



**City of Gig Harbor
City Council Meeting Agenda Bill**

Meeting Date: July 11, 2022

SUBJECT: Approval of Boating Safety Program Agreement with Pierce County

SUBMITTED BY: Kelly Busey, Police Chief

DEPARTMENT: Police

PHONE: (253) 853-2422

SUGGESTED MOTION: Move to authorize Chief of Police to execute Boating Safety Program Agreement with Pierce County to receive state vessel registration fees.

BACKGROUND INFORMATION: The State of Washington collects use tax as part of annual vessel registration fees. A portion of these taxes are designated to support qualified boating programs (of which the Gig Harbor Police Department is designated). These funds are to be “equitably distributed” to the qualified programs via each county. Per prior agreement, Gig Harbor receives 6% of the funds allotted to Pierce County. For 2022, this amount is \$11,250. These funds are used to pay for administration and deployment of the Police Department Marine Services Unit. An annual agreement is required to be signed to receive these pass-through funds.

FISCAL CONSIDERATION: None.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: None.

ATTACHMENTS: Boating Safety Program Agreement

STRATEGIC PLAN PRIORITY: Ensure sustainable future for public services and facilities

Contract: SC-109149 Vessel Registration Fees FY2022

CITY OF GIG HARBOR BOATING SAFETY PROGRAM AGREEMENT

This agreement entered into by the County of Pierce (COUNTY) and the City of Gig Harbor (CITY) witness 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 \$187,520.20 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:

Contract: SC-109149 Vessel Registration Fees FY2022

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 **\$11,250**. 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.

Contract: SC-109149 Vessel Registration Fees FY2022

8. This agreement shall take effect upon the signature of both parties and shall remain in effect until **December 31, 2022**, unless sooner extended by written agreement of the parties.

End of agreement. Signature page immediately following.

