

HILLSBOROUGH COUNTY ADOPT-A-POND
APPLICATION/AGREEMENT

*You must complete and return this application/agreement to be considered for the Adopt-A-Pond Program.
You may call Adopt-A-Pond at 744-5671 to verify receipt of your application/agreement.*

APPLICATION

Pond Representative Name: Last _____ First _____
Street _____ City _____ Zip Code _____
Daytime Phone _____ Email _____
Pond Group Name _____
Nearest adjacent address to pond (if different from above address) _____
Why does your Pond Group want to adopt your neighborhood
pond? _____

AGREEMENT

Each Pond Group Member, by his or her signature below, hereby agrees to the terms and conditions set forth below and in the attached Adopt-A-Pond Acceptance Criteria and Policies and Procedures:

I. RESPONSIBILITIES.

POND GROUP MEMBERS SHALL:

1. Consist of 50% of the homeowners around a pond but not less than 4 people from 2 households.
2. Choose a Pond Group Representative to help coordinate pond activities and represent the pond group in all matters pertinent to the Adopt-A-Pond Program.
3. Attend the Pond Group Educational Meeting.
4. Attend and participate in the Pond Group's neighborhood pond planting.
5. Attend at least four (4) pond maintenance days each year to remove nuisance plants and trash.
6. Submit at least one Pond Group report every 3 months for each adopted pond.
7. Practice Stormwater pollution prevention by establishing fertilizer-free and pesticide-free zones around the pond.
8. Mark all storm drains in the neighborhood with the program's colorful storm drain markers or ditch signs.
9. Work in a safe and responsible manner during pond work days, only during daylight hours and in good weather, avoiding heavy or hazardous items, and provide one adult supervisor for every five participating youths.
10. Avoid the use of herbicides in the pond except in coordination with Adopt-A-Pond staff.
11. Remove undesirable plants from the pond, as identified by Adopt-A-Pond staff.

IN ADDITION TO THE RESPONSIBILITIES LISTED ABOVE, THE POND GROUP REPRESENTATIVE SHALL:

12. Represent the Pond Group in all matters pertinent to the Adopt-A-Pond Program.
13. Send notification to all group members and pond property owner(s) prior to each pond event.

HILLSBOROUGH COUNTY SHALL:

1. Allow access to County property, County easements, or other areas over which the County has obtained right of access, as necessary to conduct Pond Group activities in accordance with this Agreement.
2. Provide educational materials, aquatic plants, pond management guidance and plant identification.
3. Provide a free one-time clean-up of the adopted pond, if feasible and necessary to meet program goals.
4. Provide a permanent Adopt-A-Pond sign at the adopted pond as requested.
5. Provide storm drain markers.

II. TERM PROVISIONS

This agreement shall remain in effect for a three (3) year period and shall be extended for successive three-year periods subject to the criteria as detailed in the Policies and Procedures.

III. INDEMNIFICATION

Each Pond Group Member individually covenants and agrees that he or she is not acting as an officer, agent, representative, or employee of Hillsborough County for purposes of this Agreement and agrees to indemnify and hold harmless other property owners, Hillsborough County and the Southwest Florida Water Management District, and their officers, agents and employees, from and against all liabilities, claims, damages, expenses or actions, either at law or in equity, including attorneys' fees and costs and attorneys' fees and costs on appeal, caused or incurred, in whole or in part, as a result of any act or omission by him or her during performance under this Agreement. This section does not constitute a waiver of sovereign immunity by Hillsborough County or the Southwest Florida Water Management District or extend the limits of liability beyond those established in Section 768.28, Florida Statutes.

IV. TERMINATION

Hillsborough County may terminate this agreement in its sole discretion at any time upon written notice to the Pond Group Representative. The Pond Group may terminate this agreement for any reason upon thirty (30) days written notice to the County.

By your signature below, you hereby agree to the terms and conditions set forth in this agreement and the attached Adopt-A-Pond Acceptance Criteria and Policies and Procedures. By your signature, you also designate the Pond Group Representative to represent you in all matters pertinent to the Adopt-A-Pond Program.

PLEASE PRINT CLEARLY

	<u>NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>EMAIL</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____
11.	_____	_____	_____	_____
12.	_____	_____	_____	_____
13.	_____	_____	_____	_____
14.	_____	_____	_____	_____
15.	_____	_____	_____	_____
16.	_____	_____	_____	_____
17.	_____	_____	_____	_____
18.	_____	_____	_____	_____
19.	_____	_____	_____	_____
20.	_____	_____	_____	_____

Attach an additional sheet for additional signatures, if necessary

(To be completed by Hillsborough County Adopt-A-Pond Program)

This application and agreement is approved denied. Date: _____

By: _____
 Environmental Manager, Hillsborough County Public Works, Specialized Services

Pond Group # _____ Service Unit _____ STR _____

Adopt-A-Pond Criteria for Acceptance into the Program

1. The pond must be owned by the county or privately owned with one or more drainage easements dedicated to Hillsborough County.
2. No wetland or protected conservation areas are allowed in the program.
3. Adopt-A-Pond may not be used to satisfy permit conditions for the Southwest Florida Water Management District or any other agency.
4. The pond group must submit an Adopt-A-Pond application and demonstrate a commitment to fully participate in the program and maintain their pond.
5. Access to pond must be available for County crews and equipment for initial cleanup.

