



TO: AUDRIA MOORE, SPECIAL PROJECTS COORDINATOR

FROM: SARA HEDGES, CITY ATTORNEY *SH*

RE: INTERLOCAL AGREEMENT BETWEEN ST. LUCIE COUNTY, TREASURE COAST EDUCATION RESEARCH AND DEVELOPMENT AUTHORITY (TCERDA), FORT PIERCE UTILITIES AUTHORITY (FPUA) AND THE CITY OF FORT PIERCE

CAO RLS FILE: RLS 24-212

DATE: JUNE 11, 2024

I have reviewed the above Request for Legal Services (RLS) related to the First Amendment to the Interlocal Agreement between St. Lucie County, Treasure Cost Education Research and Development Authority (TCERDA), the Fort Pierce Utilities Authority, and the City of Fort Pierce has not been provided. The background intent and information for the amendment to the Interlocal Agreement has not been provided to this Office. Therefore, this Office does not take a position as to whether this amendment accomplishes the intended goal.

This is a resubmission to RLS 24-13. Please refer to the Memorandum for RLS 24-13 for further information and interpretation from this Office. You should be aware there are significant changes in the language from the First Amendment provided in RLS 24-13 to this iteration of the First Amendment. This includes the following:

1. Language has been stricken indicating the annexation agreements that are to be signed are on a "parcel by parcel basis as that parcel needs water and wastewater service." Therefore, the annexation agreements will not be tied to the need for water and wastewater services.
2. Exhibits have been added to identify only specific parcels the County will not object to the City annexing. Please note, it is not clear the status of any other parcels subject to the original Interlocal Agreement within the Research Park not included on the Exhibits that have not been annexed and how they would be affected, if such parcels exist. As currently written, if those parcels exist, they will no longer be covered by the Interlocal Agreement annexation conditions. This could prove problematic.
3. The City cannot annex the identified parcels sooner than two (2) years from the date of the First Amendment. It should be noted the original Interlocal Agreement stated ten (10) years, which would have expired. By entering into this First Amendment, the City would now have to wait two (2) years for the listed parcels that it does not currently have to wait to annex.

With the above understanding and the above being your intent, the amended Agreement is approved as to legal form and correctness. If the above is not your intent, please let me know so we can determine how to amend the First Amendment further.

If you have any questions, please do not hesitate to contact this Office via phone or e-mail.

Thank you.
SH/mm