



## Legislation Text

---

**File #:** 2019-909, **Version:** 1

---

Placement: Resolutions

Action Requested: Motion / Vote

### Resolution 19-R99, Interlocal Agreement for Operation of Temporary Animal Shelter

Submitted By: Keri S. Norbraten, Senior Assistant City Attorney/Police Advisor

Strategic Plan Link: The City's Mission to provide exceptional municipal services.

#### Summary Brief (Agreements/Contracts only)

1. Prepared by: Keri S. Norbraten, Senior Assistant City Attorney
2. Parties: City of Port St. Lucie ; St. Lucie County; and City of Fort Pierce
3. Purpose: Define the rights, roles, responsibilities, and allocation of costs amongst all parties with respect to emergency animal services.
4. New/Renewal/Modified: Modified.
5. Duration: October 1, 2019 through March 31, 2020 or until execution of an agreement with a third-party vendor for emergency animal services.
6. Benefits to Port St. Lucie: Shelter, board, and care for all animals picked up by Animal Control within the City of Port St. Lucie.
7. Cost to Port St. Lucie (Annual and Potential): The amount of \$12,708.33 shall be paid to the County, or a third-party vendor, per month during the term of the Agreement, commencing October 15, 2019.

Presentation Information: Chief Bolduc and Senior Assistant City Attorney Keri S. Norbraten will answer any questions the Mayor and City Council may have.

Staff Recommendation: Move that the Council approve the Resolution and Interlocal Agreement for Operation of Temporary Animal Shelter in substantially the same form attached as Exhibit "A" to the Resolution.

#### Alternate Recommendations:

1. Move that the Council amend the recommendation and approve the Resolution and Interlocal Agreement for Operation of Temporary Animal Shelter in substantially the same form attached as Exhibit "A" to the Resolution.
2. Move that the Council provide staff direction.

Background: On July 18, 2019, the City of Port St. Lucie, the City of Ft. Pierce, and St. Lucie County received a letter from Second Chance Animal Shelters, operated by the Humane Society of St. Lucie County, stating that if the agencies could not enter a mutually acceptable Memorandum of Understanding with Second Chance Animal Shelters then Second Chance Animal Shelters believed that they were at an impasse with each

jurisdiction and would not seek to renew their existing contracts. Further, Second Chance Animal Shelters advised the three governmental agencies that unless the agencies could meet their demands, it was in everyone's mutual best interest to part ways. Finally, Second Chance Animal Shelters advised the three governmental agencies that we would need to "make plans for the animals commencing October 1, 2019." After receipt of the letter, the City of Port St. Lucie City Council, the City of Ft. Pierce City Commission, and the Board of County Commissioners of St. Lucie County decided not to seek renewal of their respective contracts with Second Chance Animal Shelters. On August 5, 2019, the City of Ft. Pierce City Commission authorized City Manager Nick Mimms to move forward with a Request for Proposals for a third-party vendor to operate a permanent shelter. Meanwhile, representatives from the three governmental agencies met to discuss our alternate options for a temporary, emergency solution to shelter animals taken in by the various Animal Control Divisions of the agencies. On September 23, 2019, City Council addressed Resolution 19-R90 and a proposed Interlocal Agreement for Emergency Animal Services that would permit the City Manager, Russ Blackburn, to negotiate and execute an agreement for emergency animal services between St. Lucie County, the City of Ft. Pierce, and the City of Port St. Lucie, not to exceed the amount previously budgeted for the services of Second Chance Animal Shelters. Staff was directed to seek ratification of the agreement by City Council once the agreement was signed by all parties. The fully executed Interlocal Agreement for Operation of Temporary Animal Shelter and accompanying Resolution provide for a temporary shelter located in St. Lucie County. The County has provided a temporary shelter, which they will operate, with potential assistance from the City of Port St. Lucie and the City of Ft. Pierce; if the two municipalities have available employees to assist in its operation. In the alternative, St. Lucie County will contract with a third-party vendor to operate the temporary shelter. The City of Port St. Lucie will contribute \$12,708.33, on a monthly basis, towards the operation of the temporary shelter. This agreement shall be effective on the date it is recorded in the public records of St. Lucie County and shall remain in effect through and including March 31, 2020, unless extended or terminated upon mutual agreement of the parties. On or before February 1, 2020, the parties shall review the actual operating costs of the Temporary Shelter to determine whether an adjustment to the parties' contribution amounts is warranted. An individual party may choose to opt out of this agreement upon providing a minimum of forty-five (45) days prior written notice delivered to the other parties.

**Issues/Analysis:** To date, the three governmental agencies have been unified to find a solution to the animal sheltering issues within the county. We believe we should continue this unified approach and seek temporary, emergency services through the County or a third-party provider.

**Financial Information:** St. Lucie County is willing to accept a monthly payment of \$12,708.33 for operation of the Temporary Shelter. If a third-party vendor is used the cost may have to be negotiated within the confines of the authority previously granted to Mr. Blackburn. The payment to the County or third-party vendor will come from the Police Department's budget.

**Special Consideration:** The Port St. Lucie Police Department has been sheltering all animals in our care and control at the St. Lucie County Temporary Shelter as of October 1, 2019.

**Location of Project:** Citywide

**Attachments:** 1. Resolution and Exhibit "A" - Interlocal Agreement

*NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City*

*Council packets are available upon request from the City Clerk.*

**LEGAL SUFFICIENCY REVIEW:**

Approved as to Legal form and sufficiency by James D. Stokes, City Attorney. (Reference Legistar database for authorizing City Attorney representative.)