

AGENDA
PORT OF SIUSLAW COMMISSION MEETING

Wednesday, March 20, 2024, 7:00pm
Port of Siuslaw Conference Room
100 Harbor St, Florence, OR 97439

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

Join Zoom Meeting

<https://us06web.zoom.us/j/85400250673?pwd=ihaM5pVk5W8Mg3cnqMfyqLOYbxh8t7.1>

Call to Order

Duman

Public Comment: *This is an opportunity for members of the audience to bring to the Commission's attention any item not otherwise listed on the agenda. Comments will be limited to five (5) minutes per person, with a maximum 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

Duman

3. Approval of the Financials by consent

Stewart

a. Checks printed in January were \$175,209.88, \$80,000 was insurance.

b. Occupancy for the Campground was down 2% from last year and moorage was up 9% from last year.

4. Local Government Law Group

Huntington

5. Manager and Commissioner Reports

Upcoming Meetings and Conferences

- **April 17, 2024, Commission Meeting 7:00pm**

Adjourn

Duman

MINUTES
PORT OF SIUSLAW COMMISSION MEETING

Wednesday, February 21, 2024, 7:00pm
Port of Siuslaw Conference Room
100 Harbor St, Florence, OR 97439

Present - Terry Duman, President;
Bill Meyer, 1st VP, Dale Edwards, Treasurer, Craig Zolezzi, 2nd VP
Mike Buckwald, Secretary Via Zoom - Dale Edwards, Treasurer,

Call to Order 7:00 pm

1. **Alan Ercolini, Central Oregon Coast Board of Realtors** – Ercolini said the National Association of Realtors has several grants they can apply for and one of them is called a place making grant. He applied for that grant for \$7500.00 and would like to add a play structure to the waterfront. He passed out pictures of a play structure but can't find it on the west coast. He said with shipping, from the east coast, it would be \$10,830.00. He said there are several challenges, first being the funding gap and second is to find someone to put the kit together. Meyer suggested the shop class at the schools. Meyer asked Zolezzi about the liability. Zolezzi said the manufacturer should be the one to do the install for safety concerns. Ercolini says the existing boat on the boardwalk is not safe. Zolezzi asked who is picking up the difference in money. Ercolini wanted to ask the Port to make up the difference and provide the land to put it on. Duman says he sees slip trips and falls. Meyer was concerned with the railing. Meyer suggested Krauss Craft which make playground equipment out of Grants Pass.

2. **Approval of the Agenda by consent** – Duman added a line item to the agenda entitled personnel.

3. **Approval of the Minutes by consent**

4. **Approval of the Financials by consent**

a. Checks printed in January were \$88,908.77

b. Occupancy for the Campground was down 1% from last year and moorage was up 10% from last year. Buckwald would like to know what our beginning cash was on June 30, 2023. Grimstad never got ahold of him regarding beginning balance on the budget.

5. **Moorage Rates** – Huntington had a spreadsheet showing our pricing compared to Port of Newport, Port of Coos Bay and Winchester Bay. Huntington said we should consider our commercial and recreational rates be the same to make it easier. Commissioners decided to make them the same rate. Stewart suggested a notice that the moorage rates will change to the recreational rates at their renewal time. Duman suggested we raise all rates across the board. Motion made to combine rates to the recreational rate by Edwards, second by Buckwald and vote was unanimous. Duman said it would save staff a lot of headache.

6. **Personnel** – Duman said there was an employee complaint and in order to investigate, the employee has been placed on leave.

7. **Manager and Commissioner Reports** – Huntington said that our current Attorney's are retiring and we need to find a new one. Huntington said he thinks we will need to send out an RFP unless we use LCOG and an intergovernmental agreement. Buckwald said to ask other Port's who they use.

Adjourn 7:45 pm

Port of Siuslaw
Combined Balance Sheet
As of February 29, 2024

	Feb 29, 24
ASSETS	
Current Assets	
Checking/Savings	
1006 · Umpqua General Checking	42,776.36
1008 · Capital Reserve MMA	332,961.77
1009 · Umpqua MMA General Fund	2,756,981.28
1011 · Umpqua MMA ICM	5,411.74
1070 · Petty Cash	1,000.00
Total Checking/Savings	3,139,131.15
Other Current Assets	
1130 · Inventory - Gas	11,130.30
1140 · Inventory - Diesel	13,429.10
1220 · Accounts Receivable	32,011.80
1250 · Taxes receivable	14,639.00
1450 · Prepaid insurance	27,494.50
1499 · Undeposited Funds	208.24
Total Other Current Assets	98,912.94
Total Current Assets	3,238,044.09
Fixed Assets	
1510 · Land	2,367,874.00
1515 · Land Improvements	2,013,036.50
1520 · Buildings & Docks	8,037,139.56
1525 · Equipment & Vehicles	761,055.71
1600 · Accumulated Depreciation	-1,290,853.00
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	5,128,228.30
TOTAL ASSETS	8,366,272.39
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · *Accounts Payable	8,177.26
Total Accounts Payable	8,177.26
Credit Cards	
2021 · Port Credit Card 1	6,552.89
2022 · Port Credit Card 2	144.00
Total Credit Cards	6,696.89
Other Current Liabilities	
2030 · Deposits Held	7,360.00
2040 · Gift Certificates	427.79
2045 · Unearned CG Revenue (Hercules)	385,592.92
2050 · Deferred Compensation Plan NRS	14,460.63
2160 · Accrued Interest	9,482.00
2420 · Lease Payable #9608	17,142.00
Total Other Current Liabilities	434,465.34
Total Current Liabilities	449,339.49
Long Term Liabilities	
2390 · OBD Loan L0004 Bdwk	42,664.00
2440 · OBD Loan 524016 Dredging	38,411.96
2491 · OBD Loan 525186 MSLTD	317,713.57
2492 · OBD Loan 525196 Wharf	250,372.69
	648,162.22

8:43 AM

03/13/24

Accrual Basis

Port of Siuslaw
Combined Balance Sheet
As of February 29, 2024

	<u>Feb 29, 24</u>
Total Long Term Liabilities	649,162.22
Total Liabilities	1,098,501.71
Equity	
3300 · Invested in Capital Assets	4,565,124.40
3900 · Fund Balance	-456,022.41
Net Income	3,158,668.69
Total Equity	7,267,770.68
TOTAL LIABILITIES & EQUITY	<u>8,366,272.39</u>

Port of Siuslaw
Profit & Loss Budget vs. Actual - General Fund
July 2023 through February 2024

	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Year to Date	TOTAL	
										Budget	Variance
Income											
4100 · Available Beginning Cash	2,446,647.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,446,647.00	2,446,647.00	0.00
4140 · Campground Revenue	138,713.52	128,944.33	114,871.12	68,157.83	34,481.80	28,107.29	24,642.35	32,742.22	570,660.46	800,000.00	-229,339.54
4150 · Leases	17,059.70	16,909.70	15,859.70	15,059.70	14,966.34	14,878.58	15,553.58	14,978.68	125,265.98	176,302.00	-51,036.02
4160 · Moorage	12,022.12	15,325.28	16,654.15	10,693.16	5,294.00	5,411.89	4,621.18	5,062.02	75,083.80	75,000.00	83.80
4190 · Marine Fuel	3,604.41	7,521.77	19,226.78	3,604.87	82.25	0.00	0.00	140.06	34,180.14	22,000.00	12,180.14
4200 · Other Facility Income	5,566.71	6,210.01	4,268.62	5,839.16	721.95	567.45	1,916.48	960.69	26,051.07	21,200.00	4,851.07
4500 · Levied Taxes	202.24	830.32	516.89	477.63	242,165.85	113,201.30	3,432.90	1,597.78	362,424.91	372,000.00	-9,575.09
4515 · State Forest Sales	10,026.20	0.00	0.00	0.00	9,682.81	0.00	0.00	2,223.46	21,932.47	10,000.00	11,932.47
4540 · Interest Income	8,342.64	9,280.97	9,380.00	10,465.19	10,483.77	12,253.26	12,241.41	11,798.84	84,246.08	4,000.00	80,246.08
4550 · Maintenance Assistance Program	0.00	0.00	0.00	0.00	38,000.00	0.00	0.00	0.00	38,000.00	21,350.00	16,650.00
4555 · Bulkhead Revenue	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	500,000.00	-500,000.00
4600 · Miscellaneous Income	19,703.69	6,100.00	205.50	10,257.11	5,037.92	299.16	37.00	21.15	41,661.53	30,000.00	11,661.53
Total Income	2,661,888.23	191,122.38	180,982.76	124,554.65	360,916.69	174,718.93	62,444.90	69,524.90	3,826,153.44	4,478,499.00	-652,345.56
Gross Profit	2,661,888.23	191,122.38	180,982.76	124,554.65	360,916.69	174,718.93	62,444.90	69,524.90	3,826,153.44	4,478,499.00	-652,345.56
Expense											
5000 · Personal Services											
5020 · Port Manager	3,758.33	7,516.66	7,516.66	7,516.66	10,000.00	10,163.66	10,000.00	10,000.00	66,471.97	99,220.00	-32,748.03
5030 · Administrative Assistant	2,160.02	5,130.40	5,385.46	4,664.00	5,424.52	5,267.25	4,802.17	5,473.20	38,307.02	60,632.00	-22,324.98
5045 · Services Lead	1,526.40	3,578.08	3,771.22	3,252.80	3,755.97	3,751.91	3,486.61	3,811.88	26,934.87	42,058.00	-15,123.13
5061 · Campground Staff	1,503.00	2,939.20	2,939.20	2,755.50	2,796.58	3,102.86	1,914.66	2,288.00	20,239.00	38,584.00	-18,345.00
5075 · Maintenance I Lead	2,287.50	4,784.00	4,420.00	4,576.00	4,784.00	4,739.66	4,524.00	4,329.60	34,444.76	55,120.00	-20,675.24
5077 · Maintenance IV	1,386.00	3,168.00	3,312.00	2,880.00	3,312.00	3,331.66	3,024.00	3,312.00	23,725.66	39,685.00	-15,959.34
5079 · Maint II/ Staff	1,780.80	4,083.20	4,268.80	3,712.00	4,268.80	4,246.86	3,897.60	2,227.20	28,485.26	48,506.00	-20,020.74
5080 · Maint III / groundskeeper	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	37,482.00	-37,482.00
5110 · Payroll taxes	1,539.57	3,125.48	3,157.59	2,914.28	3,347.20	3,198.35	3,385.38	4,545.82	25,213.67	42,129.00	-16,915.33
5180 · Health Insurance	4,020.00	4,020.00	4,020.00	4,020.00	4,020.00	4,020.00	3,350.00	3,350.00	30,820.00	64,320.00	-33,500.00
5181 · Life Insurance	14.22	14.22	14.22	14.22	14.22	14.22	11.85	11.85	109.02	228.00	-118.98
5182 · Dental Insurance	329.10	329.10	329.10	329.10	329.10	329.10	274.25	274.25	2,523.10	5,266.00	-2,742.90
5190 · Workers Compensation Insurance	0.00	0.00	4,510.72	0.00	1,590.41	0.00	0.00	3,236.52	9,337.65	20,000.00	-10,662.35
5270 · Retirement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	15,429.20	15,429.20	17,000.00	-1,570.80
5275 · Compensated absences	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8,500.00	-8,500.00

Port of Siuslaw
Profit & Loss Budget vs. Actual - General Fund
July 2023 through February 2024

										TOTAL	
	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Year to Date	Budget	Variance
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
5281 · HRA Employee Benefit	6,017.70	267.70	17.70	17.70	35.40	0.00	29.92	0.00	6,386.12	7,000.00	-613.88
Total 5000 · Personal Services	26,322.64	38,956.04	43,662.67	36,652.26	43,678.20	42,165.53	38,700.44	58,289.52	328,427.30	588,730.00	-260,302.70
5300 · Material and Services	75,744.04	56,298.33	48,174.07	65,523.80	28,360.94	52,608.92	37,273.61	106,308.51	470,292.22	651,000.00	-180,707.78
6000 · Capital Outlay											
6060 · Operations Equipment											
6063 · Vehicle Replacement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	60,000.00	-60,000.00
Total 6060 · Operations Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	60,000.00	-60,000.00
6130 · Land											
6146 · Landscape and Rock	0.00	0.00	0.00	1,120.00	60.00	4,400.93	6,976.00	1,184.00	13,740.93	10,000.00	3,740.93
6147 · Mapleton and E Dock Repairs	0.00	31.88	0.00	0.00	0.00	0.00	0.00	0.00	31.88	0.00	31.88
6148 · New RV sites - spoils pit	0.00	0.00	0.00	256.50	2,150.00	0.00	0.00	0.00	2,406.50	250,000.00	-247,593.50
Total 6130 · Land	0.00	31.88	0.00	1,376.50	2,210.00	4,400.93	6,976.00	1,184.00	16,179.31	260,000.00	-243,820.69
6150 · Facilities											
6101 · Fuel Dock Pedestal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,500.00	-6,500.00
6151 · Mo's Building	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	60,000.00	-60,000.00
6155 · Wharf/Bdwb Fire System	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	132,000.00	-132,000.00
Total 6150 · Facilities	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	198,500.00	-198,500.00
6170 · Marine Facilities											
6177 · Bulkhead	0.00	0.00	0.00	84.28	113.52	400.08	113.52	227.04	938.44	500,000.00	-499,061.56
6180 · West Basin Repairs	4,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,000.00	8,000.00	-4,000.00
6183 · F Dock electrical	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,000.00	-10,000.00
6184 · ICM Dock Power Supply	6,900.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,900.00	15,000.00	-8,100.00
Total 6170 · Marine Facilities	10,900.00	0.00	0.00	84.28	113.52	400.08	113.52	227.04	11,838.44	533,000.00	-521,161.56
Total 6000 · Capital Outlay	10,900.00	31.88	0.00	1,460.78	2,323.52	4,801.01	7,089.52	1,411.04	28,017.75	1,051,500.00	-1,023,482.25
6700 · Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	900,000.00	-900,000.00
7000 · Debt Service	11,599.93	7,424.94	66,635.90	11,599.93	7,424.94	0.00	11,599.93	7,424.94	123,710.51	139,713.00	-16,002.49
7600 · Unappropriated Ending Fund Bal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,097,556.00	-1,097,556.00
7700 · Transfer to other funds	0.00	0.00	0.00	50,000.00	0.00	0.00	0.00	0.00	50,000.00	50,000.00	0.00
Total Expense	124,566.61	102,711.19	158,472.64	165,236.77	81,787.60	99,575.46	94,663.50	173,434.01	1,000,447.78	4,478,499.00	-3,478,051.22
Net Income	2,537,321.62	88,411.19	22,510.12	-40,682.12	279,129.09	75,143.47	-32,218.60	-103,909.11	2,825,705.66	0.00	2,825,705.66

Port of Siuslaw
Profit & Loss Budget vs. Actual - Capital Maint Fund
July 2023 through February 2024

										TOTAL	
	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Year to Date	Budget	Variance
Income											
4100 - Available Beginning Cash	276,401.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	276,401.00	276,401.00	0.00
4540 - Interest Income	0.00	0.00	0.00	939.88	1,372.14	1,423.82	1,429.98	1,396.21	6,562.03	20.00	6,542.03
4700 - Incoming Transfer	0.00	0.00	0.00	50,000.00	0.00	0.00	0.00	0.00	50,000.00	50,000.00	0.00
Total Income	276,401.00	0.00	0.00	50,939.88	1,372.14	1,423.82	1,429.98	1,396.21	332,963.03	326,421.00	6,542.03
Gross Profit	276,401.00	0.00	0.00	50,939.88	1,372.14	1,423.82	1,429.98	1,396.21	332,963.03	326,421.00	6,542.03
Expense											
6000 - Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00	-200,000.00
7600 - Unappropriated Ending Fund Bal	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	126,421.00	-126,421.00
Total Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	326,421.00	-326,421.00
Net Income	276,401.00	0.00	0.00	50,939.88	1,372.14	1,423.82	1,429.98	1,396.21	332,963.03	0.00	332,963.03

	Campground 2020/2021			Campground 2021-2022			Campground 2022-23			Campground 2023-24		
	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights
JULY	77%	78%	2939	96%	96%	3660	91%	91%	3476	93%	93%	3554
AUG	88%	83%	3357	97%	97%	3705	93%	92%	3553	97%	95%	3689
SEPT	88%	84%	3243	92%	95%	3408	90%	91%	3313	91%	94%	3362
OCT	47%	75%	1780	51%	84%	1948	52%	82%	1966	47%	82%	1773
NOV	20%	64%	752	34%	74%	1258	30%	71%	1117	27%	71%	994
DEC	18%	56%	680	25%	66%	957	26%	64%	995	24%	63%	925
JAN	20%	51%	742	32%	61%	1210	32%	59%	1222	24%	58%	903
FEB	22%	48%	763	37%	58%	1270	31%	56%	1073	29%	54%	1039
MAR	30%	46%	1143	37%	56%	1400	32%	53%	1227			
APR	36%	45%	1324	41%	54%	1521	37%	51%	1350			
MAY	40%	44%	1522	46%	53%	1756	52%	51%	1963			
JUN	69%	46%	2528	60%	54%	2214	67%	53%	2479			
TL YTD	46%	46%	20773	54%	54%	24307	53%	53%	23734			
REV YTD	\$756,828.00			\$795,908.00			\$836,299.00			\$ 573,804.00		

	Moorage 2021-22		
	% Occ.	YTD %	Nights
JULY	51%	51%	1850
AUG	64%	58%	2339
SEPT	78%	64%	2759
OCT	47%	60%	1725
NOV	26%	53%	929
DEC	26%	49%	932
JAN	26%	45%	965
FEB	25%	43%	840
MAR	24%	41%	870
APR	26%	39%	906
MAY	29%	38%	1068
JUN	40%	39%	1412
TL YTD	39%	39%	16595
REV YTD	\$97,804.00		

	Moorage 2022-23			Moorage 2023-24		
	% Occ.	YTD %	Nights	% Occ.	YTD %	Nights
JULY	53%	53%	1929	52%	52%	1885
AUG	58%	56%	2121	67%	60%	2453
SEPT	58%	56%	2055	78%	66%	2770
OCT	33%	51%	1194	49%	62%	1802
NOV	26%	46%	920	32%	56%	1128
DEC	25%	42%	904	31%	52%	1116
JAN	23%	39%	837	31%	49%	1118
FEB	23%	37%	770	31%	46%	1069
MAR	24%	36%	872			
APR	24%	35%	850			
MAY	28%	32%	1030			
JUN	38%	34%	1334			
TL YTD	34%	34%	14816			
REV YTD	\$111,687.00			\$ 77,391.00		

Port of Siuslaw
Profit & Loss Prev Year Comparison
July 2023 through February 2024

	Jul '23 - Feb 24	Jul '22 - Feb 23	\$ Change	% Change
Income				
4100 · Available Beginning Cash	2,723,048.00	1,717,373.00	1,005,675.00	58.6%
4140 · Campground Revenue	570,660.46	561,724.08	8,936.38	1.6%
4150 · Leases	125,265.98	118,747.12	6,518.86	5.5%
4160 · Moorage	75,083.80	58,039.23	17,044.57	29.4%
4190 · Marine Fuel	34,180.14	22,471.98	11,708.16	52.1%
4200 · Other Facility Income	26,051.07	18,849.34	7,201.73	38.2%
4500 · Levied Taxes	362,424.91	353,270.35	9,154.56	2.6%
4515 · State Forest Sales	21,932.47	10,920.59	11,011.88	100.8%
4540 · Interest Income	90,808.11	162.89	90,645.22	55,648.1%
4550 · Maintenance Assistance Program	38,000.00	0.00	38,000.00	100.0%
4600 · Miscellaneous Income	41,661.53	87,900.66	-46,239.13	-52.6%
4700 · Incoming Transfer	50,000.00	50,000.00	0.00	0.0%
Total Income	<u>4,159,116.47</u>	<u>2,999,459.24</u>	<u>1,159,657.23</u>	<u>38.7%</u>
Gross Profit	4,159,116.47	2,999,459.24	1,159,657.23	38.7%
Expense				
5000 · Personal Services	328,427.30	323,408.98	5,018.32	1.6%
5300 · Material and Services	470,292.22	390,841.35	79,450.87	20.3%
6000 · Capital Outlay	28,017.75	39,192.21	-11,174.46	-28.5%
7000 · Debt Service	123,710.51	78,911.83	44,798.68	56.8%
7700 · Transfer to other funds	50,000.00	50,000.00	0.00	0.0%
Total Expense	<u>1,000,447.78</u>	<u>882,354.37</u>	<u>118,093.41</u>	<u>13.4%</u>
Net Income	<u><u>3,158,668.69</u></u>	<u><u>2,117,104.87</u></u>	<u><u>1,041,563.82</u></u>	<u><u>49.2%</u></u>

**LOCAL
GOVERNMENT
LAW GROUP**

An Oregon Professional Corporation

Carolyn H. Connelly
Ross M. Williamson*
Mark A. Wolf
Diana Moffat
Lori J. Cooper
Armand Resto-Spotts
*Also Admitted in Washington

**ENGAGEMENT LETTER AND
BILLING PROCEDURE MEMO
FOR
PORT OF SIUSLAW**

We appreciate Port of Siuslaw's (Port) interest in the Local Government Law Group P.C. This engagement letter is intended to cover general legal services our firm will provide to the Port.

The relationship between client and attorney works best when we both have a clear understanding of the firm's policies regarding legal services, the inquiry process, and our billing practices. If the policies explained in this document are acceptable to you, please sign a copy of this memo and return it to the firm. If you have any questions, please do not hesitate to call us.

Working with your Attorneys

During the course of our representation, it is our goal to maintain open lines of communication with the Port and your staff. To this end, it is important that the Port also communicates with us. This will allow us to better serve you and keep you fully informed about the status of the work we are doing.

Email communication is standard practice today and convenient for client correspondence. However, there are some dangers with the use of email. While we take precautions to protect our email system and client confidences, some risks defy even the best protections. By signing below, the Port understands and confirms that privileged client communications may be transmitted by email to Port email addresses.

During our representation of the Port, please remember to provide us with any changes to your current addresses, telephone numbers, Commissioners and staff members, and other relevant information.

Billing Statements and Hourly Rates

You will receive a monthly statement for any services we provided to your Board of Commissioners that month. Most statements for services are simply the product of the

LOCAL GOVERNMENT LAW GROUP P.C.

975 Oak Street, Suite 700 Eugene, Oregon 97401 P (541) 485-5151 F (541) 485-5168

hours worked multiplied by the hourly rates for the attorneys, law clerks and legal assistants who did the work. However, if we feel that too much time was expended for the nature of the matter, we will reduce the fee accordingly. Occasionally, we are able to split our services (and the attorney fees) among multiple government clients who have the same legal needs. This helps you share attorney costs when possible. We will discuss these opportunities with you when they arise.

Our hourly rates for attorneys and other members of the professional staff are as follows:

- | | | |
|--|---|--|
| A. | General Attorney time: (Through June 30, 2024)
(Starting July 1, 2024) | \$270.00 per hour
\$285.00 per hour |
| B. | General Labor Attorney time:
(Starting July 1, 2024) | \$270.00 per hour
\$285.00 per hour |
| C. | Mediations, arbitrations, hearings, administrative
agency contested matters, other contested matters
and legislative advocacy: (Through June 30, 2024)
(Starting July 1, 2024) | \$295.00 per hour
\$310.00 per hour |
| <u>Rates for this work will not be charged unless
the Port has been advised.</u> | | |
| D. | Law clerk and paralegal time: (Through June 30, 2024)
Law clerk and paralegal time: (Starting July 1, 2024) | \$115.00 per hour
\$150.00 per hour |
| E. | Legal assistant time:(Through June 30, 2024)
Legal assistant time:(Starting July 1, 2024) | \$ 95.00 per hour
\$110.00 per hour |
| F. | Litigation and Outside Counsel: | To be determined |

The firm's rates will be reviewed from time to time. We will inform you if we believe the rates should be adjusted for a future billing period.

One-half of the time required for necessary travel will be billed at the applicable attorney fee rate, plus the IRS mileage rate. The Port is responsible for all costs incurred by the firm, including but not limited to document recording fees, filing fees, service fees, court reporter fees for depositions and hearings, court trial fees, and other necessary court and office costs. However, you will not be charged for basic computer research, phone, or photocopy charges.

If we determine, in partnership with you, that a matter requires outside counsel, then we will ask the outside counsel to prepare a bill for our firm to review. Once that bill has received our approval, we will forward it to you for payment. We will not work with outside counsel for specialty services without first consulting the Port. Port projects may involve current or former clients of our firm, potentially giving rise to conflicts of interests. We will discuss those situations with you as they arise, which may require a waiver of conflict letter or our firm to recuse itself from representing the Port for that specific project.

We bill for time expended on your behalf from the initial consultation to the closing of the matter. Activities requiring the expenditure of time may include office conferences, telephone discussions, preparation and review of correspondence, document preparation and review, and any other services associated with the work we have undertaken on your behalf.

Your monthly statement will indicate the amount of time spent, the attorneys who worked on the matter, and the charges for services based upon your current rates. You will receive an itemized billing statement each month, at which time the amount billed is due and payable. A late fee of 1.5% per month will be imposed on unpaid charges within 60 days after they are billed. We try to ensure that our billings are accurate and understandable. If ever you wish to discuss your bill or the legal services rendered, please call Jenny Hornby in our accounting department or contact the attorney working on the matter. If we receive no questions or comments from you within 30 days of the billing statement's date, we will assume that you agree to the charges billed.

File Closing and Relationship Wind Up

At the conclusion of each legal matter, we review the file to ensure that you have copies of all important documents, return any original documents to you, and close the file. We store closed files for 10 years (and may do so in an electronic format). After 10 years, we destroy the file. By signing below, the Port is giving us its consent to destroy files pursuant to this policy.

We each have the right to terminate our attorney-client relationship at any time. If there is any unresolved dispute over our representation or fees and it is necessary to initiate a claim, the prevailing party will be entitled to reasonable attorney fees to be set by the court.

Again, thank you for considering the Local Government Law Group. We appreciate your business and look forward to working with you.

READ AND APPROVED:

PORT OF SIUSLAW

By: _____
Authorized Signature

Date

Printed Name: _____

Title: _____

The Local Government Law Group

Name: The Local Government Law Group P.C.
Business Address: 975 Oak Street, Suite 700
Eugene, OR 97401
Business Phone: (541) 485-5151
Business Fax: (541) 485-5168

The Local Government Law Group has over 100 years of combined experience in municipal law. We represent over 150 fire and other special districts as well as government-related entities throughout the state. We also serve as the City Attorney for more than 20 Oregon cities. In addition to our general counsel clients, we provide legal advice on special projects for many other Oregon cities, districts, and government-related entities.

Description of the Firm

The Local Government Law Group (LGLG) consists of six experienced attorneys specializing in providing expert legal services to Oregon's local governments: Carolyn H. Connelly, Ross M. Williamson, Mark A. Wolf, Diana Moffat, Lori J. Cooper, and Armand Resto-Spotts. We have also secured the *of counsel* services of Truman Stone in order to provide additional resources to our clients. LGLG's clientele includes Oregon cities, counties, and local government entities. Our firm, acting either as the Local Government Law Group P.C., or as its predecessor Speer Hoyt LLC, has been providing service to such Oregon governments for over 30 years.

The attorneys of the Local Government Law Group provide representation exclusively to governmental entities, without the competing pull on our resources from private interests. We have structured our law practice specifically to allow us to provide services tailored to fit the needs of local governments, including the need to act quickly when needed.

The Local Government Law Group has one office location in Eugene. The office keeps normal business hours. As discussed below, our attorneys are accessible by phone and electronic communication and are quickly responsive to our clients' needs. Our attorneys are also available for in-person meetings.

Our People

Name: Carolyn H. Connelly
Years of Municipal Experience: 28
Law School: Vermont Law School
Oregon Bar Admission: 1995

Specialization: Public contracting (including alternative contracting methods, such as design/build and construction management/general contractor exemptions), infrastructure financing, land use, environmental law, public meetings, and public records.

Professional Affiliations: Oregon State Bar, Oregon City Attorneys Association, and Lane County Bar Association.

Summary of Experience: Carrie specializes in land use law, public contracting and alternative contracting methods, infrastructure financing, real estate law, and environmental law, while maintaining expertise in open meetings, public records, and the drafting and review of

legislation and contracts. She is also experienced with systems development charges and other utility matters. Carrie authored a chapter in the Oregon Fire District Directors' Handbook and a section for the Oregon Law Institute regarding special district boundary changes. Carrie graduated from Vermont Law School with both a Juris Doctorate and a Masters in Environmental Law in 1995. She began her work with local governments as an intern for the Bi-State Columbia River Gorge Commission in law school. Carrie then specialized in municipal defense litigation before joining the Speer Hoyt team in 1997. She was a founding member of LGLG at its formation in 2008. Carrie is a past president of Lane County Women Lawyers and currently serves on the League of Oregon Cities Legal Advocacy Committee.

Name: Ross M. Williamson
Years of Municipal Experience: 22
Law School: University of Oregon
Oregon Bar Admission: 2001

Specialization: Land use, urban renewal, public contracting, public meetings, public records, code enforcement, elections, sign codes, municipal courts, and intergovernmental agreements.
Professional Affiliations: Oregon State Bar, Washington State Bar Association, Oregon City Attorneys' Association, and Lane County Bar Association.
Summary of Experience: Ross joined the Local Government Law Group firm in August 2009, after eight years representing cities at another Eugene-area law firm. Ross's practice emphasizes land use and public contracting, but he also has experience in the full gambit of local government law issues. Ross has experience with municipal elections, as well as alternative revenue sources, such as local taxes and fees. Ross is admitted to practice in the federal courts and has experience advising clients through all aspects of litigation at both the state and federal court levels. He also has experience in litigating matters before the Land Use Board of Appeals and the Oregon Court of Appeals. Prior to practicing law, Ross worked for the Washington State Supreme Court in court administration.

Name: Mark A. Wolf
Years of Municipal Experience: 8
Law School: University of Oregon
Oregon Bar Admission: 2015

Specialization: Public meetings, government ethics, labor relations, and collective bargaining negotiations
Professional Affiliations: Oregon State Bar, Oregon City Attorneys Association, Oregon Public Employer Labor Relations Association, and the American Bar Association
Summary of Experience: Mark joined Local Government Law Group in May 2016. Mark graduated from law school in 2015 and clerked for the Hon. Lauren S. Holland at the Lane County Circuit Court. Mark's practice focuses on labor and employment matters, including conducting labor and contract arbitrations, writing briefs, and bargaining union contracts. Mark is also well versed in public meetings and records laws, government ethics, and code enforcement.

Name: Diana Moffat
Years of Municipal Experience: 25
Law School: Lewis and Clark Law School
Oregon Bar Admission: 1986

Specialization: Labor relations, disciplinary and contractual arbitrations, and Employment Relations Board hearings.
Professional Affiliations: Oregon State Bar, National Public Employer Labor Relations Association, Oregon Public Employer Labor Relations Association, Oregon City Attorneys' Association, and Lane County Bar Association.

Summary of Experience: Diana Moffat is our labor relations expert. She is recognized statewide for her expertise at the bargaining table. Before representing governments, Diana served as a union attorney. This experience lends her critical insight during the bargaining process. Prior to joining LGLG, Diana served as the Executive Director and lead labor lawyer for the Local Government Personnel Institute, where she bargained over 200 collective bargaining agreements. Her labor practice includes drafting collective bargaining proposals, researching comparative wages and benefits, presenting all proposals and justifications at the bargaining table as chief spokesperson, and assessing counter proposals. Diana has represented numerous public employers in the mandatory mediation process, as well as in interest arbitrations. She has also represented governments in disciplinary proceedings and arbitrations. She has also presented unfair labor practices and unit clarification cases to the Employment Relations Board. Diana is well versed regarding employment issues such as: overtime pay, light duty, medical determination, seniority, annual evaluations, vacation, medical insurance coverage and sexual harassment issues. Prior to her focus in labor law, Diana served as an Oregon Deputy District Attorney for 14 years.

Name: Lori J. Cooper

Years of Municipal Experience: 16, plus 13 years prior government experience

Law School: Lewis and Clark Law School

Oregon Bar Admission: 1991

Specialization: Employment law, long-range land use planning, ordinance drafting, environmental law, public meetings, and public records.

Professional Affiliations: Oregon State Bar and Oregon City Attorneys Association.

Summary of Experience: Lori has significant local government experience that she gained as a member of the City of Medford City Attorney's office. She worked for the City of Medford for 15 years, with five of those years holding the position of City Attorney. She has experience guiding clients through complex regulatory schemes, including long-range land use planning. Lori also has experience in all manner of employment-related topics, including interacting with state agencies on employment issues. Prior to her years at the City of Medford, Lori worked in areas of local, state, and federal government, including advising the federal government on forestry issues, and working with local governments on transportation planning.

Name: Armand Resto-Spotts

Years of Municipal Experience: 7, between private practice and in-house counsel experience.

Law School: University of Oregon

Oregon Bar Admission: 2021

Specialization: Land use, permitting and development review, real estate, state and federal environmental and natural resources law, intergovernmental agreements, governance and administration, public meetings, and public records.

Professional Affiliations: Oregon State Bar, Washington State Bar (inactive).

Summary of Experience: Armand joined Local Government Law Group in 2023. He has a diverse range of municipal experience, having practiced in both Washington and Oregon, and represented both private and public entities in various land use, real estate, and environmental law matters. He has most recently served as in-house counsel for several flood control and drainage districts in the Multnomah County region, advising on all aspects of governance and operations, including extensive work with intergovernmental agreements and complex public works projects involving state and federal partners. Previously, he has advised and represented developer applicants in real estate transactions, land use review, development permitting, long-range planning efforts, and other associated environmental compliance matters. Having worked as outside counsel for both districts and cities, Armand also has extensive experience drafting

municipal services contracts, training employees on public records management, and handling administrative appeals.

Name: Truman A. Stone, *of counsel* attorney

Years of Municipal Experience: 7+ at City of Newberg, 10 representing parks and recreation district, and decades representing clients before government bodies.

Law School: Lewis and Clark Law School

Oregon Bar Admission: 1993

Specialization: Proud generalist, contracts, research, conflict resolution and litigation.

Professional Affiliations: Oregon State Bar and Oregon City Attorneys Association.

Summary of Experience: Before joining forces with LGLG, Truman served as the Newberg City Attorney for over 7 years. During his tenure, Newberg provided complex challenges. For example: construction by ODOT of a bypass with road jurisdiction transfers, property condemnation, and attendant IGAs; annexation into TVF&R, transfer of fire stations, equipment, and employees, and a related city charter amendment; purchase of Willamette River water rights for future drinking water; transfer of an extra-territorial water system to a newly established water association; collective bargaining with three-employee associations; and foundational work for creation of an urban renewal district. Prior to his work at Newberg, Truman had a broad transactional and litigation practice in business, commercial, real estate, construction, consumer, and estate areas of law. Truman has significant trial experience in civil and criminal cases, both in state and federal courts. He has handled appellate cases in Oregon, Washington, and the Ninth Circuit. An active community volunteer, he has done everything from coaching youth sports to assisting ODFW in wildlife research, to participating in Intelligence Advanced Research Projects Activity (IARPA) CREATE program to develop tools and methods designed to improve analytic reasoning—a research project through the Office of the Director of National Intelligence. He currently serves on multiple boards, including his 16th year on the Board of Trustees of George Fox University.

Paralegals

Our Paralegals Kim Dahlgren and Enya Combs have over 28 years of combined experience providing support to attorneys in local government.

Response Time

With six attorneys, even when dealing with vacation schedules or other client matters, we are able to be responsive to all our clients. When you call or email with a legal question, we will work with you to determine your deadlines and objectives. Broad legal inquiries without special deadlines are generally turned around within one to two weeks. More routine questions, or those that need more immediate attention, are addressed in short order. We understand that being responsive to client timing needs is part of the service clients expect.

A call to our office will usually be returned within two hours. If, for some reason, the attorney you seek is unavailable, we encourage you to speak with another team member. Often, your inquiries can be answered over the phone; however, some inquiries require more thought and research. Employment and labor advice timelines vary depending upon the complexity of the matter.

We understand that your attorney must, at times, be personally available on short notice. Generally, this is not a problem. We have accommodated many such “11th hour” requests. However, we do advise our clients that timely planning and communication yield better results for all involved.