



# Pinellas County

## Legislation Details (With Text)

**File #:** 20-2288A      **Version:** 1

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

**File created:** 12/7/2020      **In control:** Public Works

**On agenda:** 1/12/2021      **Final action:**

**Title:** Cooperative Funding Agreement with the Southwest Florida Water Management District for the Ibis Stormwater Pond Retrofit.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. FE Agreement, 2. PE Agreement, 3. Agreement, 4. Project Location Map, 5. Indemnification Email from SWFWMD, 6. Resolution 06-70, 7. CONTRACT\_RVW\_20-2288A\_CooperativeFundingAgreementSWFWMD\_IbisStmwtrPondImp\_121120

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**Subject:**

Cooperative Funding Agreement with the Southwest Florida Water Management District for the Ibis Stormwater Pond Retrofit.

**Recommended Action:**

Approval of the Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) in the amount of \$145,000 for the Ibis Stormwater Pond Retrofit (W299).

- Project is designed to reduce pollutant loads to Boca Ciega Bay, which will in turn improve the quality of water discharged to Tampa Bay, a designated priority water body under County’s Surface Water Improvement and Management Plan.
- Specifically, the project includes construction of stormwater retrofits, including baffle boxes, a littoral shelf with submerged aquatic vegetation and rain gardens to reduce pollutant loads to Boca Ciega Bay, which flows into Tampa Bay, by an estimated 30.9 pounds per year of total nitrogen.
- The project will be implemented along Pelican Drive and Sandpiper Way in the Pelican Creek subdivision, adjacent to Gulport Boulevard.

County PID No. 003745A Ibis Stormwater Pond Improvements; SWFWMD Agreement No. 21CF0003361; total contract amount is \$290,000.00 of which the County is responsible for \$145,000.00; Agreement term is through March 31, 2023. 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:**

Approval of this agreement will provide \$145,000.00 in grant funding towards the Ibis Stormwater Pond Retrofit project on a cost reimbursement basis. The construction and construction engineering & inspection (CEI) cost is expected to be \$290,000.00 with a maximum of fifty percent (50%) or \$145,000.00 paid by SWFWMD. The project supports the County's Strategic Plan by implementing green technologies as well as improving water quality in Boca Ciega Bay. The proposed improvements are estimated to remove 30.9 pounds per year of total nitrogen from Tampa Bay.

**Background Information:**

The project is consistent with SWFWMD's Surface Water Improvements and Management (SWIM) Plan for Tampa Bay, which outlines goals to restore habitat and reduce pollutant loads entering Tampa Bay. The project includes construction of stormwater retrofits including baffle boxes, a littoral shelf with submerged aquatic vegetation, and rain gardens to reduce pollutant loads to Boca Ciega Bay, which flow into Tampa Bay. The drainage area includes approximately 12.8 acres of residential single-family homes. Best Management Practices (BMPs) will be implemented along Pelican Drive and Sandpiper Way in the Pelican Creek subdivision.

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 construction and CEI costs are \$290,000.00, which includes \$145,000.00 grant revenue from SWFWMD, and \$145,000.00 matching funds derived from the Local Option Sales Tax (Penny for Pinellas): Physical Environment Function, Flood Control Activity, Flood Prevention Program Project 003800A. This project is included in the FY21-26 Capital Improvement Plan. The reimbursement from SWFWMD was not anticipated during budget development and is not included in the budget.

**Staff Member Responsible:**

Kelli Hammer Levy, Director, Public Works

**Partners:**

SWFWMD

**Attachments:**

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