

RESOLUTION NO. 2928

A RESOLUTION OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN A BOATING SAFETY PROGRAM AGREEMENT WITH PIERCE COUNTY TO RECEIVE VESSEL REGISTRATION FEES.

WHEREAS, Bonney Lake Police Department is responsible for providing boating safety services within the City limits; and

WHEREAS, boating safety and education is important to our community; and

WHEREAS, the Department of Licensing collects Vessel Registration Fees on an annual basis and distributes them to Washington Counties who have approved boating safety programs; and

WHEREAS, Pierce County is responsible for dispersing the Vessel Registration Fees collected in Pierce County to those entities who have a state approved boating safety program; and

WHEREAS, the Bonney Lake Police Department has a state approved boating safety program and will utilize the funds as prescribed in the agreement;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES RESOLVE AS FOLLOWS:

Section 1. The Mayor is hereby authorized to sign the Boating Safety Program Agreement with the Pierce County.

PASSED by the City Council this 11th day of May, 2021.

DocuSigned by:
Neil Johnson, Jr.
20583FB9C281400
Neil Johnson, Jr., Mayor

AUTHENTICATED:

DocuSigned by:
Harwood T. Edvalson
Harwood T. Edvalson, City Clerk

City of Bonney Lake
City Council Agenda Bill (AB)

Department / Staff Member: Bryan Jeter, Chief of Police	Meeting/Workshop Date: May 11, 2021	Agenda Bill Number: AB21-55
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2928	Councilmember Sponsor:

Agenda Subject: Boating Safety Program Agreement with Pierce County for Vessel Registration Fees

Full Title/Motion:
 A Resolution of The City Council of The City of Bonney Lake, Pierce County, Washington, to sign a Boating Safety Program Agreement with Pierce County to receive vessel registration fees.

Administrative Recommendation: Approve

Background Summary: The Bonney Lake Police Department signs an annual agreement with Pierce County in order to receive its share of Vessel Registration Fees (VRF). These funds help to provide boating safety services in the City.

Attachments: Boating Safety Program Agreement with Pierce County

BUDGET INFORMATION				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
		\$9,720		<input checked="" type="checkbox"/> General
				<input type="checkbox"/> Utilities
				<input type="checkbox"/> Other
Budget Explanation: This is a revenue to offset Marine Services costs.				

COMMITTEE, BOARD & COMMISSION REVIEW				
Council Committee: Public Safety	<i>Approvals:</i>		Yes	No
	Chair/Councilmember Carter		<input type="checkbox"/>	<input type="checkbox"/>
Committee Date: May 11, 2021	Councilmember McClimans		<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Dole		<input type="checkbox"/>	<input type="checkbox"/>
Forwarded to:	Consent Agenda:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Commission/Board Review:				
Hearing Examiner Review:				

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): May 11, 2021	Tabled to:

APPROVALS		
Director: Jeter	Mayor:	Date Reviewed by City Attorney: (if applicable)

CITY OF BONNEY LAKE

BOATING SAFETY PROGRAM AGREEMENT

This agreement entered into by the County of Pierce (COUNTY) and the City of Bonney Lake (CITY), witnesses that:

WHEREAS, pursuant to RCW 88.02.040, the Department of Licensing collects vessel registration fees on an annual basis, retains the first 1.1 million dollars of what was collected and then distributes the remainder to Washington Counties that have approved boating safety programs; and

WHEREAS, the County has an approved boating safety program; and

WHEREAS, the annual distribution of vessel registration fees in the amount of \$161,991.88 has been received by the County; and

WHEREAS, pursuant to WAC 325.65.30, the legislative authority of each County with an approved boating safety program will be responsible for equitable distribution of funds allocated by the State Treasurer to local jurisdictions with approved boating safety programs within the County; and

WHEREAS, WAC 352.65.040, subsection #10 addresses the funding use: Limitations on use of funds. These funds are intended to increase education and enforcement efforts and to stimulate greater local participation in boating safety and are not to supplant existing local funds used for boating safety programs. The county or local jurisdiction agrees to deposit boat registration fees allocated by the state treasurer under RCW 88.02.040, into an account dedicated solely for boating safety purposes which include all activities or expenditures identified in this section.

WHEREAS, local jurisdictions offering boating safety services and desiring to receive distribution of funds must enter into a cooperative agreement with the County and receive and maintain State Park's approval for the boating safety program; and

WHEREAS, the city has received State approval of its boating safety program and is eligible to receive an equitable share of the vessel registration fees distributed to the County; and

WHEREAS, the County and the City desire to enter into a cooperative agreement;

NOW THEREFORE, in consideration of the covenants, conditions, performances and promises hereinafter contained, the parties agree as follows:

1. The City agrees to use the funds made available under this agreement only for boating safety purposes as defined by WAC 356.65.040. The City further agrees to use the funds to increase boating safety education and enforcement efforts and to stimulate greater local participation in boating safety, but not to use the funds to supplant existing boating funding.
2. The City agrees to operate its boating safety programs in compliance with the State's program requirements and to comply with all applicable federal, state and local laws in performing any activities resulting from the use of the funds distributed under this agreement.
3. The City agrees to submit an annual report of activities performed and participate in state-wide boating surveys as required by State parks. Additionally, in accordance with WAC 352.65.060, an annual program assessment and report of activities of the local jurisdiction boating safety program approval.
4. The County and the City agree that the City's equitable share of vessel registration fees is **\$9,720**. The County agrees to deliver to the City Treasurer a check in that amount. WAC 352-65-040 subsection #10 addresses the funding use: *Limitations on use of funds. These funds are intended to increase education and enforcement efforts and to stimulate greater local participation in boating safety and are not to supplant existing local funds used for boating safety programs. The county or local jurisdiction agrees to deposit boat registration fees allocated by the state treasurer under RCW 88.02.040, into an account dedicated solely for boating safety purposes which include all activities or expenditures identified in this section.*
5. No changes or additions shall be made to this agreement except as agreed by both parties and reduced to writing and executed with the same formalities as are required by the execution of this agreement.
6. The laws of the State of Washington shall govern this agreement. The parties stipulate that any lawsuit regarding this agreement must be brought in Pierce County Washington.

7. Should any clause, phrase, sentence or paragraph of this agreement be declared invalid or void, the remaining provision of this agreement shall remain in full force and effect.
8. This agreement shall take effect upon the signature of both parties and shall remain in effect until **December 31, 2021** unless sooner extended by written agreement of the parties.

End of agreement. Signature page immediately following.

**PIERCE COUNTY
CONTRACT SIGNATURE PAGE**

Contract # _____

IN WITNESS WHEREOF, the parties have executed this Agreement this 11th day of May, 2021.

CONTRACTOR:

DocuSigned by:
Neil Johnson, Jr. 5/11/21
Contractor Signature Date

Mayor
Title of Signatory Authorized by Firm Bylaws

Name: Neil Johnson, Jr.

UBI No. _____

Address: 18421 Veterans Memorial Dr E
 Bonney Lake, WA 98391

Mailing Address: 18421 Veterans Memorial Dr E
 Bonney Lake, WA 98391

Contact Name: Chief Bryan Jeter

Phone: 253-863-2218

Fax: 253-863-2661

PIERCE COUNTY:

Approved as to Legal Form Only:

Prosecuting Attorney Date

Approved:

Finance Date

Department Director
(less than \$250,000) Date

County Executive (over \$250,000) Date