



# Pinellas County

## Legislation Details (With Text)

**File #:** 20-2320A      **Version:** 1

**Type:** Contract/Agreement      **Status:** Consent Agenda

**File created:** 12/11/2020      **In control:** Public Works

**On agenda:** 1/26/2021      **Final action:**

**Title:** Cooperative Funding Agreement with the Southwest Florida Water Management District for the Joe's Creek model update, alternatives analysis, and feasibility study.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. FE\_CooperativeFundingAgreement, 2. PE\_CooperativeFundingAgreement, 3. Agreement, 4. Cover Letter, 5. Project Location Map, 6. Application, 7. Indemnification Email from SWFWMD, 8. Resolution 06-70

Date	Ver.	Action By	Action	Result
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**Subject:**

Cooperative Funding Agreement with the Southwest Florida Water Management District for the Joe's Creek model update, alternatives analysis, and feasibility study.

**Recommended Action:**

Approval of the Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for the Joe's Creek model update, alternatives analysis, and feasibility study (Study).

- The agreement provides \$360,000.00 in SWFWMD Cooperative Funding Initiative funds with a match of \$360,000.00 in Public Works Capital Improvement Program funds for a \$720,000.00 project total for the Study.
- Funding for the Study will include development of a Preliminary Engineering Report that evaluates proposed Best Management Practices (BMP) for the Joe's Creek Watershed Improvement Plan.
- The results of the study will assist in the final design and construction phase of future BMP projects.

PID No. 004116A Joe's Creek Greenway Trail and Implementation of projects identified in Joe's Creek Watershed Management Plan; SWFWMD Agreement No. 21CF0003357; total contract amount is \$720,000.00 of which the County is responsible for \$360,000.00; Agreement term is October 1, 2020 through January 31, 2024. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

**Strategic Plan:**

Practice Superior Environmental Stewardship

3.1 Implement green technologies and practices where practical

3.3 Protect and improve the quality of our water, air, and other natural resources

**Summary:**

The agreement provides \$360,000.00 in SWFWMD Cooperative Funding Initiative funds with a match of \$360,000.00 in Public Works Capital Improvement Program (CIP) funds for a \$720,000.00 project total for the study. Funding for the study will include development of a Preliminary Engineering Report (PER) that evaluates proposed Best Management Practices (BMPs) for the Joe's Creek watershed improvement plan. The results of the Study will assist in the final design and construction phase of future BMP projects.

**Background Information:**

The Joe's Creek model update, alternatives analysis and feasibility study is a CIP project for the Public Works Department. The study will provide updated and more detailed analysis, cost estimates, and water quality/flood protection benefit calculations, along with preliminary design, for the selected BMPs recommended in the 2016 Watershed Management Plan and other studies for Joe's Creek watershed. Public Works Department intends to move forward with design and construction of these BMPs after the PER.

Section 10 of the Agreement requires the County to indemnify SWFWMD. County Resolution No. 06-70 prohibits the County from indemnifying others in most situations. Staff has previously requested SWFWMD remove this requirement and SWFWMD has denied the request. It is a standard requirement in all their agreements. Staff and the County Attorney agree that the indemnification requirement is within an acceptable level of risk.

**Fiscal Impact:**

Total engineering design cost is \$720,000.00. Funding includes \$360,000.00 of grant revenue from SWFWMD and \$360,000.00 matching funds derived from the Local Infrastructure Sales Tax (Penny for Pinellas); Physical Environment Function, Flood Control Activity, Flood Prevention Projects Program allocation. Project 004116A Joe's Creek Greenway Trail and Implementation of projects identified in Joe's Creek Watershed Management Plan is included in the Fiscal Year 2021-2026 Capital Improvement Plan. SWFWMD grant funding for this project does not appear in the plan because it was not in place at the time of budget preparation. The grant funding will be added during the preparation of the FY22 budget.

**Staff Member Responsible:**

Kelli Hammer Levy, Director, Public Works

**Partners:**

SWFWMD

**Attachments:**

Agreement  
Cover Letter  
Project Location Map  
Application  
Indemnification Email from SWFWMD  
Resolution 06-70