

Shirley M. Conley

From: Shirley M. Conley
Sent: Monday, April 27, 2026 5:14 PM
Cc: Heath Beckett; Michael Broadus
Subject: FW: Adopt-A-Pond Info - Ponds 13, 21, 35
Attachments: AAP-Application2025-02-24Fillable.pdf; HC_On_Our_Pond_Newsletter_-_Spring_2026.pdf; Adopt a Pond Program Update 4-27-26.docx; Adopt-A-Pond Program 2026.pptx

All,
A Supervisor request was made to discussion the adopt-a-pond program at tonight's meeting – please see the attached and below.
Thank you,



Your Community.
Our Commitment.

Shirley Conley

Administrator

P. 321.263.0132 ext. 749

Vesta District Services

250 International Parkway, Suite 208,

Lake Mary, FL 32746

www.VestaDistrictServices.com

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Sent: Monday, April 27, 2026 11:56 AM

Subject: Adopt-A-Pond Info - Ponds 13, 21, 35

Good morning

For meeting on 4-27-26, application form and program info attached.

Adopt-A-Pond Info - Ponds 13, 21, 35



Adopt-A-Pond Letters Sent to Residents Eligible for Program

Hillsborough County Environmental Services Division will send letters to residents who live within the Alafia Basin Management Action Plan area and are eligible for the Adopt-A-Pond Program. This program provides free, native vegetation for eligible stormwater ponds as well as various educational and promotional items. The goal of the program is to improve water quality, wildlife habitat, and the appearance of stormwater ponds while engaging with the community.

To apply for the Adopt-A-Pond Program, a completed application must be submitted with signatures from at least 50% of the homeowners around the pond. A pond group representative must be identified as well to represent the pond in all matters pertinent to the program.

County staff will initially provide a free pond recommendation report documenting current conditions of the pond. Information such as presence of invasive vegetation will be included in the report as well as recommended ways to manage different species, general pond management recommendations, and the overall schedule for participation in the Adopt-A-Pond Program. If approved, the agreement shall remain in effect for three years beginning on the date the application is approved.

County staff will provide enough native plants to get started and will continue to provide additional plants over the course of the agreement period as needed, but the labor for installing the native vegetation in and around the pond will be the responsibility of the pond group. The pond group will also be responsible for conducting pond maintenance days throughout the agreement period to remove invasive or nuisance vegetation as well as pick up trash on an as-needed basis.

More information about the Adopt-A-Pond Program can be found at: HCFL.gov/AdoptAPond.

If you are interested in the Adopt-A-Pond Program, please direct all inquiries/correspondence to:

Sarah Sacco

2420 N. Falkenburg Rd.

Tampa, FL 33619

Phone: (813) 702-8724

Email: SaccoS@HCFL.gov

To apply for the Adopt-A-Pond program in Hillsborough County, your group must submit an application through the [Hillsborough County Water Atlas](#). This program provides free native plants and expert guidance to help communities improve the water quality and appearance of stormwater retention ponds.

Eligibility Requirements

Before applying, ensure your pond meets the following criteria:

- **Ownership:** The pond must be owned by Hillsborough County or be privately owned with a dedicated drainage easement to the County.
- **Exclusions:** Wetlands and protected conservation areas are not eligible.
- **Permit Restrictions:** The program cannot be used to satisfy Southwest Florida Water Management District (SWFWMD) permit conditions.
- **Access:** County crews and equipment must have clear access to the pond.

Application Process

1. **Form a Pond Group:** Gather at least 50% of the homeowners surrounding the pond, or four people from at least two households (whichever is greater).
2. **Appoint a Representative:** Choose one person to act as the primary contact for coordinating activities with County staff.
3. **Choose a Name:** Pick a unique name for your pond group.
4. **Submit the Application:** Complete the online application or download the [fillable PDF form](#) and return it to the program coordinators.
5. **Attend Orientation:** Once approved, group members must attend a Pond Group Orientation Training.

