

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT General Services	(2) MEETING DATE 11/6/2012	(3) CONTACT/PHONE Elizabeth Kavanaugh 781-4089	
(4) SUBJECT Request to approve the San Luis Obispo County Off-Highway Motor Vehicle In-Lieu Fee Fund Proposal Evaluation Criteria. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board approve the attached Off Highway Motor Vehicle In-Lieu Fee Fund Proposal Evaluation Criteria.			
(6) FUNDING SOURCE(S) Off Highway Vehicles Fund	(7) CURRENT YEAR FINANCIAL IMPACT Distribute approximately \$90,000 in OHV In-Lieu Fees and \$5,000 to Parks	(8) ANNUAL FINANCIAL IMPACT Distribute approximately \$90,000 in OHV In-Lieu Fees and \$5,000 to Parks	(9) BUDGETED? No.
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est.) <input checked="" type="checkbox"/> Board Business (Time Est. <u>20 minutes</u>)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date <u>August 7, 2012</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Reviewed by Vincent Morici			
(18) SUPERVISOR DISTRICT(S) All Districts -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: General Services / Elizabeth Kavanaugh
781-4089

DATE: 11/6/2012

SUBJECT: Request to approve the San Luis Obispo County Off-Highway Motor Vehicle In-Lieu Fee Fund Proposal Evaluation Criteria. All Districts.

RECOMMENDATION

It is recommended that the Board approve the attached Off Highway Motor Vehicle In-Lieu Fee Fund Proposal Evaluation Criteria.

DISCUSSION

Each year, the County receives approximately \$160,000 of funding from the State to be used to enhance off highway vehicle recreation. These funds are collected as in-lieu fees as part of the licensing requirements for off highway vehicles. On August 7, 2012 the Board of Supervisors reviewed a report on this topic and adopted an Off Highway Motor Vehicle License Fund, Distribution Plan. As part of this plan, sixty percent (approximately \$96,000) of the County's share of these funds is to be distributed to other governmental and non-profit organizations through a competitive application process. On that date the Board also directed County Parks to establish criteria for this application process. The attached criteria meet the standards of Public Resource Code 5090.50. This section of the Public Resources code identifies the criteria for the use of Off Highway Motor Vehicle In-Lieu Fees. These criteria will assist the Parks and Recreation Commission in determining which project applications should be recommended for funding.

On August 7, 2012 the Board of Supervisors adopted the following Off Highway Vehicle In-Lieu Fee Fund Distribution Plan including:

1. The distribution of future annual Off Highway Vehicle (OHV) In-Lieu Fee revenues to be divided with 40% to be allocated to County departments and 60% to be allocated to other governmental and non-profit organizations.
2. Allocations of funding to County departments will be determined through the established Budget Augmentation Request process in the annual County Budget.
3. Allocations of funding to other governmental organizations and non-profit organizations will be determined through an annual competitive application process overseen by County Parks' staff with qualifying projects being reviewed by the County Parks Commission. The Parks Commission will recommend projects for inclusion in the County's annual budget, subject to the approval by the Board of Supervisors.
4. Staff are to establish written criteria of the evaluation of proposals consistent with the existing standards in the Public Resources Code. County staff will bring the proposed criteria back to the Board for approval prior to applying the criteria to the selection of projects by the Parks Commission.
5. State Parks is identified as the responsible party for emergency response at the dunes as they operate that recreational area; and delegates Cal Fire as the vetting agency for the evaluation of proposals that involve emergency response by fire protection organizations.

Item four, above notes that staff is to establish written criteria for the evaluation of proposals by other governmental and non-profit organizations that are consistent with the existing standards in the Public Resources Code. All proposed criteria are listed in Attachment B.

Staff reviewed existing state and other counties' criteria for distribution of Off Highway Vehicle In-Lieu Fees and had discussions with these various agencies. Based on the experience of these fund administrators, Park's staff has crafted criteria that include the standards of the Public Resources Code 5090. Following are General Criteria for all proposals:

General Criteria

These criteria are recommended for all applications, regardless of category and include:

- Submitted to or post marked by application deadline.
- Complete and includes all requested information.
- Submitted by public agencies or non-profit corporations. Non-profit entities must provide proof of their non-profit status.
- Request funding for one-time projects. Requested projects must be a stand-alone project. The requested project may be part of a larger phased project, but funding a stand-alone project does not commit funding for future phases.
- Completed application packets and five copies must be clearly marked "Off Highway Vehicle License Fund Application Packet" and submitted to:

County Of San Luis Obispo General Service Agency-Parks
Attn: Off-Highway Vehicle Fund Grant Administrator
1087 Santa Rosa Street
San Luis Obispo, Ca. 93402

In addition, the following criteria are recommended for each category of proposal:

All Categories

- Does the project incorporate matching funds and/or volunteer efforts to accomplish the project?
- Estimated number of people to benefit from this project.
- Past performance of applicants in completing and administering grant funded projects.

These three criteria were added to specific criteria below for each proposal category. The four categories for proposals are: Operations and Maintenance; Restoration; Law Enforcement; and Education and Safety. Specific criteria for each category are as follows:

Operations and Maintenance

- The extent of which the project sustains existing or increases off-highway motor vehicle recreation opportunities and facilities or provides motorized access to non-motorized recreation opportunities.

Restoration

- Give additional consideration to application for projects that will restore areas that have the potential for the most significant damage
- Guarantee that no grant will be used for development or maintenance of trails for motorized use.

Law Enforcement

- The extent to which the project enhances the enforcement of law and regulations related to the operation and use of off-highway vehicles.

Note: County Parks is to provide financial and performance audits at least once every five years for the funded proposals in this category. The audits may be conducted in a random order. As part of the audit, County Parks must consider whether the law enforcement entity has spent the grant money in accordance with its application.

Education and Safety

- The extent and reach of the project that promotes education of rules/regulations related to the responsible and safe operation of off-highway vehicles.

Combined, the proposed criteria will assist in determining which project applications will provide the most benefit as compared to their costs.

OTHER AGENCY INVOLVEMENT/IMPACT

County Administrative Office assisted in creating the proposed criteria and on October 25, 2012 the Parks and Recreation Commission reviewed a report on this topic and recommended that the Board of Supervisors support and implement the proposed criteria for evaluating Off Highway Motor Vehicle Fund, proposals. The distribution of funds to other organizations and non-profit organizations will be based upon a 60% share of the OFV In-Lieu Fees received by the County.

FINANCIAL CONSIDERATIONS

County Parks operating and capital costs will not be increased or decreased through approval of the proposed criteria. The annual receipts of these funds vary but have historically been \$160,000 to \$180,000. A 60% share would allow the distribution of approximately \$90,000 to \$100,000 per year. The actual amount distributed will be based on the annual amount received. Parks anticipates receiving approximately \$5,000 of OHV In-Lieu Fees to cover the cost of administering the program.

RESULTS

Adoption of the criteria for evaluation of proposals by other governmental and non-profit organizations for Off Highway Motor Vehicle Fund will enhance off highway vehicles recreational opportunities, repair and restore ecological areas damaged by off highway vehicle use, provide funding to support law enforcement related to off highway vehicle use and promote the safe operation and use of off highway vehicle recreation. Projects meeting the above uses will assist in meeting countywide goals of a safe and livable community.

ATTACHMENTS

1. Attachment A - Off Highway Vehicle Fund – Funding Distribution Plan
2. Attachment B - Off Highway Vehicle Fund Proposal Evaluation Criteria
3. Attachment C - Public Resource Code 5090.50