ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 16, 2024

TO: The Honorable Deborah Figgs-Sanders, Chair and Members of City Council

SUBJECT: A Resolution authorizing the Mayor or his designee to approve the Second Amendment to the Agreement between the City of St. Petersburg, Florida, and Tampa Bay Watch, Inc. (“TBW”) dated July 15, 2016 for TBW to provide Permitting, Mitigation Bank Instrument Issuance and Credit Price Analysis, Initial Credit Transaction, and Public Communications related to closing Phase I and commencement of Phase II of the North Shore Seagrass Mitigation Bank Project in an amount not to exceed $130,500; approving a supplemental appropriation in the amount of $403,600 from the unappropriated balance of the General Fund (0001) to the Engineering and Capital Improvements Department, Administration Division (130.1341), Seagrass Mitigation Bank Project, which includes $273,100 for future marine signage installation, monitoring and QA of dredge hole filling, and dredge hole fill finalization; providing that the total agreement amount with TBW shall not exceed $518,000 (ECID Project No. 16099-120; Oracle No. 15476); and providing an effective date.

EXPLANATION: This authorization will allow the City to obtain the Mitigation Banking Instrument (“MBI”) and all permits required to complete the Seagrass Mitigation Bank with subsequent credit release. Work will entail completion of the Mitigation Banking Instrument and all permits including Federal, State, and County permits, managing the initial credit transaction and public communications effort. Work under this Amendment will lead to the City obtaining the initial federal credit release (15% of total credits) and complying with the Interlocal Agreement the City executed on May 26, 2023 with the Manatee County Port Authority (“Port”), of which allocates the initial federal release of credits transfer to the Port. One Credit is conservatively estimated to sell for $750,000 minimum and the City is expected to earn 19.41 total Federal Credits at the completion of the Seagrass Mitigation Bank.

On July 16, 2016, City Council approved an agreement between the City of St. Petersburg, Florida and Tampa Bay Watch, Inc. (“Agreement”) for services including (a) Baseline Establishment Phase, (b) Restoration Plan Phase, (c) Permit Application Phase, and (d) Conceptual Plan Phase related to the North Shore Seagrass Mitigation Bank Project (“Project”) in a not to exceed amount of $387,500.

On August 15, 2018, Administration approved Amendment No. 1 to the Agreement, which amended the scope of services to add a prohibition against contracting with scrutinized companies.

Amendment No. 2 to the Agreement (“Second Amendment”) between the City of St. Petersburg, Florida and Tampa Bay Watch, Inc. (“TBW”) for closing Phase I and commencing Phase II of the Project for TBW to provide the following: (e) Permitting, Mitigation Bank Instrument Issuance and Credit Price Analysis; (f) Initial Credit Transaction; and (g) Public Communications in an amount not to exceed $130,500, which amount includes a $5,000 allowance for unforeseen conditions.

The initial Agreement, Amendment No. 1 and Amendment No. 2 include the following phases and associated not to exceed costs respectively:
**RECOMMENDATION:** Administration recommends authorizing the Mayor or his designee to execute the Second Amendment to the Agreement between the City of St. Petersburg, Florida, and Tampa Bay Watch, Inc. (“TBW”) dated July 15, 2016 for TBW to provide Permitting, Mitigation Bank Instrument Issuance and Credit Price Analysis, Initial Credit Transaction, and Public Communications related to closing Phase I and commencement of Phase II of the North Shore Seagrass Mitigation Bank Project in an amount not to exceed $130,500; approving a supplemental appropriation in the amount of $403,600 from the unappropriated balance of the General Fund (0001) to the Engineering and Capital Improvements Department, Administration Division (130.1341), Seagrass Mitigation Bank Project, which includes $273,100 for future marine signage installation, monitoring and QA of dredge hole filling, and dredge hole fill finalization; providing that the total agreement amount with TBW shall not exceed $518,000 (ECID Project No. 16099-120; Oracle No. 15476); and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** Funds will be available after the approval of a supplemental appropriation in the amount of $403,600 from the unappropriated balance of the General Fund (0001) to the Engineering and Capital Improvements Department, Administration Division (130.1341), Seagrass Mitigation Bank Project (15476).

