

CLARK COUNTY
STAFF REPORT

John
4/11

DEPARTMENT: Clark County Sheriff's Office

DATE: July 31, 2013

REQUEST: Accept an extension of the Recreational Boating Safety Federal Financial Assistance Grant with \$24,651 in additional funding

CHECK ONE: X Consent CAO

BACKGROUND

Last summer, the Clark County Sheriff's Office received a Recreational Boating Safety (RBS) Federal Financial Assistance Grant of \$86,642 through the Washington State Parks & Recreation Commission (WSPRC) for the time period of July 1, 2012 through June 30, 2013. These funds reimburse the Sheriff's Office for costs incurred to "support safer boating through the enforcement of boating safety laws and [the provision of] boating education courses." WSPRC has recently offered an extension of that grant to September 30, 2013 with additional funds in the amount of \$24,651. Among authorized uses for the funds are on-the-water patrols to enforce boating laws (especially "boating under the influence" (BUI) and life jacket carriage and wear laws), boating safety training for citizens, and purchase and maintenance of patrol boat equipment. This grant does not require matching funds.

COMMUNITY OUTREACH

A key component of this program is the training of boaters in Clark County to improve their knowledge of boater safety laws and principles. This program has a goal of making recreational boating safer for Washington citizens.

BUDGET AND POLICY IMPLICATIONS

Acceptance of the additional funding would require a resource-neutral supplemental budget adjustment, increasing both revenue and expenditure budgets for the Sheriff's Office by \$24,651. In recognition of the established schedule, this supplemental action request will be postponed to the next scheduled supplemental process.

FISCAL IMPACTS

Yes (see attached form) No

ACTION REQUESTED

Approve acceptance of the SFY 2012-13 RBS grant extension and permit the Sheriff to expend the additional grant funds in accordance with the terms and conditions of the grant. Recognize the need for a resource-neutral supplemental action, which will be submitted by the Sheriff's Office during the next scheduled supplemental process.

DISTRIBUTION

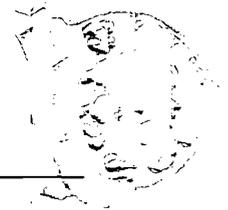
SO Fiscal, John Lawler
Auditor's Office, Amanda Miller

Office of Budget
SO Marine, Sergeant Dennis Pritchard

Joseph Dunegan
Name Joseph Dunegan
Title County Undersheriff

Approved: *[Signature]*
CLARK COUNTY
BOARD OF COMMISSIONERS

Aug. 13, 2013
SR 159-13



FISCAL IMPACT ATTACHMENT

Part I: Narrative Explanation

I. A – Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information

The Sheriff's Office will incur overtime and equipment expenses. These expenses will be reimbursed by WSPRC after they are incurred subject to a \$24,651 limit. Therefore, the request will result in no net fiscal impact.

Part II: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
0001 / General Fund	24,651.00	24,651.00	0.00	0.00	0.00	0.00
Total	24,651.00	24,651.00	0.00	0.00	0.00	0.00

II. A – Describe the type of revenue (grant, fees, etc.)

Grant from the U.S. Coast Guard (CFDA 97.012) through the Washington State Parks and Recreation Commission

Part III: Estimated Expenditures

III. A – Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		GF	Total	GF	Total	GF	Total
0001 / General Fund	0	24,651.00	24,651.00	0.00	0.00	0.00	0.00
Total		24,651.00	24,651.00	0.00	0.00	0.00	0.00

III. B – Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
Salary/Benefits						
Contractual						
Equipment/Supplies						
Travel						
Overtime	24,651.00	24,651.00	0.00	0.00	0.00	0.00
Capital Outlays						
Inter-fund Transfers						
Debt Service						
Total	24,651.00	24,651.00	0.00	0.00	0.00	0.00

Don Hoch
Director



STATE OF WASHINGTON

WASHINGTON STATE PARKS AND RECREATION COMMISSION

1111 Israel Road S.W. • P.O. Box 42650 • Olympia, WA 98504-2650 • (360) 902-8500
TDD (Telecommunications Device for the Deaf): (360) 664-3133
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July 9, 2013

