



Boating Safety and Enforcement Financial Aid Program Agreement

This agreement entered into this *1ST day of July, 2021*, by and between the CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, hereinafter called "Department," and the *COUNTY OF EL DORADO*, hereinafter called "Agency";

WITNESSETH

WHEREAS, Contingent on approval of **Governor's Fiscal Year 2021-22 Budget Act**, the Department intends to agree with Agency for the purpose of performing boating safety and enforcement activities as described in Title 14, California Code of Regulations Section 6593.3; and

WHEREAS, Agency is equipped, staffed and prepared to provide such services on the terms and conditions set forth in this agreement and in accordance with Title 14, California Code of Regulations Section 6593 et seq.; and

WHEREAS, pursuant to Title 14, California Code of Regulations Section 6593.6, Department shall enter into an annual agreement with each participating agency;

NOW, THEREFORE, it is mutually agreed as follows:

I. Applicable Law

Agency shall observe and comply with all applicable federal, state, and county statutes, ordinances, regulations, directives, and laws, including, but not limited to, Harbors and Navigation Code Section 663.7 and Section 6593 et seq. of Title 14, California Code of Regulations. Agreement shall be deemed to be executed within the State of California and construed and governed by the laws of the State of California.

II. Description of Services

Agency shall conduct boating safety and enforcement activities in the jurisdiction of the Agency in consideration of the payments hereinafter set forth.

III. Payments

A. **Maximum Amount**. The amount the Department shall be obligated to pay for services rendered under this agreement shall not exceed **\$319,546.00** for the agreement term in full consideration of Agency's performance of the services described in this agreement.

B. **Rate of Payment**. The Department shall reimburse Agency in accordance with the reimbursement procedures set forth in Title 14, California Code of Regulations Section 6593.9.

- C. Submission of Claims. Agency shall submit claims for reimbursement to the Department contact person identified in paragraph V of this contract on a ___ monthly OR X quarterly basis. (Please check one)
- D. Failure to Submit Claims. Claims for reimbursement shall be submitted within 60 days following the last day of the reporting period. Pursuant to Title 14, California Code of Regulations 6593.9 (i), the Department may reduce an Agency's allocation by five percent if the Agency exceeds the sixty-day billing period and an additional five percent for every thirty-day period thereafter that the Agency is late in filing a claim.

IV. Records

Agency shall maintain records pursuant to Section 6593.10 of Title 14, California Code of Regulations.

V. Notice

Notice shall be in writing and shall be deemed to have been served when it is deposited in the United States mail, first class postage prepaid, and addressed as follows:

TO DEPARTMENT

*Ms. Joanna Andrade
Department of Parks and Recreation
Division of Boating and Waterways
One Capitol Mall, Suite 500
Sacramento, CA 95814*

TO AGENCY

*El Dorado County Sheriff's Department
200 Industrial Drive
Placerville, CA 95667
Jon DeVille, Chief Fiscal Officer*

Either party may change the address to which subsequent notice and/or other communication can be sent by giving written notice designating a change of address to the other party.

VI. Term

This agreement shall be for the term beginning **July 1, 2021**, and ending **June 30, 2022**.

VII. Prior Agreements

All prior agreements regarding this subject matter between Department and Agency are hereby terminated effective June 30 prior to the term beginning date of this agreement.

VIII. Amendment

No amendment or variation of the terms of this agreement shall be valid unless made in writing and signed by the parties hereto.

IX. Termination


Agency may terminate this agreement without cause in writing at any time. Department may terminate this agreement without cause upon a sixty (60) days written notice served upon the Agency.

