

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A WETLAND CREDIT PURCHASE AGREEMENT WITH WARNER MITIGATION BANK / TRUCKPRO, L.C., FOR THE PURCHASE OF WETLAND CREDITS.

WHEREAS, West Valley City (hereinafter the “City”) has consulted with the U.S. Army Corps of Engineers about the requirements of federal law for wetland mitigation for development of Centennial Park; and

WHEREAS, the City has agreed to a Wetland Mitigation Plan that requires the purchase of 2.64 acres of wetland credits from an approved wetland mitigation bank; and

WHEREAS, Warner Mitigation Bank / Truckpro, L.C., (hereinafter “Warner”) is an approved wetland mitigation bank that desires to sell credits to the City; and

WHEREAS, the City will purchase 2.64 acres of wetland credits for \$184,800 from Warner as necessary for compliance with federal law; and

WHEREAS, an agreement has been prepared for execution by and between the City and Warner, a copy of which is attached hereto and entitled “Wetland Credit Purchase Agreement,” (hereinafter the “Agreement”) that sets forth the rights, duties, and obligations of each of the parties with respect thereto; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to approve the Agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, as follows:

1. That the City is hereby authorized to purchase the necessary wetland mitigation credits from Warner for an amount not to exceed \$184,800.
2. That the Agreement with Warner is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Agreement for and in behalf of West Valley City, subject to approval of the final form of the Agreement by the City Manager and City Attorney’s Office.
3. That the Mayor and City Manager are hereby authorized to accept and execute any documents necessary to complete the transaction on behalf of the City.

PASSED, APPROVED, and MADE EFFECTIVE this _____ day of _____
_____, 2015.

WEST VALLEY CITY

MAYOR

ATTEST:

SECRETARY