Commitment & Benefits

- **3-Year Agreement:** Participation involves a three-year commitment to maintain the pond.
- **Maintenance:** Your group is responsible for a free one-time initial cleanup and ongoing maintenance, including four workdays a year to remove trash and nuisance plants.
- **Resources:** The County provides a custom Pond Recommendation Report, detailed planting plans, and free native aquatic plants (up to \$600 initially).

HILLSBOROUGH COUNTY ADOPT-A-POND
APPLICATION/AGREEMENT

*You must complete and return the signed application/agreement to be considered for the Adopt-A-Pond Program.
You may call Adopt-A-Pond at 813-744-5671 to verify receipt of your application/agreement.*

APPLICATION

Pond Representative Name: Last _____ First _____
Address _____ 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? _____

How did you hear about our program? _____

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 Eligibility Criteria and Policies and Procedures:

A. RESPONSIBILITIES.

POND GROUP MEMBERS:

1. Consist of at least 50% of the homeowners around a pond. If there are less than four houses, the group must consist of at least 4 people from 2 households. If the pond is owned by a private owner, including a homeowners association, the signature of an authorized representative from the association or the private owner needs to be included on the application.
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. In the case that an individual is no longer willing or able to act as Pond Group Representative, they must designate a new representative. A new representative will be accepted upon written notice from the proposed representative, and signatures of at least 50% of the homeowners around the pond.
3. Participate in the Pond Group Orientation Training.
4. Complete all actions proposed by Adopt-A-Pond staff in the pond's Recommendation Report including removal of invasive vegetation; Hillsborough County does not provide pond maintenance assistance.
5. Mark all storm drains in the neighborhood with the program's colorful storm drain markers.
6. Participate in the Pond Group's neighborhood pond planting; Hillsborough County does not provide labor for pond plantings.
7. Participate in at least four (4) pond maintenance days each year to remove nuisance plants and trash.
8. The pond group shall provide written/emailed pond maintenance updates to Adopt-A-Pond staff at least every 6 months.
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:

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:

15. 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.
16. Provide educational materials, aquatic plants, pond management guidance and plant identification.
17. Provide storm drain markers.

B. TERM PROVISIONS

This agreement shall remain in effect for a three (3) year period beginning on the date the application is approved.

C. 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 and pond group members, Hillsborough County, 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 extend the limits of liability beyond those established in Section 768.28, Florida Statutes.

D. 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 written notice to the County.

E. POND GROUP MEMBERS

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 the Hillsborough County Adopt-A-Pond Program)

Date Received: _____

This application and agreement is approved denied. Reason for Denial: _____

By: _____ Date: _____ Pond Group # _____

Manager, Hillsborough County Environmental Services Division, Sustainable Water Resources Section

Adopt-A-Pond Eligibility Criteria

1. The pond must be:
 - a. owned by the county, or
 - b. privately owned with one or more drainage easements dedicated to Hillsborough County, or
 - c. privately owned with private drainage easements, provided the pond discharges directly into the Hillsborough County municipal separate storm sewer system (MS4).
2. A pond and the surrounding land area may not be located entirely on one parcel when the pond is privately owned and not accessible to the community.
3. No wetland or protected conservation areas are allowed in the program.
4. Adopt-A-Pond may not be used to satisfy permit conditions for the Southwest Florida Water Management District or any other agency.
5. The pond group must submit an Adopt-A-Pond application and demonstrate a commitment to fully participate in the program and maintain their pond.
6. In communities which are not included in the Hillsborough County MS4, only a pond which discharges directly to the Hillsborough County MS4 is eligible, providing it meets all other eligibility requirements.

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 Environmental Services Division, Sustainable Water Resources Section.

