeting of March 29, 2016.

Chairman Housman congratulated and thanked Commissioners Manos and Butler for their continued service.

II. **5.0 APPROVAL OF MINUTES**

The ALUC Commission by a vote of 6-0 approved the March 10, 2016 minutes. Abstained: Commissioner Holmes

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

Russell Brady, ALUC planner, announced that this likely would be his last day presenting to the Commission and expressed his appreciation serving the Commission and for his time with ALUC for the past six plus years. Chairman Housman expressed that it has been an honor and pleasure working with Mr. Brady.

IV. **7.0 COMMISSIONER'S COMMENTS**

7.1 March Joint Powers Authority TAC Report Update by Commissioner Ballance

Nothing to report

Chairman Housman announced that the March Air Reserve Base Air Show will be held this weekend on April 16-17.

V. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 9:36 a.m.

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ITEM 4.0: TIME IS 9:27 A.M.