X. Special Provisions

- A. Agency hereby certifies that the obligations created by this agreement do not violate the provisions of Sections 1090 to 1096 of the Government Code.
- B. This agreement shall have no force or effect until signed by the Department, Agency, and approved by the Department of General Services Legal Department, if required.
- C. Agency shall continue with the responsibilities of this agreement during any dispute.
- D. In the event of an allocation reduction for this program, an equal allotment will be decrease from every participant.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS

By: 

*California Department of Parks and Recreation,
Division of Boating and Waterways*

Date: 6/24/21

“Department”

COUNTY OF EL DORADO

By: 

Title: Sheriff

Date: 05/06/2021

“Agency”





RESOLUTION NO. 042-2021

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
ADOPTION RESOLUTION**

**EL DORADO COUNTY 2021-2022 BOATING SAFETY AND ENFORCEMENT FINANCIAL
AID PROGRAM**

WHEREAS, the California Department of Parks and Recreation Division of Boating and Waterways provides annual funding through the Boating Safety and Enforcement Financial Aid Program to the El Dorado County Sheriff's Office for boating safety and enforcement activities on the County's rivers and lakes; and,

WHEREAS, pursuant to Harbors and Navigation Code, Section 663.7(e) The department shall not allocate funds to any county or a public agency within a county unless the department receives a resolution adopted annually by the board of supervisors authorizing the county to participate in the program and certifying that the county will expend 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. The money allocated to a county pursuant to subdivision (a) shall be used only for boating safety and enforcement programs, as specified in subdivision (a), that are conducted in that county; and,

NOW THEREFORE, BE IT RESOLVED that the El Dorado County Board of Supervisors authorizes the County Sheriff's Office to participate in the program funded through the Boating Safety and Enforcement Financial Aid Program Agreement, and certifies that not less than 100% of the County's Boat Taxes will be expended on its boating safety and enforcement program.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 4th day of May, 2021, by the following vote of said Board:

Attest:

Kim Dawson

Clerk of the Board of Supervisors

By: 

Deputy Clerk

Ayes: Hidahl, Turnboo, Thomas, Parlin, Novasel

Noes: None

Absent: None


John Hidahl
Chair, Board of Supervisors



County of El Dorado

Board of Supervisors
Department
330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

Minute Order Board of Supervisors

John Hidahl, Chair, District I
Lori Parlin, First Vice Chair, District IV
Wendy Thomas, Second Vice Chair, District III
George Turnboo, District II
Sue Novasel, District V

Kim Dawson, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
David Livingston, County Counsel

Tuesday, May 4, 2021

8:00 AM

<https://zoom.us/j/92934612807>

Virtual Meeting - [Click here to view meeting](#)

32. [21-0627](#)

Sheriff's Office recommending the Board:

- 1) Approve and authorize the Sheriff to sign the Fiscal Year 2021-22 Boating Safety and Enforcement Financial Aid Contract with the California Department of Parks and Recreation Division of Boating and Waterways in the amount of \$319,546 for the term July 1, 2021 through June 30, 2022 to provide revenue to support boating safety and enforcement activities on the County's rivers and lakes; and
- 2) Approve and authorize the Chair to sign Resolution **042-2021** adopting language pursuant to Harbors and Navigation Code Section 663.7(3) relative to the use of **100% of the annual Boat Taxes in conjunction with** the 2021-2022 Boating Safety and Enforcement Financial Aid Contract with the California Department of Parks and Recreation Division of Boating and Waterways for the Sheriff's Office annual Boating Safety and Enforcement Program.

FUNDING: State of California Department of Parks and Recreation Division of Boating and Waterways Boating Safety and Enforcement Financial Aid and County Boat Taxes.

This matter was Approved and Resolution 042-2021 was Adopted upon Approval of the Consent Calendar.



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OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
ADOPTION RESOLUTION
EL DORADO COUNTY 2021-2022 BOATING SAFETY AND ENFORCEMENT FINANCIAL
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Attest:
Kim Dawson
Clerk of the Board of Supervisors

By: _____

Deputy Clerk

Ayes: Hidahl, Turnboo, Thomas, Parlin, Novasel
Noes: None
Absent: None

John Hidahl
Chair, Board of Supervisors