Initial Steps

At the beginning of the project, the pond group must: (1) review the Pond Inspection Checklist identifying sources of stormwater pollution in the neighborhood, (2) participate in the Pond Group Orientation Training, and (3) mark all storm drains in the pond drainage area with the program's storm drain markers.

Planting

A planting of native vegetation will be conducted following completion of all initial steps listed above.

Adopt-A-Pond will provide pond groups with a sufficient quantity 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, 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.

Beyond the 6-month review date, pond groups may be eligible for additional quantities of plants. In order to qualify, they must submit at least one workday report twice a year 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 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 fish, fountains, hand tools, waders, boots, boats, herbicides, pesticides, or any other items not specifically mentioned in this document.

Deactivation/ Reactivation

The Adopt-A-Pond Agreement states that a pond group shall remain in effect for a period of 3 years. After the initial 3 years, the pond group will be deactivated from the Adopt-A-Pond program. If a pond group would like to receive program benefits after the initial 3 years, they will be required to reapply for the program as described below under Reapplication.

A pond group may decide not to participate in the program at any time upon written notice to the Adopt-A-Pond Program Coordinator. The Adopt-A-Pond Program may remove a pond group from the program upon written notice to the pond group representative.

A pond group may be deactivated at any time if they fail to comply with any program requirements. 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

If necessary, a pond group may reapply for the program or a new group may adopt a previously adopted pond.

If necessary, a group may reapply only upon successful completion of the initial three year agreement. Any one pond may only be adopted under this program twice within a nine year period, beginning on the date of the first application's acceptance into the program.

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 May 26, 2023.

Submit Completed Applications to:

SaccoS@HCFL.gov

or mail to:

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

On Our Pond



Quarterly Newsletter Published By: Hillsborough County Environmental Services Division



TAMPA
BAY
WATER

SURFACE WATER TREATMENT PLANT

Tampa Bay Regional Surface Water Treatment Plant

Page 4

What Does the Water Shortage Mean for Hillsborough County Residents?



The Southwest Florida Water Management District recently announced a Modified Phase III "Extreme" Water Shortage

2

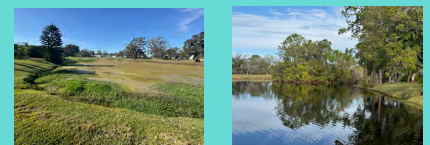
Adopt-A-Pond Letters Sent to Residents Eligible for Program



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Restoring the Heart of our Community: The La Paloma Pond Revitalization Project



The La Paloma pond revitalization project stands as a model of community initiative, environmental stewardship, and effective partnership.

5



What Does the Water Shortage Mean for Hillsborough County Residents?

The Southwest Florida Water Management District recently announced a Modified Phase III “Extreme” Water Shortage to go into effect April 3, 2026. The one-day-per-week watering schedule is the same as the phase II shortage, but there will be stricter watering hours. Beginning on April 3, watering hours are reduced to before **4 a.m. or after 8 p.m.** Another change with the new water shortage is that residents, while still being able to hand water any day of the week, can only do so before **8 a.m. or after 6 p.m.**

Some of the big things to keep in mind are:

- Residents on private wells must abide by the water shortage order.
- 14 days after the effective date of the water shortage order, utilities and other local enforcement officials are to issue citations first without issuing a warning.
- Charity car washes held on behalf of non-profit organizations are prohibited.

The above information is just a small sample of the water shortage order and residents are encouraged to read more information found at the following link:

<https://www.swfwmd.state.fl.us/the-newsroom/2026/district-declares-modified-phase-iii-water-shortage>

Know your watering days (One-day-per-week from April 3 - July 1, 2026)

If your address (house number) ends in:

- 0 or 1, water only on Mondays
- 2 or 3, water only on Tuesdays
- 4 or 5, water only on Wednesdays
- 6 or 7, water only on Thursdays
- 8 or 9, water only on Fridays
- Common areas with or without street addresses, locations with no address, and locations with mixed addresses (such as office complexes and shopping centers) can only water on Fridays.



