

KERN COUNTY OFF HIGHWAY MOTOR VEHICLE LICENSE FUND**PROPOSAL EVALUATION PROCEDURE AND CRITERIA****Advertisement**

Advertisement of the availability and amount of funding under the County's Off Highway Project program will be published annually in adjudicated newspapers in Kern County. Advertisements will appear for a period of no less than one week each calendar year notifying the public of the proposal deadline, amount of money available, and a contact name and number within the Parks and Recreation Department for requesting proposal application packets. Advertisement costs will be paid from the Off Highway Motor Vehicle License Fund.

Application Packet

The Parks and Recreation Department shall provide proposal application packets to all requesting entities. The application packets will include the following documents:

1. Proposal Application Form
2. Proposal Evaluation Procedure and Criteria
3. Sample Grant Disbursement Agreement

Evaluation Criteria

Proposals submitted must meet the use criteria stipulated in Section 38240 and Section 38240.1 of the California Vehicle Code, which reads as follows:

§ 38240. Allocation and use of fees

- (a) The Controller shall allocate the fees collected under Section 38230 in July and January of each fiscal year in the same manner as fees are allocated under subdivisions (c) and (d) of Section 11005 of the Revenue and Taxation Code.
- (b) The funds collected under Section 38230 shall be used for any one or more of the following purposes:
 - (1) Planning, acquiring, developing, constructing, maintaining, administering, operating, or conserving trails, areas, or other facilities for the use of off-highway motor vehicles.
 - (2) Controlling the operation of motor vehicles in areas off the highways where the operation of motor vehicles is restricted or prohibited.
 - (3) Otherwise carrying out the provisions of this division.
- (c) Funds received by a city or county pursuant to this section may be expended for facilities located outside the limits of the city or county if both of the following conditions are met:

- (1) The funds are expended for the purposes of acquiring, developing, and constructing trails, areas, or other facilities for the use of off-highway motor vehicles.
- (2) The funds are expended pursuant to agreement with the city in which the facility is located, or with the county in which the facility is located if the facility is located in an unincorporated territory.

§38240.1. Additional uses of fees

In addition to the purposes specified in subdivision (b) of Section 38240, the funds collected under Section 38230 may also be used for reconstructing and repairing damage caused by the use of off-highway motor vehicles on property where the operation of those vehicles is prohibited by federal, state, or local law.

Further, applications must meet the following additional County criteria:

1. Funding will only be considered for proposals submitted by public agencies or non-profit corporations. Non-profit entities must provide proof of their non-profit status.
2. Entities requesting funding must meet all of the terms of the Grant Disbursement Agreement. The form of the Agreement is attached. The insurance requirements in the Agreement shall be established by the Kern County Risk Management Division as determined to be appropriate for each project proposal.

Application Submittal and Evaluation Procedure

1. Completed application packets must be clearly marked "Off Highway Vehicle License Fund Application Packet" and returned to the following address by the established deadline:

Kern County Parks and Recreation Department
1115 Truxtun Ave., 3rd Fl – General Services
Bakersfield, CA 93301
2. Applications will be forwarded to the Parks and Recreation Commission for evaluation. The applications will be placed on the Commission's agenda for public hearing within six weeks after submission deadline.
3. A copy of all applications received by the Commission will be forwarded to:
 1. Kern County Risk Management Division of County Counsel
 2. Winter Recreation Program Coordinator
State Department of Parks and Recreation – OHMVR
P. O. Box 942896
Sacramento, CA 94296-0001
(916) 323-0954
(916) 324-1610 fax
4. Applications recommended by the Commission will be referred to the Parks and Recreation Department and forwarded to County Counsel for Grant Disbursement Agreement finalization.

5. County Counsel will return the finalized Grant Disbursement Agreements to the Parks and Recreation Department. The Department will obtain the necessary signature(s) from the applicants.
6. The Parks and Recreation Department will recommend to the Kern County Board of Supervisors the approval of applications and the execution of the Grant Disbursement Agreements. Upon approval by the Board of Supervisors, funding will be disbursed in accordance with the Grant Disbursement Agreement.
7. The Parks and Recreation Department may receive reimbursement from the Fund for their administrative costs in an amount not to exceed 10% of the grant amounts awarded in a given year.