

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: May 9, 2023

SUBJECT: Approve Right of Entry Agreement with Brookfield SoCal Land Constructors, LLC to Conduct Physical and Biological Surveys on City-Owned Properties in Connection with the Altair Development

PREPARED BY: Anissa Sharp, Management Assistant
Ron Moreno, Principal Civil Engineer

RECOMMENDATION: That the City Council approve the right of entry agreement with the Brookfield SoCal Land Constructors, LLC to conduct physical and biological surveys on city-owned properties in connection with the Altair Development, identified by Assessor Parcel Numbers 922-210-057, 922-210-060, 922-210-063, and 922-210-059.

BACKGROUND: On December 12, 2017, the Temecula City Council certified a final Environmental Impact Report and approved other project entitlements for the Altair Specific Plan. At the January 9, 2018 City Council meeting the Development Agreement for the Altair Specific Plan #15 was approved. The agreement outlined the terms for subsequent permits such as grading, resource agency permitting and improvement permitting for on-site and off-site utilities. The Altair development was approved to include up to 1,750 residential units, an elementary school, up to 7,000 square feet of neighborhood commercial, a clubhouse, civic site, parks, trails, and hillside preservation within a 270 -acre area in the southwesterly portion of Temecula, west of Old Town.

The Settlement and Release Agreement for the Altair project was entered into on October 26, 2020 by and between by and between the City of Temecula and City of Temecula City Council; Ambient Communities, LLC, Temecula West Village, LLC, Center for Biological Diversity, Sierra Club, Mountain Lion Foundation, and The Cougar Connection, and Endangered Habitats League. The agreement set forth conditions agreed to by all the parties, including requirements for Temecula West Village, LLC to conduct physical and biological surveys of several of the surrounding City-Owned Properties. The Agreement authorizes Brookfield SoCal Land Constructors, LLC to enter the City-owned properties (identified by Assessor Parcel Numbers 922-210-057, 922-210-060, 922-210-063, and 922-210-059) to conduct the surveys as part of its administrative duties outlined in the Settlement and Release Agreement.

The right to enter will begin upon full execution of the Agreement and terminate on December 31, 2023.

FISCAL IMPACT: None

ATTACHMENTS: Right of Entry Agreement