

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO.

RESOLUTION NO.

RESOLUTION OF INTENTION NO.

**SUBJECT: Interlocal Agreement w/Kitsap County & Cities for
Distribution of Boating Safety Program Funds**

CONFORM AS TO DATES & SIGNATURES

- Filed with the City Clerk
- Passed by the City Council 1/21/2004
- Signature of Mayor
- Signature of City Clerk
- Publication
- Effective 1/22/2004 - *Until terminated*
- Recorded

DISTRIBUTE CONFORMED COPIES AS FOLLOWS:

- Kitsap County Herald - Faxed to Herald
- Ordinance or Resolution Book
- Code Publishing - via email if in electronic format
- City Attorney
- Civil Service Commission and/or Sec/Chief Examiner
- Clerk's Department - Original
- City Council
- Finance
- Engr/Bldg
- Fire District #18
- Mayor
- Municipal Court
- MRSC via email
- Parks/Recreation
- Planning
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- Public Works
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CERTIFIED COPIES:

Ky
City Clerk

1/28/2004

**INTERLOCAL COOPERATIVE AGREEMENT
CONCERNING THE DISTRIBUTION OF
BOATING SAFETY PROGRAM FUNDS
BETWEEN KITSAP COUNTY, THE CITY OF BAINBRIDGE ISLAND,
THE CITY OF PORT ORCHARD AND THE CITY OF POULSBO**

WHEREAS, Kitsap County (hereinafter County) has obtained approval of the County's boating safety program from the Washington State Parks and Recreation Commission and is eligible for an allocation of excess registration fees distributed by the State Treasurer under the provisions of RCW 88.02.040; and

WHEREAS, the County shall be responsible for the equitable distribution of such allocation to other jurisdictions with approved safety programs within said county;

WHEREAS, the City of Bainbridge Island has received approval from the Washington State Parks and Recreation Commission of their boating safety program and is desirous of receiving a distribution of said allocation;

WHEREAS, the City of Port Orchard has received approval from the Washington State Parks and Recreation Commission of their boating safety program and is desirous of receiving a distribution of said allocation;

WHEREAS, the City of Poulsbo has received approval from the Washington State Parks and Recreation Commission of their boating safety program and is desirous of receiving a distribution of said allocation;

WHEREAS, the Interlocal Cooperation Act, RCW 39.34 authorizes the parties hereto to enter into this agreement;

NOW THEREFORE, in consideration of the mutual covenants herein contained, County, the City of Bainbridge Island, the City of Port Orchard, and the City of Poulsbo agree as follows:

Section 1: Purpose: The purpose of this agreement is to provide for the distribution of said boating safety program allocation. The parties to this agreement do not intend to create a separate legal entity. The County shall serve as the administrator for the distribution of the funds under this agreement.

Section 2. Disbursement: Funds received from the State shall be deposited into the County Boat Fund. County shall then disburse the funds in accordance with the distribution formula set forth herein. County, the City of Bainbridge Island, the City of Port Orchard, and the City of Poulsbo shall each maintain records regarding the use of funds in accordance with state auditing and budgeting rules.

Section 3: Distribution: County, the City of Bainbridge Island, the City of Port Orchard, and the City of Poulsbo agree to the following distribution formula: sixty percent (60 %) to the County; twenty percent (20 %) to the City of Bainbridge Island; ten percent (10 %) to the City of

Port Orchard, and ten percent (10 %) to the City of Poulsbo. The Kitsap County Treasurer is directed to make such distribution upon receipt of said allocation from the State. If the funds allocated for 2003 by the State have already been received and disbursed according to the Interlocal Agreement dated October 11, 1993, then the Kitsap County Treasurer is directed to disburse the additional ten percent (10 %) to the City of Port Orchard to complete this agreement for 2003 funding.

Section 4. Covenants: Each party agrees to maintain the minimum requirements for approval of the party's boating safety programs under the provisions of WAC 352.65.040. Each party further agrees to hold harmless the other parties to this agreement from liability incurred in said party's enforcement of said party's boating-safety program.

Section 5: Termination: This agreement shall be terminated (1) upon mutual agreement of the parties, (2) upon revocation of any program of one of the parties by the Washington State Parks and Recreation Commission; or (3) upon approval by the Washington State Parks and Recreation Commission of a boating safety program of any other local jurisdiction within said county.

Section 6: Effective Date: This agreement shall be effective upon subscription by the County, the City of Port Orchard, the City Poulsbo and the City of Bainbridge Island.

In witness thereto, the County, the City of Port Orchard, the City Poulsbo and the City of Bainbridge Island have executed this agreement as of the date and year cited.

Board of Kitsap County Commissioners

Jan Angel
By: Jan Angel Chair

Chris Endresen
By Chris Endresen, Commissioner

Patty Lent
By Patty Lent, Commissioner

Attest: Opal Robertson
Opal Robertson, Clerk of the Board

City of Port Orchard

Leslie J. Weatherill
By: Leslie J. Weatherill, Mayor

Attest: Carol Etgen
Carol Etgen, City Clerk

City of Bainbridge Island

By: Darlene Kordonowy, Mayor

Attest: _____
City Clerk

~~City of Poulsbo~~

~~_____~~
By: Donna Jean Bruce, Mayor

~~Attest: _____~~
~~City Clerk~~

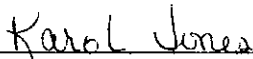
City of Poulsbo

By:



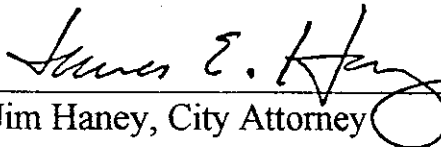
Donna Jean Bruce, Mayor

Attest:



Karol Jones, City Clerk

Approved as to Form:



Jim Haney, City Attorney