



# Pinellas County

## Legislation Details (With Text)

**File #:** 20-2312A      **Version:** 1

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

**File created:** 12/10/2020      **In control:** Public Works

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

**Title:** Cooperative Funding Agreement with the Southwest Florida Water Management District for development of a Preliminary Engineering Report for the McKay Creek Watershed.

**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 development of a Preliminary Engineering Report for the McKay Creek Watershed.

**Recommended Action:**

Approval of the Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for development of a Preliminary Engineering Report for the McKay Creek Watershed.

- The agreement provides \$260,000.00 in SWFWMD Cooperative Funding Initiative funds with a match of \$260,000.00 in Public Works Capital Improvement Program (CIP) funds for a \$520,000.00 project total for the study.
- Funding will allow for the development of a Preliminary Engineering Report (PER) to evaluate the proposed Best Management Practices (BMP) for the McKay Creek watershed by updating the 2014 McKay Creek model and analysis, benefit calculations and cost estimates.
- The results of the study will assist with the final design and construction phase of the McKay Creek BMP projects.

PID No. 004117A Implementation of the McKay Creek Watershed Management Plan Recommendations; SWFWMD Agreement No. 21CF0003366; total contract amount is \$520,000.00 of which the County is responsible for \$260,000.00; Agreement term is October 1, 2020 through July 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 \$260,000.00 in grant funding towards the McKay Creek PER project. The McKay Creek PER 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 2014 Watershed Management Plan and other studies performed for the McKay Creek watershed. SWFWMD is providing this funding opportunity through their Cooperative Funding Initiative (CFI). The engineering cost is expected to be \$520,000.00 with an anticipated fifty percent (50%) coming from SWFWMD funding and fifty percent (50%) coming from Public Works Department CIP funds.

**Background Information:**

The project supports the County's Strategic Plan by improving the level of service on flood control, water quality, erosion management, and enhancing our natural resources. The Public Works Department intends to move forward with design and construction of these BMPs after the PER is completed. The data provided by this study will better prepare each BMP project for final design / construction phase.

Section 10 of the Agreement requires the County to indemnify SWFWMD. County Resolution 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 cost is \$520,000.00, consisting of \$260,000.00 from SWFWMD grant funding and \$260,000.00 matching funds from Public Works Department CIP budget, PID No. 004117A Implementation of the McKay Creek Watershed Management Plan (WMP) Recommendations Project in the Capital Improvement Program, Physical Environment Function, Flood Control Activity, Flood Prevention Projects Program funded by the Local Infrastructure Sales Tax (Penny for Pinellas) and included in the fiscal year 2021-2026 Capital Improvement Plan. The SWFWMD funding does not currently appear in the fiscal year 2021-2026 plan because it was not anticipated when budget development took place. 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