



Legislation Details (With Text)

**File #:** 18-1877A      **Version:** 1

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

**File created:** 11/8/2018      **In control:** Public Works

**On agenda:** 12/11/2018      **Final action:** 12/11/2018

**Title:** Cooperative Funding Agreement with the Southwest Florida Water Management District for the South Creek Watershed Management Plan.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. FE Cooperative Funding Agreement with SWFWMD - South Creek, 2. PE Cooperative Funding Agreement with SWFWMD for South Creek, 3. South Creek Ageement, 4. Email from SWFWMD re Indemnification, 5. Resolution 06-70

Date	Ver.	Action By	Action	Result
12/11/2018	1	Board of County Commissioners		

**Subject:**

Cooperative Funding Agreement with the Southwest Florida Water Management District for the South Creek Watershed Management Plan.

**Recommended Action:**

Approval of the Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) for the South Creek Watershed Management Plan (WMP).

- The WMP evaluates the various characteristics of the watershed. These characteristics better define areas that flood (floodplains) and areas whose surface water quality does not meet the adequate standards.
- Once the characteristics of the watershed have been evaluated, best management practices are identified to reduce the impacts of flooding and improve the quality of certain surface waters.
- This WMP is done in partnership with the SWFWMD, who also provides 50% of the funding to complete this plan.

PID No. 003870A; SWFWMD Agreement No. 19CF0001823. Authorize the Chairman to sign and the Clerk of the Court to attest.

**Strategic Plan:**

Practice Superior Environmental Stewardship

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

Foster Continual Economic Growth and Vitality

4.4 Invest in infrastructure to meet current and future needs

Deliver First Class Services to the Public and Our Customers

5.1 Maximize partner relationships and public outreach

5.2 Be responsible stewards of the public's resources

**Summary:**

This is a multi-year funded project to develop a WMP for the South Creek watershed. The WMP will analyze flooding problems that exist in the watershed. The WMP, when complete, will identify floodplains, establish level of service (LOS), perform surface water resource assessment (SWRA), and evaluate best management practices (BMP) to address flooding and water quality concerns in the watershed. The Agreement is effective October 1, 2018 through December 31, 2022.

**Background Information:**

The South Creek watershed covers an area of approximately 4.6 square miles and discharges into the south end of Lake Tarpon and the outfall canal. The WMP will include watershed evaluation, floodplain analysis, LOS determination, SWRA, and BMP alternatives analysis.

Additionally, 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 requested SWFWMD remove this requirement, and SWFWMD has denied the request as it is a standard requirement in all of their agreements. Staff and the County Attorney agree that the indemnification requirement is within an acceptable level of risk.

**Fiscal Impact:**

Anticipated total cost of the project is \$750,000.00, with SWFWMD funding up to \$375,000.00 via reimbursement. The County will be responsible for the remainder of project costs. The initial expenditure of \$75,000.00 has been approved by SWFWMD through Fiscal Year 2019 for this project. Additional funding is contingent upon approval by the SWFWMD Governing Board in its annual budgets for future fiscal years. This agreement is consistent with the FY19 Adopted Budget.

**Staff Member Responsible:**

Addie Javed, Director, Public Works

**Partners:**

SWFMD

**Attachments:**

Agreement with Exhibits A and B