MEMORANDUM

TO: Recipients of Recreational Boating Safety *Federal Financial Assistance Grant*

FROM: Mark T. Kenny, Program Specialist, Boating Programs
Tammy Bahr, Financial Analyst, Boating Programs *MTK*

SUBJECT: Updated Information on Extension Grant Requirements; Limits for Expenditures, and Reimbursement Process

- Your grant from the Washington State Parks and Recreation Commission has been extended to September 30, 2013. Additional funds have been added to the agreement. All other terms and conditions apply.
- The new funds, plus any remaining funds from the original grant may be spent until September 30, 2013.
- The Washington State Parks and Recreation Commission strongly urges all marine law enforcement programs to use the federal assistance grant funds to increase on-water patrol hours.
- As an approved program, your agency should be patrolling a **minimum** of 320 hours from Memorial Day weekend to Labor Day weekend in 2013, and completing at least one written inspection per patrol hour.
- You play a key role in shaping boater behavior. Please use the extra patrol hours to make boating safer in Washington by holding boaters properly accountable and applying a zero tolerance policy to violations of boating under the influence, mandatory boater card requirements, life jacket carriage and wear, and the rules of the road for operation.
- The attached pages contain additional information on allowable expenditures and billing procedures - please read it thoroughly.
- Please make every effort to submit all invoices accurately and in a timely fashion.

Thank you for partnering with the Washington State Parks and Recreation Boating Safety Program!

GRANT REQUIREMENTS AND PERFORMANCE MEASURES

The original *Letter of Award* received in 2012 and your agency's grant application are the legal documents containing the terms and performance measures you have agreed to accomplish for reimbursement. The same terms and performance measures can now be accomplished with the additional months of July, August, and September, 2013. You are required to track activities of written vessel inspections, visual spot inspections, and extra patrol hours to assure that the grant requirements have been met to receive full reimbursement. Agencies will not receive full reimbursement if the performance measures in the application and terms in the *Letter of Award* are not met.

As a program that is in good standing with the WAC requirements your agency is already required to be conducting regular weekend patrols during the primary boating season of Memorial Day weekend thru Labor Day weekend to have qualified to apply for grant funds. The grant funds are for additional patrol activities during the primary boating season. The funds are not intended for patrol hours an agency is already required to conduct on weekends during the primary boating season since your agency has received state Vessel Registration Fees (VRF) to use with local funds for that purpose. The intent of the grant is to support the expansion of your program with additional patrol hours during weekends, week days, and the time period before and after primary boating season.

WRITTEN VESSEL INSPECTIONS

Use the 'Washington State Vessel Inspection' (P&R A-274) form provided by State Parks for completing written inspections. The number of inspections is reported on the quarterly *Summary of Activities Report* (SOAR) your agency is already completing. Quarterly reports are due the 15th following the end of the quarter (April 15, July 15, October 15, and January 15). NOTE: Your agency should already use the current electronic version of the SOAR form made available for January 1, 2013. **Do not use previous editions.** Contact State Parks if you cannot locate your electronic SOAR or it is corrupt and you need a backup copy. It will have all data for the year already submitted.

We accept 'visual spot inspections' the same as written inspections for the grant because the Coast Guard now allows a state to count them when reporting state activities. Visual spot inspections will require additional documentation using the 'Visual Spot Inspection Log' form provided. It is a short visual check of two key equipment requirements. It does not have to involve direct verbal contact and will depend on the type of vessel and the activity. A visual spot inspection is counted when an RBS trained officer sees a vessel that is easily determined to be in compliance with the lifejacket and registration requirements.

Example of acceptable visual spot inspections: An officer on shore or in a patrol boat sees three, single-seat kayaks paddling a short distance from his location. (Since manually powered vessels are not required to display numbers and registration decals, numbers and decals are not considered in this example.)

- If it can be determined that all three operators are wearing a life jacket, each counts as a visual spot inspection. If an operator is not wearing a life jacket, but the officer can determine one is on board, then it is counted as a visual spot inspection.
- If it looks like there is no life jacket on board, compliance cannot be determined and it cannot be counted as a visual spot inspection. For smaller vessels less than 16' a best practice in some cases would be to make contact and complete a written vessel inspection.

