County of Fresno

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Legislation Details (With Text)

File #: 19-0435

On agenda: 5/7/2019 **Final action:** 5/7/2019

Enactment date: **Enactment #:** Agreement No. 19-195, Resolution No. 19-166

Title: Approve and authorize Chairman to execute the Boating Safety and Enforcement Financial Aid Program Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for FY 2019-20 in the amount $452,764; approve and authorize Chairman to execute Resolution authorizing participation in the program and certifying funds will be used for boating safety programs; and authorize the Sheriff, or her authorized representative, to sign quarterly claims for reimbursement and annual activity reports

Attachments: 1. Agenda Item, 2. Agreement A-19-195 with CA Dept. of Parks and Recreation, 3. Resolution No. 19-166

Date	Ver.	Action By	Action	Result
5/7/2019	1	Board of Supervisors	Approved (Consent Agenda)	Pass

DATE: May 7, 2019

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner-Public Administrator

SUBJECT: Boating Safety and Enforcement Annual Contract for FY 2019-20

RECOMMENDED ACTION(S):

1. **Approve and authorize Chairman to execute the Boating Safety and Enforcement Financial Aid Program Agreement with the State of California Department of Parks and Recreation Division of Boating and Waterways for FY 2019-20 in the amount $452,764;**
2. **Approve and authorize Chairman to execute Resolution authorizing participation in the program and certifying funds will be used for boating safety programs; and**
3. **Authorize the Sheriff, or her authorized representative, to sign quarterly claims for reimbursement and annual activity reports.**

There is no change in the grant award from the current year. On October 23, 2018, your Board approved the submission of an application for the continuation of the Boating Safety and Enforcement Financial Aid Contract with the California Department of Parks and Recreation Division of Boating and Waterways. The recommended actions will approve the contract in the amount of $452,764. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If your Board does not approve the recommended actions, this item will result in the loss of Boating and Waterways grant funds for FY 2019-20. This will impact the Sheriff's Office Boating Safety Unit's ability to support an adequate and effective boating safety and law enforcement program.

FISCAL IMPACT:

There is no additional Net County Cost associated with the recommended actions. The grant award of

$452,764 is at the same level as the current year and will continue to fund the direct costs associated with the Sheriff's Office Boating Safety Unit. This includes three full-time positions (one Sheriff's Sergeant and two Deputy Sheriffs), up to ten extra-help seasonal employees, operational costs, and equipment. The grant award of $452,764 also includes a five percent administrative fee that the Sheriff's Office includes with the quarterly claims. Revenue and appropriations in the amount of $452,764 will be included in the Sheriff-Coroner-Public Administrator's FY 2019-20 budget request for Org 3111.

DISCUSSION:

The Fresno County Sheriff's Office Boating Safety Unit has primary responsibility for the enforcement of laws and regulations relating to the operation of watercraft within the County of Fresno. The Boating Unit investigates boating accidents on all waterways within Fresno County. The Boating Unit patrols the areas of Shaver Lake, Pine Flat Lake, Huntington Lake, Kings River, Edison Lake, Redinger Lake, Kerkhoff Reservoir, Mendota Slough, Florence Lake, Courtwright Reservoir, Wishon Reservoir, and Florence Lake.

The Boating Unit enforces the California Harbors and Navigation Code, California Code of Regulations Title 14, Federal Code of Regulations 33 USC, and those provisions of the Fresno County Ordinance that relate to water related activities. The Boating Unit enforces these provisions by means of patrol vessel, surface vehicle and foot patrol. The Boating Unit also uses and maintains a fleet of eleven vessels which range from inflatable rescue boats, jet skis, jet powered river boats, and ocean capable lake patrol boats. The Boating Unit's patrol function is to promote a safe boating experience for all involved. While on patrol the Deputies conduct inspections of vessels for required equipment and registration. The Boating Unit's goal is to educate the public on water safety. The Boating Unit utilizes "The Aqua Smart Program" which is one of the most current and up-to-date water safety programs in the state. The water safety program is presented to children and young adults in their classroom (grades K-8). The Boating Unit also gives presentations on boating laws and water safety to all age groups.

The Boating Safety and Enforcement Financial Aid Program was established to provide a supplement for the expenses of local government agencies whose waterways have a high transient boating usage and lack a sufficient tax base to support an adequate and effective boating safety and law enforcement program. On January 20, 1982, your Board approved the initial Boating Safety and Enforcement aid application, an annual contract has been authorized each fiscal year thereafter.

In order to receive funds, the California Department of Parks and Recreation Division of Boating and Waterways requires a resolution adopted annually by the board of supervisors authorizing the county to participate in the program and certifying that the county will expend the funds for boating safety programs during that year not less than an amount equal to 100 percent of the amount received by the county from personal property taxes on vessels. Additionally, the money allocated to a county can only be used for the boating safety and enforcement programs that are conducted in that county.

The agreement contains Special Provisions, in Section X. The Special Provisions include a certification that the obligations created by the agreement do not violate the provisions of Sections 1090 to 1096 of the Government Code, that the County will continue with its responsibilities under the agreement during any dispute, and that any allocation reduction for the program will result in a decrease of the County's allotment.

REFERENCE MATERIAL:

BAI #26, October 23, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Boating Safety and Enforcement Financial Aid Program Agreement
On file with Clerk - Resolution

CAO ANALYST:

Jeannie Z. Figueroa