Storm Drain Marking Program



Did you know that Hillsborough County provides storm drain markers to residents for free? Storm drain markers are placed on curb inlets as reminders that storm drains are only for rain - not oil, grass clippings, leaves, fertilizers, trash, or pet waste! Kits can be requested and include storm drain markers, glue, and door hangers to let everyone in the neighborhood know about the markers and the message they carry. Go to <https://hillsborough.wateratlas.usf.edu/adopt-a-pond/storm-drain-marking-kit.aspx> and fill out the requested information for your storm drain marking kit today!

Adopt-A-Pond Letters Sent to Residents Eligible for Program

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More information about the Adopt-A-Pond Program can be found at: [HCFL.gov/AdoptAPond](https://www.hcfl.gov/AdoptAPond).

If you are interested in the Adopt-A-Pond Program, please direct all inquiries/correspondence to:

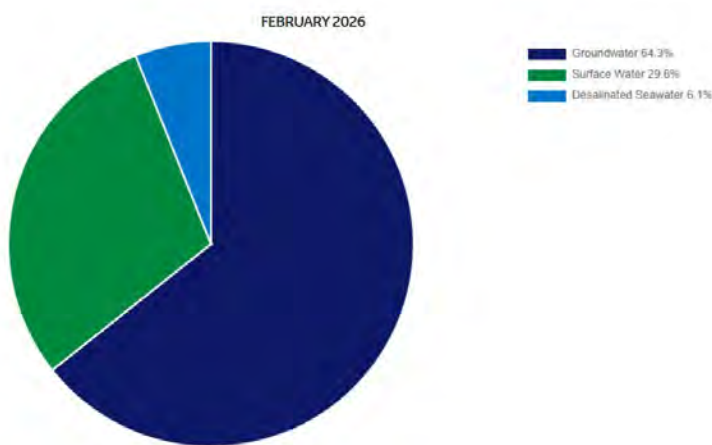
Sarah Sacco
2420 N. Falkenburg Rd.
Tampa, FL 33619
Phone: (813) 702-8724
Email: SaccoS@HCFL.gov

Tampa Bay Regional Surface Water Treatment Plant

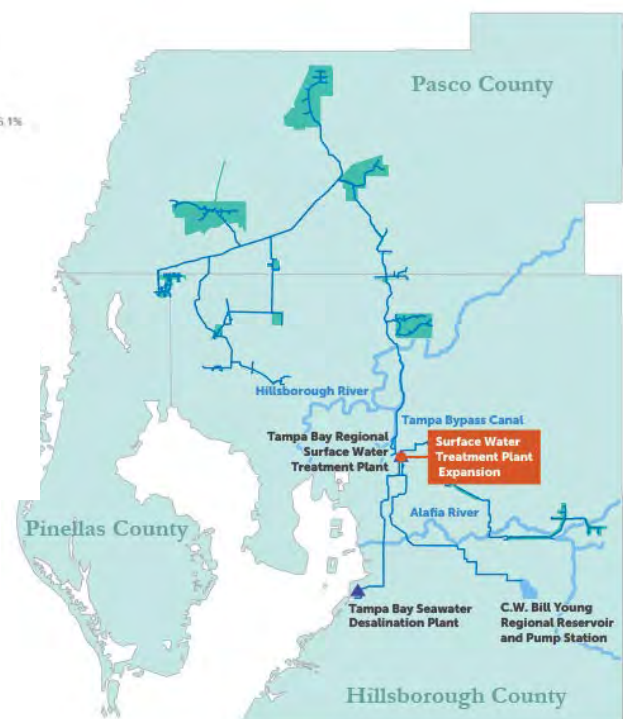
Do you know groundwater isn't the only source of drinking water in Hillsborough County? Tampa Bay Water, in collaboration with Veolia North America, provides drinking water sourced from surface waters to people all over Hillsborough County. Surface water from the Tampa Bypass Canal, Hillsborough River, and Alafia River is processed through a state-of-the-art surface water treatment plant to provide residents with enough drinking water to meet increasing demands. The plant also takes water from, and supplies water to, the C.W Bill Young Regional Reservoir depending on current drought conditions. When flow rates for the rivers or canal dip below a certain number, the plant will then pull from the reservoir which has a capacity of 15.5 billion gallons. This reservoir acts as a backup when drought conditions are bad. When flow rates are high, the plant has the option to send water back to the reservoir to fill it up in preparation for the next drought. The water produced from the plant, which can be up to 120 million gallons per day, is mixed with other sources, such as groundwater, to supply residents all over Hillsborough County.

