

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Sheriff's Department

BOARD AGENDA # *B-5

Urgent

Routine

CEO Concurs with Recommendation YES NO

(Information Attached)

AGENDA DATE May 1, 2012

4/5 Vote Required YES NO

SUBJECT:

Approval to Submit a Grant Application for a Law Enforcement Grant from the California State Parks Off-Highway Vehicle (OHV) Grant Program to Enhance Emergency Response and Safety for the County's Off-Highway Vehicle Parks

STAFF RECOMMENDATIONS:

1. Authorize the Sheriff to submit a grant application to the California State Parks, Off-Highway Motor Vehicle Recreation Division OHV grant program for increased Law Enforcement services at Frank Raines Regional Park and La Grange Park in Stanislaus County.
2. Adopt the Resolution to apply for the California State Parks Off-Highway Vehicle Grant.

FISCAL IMPACT:

The Stanislaus County Sheriff's Department is requesting a grant for increased law enforcement services of \$178,373 and \$10,045 for an Education and Safety Grant from the California State Parks Off-Highway Vehicle Grant Program. The Off-Highway Vehicle Grant Program requires a match of 25%, or \$47,104. Currently the County provides \$555,000 in funding which is budgeted in the Stanislaus County Park's Department budget. The Parks Department pays for law enforcement services outlined in a Service Level Agreement between the Sheriff's and Parks Departments. This existing appropriation can serve as the county match requirement. A request to increase appropriations and revenue will be made at the time the grant is awarded and approval to accept the award is requested of the Board. There is no additional cost to the County General Fund.

BOARD ACTION AS FOLLOWS:

No. 2012-206

On motion of Supervisor Withrow, Seconded by Supervisor Chiesa and approved by the following vote,

Ayes: Supervisors: Chiesa, Withrow, Monteith, De Martini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

Approval to Submit a Grant Application for a Law Enforcement Grant from the California State Parks Off-Highway Vehicle (OHV) Grant Program to Enhance Emergency Response and Safety for the County's Off-Highway Vehicle Parks

DISCUSSION:

The State of California Resources Agency, Department of Parks and Recreation, administers the Off-Highway Vehicle (OHV) Grant Program that provides funding to cities, counties and appropriate districts and non-profit organizations that deliver OHV recreation and OHV-related activities. An OHV is defined in the California Vehicle Code (CVC) as a motorcycle, snowmobile, all-terrain vehicle (ATV), jeep, sand buggy or dune buggy, and any street licensed motor vehicles being used off-highway. The Off-Highway Motor Vehicle Recreation Act of 2003 authorizes the allocation of grant funds for the purpose of establishing, maintaining, managing and rehabilitating OHV areas, trails and facilities in California. At the request of the Grantor, Stanislaus County is submitting requests for both the Frank Raines and La Grange Regional parks under one application (Attachment A) and this agenda item is being submitted for Board approval to apply for the available grant funding and approval of a resolution as required by the State funding agency.

This Law Enforcement Grant would allow the Sheriff's Department to purchase much needed patrol, safety, and rescue equipment such as repelling equipment and First Aid supplies (20% of the Grant) and allow over-time shifts (80% of the grant) for patrol, rescues and special events in both parks. The Education and Safety Grant would allow the purchase of Educational material (55% of the grant) and Equipment (45% of the grant). Having these additional resources and funds would enhance off-road patrols, allow greater patrol coverage in our parks, provide deputies with safety gear for searches and rescues, and allow immediate first aid to injured persons within our parks.

Stanislaus County is set aside from most other Counties within the State of California due to the fact that the County owns and operates not one, but two Off-Highway Vehicle Parks totaling 2,000 acres of available and dedicated land for all types of Off-Road Adventures for County residents and visitors alike. Our OHV visitors come from Stanislaus County and we routinely have visitors from the Bay Area, Sacramento, Fresno, and the Sierra Foothills. Both parks are open to all registered and California Vehicle Code compliant vehicles such as: 4 wheel drive, ATV's, Sand-Rails, Motorcycles and buggies to name a few.

Frank Raines Regional Park is located approximately 17 miles west of Patterson, California in Del Puerto Canyon's rugged slopes of the Coastal Range. The park is divided functionally into two units separated by several miles of road. The north section encompasses over 1,600 acres of developed and undeveloped areas with off-road vehicle trails, overnight camping and a day use area. The trails are rated for beginners with stock OHV's to advanced, for well-equipped OHV's in very steep terrain, as well as rock crawling and a mud-bog. The OHV area includes an entrance station, campground with 34 hook-up campsites, recreation hall, restrooms/showers, and a group picnic shelter. The types of vehicles used in this park are trucks, motorcycles, 4-wheel drive vehicles and dune buggies. Visitors who use the park will meet challenges like hill climbing, water hazards, and challenging trails.

La Grange Regional Park is located at 2315 South Old La Grange Road, La Grange, California. This OHV Park offers undeveloped camping and approximately 150 acres of land open to recreational riding. The trails are rated for beginners with stock OHV's to intermediate riders. There is a motocross style course and a track dedicated for our younger beginners with an OHV under 90 cubic centimeter engine.

Approval to Submit a Grant Application for a Law Enforcement Grant from the California State Parks Off-Highway Vehicle (OHV) Grant Program to Enhance Emergency Response and Safety for the County's Off-Highway Vehicle Parks

Visitors who go to the La Grange OHV area will meet challenges like soft sandy soil, water hazards, and hill climbs. The user of the park can expect to enjoy groomed trails, groomed competitive tracks, camping, restrooms, benches, shade trees, and barbeques.