Adopt-A-Pond Policies and Procedures

Intent

It is the intent of Hillsborough County that the Adopt-A-Pond program be promoted and conducted as an entirely voluntary cooperative program between Hillsborough County residents and the Hillsborough County Public Works Department, Engineering Division/Stormwater Management Section.

Initial Cleanup

At the County's discretion each pond group may receive one cleanup from Adopt-A-Pond at the beginning of the project if the work is necessary to meet program goals and the work can be performed in a safe and cost-effective manner. Please note that this is only one aspect of the program and may not be necessary in all cases.

A cleanup may consist of one or more of the following services:

- Vegetation removal with heavy equipment - Not to exceed \$15,200
- Herbicide application - Not to exceed \$3480
- Mowing/ Brushcutting - Not to exceed \$870

In no event will a cleanup exceed \$15,200.

Provision of Plants

Adopt-A-Pond will provide pond groups with up to \$600.00 worth of native plants at the initial planting stage of the project. The quantity of plants, determined by the County, will depend on pond shape, size, need, condition, number of participants who will be planting, and the species of plant being planted. In any event, every pond will receive enough plants to provide effective vegetative cover in their restoration.

Adopt-A-Pond also offers an additional quantity of plants, not to exceed \$300.00 worth, at the 6-month review date. A group may elect not to receive these plants. Eligibility, quantity, and species will be determined by the County.

Pond groups may be eligible for additional quantities of plants not to exceed \$200.00, per year, and beyond the 6-month review date. In order to qualify, they must submit at least one workday report per quarter and remain in good standing with the Adopt-A-Pond program. Good standing shall be defined as having met all program eligibility criteria, as defined herein, and fulfilled all responsibilities of the Adopt-A-Pond Agreement for at least 6 continuous months prior to any given date on which a determination is being made.

Provision of Other Miscellaneous Items

The Adopt-A-Pond program is intended to be fun and interesting to all involved. To this end, the program occasionally offers various educational and promotional items that may be of interest to our participants. These items are subject to availability and are not a responsibility of the County or a right of program participants.

Please note that Adopt-A-Pond does not provide hand tools, waders, boots, boats, herbicides, pesticides, fish, or any other items not specifically mentioned in this document.

Renewal of Agreement

The Adopt-A-Pond Agreement states that a pond group shall remain in effect for a period of 3 years and shall be extended for successive 3-year periods subject to the criteria as set out in these Policies and Procedures.

At the end of the initial 3-year term, Adopt-A-Pond will review each group file to determine if they submitted quarterly reports. Adopt-A-Pond will then contact the group representative to determine if the group would like to remain in the program. If the program is unable to contact the representative, the group will be removed from the program in accordance with the Adopt-A-Pond Agreement. If contact is made and the group has not submitted quarterly reports or submitted less than 3 per year, the group may remain in the program, but must agree to resume reporting. This process shall continue at the end of every 3-year term until the group is removed from the program.

A pond group may decide not to participate in the program at any time as long as a 30 day written notice is provided to the County. The Adopt-A-Pond Program may remove a pond group from the program upon written notice to the pond group representative. These procedures are detailed in the Adopt-A-Pond Agreement.

Deactivation/ Reactivation

A pond group may be deactivated if they fail to submit 3 consecutive quarterly reports. An inactive group is ineligible to receive further benefits from Adopt-A-Pond. A group may be reactivated at any time within their 3-year agreement term so long as the pond group resumes responsibilities as detailed in the agreement and submits the required reports. Once the pond group has been reactivated and is in good standing as defined above, the pond group may become eligible for program benefits as detailed herein.

Reapplication

A Pond Group may reapply for the program or a new group may adopt a previously adopted pond, however if the pond has been cleaned within the past 10 years, the pond may not receive a cleanup from Adopt-A-Pond, but the group may otherwise proceed through the program subject to all policies and procedures provided herein and in the Agreement. A reapplication is not possible within the initial 3-year term of the agreement.

The County may require a pond group to provide additional assurance that they will fulfill their responsibilities under the program. The format and details of this assurance will be determined by the County on a case by case basis. The County shall determine if a pond group that has been removed from the program shall be allowed to reapply.

Effective Date of New Policies

These new policies shall become effective January 1, 2007.

Submit Completed Applications to:

Adopt-A-Pond
2420 N Falkenburg Rd.
Tampa, FL 33619