The treatment process is a little different for surface water than groundwater because surface water contains organic materials. These materials must be removed to make the water safe to drink. The first stage in the process is the Veolia patented ACTIFLO system which removes the color and particles from the water. The second stage is ozone disinfection where ozone is used to kill any microorganisms that might be left in the water such as bacteria. The final stage is biologically active filtration in which "good bacteria" helps to remove any remaining organic molecules. Once the three stages are complete the water is disinfected one last time before it is blended with other treated supplies for distribution. At the end of this entire process, the water produced from the surface water plant exceeds both state and federal drinking water standards.

To keep up with the population and increasing demand, the surface water plant is expanding. This expansion will add 10-12.5 million gallons of water per day capacity.



The surface water treatment plant, located in the heart of Hillsborough County, helps serve three counties when combined with other sources such as groundwater and desalinated seawater. In general, the surface water treatment plant typically provides almost one-third of the drinking water needed each month.



Restoring the Heart of Our Community: The Paloma Pond Revitalization Project

Written by La Paloma Residents

The Village of La Paloma HOA in Ruskin, Florida — nestled along the Cypress Creek Golf Course — is a small community of 170 homes with a big commitment to preserving its natural spaces. One of the HOA's primary responsibilities is maintaining the landscape areas and public open spaces that define the neighborhood's character. Over time, however, the once pristine 5-acre shared pond bordering the golf course began to decline. Heavy grass growth, algae blooms, and invasive weeds took hold, fueled by nutrient rich runoff from irrigation and fertilizers. Traditional herbicide treatments proved both costly and ineffective, prompting the community to seek a more sustainable, long-term solution.

That turning point came when a resident living along the pond took on the challenge. After extensive research, he presented the Board of Directors with an environmentally sound partnership opportunity involving the HOA, the Cypress Creek Golf Course, and the Florida Fish and Wildlife Conservation Commission (FWC). The proposal centered on a full mechanical cleanup of the pond followed by the introduction of sterile grass carp, an approach designed to restore ecological balance without relying on chemical treatments.

- **Step 1: Expert Consultation and Environmental Assessment**
The HOA began by meeting with the Hillsborough County Environmental Services Division and FWC biologists to understand the potential benefits and long-term impact of the project. Their analysis confirmed that a mechanical cleanup combined with biological control would offer a cost effective, environmentally responsible path to restoring the pond.
- **Step 2: Mechanical Removal of Invasive Vegetation**
With approval secured, the project moved forward. Crews removed large quantities of hydrilla, duckweed, algae mats, and invasive grasses—vegetation that had been choking the pond's natural ecosystem. The golf course played a key role by allowing the HOA to store thousands of pounds of wet plant material on its grounds, where it could dry thoroughly before being recycled into wooded areas around the course.
- **Step 3: Introducing Sterile Grass Carp**
Once the cleanup was complete, FWC biologists authorized the introduction of 50 juvenile sterile grass carp. These fish are known for their appetite for hydrilla and duckweed, making them a natural, chemical-free solution for controlling invasive growth. Over time, they will help maintain a healthier aquatic environment and reduce the need for ongoing herbicide treatments.

This collaborative, ecologically focused approach offers multiple benefits:

- Restores the pond's natural beauty.
- Supports healthier irrigation systems.
- Reduces reliance on chemical herbicides.
- Lowers long term maintenance costs.
- Promotes a balanced, thriving aquatic ecosystem.

The La Paloma pond revitalization project stands as a model of community initiative, environmental stewardship, and effective partnership. By choosing a sustainable path, the HOA not only improved a vital shared resource but also reinforced the community's commitment to preserving the natural environment for years to come.



Before pond revitalization the pond was covered in algae and invasive species

During the project the removed vegetation was put on the bank to dry before disposal

After the project the pond was free of algae and full of grass carp to help maintain the pond in the long-term

How to Identify and Report an Illicit Discharge

Have you seen something other than stormwater entering a stream or lake, or witnessed somebody dumping something down a storm drain? Are you concerned about sediment washing away from a construction site? Hillsborough County makes it easy to report illegal dumping or discharges. Here is a link to report discharges or dumping into waterbodies, curb inlets, or stormwater ponds: <https://hillsborough.wateratlas.usf.edu/atlas-forms/ReportPollution>.

To report illicit discharges, first make sure to write down key information. Don't be brief; describe everything you know about the situation. It is essential to thoroughly describe the facts. Describe exactly where the problem occurred, including the address. Be specific about how much material you saw. Describe the people involved. Was the weather an important factor? What was the exact time and duration of the event? Listed below is a brief example of the information you will need to report:

- Date and time of incident
- Location of incident
- A description of the illegal activity witnessed
- Waterbody (optional)
- Photos (optional)
- Contact information (optional)

Examples of illicit discharges you can report!



Sediment tracking from a nearby construction site



Resident blowing yard debris down a storm drain

Adopt-A-Pond Program 2026

Steven Russell
3-23-26
4/27/2026

- **Reviewed Application Process**
 - No change from prior process
 - 4 weeks to process, requires review and approval from EPS and Southwest Florida Water Management District
 - Include mini-grant award information
 - Mini Grant award reviewed
 - Ponds #13 and #21, and 35 proposed in application
 - Boards Members and volunteers will need to sign application
 - County does not provide employees for planting or maintenance
 - Adopt- A-Pond program does not require Worker Compensation Insurance for volunteers
 - David and Sarah are available to attend Board meeting, plan for April meeting for a status update and Q&A
- **Points of Contract**
 - Meetings with Adopt-A-Pond County Management
 - David Glicksberg, P.G., Sustainable Water Resources Section Manager at Hillsborough County
 - Environmental Services Division
 - P: (813) 744-5671
 - M: (813) 245-4918
 - E: glicksbergd@HCFLGov.net
 - Sarah Sacco, Senior Environmental Specialist at Hillsborough County, Adopt-A-Pond coordinator
 - Environmental Services Division
 - P: (813) 702-8724
 - M: (813) 245-4918
 - E: SaccoS@hcfl.gov

- ***Participants in the Hillsborough County Adopt-a-Pond program are generally not required to have workers' compensation insurance because they are volunteers, not employees.***
- **Volunteer status and workers' compensation**
 - Under Florida law, unpaid volunteers who donate their time to government agencies or nonprofit organizations are generally not considered employees for workers' compensation purposes.
 - Therefore, Adopt-a-Pond participants, who are residents volunteering their time, are not covered by a workers' compensation policy provided by Hillsborough County.
- **Volunteer waivers and liability**
 - The Adopt-a-Pond (AAP) program's agreement includes an indemnification clause (attached application) where volunteers agree to hold the county harmless for claims arising from a volunteer's own negligence.
- **County has not required volunteers to have Workers Comp insurance**
 - Application has indemnification clause
 - Hillsborough County provides important guidelines for safety, and participants
 - 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 and pond group members, Hillsborough County, 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 extend the limits of liability beyond those established in Section 768.28, Florida Statutes