

## RESOLUTION 19-R99

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, RATIFYING THE INTERLOCAL AGREEMENT FOR OPERATION OF TEMPORARY ANIMAL SHELTER; PROVIDING FOR AUTHORITY TO NEGOTIATE A CONTRACT WITH A THIRD-PARTY VENDOR TO PROVIDE EMERGENCY ANIMAL SERVICES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, St. Lucie County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (“County”), the City of Fort Pierce, a municipal corporation of the State of Florida, by and through its City Commission (“Fort Pierce”), and the City of Port St. Lucie, a municipal corporation of the State of Florida, by and through its City Council (“Port St. Lucie”), desire to enter into an Interlocal Agreement providing for emergency animal services throughout St. Lucie County; and

**WHEREAS**, Section 163.01, Fla. Stat. (2019), the “Florida Interlocal Cooperation Act of 1969,” provides that local governments, or public agencies, may cooperate by agreement with one another to provide services and facilities that will best meet the needs of local communities; and

**WHEREAS**, the above-named governmental entities are public agencies as that term is defined in Section 163.01(3)(a), Fla. Stat. (2019) referred to hereinafter as the “party” or “parties;” and

**WHEREAS**, each party currently contracts separately with the Humane Society of St. Lucie County, Inc. d/b/a Second Chance Animal Shelters (“Humane Society”) to provide certain animal services; and

**WHEREAS**, each party’s existing agreement with the Humane Society expired on September 30, 2019; and

**WHEREAS**, the parties desired to enter into one unified contract with the Humane Society for certain animal services; and

**WHEREAS**, negotiations between the parties and the Humane Society for a unified contract took place and the parties and the Humane Society were unable to reach agreeable terms; and

**WHEREAS**, each party received a letter from the Humane Society on July 18, 2019 advising them to seek sheltering services elsewhere by October 1, 2019; and

**WHEREAS**, the governing body of each party voted to not renew their respective contracts with the Humane Society and to instead obtain emergency animal services on a temporary basis until a formal contract for a permanent shelter can be established; and

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**WHEREAS**, the parties have determined a joint animal shelter is the most efficient and effective means of offering such shelter services; and

**WHEREAS**, the parties acknowledge it is necessary to operate a temporary shelter; and

**WHEREAS**, the County has identified one of its buildings which is available for use as a temporary animal shelter (referred to hereinafter as “Temporary Shelter”); and

**WHEREAS**, each party agrees to contribute to the cost of operating the Temporary Shelter; and

**WHEREAS**, the County agrees to provide emergency animal services to Port St. Lucie and Fort Pierce in accordance with the terms of the proposed Interlocal Agreement attached hereto as Exhibit “A,” or in the alternative the parties seek authority from their representative Boards to permit the agencies’ County Administrator or City Managers to execute a temporary, emergency agreement, within the confines of the agencies’ budgets, with a third-party vendor to provide emergency services at the Temporary Shelter, should the parties deem such an agreement is necessary.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:**

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Resolution.

Section 3. Enactment. The City Council of the City of Port St. Lucie hereby ratifies the Interlocal Agreement for Operation of Temporary Animal Shelter in substantially the same form as attached hereto as Exhibit “A” and incorporated herein by reference. The City Council previously authorized execution of same by the City Manager on September 23, 2019.

Section 3. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

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**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Gregory J. Oravec, Mayor

ATTEST:

\_\_\_\_\_  
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

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James D. Stokes, City Attorney