

RESOLUTION
NUMBER 2020- 042

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA SUPERCEDING RESOLUTION NO. 98-1100AO; PROVIDING FOR SOURCES OF INCOME FOR THE BOATER REVOLVING FUND; PROVIDING FOR MANAGEMENT OF THE FUND; PROVIDING FOR EXPENDITURES FROM THE FUND; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Charlotte County Resolution 98-1100AO established the Boater Revolving Fund ("BRF"); and

WHEREAS, the BRF was established to provide for the funding needs of boater-related projects and to promote and enhance boating activities in Charlotte County; and

WHEREAS, Charlotte County ("County") has the authority to establish grants and funding opportunities to governmental and non-governmental agencies using funds from the BRF; and

WHEREAS, the Charlotte County Marine Advisory Committee ("MAC") provides recommendations to the Board of County Commissioners ("Board") on boating-related projects and grant funding that promote and enhance boating activities in the County;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida that:

1. Purposes of the Fund

(a) The BRF provides for the funding needs of boating-related projects and promotes and enhances boating activities in Charlotte County. Such projects may provide

for: 1) waterway management; 2) boaters' safety and education; 3) aids to navigation; 4) marine law enforcement; 5) dredging; 6) boating access, i.e., boat ramps; 7) protection of marine mammals, fish, and the aquatic environment, including manmade fishing reefs; 8) other projects for boater and waterway enhancement; all subject to any expenditure requirements and limitations placed on the sources of funding by any federal, state, or local law, ordinance, rules or regulations.

2. Sources of Funding

(a) The following shall be deposited into the Fund upon receipt thereof by County:

(1) Net amounts collected by County under Florida Statute 328.66 and Resolution 96-1170AO, the County registration fee for vessels (Boater Improvement Fund-Local).

(2) Net amounts distributed to the County under Florida Statute 328.72 from the State of Florida registration fee for vessels (Boater Improvement Fund-State).

(3) County Ad Valorem funds collected by the West Coast Inland Navigation District, under Chapter 66A-2, Florida Administrative Code, and awarded to the County for the purposes allowed under the Waterway Development Program and Countywide Navigation Improvement Fund.

(4) Any other grants, contributions, and County funding when appropriate for the purposes allowed under the Fund.

3. Fiscal Management of the Fund

(a) A budget shall be established annually for the Fund and adopted as part

of the annual budget process for all County funds. The budget may be amended as necessary throughout the fiscal year.

(b) All revenues and expenditures shall be accounted for in the same manner as for all County funds, using appropriate line items. In addition, all expenditures must comply with the requirements of Paragraph 4 of this Resolution.

(c) All cash balances shall be invested in the same manner as for all public funds with the interest earnings returned to the Fund.

(d) Any approval of an expenditure from the Fund for any project or any reason shall not imply approval for additional expenditures on such project or for such reason.

4. Funding Source Expenditure Criteria

(a) Boater Improvement Fund ("BIF")-Local: The expenditures of BIF-Local funds shall be at the discretion of the Board, or its designated representative, in accordance with Florida Statute 328.66, working in conjunction with County staff, and coordination with the MAC for projects supporting patrol, regulation, and maintenance of the lakes, rivers, waters, and other boating-related activities.

(b) Boater Improvement Fund ("BIF")-State: The expenditures of BIF-State funds shall be at the discretion of the Board, or its designated representative, in accordance with Florida Statute 328.72, working in conjunction with County staff, and coordination with the MAC, for projects supporting recreational and uniform channel markers, public boat ramps, lifts/hoists, marine railways, boat piers, docks, mooring buoys, and other launching facilities; and for removing derelict vessels, debris that specifically impedes boat access (not including dredging), and vessels and floating structures deemed a hazard to public safety and health . The County budget office shall

submit the required annual report to the Florida Fish and Wildlife Commission enumerating expenditures of these funds.

(c) Waterway Development Program (“WDP”): The WDP, under Chapter 66A-2 F.A.C., is a grant program administered by the West Coast Inland Navigation District (“WCIND”). WCIND is a multi-county special ad valorem taxing body covering Manatee, Sarasota, Charlotte, and Lee counties, to provide financial assistance for the costs of waterway projects that meet the purposes of the following project categories: Public Navigation, Boater Recreation, Environmental Education, Boating Safety, or Marine Law Enforcement. Boater Recreation and Safety projects require a 50% match of cash or in-kind services. The County is the direct recipient of funds for WDP projects. The County shall name a liaison agent who will be the officially-designated representative of the Board who is authorized to act on behalf of the County on all matters related to participation in the WDP grant program. To maximize the use of available funding, BIF-L and BIF-S funds may be used to accommodate the match requirement of the WDP.

5. Boater Revolving Fund Grant Program

(a) The Charlotte County BRF Grant Program shall provide a means for distributing non-committed BRF funds to county and municipal governments, county non-profit organizations, and other county organizations through a grant program.

(b) The County Budget Office, in coordination with the WCIND County Liaison on WDP funding, shall manage the BRF Grant Program.

(c) The Charlotte County Budget Office will annually establish a budget to determine available grant funding from each funding source to be allocated for grant distribution.

(d) The County shall maintain guidance and procedures for the application and administration of BRF Grant Program funding, in accordance with the Charlotte County Grants Administration Manual, including administering pass-through awards. The County Administrator, or designee, may amend the procedures as may be necessary to ensure compliance with state and federal law and with the changing operational needs of the County.

(e) The MAC shall review BRF Grant Program applications and provide the Board a recommendation on project application qualification and merit.

(f) The County Budget Office shall establish which source of BRF funding best maximizes the use of funds for awarded projects, based on funding source expenditure criteria and best-practice fiscal program management.

(g) The Board shall review the BRF Grant Program applications, with consideration to the MAC recommendation, and through official resolution, provide approval for award of BIF-Local and BIF-State funds, and approval for the County to apply to WCIND for WDP funds.

(h) Projects selected for WCIND WDP application shall be processed by the County Budget Office, in coordination with the WCIND County Liaison, in accordance with Chapter 66A-2 F.A.C. The County shall enter into a grant agreement with WCIND on approved WDP projects.

(i) The County shall enter into a grant agreement with agencies receiving grant funding from or through the County.

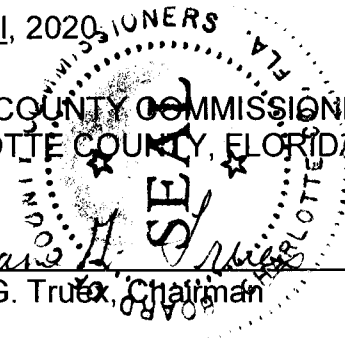
6. Nothing contained in this Resolution shall be deemed to restrict the Board from authorizing expenditures from the Fund prior to or without the review and

recommendation from the MAC.

7. This Resolution supercedes Resolution Number 98-1100AO.

PASSED AND DULY ADOPTED this 28th day of April, 2020.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA



By: William G. Truex
William G. Truex, Chairman

ATTEST:

Roger D. Eaton, Clerk of the Circuit
Court and Ex-officio Clerk of the
Board of County Commissioners

By: Michelle DeBeaudino
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR19-0333 PSP (PSP)