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MOTION NO.           

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A MOTION authorizing the executive to enter into an agreement with the cities of Des Moines, Mercer Island, and Seattle allocating Local Option Boat Tax and State vessel registration fees.

WHEREAS, King County is required to contract with municipalities providing marine patrol services, and is required to provide compensation to those municipalities in accordance with RCW Chapter 82.49.0470, and

WHEREAS, the cities of Des Moines, Mercer Island, and Seattle provide marine patrol services and seek compensation from the proceeds of the Local Option Boat Tax, and

WHEREAS, the county receives and must allocate a certain share of revenues from State vessel registration fees among jurisdictions with approved boating safety programs;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The county executive is authorized to execute an agreement, substantially in the form attached, with the cities of Des Moines, Mercer Island, and Seattle, to provide support for marine patrol services and boating safety programs through sharing of Local Option Boat Tax net proceeds and State-provided vessel registration fees.

PASSED this 5<sup>th</sup> day of November, 1990

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Lois North  
Chair

ATTEST:

Gerald A. Peterson  
Clerk of the Council

AN AGREEMENT RELATING TO LOCAL OPTION  
BOAT TAX AND VESSEL REGISTRATION FEES

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1990 by and among King County, a home rule charter county, a political subdivision of the State of Washington, hereinafter referred to as the "County", and the Cities of Des Moines, Mercer Island and Seattle, municipal corporations of the State of Washington, hereinafter referred to as the "Cities".

WHEREAS the 1983 State Boating Law authorizes counties to levy a tax on certain pleasure boats of up to fifty cents per foot, hereinafter referred to as the "tax"; and

WHEREAS excess collections of State vessel registration fees have been allocated to the County for approved boating safety programs; and

WHEREAS the parties to this agreement provide marine patrol services and certain parties have approved boating safety programs; and

WHEREAS the parties desire to extend the imposition of the tax and to distribute State vessel registration fees; and

NOW THEREFORE, the County and the Cities hereby agree:

1. The Cities agree to the continued imposition by the County of an annual tax of \$.50 per foot on the privilege of using a vessel moored or stored in King County.
2. The County shall administer and collect the tax imposed by King County Ordinance 6595, as amended, in accordance with this agreement and with the provisions of the 1983 State Boating Law and any amendments enacted by the Legislature. The Cities agree to this method of administration and collection.
3. The County shall collect the tax, and on or about the tenth of the months of July, August, September and December, after deducting the County's administrative costs, disburse the revenue as follows:
 

Des Moines	-Five percent (5%),
Mercer Island	-Twelve & one half percent (12.5%),
Seattle	-Forty-one & one quarter percent (41.25%),
King County	-Forty-one & one quarter percent (41.25%).
4. The parties shall explore methods to produce greater compliance with the tax, recognizing that effective methods may require a change in State law. State level administrative costs, if any, shall be deducted by the County prior to revenue distribution to the Cities.

5. The revenue available to the County from State vessel registration fees shall be distributed to the parties with approved boater safety programs as follows:
- Mercer Island -Thirteen percent (13%),  
 Seattle -Forty-three & one-half percent (43.5%),  
 King County -Forty-three & one-half percent (43.5%).
6. The County and Cities shall use the boat tax and vessel registration revenues to support boating safety and law enforcement, and shall each continue to provide such marine patrol services as they deem appropriate on the waters within their respective jurisdictions and, if applicable, on waters each assumes responsibility for through contract.
7. The Cities agree to continue legislation making it unlawful for any person to moor, store or operate a vessel, the use of which is subject to King County Ordinance 6595, as amended, within the City's jurisdiction without displaying evidence of compliance with that Ordinance and providing that any fines collected for violation of such a section of the City's codes shall be in addition to the tax required. The Cities shall also insure such legislation is enacted by any contract jurisdiction.
8. This agreement shall be effective upon execution by the parties, and shall automatically renew each calendar year unless terminated, for the following calendar year, by any party through written notice to all other parties by October 1. This agreement replaces the existing 1990 agreement among the parties relating to Boat Tax.
9. This agreement may be amended by written agreement of the parties.

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

KING COUNTY

Approved as to form:

\_\_\_\_\_  
 King County Executive

\_\_\_\_\_  
 Deputy Prosecuting Attorney

CITY OF DES MOINES

Approved as to form:

\_\_\_\_\_  
 City Manager

\_\_\_\_\_  
 City Attorney

CITY OF MERCER ISLAND

Approved as to form:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Attorney

CITY OF SEATTLE

Approved as to form:

\_\_\_\_\_  
Mayor of Seattle

\_\_\_\_\_  
City Attorney

JBC  
10/90