

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE PURCHASE OF 4.8 MITIGATION CREDITS IN THE STEELE CREEK MITIGATION BANK, ROBERTSON COUNTY, TEXAS, AS REQUIRED PURSUANT TO THE MITIGATION PLAN FOR UNITED STATES ARMY CORPS OF ENGINEERS APPLICATION NO. 200200723 FOR THE WOLF PEN CREEK UPPER TRAILS SYSTEM PROJECT IN THE CITY OF COLLEGE STATION, TEXAS.

WHEREAS, in March, 2002, the City Council approved a revised engineering contract with McClure Engineering, Inc. for the final design of the Wolf Pen Creek Upper Trails System Project, and in August 2004, approved a construction contract with JaCody, Inc. for the construction of the Wolf Pen Creek Upper Trails Project, Phase I on the section Wolf Pen Creek between George Bush Drive East and the State Highway 6 Bypass; and

WHEREAS, at the time the construction contract was awarded, a United States Army Corps of Engineers Section 404 Nationwide Permit No. 14 was required including an approved mitigation plan; and

WHEREAS, the United States Army Corps of Engineers has approved and accepted the City's submitted mitigation plan to buy 4.8 Mitigation Credits in the Steele Creek Mitigation Bank in Robertson County, Texas, in lieu of on-site mitigation plantings, mowing restrictions, and ensuring the future survival rates of the plantings in the Wolf Pen Creek Upper Trails System; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

- PART 1: That the City Council hereby finds that the purchase of 4.8 Mitigation Credits in the Steele Creek Mitigation Bank in Robertson County, Texas, is more cost effective and a reasonable alternative to on-site mitigation plantings, mowing restrictions, and ensuring the future survival rates of plantings in the Wolf Pen Creek Upper Trails System.
- PART 2: That the City Council hereby approves the purchase of 4.8 Mitigation Credits in the Steele Creek Mitigation Bank in Robertson County, Texas, as part of the Wolf Pen Creek Upper Trails System Project.
- PART 3: That the City Council authorizes the Mitigation Payment of \$72,000.00 to the Steele Creek Mitigation Bank in Robertson County, Texas for said 4.8 Mitigation Credits.
- PART 4: That the funding for the Mitigation Payment shall be budgeted from the Wolf Pen Creek TIF Fund in the amount of \$36,000.00 and the Drainage Utility Fund in the amount of \$36,000.00.
- PART 5: That this resolution shall take effect immediately from and after its passage.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2005.

ATTEST:

APPROVED:

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CONNIE HOOKS, City Secretary

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RON SILVIA, Mayor

APPROVED:



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City Attorney