- If an operator or passenger appears to be 12 years old or less on a vessel less than 19' the lifejacket must be worn securely, be the right size, and be in good condition to be a visual spot inspection.

Examples of unacceptable visual spot inspections:

When you see a vessel and you cannot confirm visually there are enough PFDs for everyone on board, it does not count.

- You see two adults not wearing PFDs and sitting in a boat over 16'. There is a child probably under 12 who is wearing a PFD. This is not a visual spot check because you do not see the adult wearable PFDs or the required Type IV cushion.
- You see a vessel in the 30' range and the operator in the flying bridge is wearing a PFD, but it's unclear if the 5 or 6 passengers on the rear deck are wearing PFDs. This is not a visual spot check.

Officers at the ramp for the sole purpose of recording registration numbers is not a best practice for meeting grant requirements and is discouraged.

Visual spot inspections are counted when on patrols, at ramps, on docks, or shore and during other duties like launching/retrieving, writing inspections, public contacts, race/regatta patrol, special events, maintenance, managing vessel traffic, or training.

Visual spot inspections are documented using the 'Visual Spot Inspection' log form (included with email) to record key information. Use it for each patrol vessel and each shift.

Submit a copy of each vessel spot inspection log with reimbursement requests. Keep copies of all forms to document your activities. Vessel spot inspection numbers are entered on the *Summary of Activities Reports* submitted each quarter. NOTE: The grant programs have weighted the formulas for allocation of funds towards completing written vessel inspections so the choice to log a visual spot inspection instead of doing a written vessel inspection can affect the amount of funds allocated.

ALLOWABLE EXPENDITURES

Grant funds may be used only for activities under WAC 352-65-040, the ten elements necessary to accomplish the Recreational Boating Safety (RBS) mission. If it is unclear if an expense meets these criteria, contact program staff to discuss the item before proceeding. The activities in the WAC include and are limited to:

- Salaries, benefits, and wages for officers who have completed state RBS training and conduct on-the-water patrols only, to maintain existing staff levels, increase patrol time above the current level, or for over-time patrol hours.

NOTE: If an agency has a policy requiring two officers on a boat, then as long as one officer has completed state RBS training, the salaries, benefits and wages of one additional officer may be reimbursed if that officer has not completed the required training. The second officer must be a fully commissioned officer. Backfilling of officer's wages is not permitted.

- The purchase, maintenance, and operation of patrol boats and patrol boat equipment and trailers to perform the RBS mission. State Parks will determine if purchases meet the RBS mission on a case-by-case basis.
- Major equipment purchases to support your agency patrol boat are an allowable expenditure. To avoid purchases that do not meet the RBS mission, agencies are requested to contact us to confirm the purchase meets the mission.

Equipment purchases are only for the Recreational Boating Safety purposes in Section .040 of the WAC. If equipment is used part of the time for RBS purposes, then only that portion of the time the equipment is used for RBS can be reimbursed. Example: An agency purchases a vehicle to tow a patrol vessel during the summer months and uses it for other law enforcement missions during the rest of the year. It must be determined what percentage of the time the vehicle is used for RBS. This then becomes the percentage that grant funds can be used for the equipment purchased. If there are questions contact State Parks staff prior to making the purchase.

In addition, purchases and expenditures must be made during the grant period and finalized before September 30, 2013. The application of grant funds after the close of the grant cannot be completed if there are remaining grant funds once the grant period has ended.

- Education instruction classes in the state *Adventures in Boating* course to qualify graduates for the mandatory boater education card required by statute, other boating education and outreach classes, or presentations. Costs may include classroom supplies, light refreshments, and other goods and services necessary to promote and teach classes.
- In-state training courses for officers to complete the RBS mission to meet the elements in WAC 352-65. **This is limited to Basic Marine Law Enforcement, Boating Under the Influence, Accident Reporting and Investigation, Sound Level Measurement, PWC Operation, and Adventures in Boating instructor training.** All other training will require advance review and approval by State Parks on a case-by-case basis to determine if the expenditure(s) is justified and meets the RBS mission.
- Buoys, signs, and aids to navigation that fulfill RCW 79A.60.500 and WAC 352-66 are allowed.
- If uncertain about a purchase contact program staff beforehand to confirm that it meets the RBS mission and WAC requirements.

EXPENDITURES NOT ALLOWED

The following items are not part of the RBS mission and are not reimbursed with grant funds:

- Indirect costs for grant administration.
- Back-filling for officer salary not spent on the RBS tasks in the WAC.

- Homeland security equipment and missions (night vision equipment, weapons, etc.).
- Recovery equipment such as diving equipment, side-scan sonar, etc. as determined by State Parks.
- Other boating equipment that is complementary to your program operation and is not required by state & federal regulations on the vessel when doing on-water patrols.
- Uniforms and clothing costs.
- Staff salary to perform work that is not specifically for increased patrol hours such as maintenance activities, program administration, and administrative tasks,
- Cell phones, smart phones and related costs, and monthly services fees.
- Non-RBS training.

Equipment that is not directly related to the RBS mission and/or is determined to be customary and usual expenditures provided fulfilled by local agencies are the financial responsibility of the local agency.

BILLING INVOICES

Important note regarding expense documentation: Any state or federal audit will include a review of the records kept at your agency. Each grantee is required to maintain all records of all allowable expenditures for which grant dollars were spent and make them available to State Parks for review upon request. Expenditure records may include but are not limited to receipts, invoices, and timesheets. These records must be maintained for six years following the completion of the grant. It is not necessary to send them in with your payment request, but you may be requested to send records when we review your invoice and there is no description of the expenditure or it is not clear what it was for.

The A-19 invoice is an Excel document that includes four tabs. The worksheet tab "Instructions" explains how to fill out each of the other tabs. Once completed, print the "Invoice Voucher", the "Officer List Worksheet", and the "Reimbursement Worksheet." Please obtain an authorized signature on the Invoice Voucher and mail all originals to our office:

Washington State Parks and Recreation Commission
 Boating Program
 P.O. Box 42650
 Olympia, WA 98504-2650

We do not accept electronic submittals. Reimbursements can be requested monthly or quarterly. Include copies of all 'Visual Spot Inspection Log' sheets with all reimbursement paperwork. Keep copies of all forms to document grant activities.

If there are any questions about the grant terms, conditions, allowable expenditures, or to discuss changes about the program goals and numbers in your agency application, contact State Parks program staff in advance to avoid having purchases disqualified.

To get a copy of your original grant application with your agency goals for the number of patrol hours, written inspections, and visual spot inspections, contact Sherri Sweeney at sherri.sweeney@parks.wa.gov or (360) 902-8845.

For billing and fiscal questions contact Tammy Bahr at tammy.bahr@parks.wa.gov or (360) 902-8843.

For questions on program requirements and expenditures contact Mark Kenny at mark.kenny@parks.wa.gov or (360) 902-8835.

We look forward to our partnership with local agencies and the additional work done to reach boat operators to promote safe, responsible recreational boating. Please feel free to contact us if you have questions.

Don Hoch
Director



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May 8, 2013

Mr. John Lawler
Clark CSO
PO Box 410
Vancouver, WA 98666

**Re: Recreational Boating Safety Federal Financial Assistance Grant Letter of Award
Offer of Extended Time Period – July 1, 2013 to September 30, 2013**

Dear Mr. Lawler:

Your agency currently has a *FY 13 Federal Financial Assistance Grant* with the Washington State Parks and Recreation Commission for Recreational Boating Safety (RBS) for the period of July 1, 2012– June 30, 2013. An additional \$300,000 total is being offered to qualified agencies to supplement the current agreement. The amount is based on your agency's performance activities reported to State Parks. No additional requirements are necessary to receive the additional funds. The amount of the additional funding awarded to your agency is \$24,651.

