

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE FORM AND AUTHORIZING THE CITY MANAGER TO EXECUTE WATER QUALITY MANAGEMENT PLAN ALTERNATIVE COMPLIANCE AGREEMENTS ON BEHALF OF THE CITY

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council does hereby find, determine and declare that:

A. As a municipal copermitttee, the City of Temecula (“City”) is adherent to the stormwater management requirements outlined by the California Regional Water Quality Control Board San Diego Region (“San Diego Water Board”) within the Regional MS4 Permit.

B. Pursuant to the City’s MS4 Permit, the City of Temecula BMP Design Manual and Municipal Code require the Owner to construct and install certain source control, site design, and structural “best management practices” improvements on the Property to manage storm water (“BMPs”).

C. Priority Development Projects (“PDPs”) in the City of Temecula can request that the City consider Alternative Compliance options to meet its MS4 Permit obligations.

D. The alternative compliance program is available only if the PDP applicant enters into the Water Quality Management Plan Alternative Compliance Agreement with the City authorizing this arrangement. In lieu of constructing the BMPs for the Project, including the BMPs for the Project’s off-site public improvements the Owner shall pay to the City an In Lieu Fee. The fee represents the Owner’s fair share of the costs of construction, installation and maintenance of ACP.

E. All projects are reviewed and approved by the Public Works Department prior to routing for signature. The City provides no monetary compensation upon agreement approval.

Section 2. The City Council hereby approves the template agreement entitled “Water Quality Management Plan Alternative Compliance Agreement” and authorizes the City Manager to execute such agreements on behalf of the City with individual property Owners with such changes and completed exhibits as may be approved by the City Attorney. The City Manager is also authorized to take such other actions as may be necessary and convenient to implement the purposes of the Agreement.

Section 3. The City Clerk shall certify to the adoption of this Resolution.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula
this 24th day of January, 2023.

Zak Schwank, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2023- was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 24th day of January, 2023, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk