



**PORT COLBORNE**

**Subject: POCOMAR Agreement**

**To: Council**

**From: Corporate Services Department**

Report Number: 2024-138

Meeting Date: July 23, 2024

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**Recommendation:**

That Corporate Services Department Report 2024-138 be received; and

That Council approve the Mayor, Acting Clerk, Manager, Recreation, and Marina Supervisor to enter into an agreement (Appendix A) for auxiliary marine search and rescue service with Port Colborne Marina Auxiliary Rescue.

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**Purpose:**

The purpose of this report is to obtain Council's approval for a new agreement with Port Colborne Marine Auxiliary Rescue (POCOMAR) for auxiliary marine search and rescue services.

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**Background:**

POCOMAR provides the City of Port Colborne auxiliary marine search and rescue services. In 2016 a formal agreement was established when POCOMAR began leasing a portion of the maintenance building.

That agreement ended in 2021 with POCOMAR and the City operating on month-to-month basis, in the absence of a renewed agreement.

In addition to the leasing arrangement, the City has provided various grants to POCOMAR over the years. The grant has been a combination of a City and boater contribution.

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## Discussion:

Through discussions with POCOMAR the attached license agreement, identified as Appendix A – POCOMAR Agreement, has been developed to support the important auxiliary search and rescue service that POCOMAR provides in Port Colborne.

The agreement is substantially updated in format and content compared to the previous agreement and, recognizing they were developed in cooperation with all parties, redlined versions have not been provided.

The new agreement identifies and highlights:

- POCOMAR to provide residents and users of the water in the City of Port Colborne with auxiliary marine search and rescue service, including boater safety education;
- POCOMAR shall share congruent values of the City;
- POCOMAR will be inclusive in the fostering of a welcoming, livable, and healthy community;
- POCOMAR will have access to designated space at the Sugarloaf Harbour Marina Maintenance Building and that space could be moved provided comparable space is made available;
- Definition around the licensed space;
- A term of 5 years with 3 options for renewal that would require the licensee and City to mutually agree;
- Actions required of POCOMAR and the City;
- Capital replacement or improvement would be at the discretion of the City;
- Terms of insurance;
- Indemnity, default, assignment, notice terms, and other general terms;
- Grant amounts (discussed further under financial implications).

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## Internal Consultations:

Through discussions with POCOMAR, Community Safety, and Corporate Services the attached agreement identified as Appendix A – POCOMAR Agreement has been developed to support marine rescue operations.

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## Financial Implications:

The agreement proposed in Appendix A proposes the following financial considerations:

- That seasonal, transient, and boat ramp boaters contribute 2% of their slip fees to POCOMAR (this is an increase from 1% in 2023);

- The City to provide a Levy grant equal to the seasonal, transient and boat ramp boaters contribution;
- The Marina to receive 30% of the aggregate grant to support POCOMAR with dock, launch, and storage fees for two boats up to 36 feet each (this provision will maintain whether or not POCOMAR maintains to two boats and exists to encourage POCOMAR to maintain operations within Sugarloaf Marina, anything above two boats will be charged fees per the User Fee By-law);
- POCOMAR to pay a nominal fee for leased space.

The financial considerations above are designed to provide greater support for POCOMAR and recognize the Marina as a self-sustaining entity.

The 2024 grant is forecasted in the table below, with a comparison to the prior year as follows:

Grant to POCOMAR:		
Seasonal	\$ 12,900	
Transient	\$ 2,000	
Boat Ramp	\$ 1,000	
	\$ 15,900	
Levy Grant	\$ 15,900	
Projected Increase		\$ 31,800
Reimbursement to the Marina for Services:		
2 Boats (30% grant)	\$ 9,540	
Lease Space*	\$ 780	
		\$ 10,320
Proposed 2024 NET Grant		\$ 21,480
Prior Net POCOMAR Grant		\$ 16,500
Projected Grant Increase		\$ 4,980
* plus HST		

The goal of the five-year term, with a pre-established grant and a built-in opportunity to renew, provided both POCOMAR and City agree, provides both POCOMAR and the City “line of sight” for future planning.

Staff identify in 2024 boaters only had 1% included in their slip fees and transient and boat ramp fees have not been charged. If this agreement is approved the 2% fee will be applied to transient fees immediately. The boat ramp fee will adjust for 2025. In this year of transition, Staff identify any difference between the grant that would have resulted from seasonal, transient, and boat ramp fees if the 2% contribution was applied and that which is actually collected, will be paid through the Marina's 2024 budget.

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### **Public Engagement:**

Staff have worked with POCOMAR on the development of this agreement.

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### **Strategic Plan Alignment:**

The initiative contained within this report supports the following pillars of the strategic plan:

- Environment and Climate Change
  - Welcoming, Livable, Healthy Community
  - Economic Prosperity
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### **Conclusion:**

That Council approve the Mayor, Acting Clerk, Manager, Recreation, and Marina Supervisor to enter into an agreement (Appendix A) for auxiliary marine search and rescue service with Port Colborne Marina Auxiliary Rescue.

This agreement serves boaters and users of the waters surrounding Port Colborne.

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### **Appendices:**

- a. Appendix A - POCOMAR Agreement

Respectfully submitted,

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**Report Approval:**

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.