



# Pinellas County

## Legislation Details (With Text)

**File #:** 17-025A      **Version:** 1

**Type:** Contract/Agreement      **Status:** Passed

**File created:** 1/6/2017      **In control:** Public Works

**On agenda:** 2/21/2017      **Final action:** 2/21/2017

**Title:** Cooperative funding agreement with the Southwest Florida Water Management District for Bee Branch Phase I improvements.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. FE Funding Agreement with SWFWMD, 3. SWFWMD Bee Brach Improvements Agreement, 4. 17-025A - Risk Review funding with SWFWMD for BeeBranch Phase 1 FINAL VEH, 5. CONTRACT\_RVW\_BeeBranchPhaseI\_24Jan2017, 6. Email from SWFWMD re Indmnification.pdf, 7. Resolution 06-70.pdf

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

Cooperative funding agreement with the Southwest Florida Water Management District for Bee Branch Phase I improvements.

**Recommended Action:**

Approve the cooperative funding agreement with the Southwest Florida Water Management District (SWFWMD) for Bee Branch Phase I improvements.

Authorize the Chairman to sign and the Clerk of the Circuit Court to attest the agreement.

SWFWMD agreement no. 17CF0000430, County PID no. 002121A for grant funding in the amount of \$440,000, with a County funding obligation of \$440,000, for a total anticipated construction cost of \$880,000.

**Strategic Plan:**

Practice Superior Environmental Stewardship:

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

**Summary:**

This agreement provides fifty percent (50%) of the construction funding required for stormwater improvements to Bee Branch Creek. Design of the project is currently underway. Construction activities are scheduled to begin in November 2017, with completion of construction anticipated by May 2018.

**Background Information:**

The overall objective of this project is to eliminate erosion and encroachment of Bee Branch Creek between 15th Street and Omaha Street (CR 1) in Palm Harbor. The creek embankment is experiencing areas of erosion and washout due to current flow conditions. The preliminary analysis included data collection from various sources for input in developing a revised existing conditions

model.

The Phase I limits of the channel are contained within the County right-of-way by means of existing drainage easements and the platted right-of-way for Virginia Ave. The existing banks are highly eroded throughout the length of the channel segment. Various man-made debris items have been found throughout the channel, such as broken concrete, cinder blocks and rubber tires, all of which seem to have been placed in an effort to reduce the amount of erosion occurring along the banks. At a few locations along the channel, existing fence lines and some residential structures are threatened because of channel degradation along the channel banks. Trees have lost root stability and have fallen throughout the two channel segments. These fallen trees have redirected channel flow, causing several washout areas within the banks.

Additionally, sections 10.1 and 10.2 of the agreement requires the County to indemnify SWFWMD. Staff and the County Attorney have reviewed the indemnification language contained in the agreement and agree that it does not increase the liability to the County beyond an acceptable level of risk. Furthermore, SWFWMD will not modify their indemnification language as it is a standard requirement in their agreements. The agreement remains in effect through February 28, 2019.

**Fiscal Impact:**

Funding for this project is budgeted in the Capital Improvement Program: Physical Environment, Channel Erosion Projects program allocation. The sources of construction funding are \$440,000 from the Local Infrastructure Sales Tax (Penny for Pinellas), and \$440,000 in grant funding from SWFWMD.

**Staff Member Responsible:**

Rahim Harji, P.E., Director of Public Works

**Partners:**

SWFWMD

**Attachments:**

Agreement

Resolution No. 06-70

Location Map

Email from SWFWMD regarding indemnification