



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Remon Habib, City Engineer

Date: June 27, 2023

Subject: Riverpark Mitigation Bank Credit Reservation Agreement for Murrieta Creek Multi-Use Trail Project

Recommendation

Approve and authorize the City Manager to execute a Mitigation Credit Reservation Agreement in the initial deposit amount of \$119,000 to be applied towards the purchase of mitigation credits pursuant to an Agreement for Sale of Credits in the total amount of \$1,190,000 in substantially the form attached and in such final form as approved by the City Attorney.

Background

The City is currently in final design for the Murrieta Creek Multi-Use Trail project extending between Skylark Drive and the current southern terminus of the Lake Levee Trail. As part of the project team, Chen Ryan Associates is providing services to complete final design, permitting, and acquire mitigation credits for the project.

The professional services agreement with Chen Ryan Associates was approved by Council on September 27, 2022 to compete final plans, specifications, and engineer's estimate as well as securing permits and right-of-way that are required prior to construction of the Murrieta Creek Multi-Use Trail.

Discussion

The Murrieta Creek Multi-Use Trail Project has been authorized to purchase 1.33 re-establishment CDFW mitigation credits and 1.47 rehabilitation CDFW mitigation credits at the Riverpark Mitigation Bank. The credits are not available currently, but are expected to be available at a later date. The Credit Reservation Agreement will enable the City to reserve the credits necessary for mitigation by the project, allowing the project to move forward when construction funding is available.

Fiscal Impact

The Murrieta Creek Multi-Use Trail project is programmed in the City's CIP budget. The immediate fiscal impact to the City under the Credit Reservation Agreement is 10% of the total purchase price, or \$119,000. The remaining balance of the purchase price totaling \$1,071,000 will be due within 14 days of the notice of credit availability. If credits are not available by March 31, 2024, the City can elect to extend the agreement or receive a full refund of the deposit.

Attachments

Attachment 1 - Letter from McCollum and Sweetwater
Exhibit A - Murrieta Creek Multi-Use Trail Credit Reservation Agreement