Terms of Acceptance: Acceptance of a Federal Financial Assistance award carries with it the responsibility to comply with the terms and conditions of the award in your original application and Letter of Award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application form, as approved by State Parks. The signed original grant application contains the terms and conditions to which your agency has agreed. Please review your application (enclosed) so you are familiar with each requirement.

Specifically you have agreed to:

- Conduct on the water patrols *in addition* to those already required and paid for with State Vessel Registration Fees and local funds.
- Complete the minimum written vessel inspections and visual spot inspections entered on your RBS *Federal Financial Assistance Grant Application*.
- Emphasize compliance and enforce:
 - Life jacket requirements;

- Mandatory boater education card now required to be carried by operators 50 years old and younger when operating motor boats 15 hp or more;
- Boating under the influence of alcohol (BUI); and
- "Rules of the road", negligent and reckless operation regulations.
- Participate in Operation Dry Water is June 2013.
- Request reimbursement for approved expenditures only (see WAC 352-65-040, the ten elements necessary to accomplish the Recreational Boating Safety mission) and within the designated timelines. I would like to emphasize a few points with regards to reimbursement.
 - Invoices for reimbursement may be submitted no more often than monthly but **no less than quarterly**. If there are no grant expenditures for the quarter, an invoice billing is not required, however a Summary of Activities Report (A428) with supporting documents (i.e. yellow copies of vessel inspection forms and patrol vessel log sheets) is still required. **Invoices are due by the 15th following the end of the quarter and invoices received after the 30th will not be processed.**
 - These grant funds may not be used to reimburse indirect costs.

You may seek reimbursement for:

- Salaries, benefits, and wages for officers who have completed state RBS training and conduct on the water patrols, to maintain existing staff levels, increase patrol time above the current level, or for overtime patrol hours. In general, officers paid with these funds must have completed a State Parks Recreational Boating Safety training course per WAC requirement. However, if an agency has a policy requiring two officers on a boat, then as long as one officer has completed state RBS training the second officer is not required to have done so but must be a fully commissioned officer.
- Purchase, maintenance, and operation of patrol boats and patrol boat equipment to perform the RBS mission. This does not include equipment for recovery operations (dive equipment, side scan sonar, etc.), homeland security missions (night vision equipment, weapons, etc.) or other work unrelated to the RBS mission as determined by State Parks.
- Providing instruction classes in Adventures in Boating to qualify graduates for the mandatory boater education card required by statute. Costs may include classroom supplies, light refreshments and other goods and services necessary to promote and teach classes.
- Basic marine law enforcement training, or other courses, as determined by State Parks, for officers to complete the RBS mission. Contact the State Parks Boating Program prior to making expenditures for all other courses for compliance with the RBS mission.
- Direct program administration costs.

Submit the following forms to apply for reimbursement (those identified with an asterisk will be supplied by e-mail):

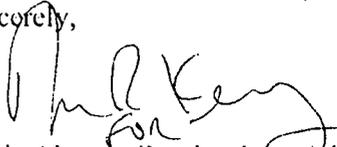
- Marine Law Enforcement Grant Invoice Voucher (form A-19)* to include names of officers performing patrols paid with these funds

- Summary of Activities Report (form A-428)* – due quarterly by the 15th following end of quarter
- Yellow copies of the vessel inspection form – included with each quarterly report
- Copies of vessel log sheets* for each patrol vessel and shift documents visual spot inspections reported each quarter on the Summary of Activities Report.

Your signature on each *Marine Law Enforcement Grant Invoice Voucher* certifies that your agency has completed the work and has retained copies of all the supporting documentation on file for audit purposes per the commitment in the *Federal Financial Assistance Grant Application -- State FY13* and acceptance of the additional funds during the extension period.

If you have questions regarding contract terms, expenditures or financial invoice billing, please contact Mark Kenny at (360) 902-8835 / mark.kenny@parks.wa.gov or Tammy Bahr at (360) 902-8843 / tammy.bahr@parks.wa.gov.

Sincerely,



Wade Alonzo, Boating Law Administrator
Washington State Parks and Recreation Commission

Enclosures: Letter of Award (original)
Agency Grant Application (original)

cc: Mark Kenny, Enforcement Specialist
Contracts
Fiscal