AGENDA

PORT OF SIUSLAW COMMISSION MEETING

Wednesday, March 17, 2021 7:00pm Port of Siuslaw Conference Room 100 Harbor St, Florence, OR 97439 OR

Teleconference call in # 1-317-762-7200 ID# 2236457409

Terry Duman, President; Mike Buckwald, Secretary, Bill Meyer, 1st VP, Robert Ward, Treasurer Craig Zolezzi, 2nd VP

	n Zoom Meeting :ps://zoom.us/j/96534996499?pwd=QS9wODY1dmpCRmw5clU3cHZxMHJhdz09	
	Call to Order	Duman
	Public Comment: This is an opportunity for members of the audience to bring to the item not otherwise listed on the Agenda. Comments will be limited to five (5) minutes time of 15 minutes for all items. Speakers may not yield their time to others.	
1.	Approval of the Agenda by consent	Duman
2.	Approval of the Minutes by consent a. 1-20-21 Meeting Minutes draft b. 1-28-21 Work Session Minutes draft	Duman
3.	 Approval of the financials by consent a. Checks printed in February \$134,227,89. \$55000.00 of that was annual b. Occupancy for Campground was down 3% and moorage stayed the second control of the financials by consent 	
4.	IGA between Port of Siuslaw and the City of Florence	Huntington
5.	Manager and Commissioner Reports	
	Public Comment: Comments will be limited to five (5) minutes per person, with a maxms. Speakers may not yield their time to others.	ximum time of 15 minutes for all
Up	• April 21, 2021 Board Commission Meeting	

Duman

Adjourn

MINUTES

PORT OF SIUSLAW COMMISSION MEETING

Wednesday, January 20, 2021 7:00pm Port of Siuslaw Conference Room 100 Harbor St, Florence, OR 97439 OR

Teleconference call in # 1-317-762-7200 ID# 2236457409

These minutes will be reviewed for approval at the 2-17-21 meeting

Join Zoom Meeting

https://zoom.us/j/91626419458?pwd=cEtscXpwbEtaMUZUczgvRVI1ZUZYQT09

Commissioners
Terry Duman, President;
Bill Meyer, 1st VP, Robert Ward, Treasurer
Craig Zolezzi, 2nd VP
Absent, Mike Buckwald, Secretary;

- 1. Call to Order 7:21pm
- 2. Public Comment: no public comment
- 3. Approval of the Agenda by consent
- 4. Approval of the Minutes by consent
 - a. 12-16 Meeting Minutes draft
- 5. Approval of the financials by motion from Ward, second by Zolezzi and vote was unanimous.

Checks printed in December was \$66,710.45. Occupancy for Campground is down 3% and moorage stayed the same at 48%.

- 6. Review bids for outer circle electrical upgrade
 - a. CFE LLC Electrical
 - b. Elkhorn Electric, LLC
 - c. Reese Electric, Inc.

Huntington recommended CFE. He stated they are familiar with the campground and will be doing the sewer for the project and the hook up for the pump stations, which we need two (2) of. Zolezzi wanted to know who we had do the last upgrade. Huntington said it was CFE. All Commissioners agreed and CFE-LLC Electrical will be chosen.

- 7. PVIP Meyer presented two (2) talking points. One was for small parcel valuations and the other a map. Meyer explained what he and Mike Miller, from the City, had talked about. He said the Port needs to decide if they want to develop and sell any parcels or try to sell it. He said the Port would not incur any costs until the parcels sold. If we didn't want to develop it, it needs to be marketed differently to be attractive. Ward stated the Port may not have to build the road but have a bond that it would be. He said we need to figure out the optimum size lots would be for what we want in there. Huntington said he was contacted about the property by a company that is interested in an aquacultural project. He said they are local and want to get started. Huntington didn't talk pricing with them. He will keep the Commission posted. Ward suggested waiting to see what this company will do before talking about a realtor.
- **8. Manager and Commissioner Reports –** Zolezzi asked Huntington about the dock replacement. Huntington said we are still trying to get an estimate. There are not a lot of companies out there for docks. *Port Commission Minutes*

He also wanted to know if it is unsafe and blocked off. Huntington said yes. Huntington said it was destroyed and not repairable. Huntington said we need proper booms to keep debris out of the marina. The logs we are using are not working and almost sinking. Huntington is trying to get prices for proper booms but they are very expensive. Ward mentioned the upcoming meeting with LCOG for the Strategic Business Plan and wanted to know if there is updated material to review before the meeting. Stewart said she would forward the information.

Adjourn 7:58pm



MINUTES

PORT OF SIUSLAW WORK SESSION

Thursday, January 28, 2021 5:00pm Port of Siuslaw Conference Room 100 Harbor St, Florence, OR 97439 OR

Teleconference call in # 1-317-762-7200 ID# 2236457409

These minutes will be reviewed for approval at the 2-17-21 meeting

Commissioners Terry Duman, President; Bill Meyer, 1st VP, Robert Ward, Treasurer Craig Zolezzi, 2nd VP Absent, Mike Buckwald, Secretary;

- 1. Call to Order 5:08 pm
- 2. Strategic Business Plan Review with LCOG Henry Hearley, Jacob McCallister and Rachel Dorfman, from LCOG, were on a zoom meeting with the Commission. They reviewed what they have already worked on and wanted the Commissions direction on stakeholder engagement. LCOG had a slide presentation. Commissioners came up with some stakeholder names for LCOG. The strategy discussed was to have individual interviews and focus groups. It was also discussed having one or two work sessions. The end date for this project is to be August 2021.

The full zoom meeting can be viewed using the link below.

 $\frac{https://us02web.zoom.us/rec/share/X6iwKosVAoZgOSsRuI6C3N1AX24TLjKBoOs7fDdM5aSrgY-dKwG0cc5rP8kW5RLr.ksmm0um7oyufPmN1}{}$

Adjourn 6:09pm

Port of Siuslaw Combined Balance Sheet

As of February 28, 2021

	Feb 28, 21
ASSETS	
Current Assets	
Checking/Savings	45.000.00
1006 · Umpqua General Checking	45,303.22
1007 · Umpqua Savings	176,356.63
1009 · Umpqua MMA General Fund	1,122,949.61
1011 · Umpqua MMA ICM	5,178.28
1070 · Petty Cash	1,000.00
Total Checking/Savings	1,350,787.74
Other Current Assets	
1130 · Inventory - Gas	4,467.30
1140 · Inventory - Diesel	2,063.10
1220 · Accounts Receivable	10,756.95
1250 · Taxes receivable	25,649.00
1450 · Prepaid insurance	18,865.50
1499 · Undeposited Funds	983.95
Total Other Current Assets	62,785.80
Total Current Assets	1,413,573.54
Fixed Assets	
1510 · Land	2,617,874.00
1515 · Land Improvements	1,967,044.50
1520 Buildings & Docks	7,940,393.56
1525 · Equipment & Vehicles	753,005.71
1600 · Accumulated Depreciation	-690,873.00
1615 · Accum Depr - Land Improvements	-1,321,558.70
1620 · Accum Depr - Buildings & Docks	-4,731,734.33
1625 · Accum Depr - Equip & Vehicles	-706,731.44
Total Fixed Assets	5,827,420.30
TOTAL ASSETS	7,240,993.84
LIADILITIES & EQUITY	
LIABILITIES & EQUITY Liabilities	
Current Liabilities	
Accounts Payable	
2000 · *Accounts Payable	7,673.60
Total Accounts Payable	7,673.60
Credit Cards	7,070.00
2021 · Port Credit Card 1	5.152.43
2022 · Port Credit Card 2	-175.00
Total Credit Cards	4,977.43
Other Comment Liebilities	,
Other Current Liabilities 2030 · Deposits Held	7,360.00
2030 · Deposits Heid 2040 · Gift Certificates	1,360.00
2045 · Unearned CG Revenue (Hercules)	221,043.70
2050 · Deferred Compensation Plan NRS	9,281.63
2155 · Oregon Statewide Transit Tax	-36.65
2495 · Current Ptn of Lon-Term Debt	62,177.90
Total Other Current Liabilities	299,926.58
Total Current Liabilities	312,577.61
Long Term Liabilities	20.4
2380 · Long-Term Debt current portion	-62,177.90
2390 · OBD Loan L0004 Bdwk	67,234.42
2440 · OBD Loan 524016 Dredging	45,996.96 276.522.57
2491 · OBD Loan 525186 MSLTD 2492 · OBD Loan 525196 Wharf	376,532.57
2432 . ODD FOSH 272,180 MUSIL	282,981.69

10:38 AM 03/08/21 Accrual Basis

Port of Siuslaw Combined Balance Sheet

As of February 28, 2021

	Feb 28, 21
2993 · BB Loan 1000214241 PVIP	186,014.26
Total Long Term Liabilities	896,582.00
Total Liabilities	1,209,159.61
Equity 3300 · Invested in Capital Assets 3900 · Fund Balance Net Income	4,738,587.40 -123,720.09 1,416,966.92
Total Equity	6,031,834.23
TOTAL LIABILITIES & EQUITY	7,240,993.84

Port of Siuslaw Profit & Loss Budget vs. Actual - General Fund

July 2020 through February 2021

TOTAL

							TOTAL					
	Jul 20	Aug 20	Sep 20	Oct 20	Nov 20	Dec 20	Jan 21	Feb 21	Year to Date	Budget	Variance	
Income												
4100 · Available Beginning Cash	948,963.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	948,963.00	948,963.00	0.00	
4140 · Campground Revenue	114,163.67	122,833.35	116,426.62	65,349.73	24,751.49	19,118.44	21,575.52	23,888.06	508,106.88	440,000.00	68,106.88	
4150 · Leases	14,602.08	14,602.08	14,602.08	14,602.08	14,602.08	14,602.08	14,502.08	14,089.90	116,204.46	175,225.00	-59,020.54	
4160 · Moorage	11,797.51	14,764.10	19,939.52	9,605.24	4,615.53	4,545.74	4,655.89	3,976.00	73,899.53	74,000.00	-100.47	
4170 · Storage	148.36	148.36	148.36	148.36	748.36	448.36	148.36	148.36	2,086.88	1,600.00	486.88	
4190 · Marine Fuel	2,920.62	3,793.32	9,886.61	3,868.64	81.97	0.00	0.00	0.00	20,551.16	15,000.00	5,551.16	
4200 · Other Facility Income	3,520.47	4,430.73	4,319.00	5,836.15	1,123.00	984.78	800.17	165.00	21,179.30	14,000.00	7,179.30	
4500 · Levied Taxes												
4510 · Current Levied Taxes	11,764.00	459.52	404.28	380.04	120,639.12	190,243.88	6,627.62	2,043.85	332,562.31	325,900.00	6,662.31	
4520 · Prior Years Levied Taxes	145.38	381.17	285.75	284.29	770.71	457.60	320.85	297.66	2,943.41	3,500.00	-556.59	
4525 · Levied Tax Interest	317.72	90.50	71.40	99.50	85.97	43.18	62.00	71.64	841.91	500.00	341.91	
Total 4500 · Levied Taxes	12,227.10	931.19	761.43	763.83	121,495.80	190,744.66	7,010.47	2,413.15	336,347.63	329,900.00	6,447.63	
4515 · State Forest Sales	0.00	0.00	16,517.61	0.00	5,937.31	0.00	0.00	30.53	22,485.45	20,000.00	2,485.45	
4540 · Interest Income	189.61	194.68	200.83	218.18	174.95	155.34	154.64	88.85	1,377.08	5,000.00	-3,622.92	
4550 · Maintenance Assistance Program	0.00	0.00	0.00	19,000.00	0.00	0.00	0.00	0.00	19,000.00	19,000.00	0.00	
4600 · Miscellaneous Income	29.56	186.58	80.25	5,722.96	90.21	566.99	1,336.92	226.98	8,240.45	10,000.00	-1,759.55	
4750 · Business Oregon Reimb Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,356.00	6,356.00	33,750.00	-27,394.00	
Total Income	1,108,561.98	161,884.39	182,882.31	125,115.17	173,620.70	231,166.39	50,184.05	51,382.83	2,084,797.82	2,086,438.00	-1,640.18	
Gross Profit	1,108,561.98	161,884.39	182,882.31	125,115.17	173,620.70	231,166.39	50,184.05	51,382.83	2,084,797.82	2,086,438.00	-1,640.18	
Expense												
5000 · Personal Services												
5020 · Port Manager	8,531.25	2,843.75	5,687.50	5,687.50	5,687.50	5,904.30	6,000.00	6,000.00	46,341.80	70,997.00	-24,655.20	
5030 · Administrative Assistant	5,739.36	1,967.68	3,980.08	3,938.16	3,764.08	4,152.17	4,173.94	3,801.20	31,516.67	45,428.00	-13,911.33	
5045 · Services Lead	3,100.16	1,464.32	2,936.96	2,932.80	2,795.52	2,377.94	0.00	0.00	15,607.70	35,693.00	-20,085.30	
5050 · Office Assistant	3,522.40	1,397.76	2,562.56	2,446.08	2,628.08	2,662.88	2,562.56	2,679.04	20,461.36	32,448.00	-11,986.64	
5075 · Maintenance I Lead	5,885.44	2,023.12	4,230.16	3,862.32	4,046.24	4,630.88	4,046.24	4,230.16	32,954.56	49,732.00	-16,777.44	
5079 · Maint II/ Staff	4,607.68	1,555.84	3,111.68	3,111.68	2,970.24	3,328.48	3,253.12	2,970.24	24,908.96	37,856.00	-12,947.04	
5080 · Maint III / groundskeeper	2,132.90	0.00	0.00	0.00	0.00	838.19	2,240.00	2,184.00	7,395.09	32,448.00	-25,052.91	
5110 · Payroll taxes	3,550.28	1,187.57	2,237.11	2,180.29	2,098.43	2,142.27	2,383.61	3,949.52	19,729.08	30,500.00	-10,770.92	
5180 · Health Insurance	3,508.14	3,508.14	3,508.14	3,508.14	3,508.14	3,508.14	3,508.14	3,508.14	28,065.12	50,000.00	-21,934.88	
5181 · Life Insurance	14.22	14.22	14.22	14.22	14.22	14.22	14.22	14.22	113.76	200.00	-86.24	

Port of Siuslaw Profit & Loss Budget vs. Actual - General Fund

July 2020 through February 2021

	Total							. •	\L		
	Jul 20	Aug 20	Sep 20	Oct 20	Nov 20	Dec 20	Jan 21	Feb 21	Year to Date	Budget	Variance
5182 · Dental Insurance	308.76	308.76	308.76	308.76	308.76	308.76	308.76	308.76	2,470.08	4,500.00	-2,029.92
5190 · Workers Compensation Insurance	9,525.24	0.00	764.95	0.00	0.00	0.00	0.00	0.00	10,290.19	12,000.00	-1,709.81
5251 · Applicant Expenses	45.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	45.75	0.00	45.75
5270 · Retirement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,782.53	9,782.53	13,000.00	-3,217.47
5275 · Compensated absences	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,000.00	-5,000.00
5280 · Overtime	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,000.00	-3,000.00
Total 5000 · Personal Services	50,471.58	16,271.16	29,342.12	27,989.95	27,821.21	29,868.23	28,490.59	39,427.81	249,682.65	422,802.00	-173,119.35
5300 · Material and Services	49,717.95	55,001.73	38,883.87	48,545.69	27,659.38	27,388.54	37,303.67	75,861.29	360,362.12	576,000.00	-215,637.88
6000 ⋅ Capital Outlay											
6130 ⋅ Land											
6136 · Campground Restrooms	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	175,000.00	-175,000.00
6139 · Harbor Parking Lot	0.00	7,825.00	0.00	0.00	0.00	0.00	0.00	0.00	7,825.00	20,000.00	-12,175.00
6146 · Landscape Pull Through Sites	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,000.00	-10,000.00
Total 6130 ⋅ Land	0.00	7,825.00	0.00	0.00	0.00	0.00	0.00	0.00	7,825.00	205,000.00	-197,175.00
6150 · Facilities											
6151 · Mo's Building	0.00	0.00	0.00	0.00	220.99	4,963.75	0.00	0.00	5,184.74	12,000.00	-6,815.26
6155 · Wharf/Bdwk Fire System	0.00	0.00	0.00	20,000.00	0.00	0.00	0.00	0.00	20,000.00	20,000.00	0.00
6157 · Business Oregon Fees	0.00	3,618.06	0.00	0.00	0.00	784.94	0.00	2,501.92	6,904.92	11,250.00	-4,345.08
6158 · CG outer Circle Electrical Upgr	0.00	0.00	0.00	0.00	0.00	0.00	30,090.50	618.37	30,708.87	75,000.00	-44,291.13
6159 · CG Pedestal Repairs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	17,000.00	-17,000.00
Total 6150 · Facilities	0.00	3,618.06	0.00	20,000.00	220.99	5,748.69	30,090.50	3,120.29	62,798.53	135,250.00	-72,451.47
Total 6000 · Capital Outlay	0.00	11,443.06	0.00	20,000.00	220.99	5,748.69	30,090.50	3,120.29	70,623.53	340,250.00	-269,626.47
6700 · Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	515,000.00	-515,000.00
7000 · Debt Service	13,031.98	8,856.99	1,432.05	13,031.98	30,694.21	1,432.05	13,031.98	8,856.99	90,368.23	115,150.00	-24,781.77
7600 · Unappropriated Ending Fund Bal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	44,085.00	-44,085.00
7700 · Transfer to other funds	0.00	0.00	0.00	0.00	0.00	73,151.00	0.00	0.00	73,151.00	73,151.00	0.00
Total Expense	113,221.51	91,572.94	69,658.04	109,567.62	86,395.79	137,588.51	108,916.74	127,266.38	844,187.53	2,086,438.00	-1,242,250.47
Net Income	995,340.47	70,311.45	113,224.27	15,547.55	87,224.91	93,577.88	-58,732.69	-75,883.55	1,240,610.29	0.00	1,240,610.29

11:42 AM 03/11/21 Accrual Basis

Port of Siuslaw Profit & Loss Budget vs. Actual - Capital Maint Fund

July 2020 through February 2021

										TOTAL	
	Jul 20	Aug 20	Sep 20	Oct 20	Nov 20	Dec 20	Jan 21	Feb 21	Year to Date	Budget	Variance
Income											
4100 · Available Beginning Cash	103,188.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	103,188.58	103,181.00	7.58
4540 · Interest Income	0.00	0.00	7.80	9.25	0.00	0.00	0.00	0.00	17.05	0.00	17.05
4700 · Incoming Transfer	0.00	0.00	0.00	0.00	0.00	73,151.00	0.00	0.00	73,151.00	73,151.00	0.00
Total Income	103,188.58	0.00	7.80	9.25	0.00	73,151.00	0.00	0.00	176,356.63	176,332.00	24.63
Gross Profit	103,188.58	0.00	7.80	9.25	0.00	73,151.00	0.00	0.00	176,356.63	176,332.00	24.63
Expense											
7600 · Unappropriated Ending Fund Bal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	176,332.00	-176,332.00
Total Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	176,332.00	-176,332.00
Net Income	103,188.58	0.00	7.80	9.25	0.00	73,151.00	0.00	0.00	176,356.63	0.00	176,356.63

	Campground 2017/2018			Campground 2018/2019			Campground 2019/2020			Campground 2020-2021		
	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights
JULY	78%	74%	2452	86%	78%	2862	78%	86%	2617	77%	78%	2939
AUG	93%	86%	2953	94%	90%	3052	89%	84%	2978	88%	83%	3357
SEPT	91%	87%	2784	88%	89%	2760	84%	84%	2724	88%	84%	3243
ОСТ	40%	76%	1267	43%	78%	1398	42%	73%	1393	47%	75%	1780
NOV	28%	66%	862	30%	68%	878	33%	65%	1059	20%	64%	752
DEC	24%	59%	752	32%	62%	1035	28%	59%	937	18%	56%	680
JAN	23%	54%	719	36%	58%	1168	25%	54%	842	20%	51%	742
FEB	24%	50%	688	39%	56%	1152	28%	51%	861	22%	48%	763
MAR	28%	48%	880	44%	55%	1417	25%	48%	847		48%	
APR	31%	46%	951	39%	53%	1232	13%	45%	423		48%	
MAY	45%	46%	1419	44%	52%	1418	13%	42%	417		48%	
JUN	54%	47%	1659	45%	52%	1452	48%	42%	1566		48%	
TL YTD	47%	47%	17386	52%	52%	19824	42%	42%	16664		48%	
REV YTD \$508,194.00		\$	549,278.00)	\$	519,620.00)	\$505,636.00				

	Mod	orage 201 9	/20	Moorage 2020-21					
	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights			
JULY	44%	37%	1608	48%	44%	1745			
AUG	65%	55%	2413	63%	56%	2293			
SEPT	79%	63%	2836	79%	63%	2796			
ОСТ	43%	58%	1575	49%	60%	1790			
NOV	28%	52%	994	26%	53%	915			
DEC	27%	48%	992	23%	48%	852			
JAN	26%	45%	961	23%	44%	846			
FEB	26%	42%	903	24%	42%	783			
MAR	26%	40%	934		42%				
APR	26%	39%	914		42%				
MAY	30%	38%	1088		42%				
JUN	39%	38%	1367		42%				
TL YTD	38%	38%	16585		42%				
REV YTD	,	\$97,214.00	·	\$76,004.00					

Port of Siuslaw Profit & Loss Prev Year Comparison July 2020 through February 2021

		Jul '20 - Feb 21	Jul '19 - Feb 20	\$ Change	% Change
	Available Beginning Cash Campground Revenue	1,052,151.58 508,106.88	1,175,878.82 420,833.74	-123,727.24 87,273.14	-10.5% 20.7%
4150 ·	Leases	116,204.46	131,849.02	-15,644.56	-11.9%
4160 -	Moorage	73,899.53	70,413.20	3,486.33	5.0%
4170 -	Storage	2,086.88	8,299.38	-6,212.50	-74.9%
4190 -	Marine Fuel	20,551.16	24,206.59	-3,655.43	-15.1%
4200 -	Other Facility Income	21,179.30	22,717.90	-1,538.60	-6.8%
4500 -	Levied Taxes	336,347.63	326,718.80	9,628.83	3.0%
4540 · 4550 ·	State Forest Sales Interest Income Maintenance Assistance Prog Miscellaneous Income	22,485.45 1,394.13 19,000.00 8,240.45	32,377.04 13,201.83 19,000.00 3,499.50	-9,891.59 -11,807.70 0.00 4,740.95	-30.6% -89.4% 0.0% 135.5%
	Incoming Transfer Business Oregon Reimb Fund	73,151.00 6,356.00	60,000.00	13,151.00 6,356.00	21.9% 100.0%
Total Inc	ome	2,261,154.45	2,308,995.82	-47,841.37	-2.1%
Gross Profi	t	2,261,154.45	2,308,995.82	-47,841.37	-2.1%
Expense 5000 ·	Personal Services	249,682.65	241,854.28	7,828.37	3.2%
5300 -	Material and Services	360,362.12	334,824.38	25,537.74	7.6%
6000 -	Capital Outlay	70,623.53	420,985.28	-350,361.75	-83.2%
7000 -	Debt Service	90,368.23	90,368.23	0.00	0.0%
7700 -	Transfer to other funds	73,151.00	60,000.00	13,151.00	21.9%
Total Exp	pense	844,187.53	1,148,032.17	-303,844.64	-26.5%
Net Income		1,416,966.92	1,160,963.65	256,003.27	22.1%

INTERGOVERNMENTAL AGREEMENT BETWEEN THE PORT OF SIUSLAW AND THE CITY OF FLORENCE, OREGON REGARDING USE OF FUNDS

TO PURCHASE AND INSTALL SEATING, BIKE RACKS, AND TRASH RECEPTACLES ON PORT PROPERTY

This Intergovernmental Agreement ("Agreement") is hereby entered into on this 18 day of March, 2021, by and between the Port of Siuslaw ("Port"), and City of Florence ("City").

WHEREAS, the City has been awarded a grant from Travel Oregon in the amount of \$44,161.70

WHEREAS, the City allocated the grant award of \$44,161.70 towards purchase of new picnic tables, benches, bike racks, and trach receptacles ("furniture and equipment") in Old Town, Florence (the "Project"). Approximately \$36,000 of the grant will go towards furniture and equipment to be installed on the Port of Siuslaw's River Boardwalk ("Port property").

WHEREAS, the parties wish to avoid unnecessary expense and duplication and to coordinate the expenditure of public funds on the Port Boardwalk.

WHEREAS, the parties agree that the Project is a benefit to the City and the citizens of the community; and,

WHEREAS, the parties must designate the rights and responsibilities between them relating to the Project.

THEREFORE, the parties agree as follows:

- 1. The City will use the award to purchase picnic tables, small tables & seating, benches, bike racks and trash receptacles.
- 2. The City shall follow its procurement policy to solicit bids, select a bidder and award the purchase contract to purchase furniture and equipment for the Project. The Port shall participate in the procurement process to the extent necessary to clarify the type of furniture and equipment or secure bids, such as providing the City with information for any addendum. Provided that, the Port agrees that the City Council has the ultimate authority to award the purchase contract.
- 3. The City shall purchase the furniture and equipment for the Project and install the new furniture and equipment with all labor expenses being paid for by the City.

- 4. The Port and City will work cooperatively on the placement of furniture and equipment on Port property.
- 5. Pursuant to this Agreement, the City shall be the Owner of the Project and the furniture and equipment that are being installed. The City will install the furniture and equipment. For furniture and equipment installed on Port property routine maintenance and cleaning will be by the Port, including the disposal of the garbage from the garbage receptacles at the expense of the Port. If damage incurs to any of the furniture and equipment on Port property, the Port will contact the City Public Works Department to repair, replace or remove the furniture and equipment at City's sole discretion.
- 6. The parties agree that the City desires to complete construction of the Project on or before August 15, 2021. The parties shall use reasonable efforts, with respect to their individual duties under this Agreement, to facilitate completion by such date. Provided that, the City shall not be responsible to the Port for any damages if the Project is not completed by the August 15, 2021 deadline.
- 7. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, each party shall indemnify, within the limits of the Oregon Tort Claims Act, the other party against liability for damage to life or property arising from the indemnifying party's own activities under this agreement, provided that a party will not be required to indemnify the other party for any such liability arising out of the wrongful acts of employees or agents of the other party.
- 8. The term of this agreement is 15 years beginning March 18, 2021. At the end of the term, the furniture and equipment on Port property will be removed by the City and returned to the City.
- 9. This Agreement shall be governed and construed pursuant to the laws of the State of Oregon.

SIGNED:

Port of Siuslaw

City of Florence