



TO: JENNIFER ROBINSON, EXECUTIVE ASSISTANT TO THE CITY MANAGER
FROM: ANDREA H. DUENAS, ASSISTANT CITY ATTORNEY
THROUGH: SARA HEDGES, CITY ATTORNEY
RE: REVIEW EDC AGREEMENT (ANNUAL FEE/PARTNERSHIP)
CAO RLS FILE: 24-389
RELATED RLS: 24-310 - EDC DRAFT AGREEMENT-KINGS HIGHWAY JOB CORRIDOR (NOT APPROVED)
DATE: OCTOBER 25, 2024

I have reviewed the above Request for Legal Services (RLS) which asks the City Attorney's Office to approve an agreement between the City of Fort Pierce and the Economic Development Council of St. Lucie County.

It is my understanding that:

- Since 2002, the City has paid the EDC an annual partnership fee (see ledger attached).
- The fee for this fiscal year is due in the amount of \$62,500.

CHANGES MADE BY THIS OFFICE: I uploaded a redline version of the Agreement so you can see the changes made by this Office. Substantive changes include:

- The amount of the agreement has been adjusted based on the Acting City Manager's direction.
- The additional Service related to the economic development studies and the King's Highway jobs corridor has been added based on the Acting City Manager's direction.
- I added several paragraphs to the Agreement submitted. These are standard in City contracts (right to audit; non-discrimination; sovereign immunity; public records; severability; no waiver; compliance with laws).
- I added an exhibit containing the Sex Trafficking Affidavit the EDC must execute per Florida law.
- I added whereas clauses to provide context and satisfy the legal requirement that the legislative body find that the services performed serve a valid public purpose.
- **Duration:** The term of the agreement cannot be perpetual. The agreement has been changed to a one (1) year agreement to coincide with the budgetary approvals. A new agreement will need to be entered each year.

MISSING DETAILS: The Agreement is missing important details which must be supplied by you, the Department, and the EDC:

Scope of Services: This Office recommends that this section be as specific as possible. *Subpart C* requires the EDC to conduct events, workshops and seminars. More details should be provided about the promised activities and who's invited to participate.

I uploaded a Changes Accepted version for your convenience. Once you have filled in the missing details, the Changes Accepted version of the Agreement is approved to form and correctness.

**** NOTE: Please use this agreement as your template for services agreements.**

Please do not hesitate to contact this office if you have any questions as to how to proceed.

/ahd

VENDOR/SEQ#/NAME/STATUS										
ACCTG ---TRANSACTION---										
BATCH	P.O.#	PER.	CD	DATE	NUMBER	INVOICE NUMBER	DESCRIPTION	ACCOUNT NUMBER	ENCUMBRANCE AMOUNT	TRANSACTION AMOUNT

50822	00	ECONOMIC DEVELOPMENT COUNCIL OF SLC								A
00996	220574	3/22	EN	12/20/21	220574		PO ENTRY	001-6000-513.82-30	40000.00	
01030	220574	1/22	AP	10/01/21	0283088	2021-01-894	NVSTMNT PRTRNSHP FEE FY22	001-6000-513.82-30	40000.00-	40000.00
05174	210088	12/21	EN	9/30/21	210088		LIQUIDATE FY 21 PO'S	001-6000-513.82-30	22500.00-	
00120	210088	1/21	EN	10/13/20	210088		PO ENTRY	001-6000-513.82-30	22500.00	
05050		12/20	AP	8/27/20	0278425	2020-01-668	OCTOBER 2020-SEPT 2021	001-6000-513.82-30		22500.00
00132	200158	1/20	EN	10/14/19	200158		PO ENTRY	001-6000-513.82-30	25000.00	
00208	200158	1/20	AP	9/25/19	0273317	2019-01-459	INVESTMENT PRTRNSHP FEE	001-6000-513.82-30	25000.00-	25000.00
01813	190754	5/19	EN	2/06/19	190754		PO ENTRY	001-6000-513.82-30	25000.00	
02005	190754	5/19	AP	1/31/19	0270384	2019-01-247	INVSTMNT PARTNERSHIP FEE	001-6000-513.82-30	25000.00-	25000.00
02464		6/18	AP	7/28/17	0265771	2017-01-362	INVESTMENT PARTNERSHIP	001-6000-513.82-30		25000.00
00045		1/17	AP	8/05/16	0259344	2016-01-136	INVESTMENT PARTNERSHIP	001-6000-513.82-30		25000.00
00013		1/15	AP	10/01/14	0250068	2014-05-76	LEADERSHIP OCT 14-SEPT 15	001-6000-513.82-30		5000.00
06385		12/12	AP	10/04/12	0241418	2012-07-232	PARTNESHIP ECONOMIC DEVL	001-6000-513.82-30		15000.00
00024		1/12	AP	10/04/11	0236891	3101	PARTNERSHIP FEE-10/11-12	001-6000-513.82-30		15000.00
00011		1/11	AP	10/04/10	0232476	2220	ECONOMIC DEVELOPMENT	001-6000-513.82-30		15000.00
00033		1/10	AP	10/06/09	0227483	1965	ECONOMIC DEVELOPMENT	001-6000-513.82-30		15000.00
00386		1/09	AP	10/31/08	0221560	612	ECONOMIC DEVL. COUNCIL	001-6000-513.82-30		15000.00
00232		1/08	AP	10/23/07	0214798	436	ECONOMIC DEVL. COUNCIL	001-6000-513.82-30		15000.00
00369		2/07	AP	11/06/06	0208300	2006-2007	ECONOMIC DEVL. COUNCIL	001-6000-513.82-20		15000.00
00458		2/06	AP	11/18/05	0201364	2005-2006	ECONOMIC DEVL. MEMBERSHIP	001-6000-513.82-20		15000.00
00805		3/05	AP	12/07/04	0195056	OCT '04-'05	MEMBERHSIP	001-6000-513.82-30		15000.00
00352		2/04	AP	11/06/03	0187109	2003-2004	ECONOMIC DEVL. MEMBERSP.	001-6000-513.82-30		15000.00
01811		5/03	AP	2/05/03	0181333	1122023	'02-'03 INVESTMENTS	001-6000-513.82-30		15000.00
03988		10/02	AP	7/22/02	0177603	07120204	ANNUAL INVEST. PARTNERSHIP	001-6000-513.82-55		15000.00
00846		3/02	AP	12/11/01	0173218	3131086204	ECONOMIC DEVL. COUNCIL	103-9000-554.40-30		160.00
VENDOR TOTAL -									.00	347,660.00