**ATTACHMENTS:** Tampa Bay Watch, Inc. Scope of Services for Amendment No. 2
Tampa Bay Watch, Inc. Fee Schedule for Amendment No. 2
Project Location Map
RESOLUTION 2024-_____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPROVE THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND TAMPA BAY WATCH, INC. (“TBW”) DATED JULY 15, 2016 FOR TBW TO PROVIDE PERMITTING, MITIGATION BANK INSTRUMENT ISSUANCE AND CREDIT PRICE ANALYSIS, INITIAL CREDIT TRANSACTION, AND PUBLIC COMMUNICATIONS RELATING TO CLOSING PHASE I AND COMMENCEMENT OF PHASE II OF THE NORTH SHORE SEAGRASS MITIGATION BANK PROJECT IN AN AMOUNT NOT TO EXCEED $130,500; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $403,600 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND (0001) TO THE ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT, ADMINISTRATION DIVISION (130.1341), SEAGRASS MITIGATION BANK PROJECT, WHICH INCLUDES $273,100 FOR FUTURE MARINE SIGNAGE INSTALLATION, MONITORING AND QA OF DREDGE HOLE FILLING, AND DREDGE HOLE FILL FINALIZATION; PROVIDING THAT THE TOTAL AGREEMENT AMOUNT WITH TBW SHALL NOT EXCEED $518,000 (ECID PROJECT NO. 16099-120; ORACLE NO. 15476); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 16, 2016, City Council approved an agreement between the City of St. Petersburg, Florida and Tampa Bay Watch, Inc. (“Agreement”) for services including (a) Baseline Establishment Phase, (b) Restoration Plan Phase, (c) Permit Application Phase, and (d) Conceptual Plan Phase related to the North Shore Seagrass Mitigation Bank Project (“Project”) in a not to exceed amount of $387,500; and

WHEREAS, on August 15, 2018, Administration approved the Amendment No. 1 to the Agreement, which amended the scope of services to add a prohibition against contracting with scrutinized companies; and

WHEREAS, Administration desires to execute Amendment No. 2 to the Agreement (“Second Amendment”) between the City of St. Petersburg, Florida and Tampa Bay Watch, Inc. (“TBW”) for closing Phase I and commencing Phase II of the Project for TBW to provide the following: Permitting, Mitigation Bank Instrument Issuance and Credit Price Analysis; Initial Credit Transaction; and Public Communications in an amount not to exceed $130,500, which amount includes a $5,000 allowance for unforeseen conditions; and
WHEREAS, Administration further desires to appropriate an additional $273,100 in funds to the Project fund to provide for future activities related to the first credit release, including Marine Signage Installation; Monitoring and QA of Dredge Hole Filling; and Dredge Hole Fill Finalization.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor or his designee is hereby authorized to execute the Second Amendment to the Agreement between the City of St. Petersburg, Florida, and TBW dated July 15, 2016 for TBW to provide Permitting, Mitigation Bank Instrument Issuance and Credit Price Analysis; Initial Credit Transaction; and Public Communications related to supplemental appropriation to close Phase I and commencement of Phase II of the North Shore Seagrass Mitigation Bank Project in an amount not to exceed $130,500.

BE IT FURTHER RESOLVED that the total contract amount shall not exceed $518,000.

BE IT FURTHER RESOLVED that an additional $273,100 in funding be appropriated to the Project fund for future Marine Signage Installation; Monitoring and QA of Dredge Hole Filling; and Dredge Hole Fill Finalization.

BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the increase in the unappropriated balance of the General Fund (0001) for fiscal year 2024:

<table>
<thead>
<tr>
<th>General Fund (0001)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineering and Capital Improvements Department, Administration Division, Seagrass Mitigation Project (15476)</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Second Amendment and all other necessary documents.

This resolution shall become effective immediately upon its adoption.

LEGAL:  
/s/: Michael J. Dema

DEPARTMENT:  

BUDGET:  

/s/: Hakeofske