The groups who enjoy the parks are the Over the Hill Gang, Modesto 4-wheel drive, California Motor Cross Association, East Bay High Tailers, American Motocross Promotions, Mutant Motor Sports, A.M.P. Racing, Merced Dirt Riders, and CORVA. The types of vehicles used here are dune buggies, motorcycles and ATVs and miscellaneous 4 wheel drives.

The Sheriff's Department requests the Board of Supervisors approve the Department's application for this grant and adopt the required grant resolution (Attachment B), which is provided in the grant application. This resolution requires that the Board approve the filing of the application and certify that the project will be well maintained during its useful life. The final application for this grant, which entails funding for both Frank Raines and La Grange Parks, will be completed on May 7, 2012 and sent to the Clerk of the Board. Upon notice that the grant is awarded to Stanislaus County, the Sheriff will bring back an agenda item requesting approval to accept the award and request an adjustment to the budget at that time.

POLICY ISSUES:

This grant will meet the Board's priority of Effective Partnerships by leveraging the resources of the County Parks and Recreation Department to obtain additional State funding to improve the emergency response and safety in the County's two Off Highway Vehicle Parks. The grant will expand the existing collaboration between the two departments to provide law enforcement services for the County Park system. This grant also supports the Board's priority of "A Safe Community" by enhancing off-road patrols, allowing greater patrol coverage in the parks, providing deputies with safety gear for searches and rescues, and allowing immediate first aid to injured persons within the parks.

STAFFING IMPACTS:

There is no request to increase staffing at this time. The grant will help fund existing staff for special events and rescues.

CONTACT:

Deputy Wayne Whitfield, (209) 874-2349.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

No. 2012-206

Date: May 1, 2012

On motion of Supervisor Withrow Seconded by Supervisor Chiesa
and approved by the following vote,
Ayes: Supervisors: Chiesa, Withrow, Monteith, De Martini, and Chairman O'Brien
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

Item # *B-5

THE FOLLOWING RESOLUTION WAS ADOPTED:

**IN RE: APPLICATION AND ACCEPTANCE OF GRANT FUNDS FOR THE STATE OF
CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF HIGHWAY VEHICLE GRANT
FUNDS**

WHEREAS, The People of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for, Acquisition Projects, Conservation Projects, Development Projects, Facilities Operation and Maintenance Projects, Law Enforcement Projects, OHV safety and/or Education Program Projects, Planning Projects, Restoration Projects and Trail Maintenance Projects for off-highway vehicle recreation; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the application to apply for Off-Highway Motor Vehicle Grant funds; and

WHEREAS, this project appears on, or is in conformance with this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdictions immediately surrounding the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Stanislaus, State of California, hereby:

1. Approves the filing of an Application(s) for an Off-Highway Vehicle Grant or Cooperative Agreement; and
2. Certifies that this agency understands its legal obligations to the State upon approval of the grant; and

IN RE: APPLICATION AND ACCEPTANCE OF GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF HIGHWAY VEHICLE GRANT FUNDS

3. Certifies that this agency understands the California Public Resources Code requirement that acquisition and development projects be maintained to specific conservation standards; and
4. Certifies that the project will be well-maintained during its useful life; and
5. Certifies that this agency will implement the project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and
6. Certifies that this agency will provide the required matching funds (as applicable); and
7. Certifies that the public and adjacent property owners have been notified of this project (as applicable); and
8. Appoints the Stanislaus County Sheriff as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the project.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California



File No.

FOR OFFICE USE ONLY: Version # _____ APP # _____

Agency Information

(Carefully read the instructions before completing this form)

1. Agency Information

- a. Agency Name Stanislaus County Sheriff's Department
 b. Organizational Unit
 c. Address 250 E. Hackett
 e. City Modesto State CA Zip 95358
 f. Federal Id Number 94-6000541 Reference No.
 g. Agency fiscal year (beginning month and January-01 day)
 h. Agency Type (Please check one)

- City County U.S. Forest Service
 U.S. Forest Service - Patrol District U.S. Bureau of Land Management Other Federal Agency
 Federally Recognized Native American Tribe Educational Institution Nonprofit Organization - 501(c)(3) status only
 State Agency District

2. Project Information

- a. Project Name General Application Requirements
 b. Is implementing agency same as Agency (Please select Yes or No) Yes No
 c. Implementing Agency Name
 d. Amount of Funds Requested Project Cost

Project Request(s) Summary

| # | Project Type | Project Title | Grant Request | Match | Total Project Cost |
|---|---------------|--------------------|---------------|---------|--------------------|
| 1 | G11-03-38-L01 | Law Enforcement | 178,373 | 365,520 | 543,893 |
| 2 | G11-03-38-S01 | Education & Safety | 10,045 | 21,988 | 32,033 |
| 3 | | TOTAL | 188,418 | 387,508 | 575,926 |

FOR OFFICE USE ONLY: Version # _____

APP # _____

3. Contact**a. Project Administrator**

| | | | | |
|-----------------|----------------------------------|-------|----|-----------|
| Name | Wayne Whitfield | | | |
| Title | Sheriff | | | |
| Mailing Address | 320 E. Street | | | |
| City | Waterford | State | CA | Zip 95386 |
| Telephone | (209) 652-5520 Fax | | | |
| E-mail Address | wwhitfield@stanislaussheriff.com | | | |

b. Authorized Representative

| | | | | |
|-----------------|-----------------------------------|-------|----|-----------|
| Name | Adam Christianson | | | |
| Title | Sheriff | | | |
| Mailing Address | 250 E Hackett Rd | | | |
| City | Modesto | State | Ca | Zip 95358 |
| Telephone | (209) 525-7003 Fax (209) 525-7106 | | | |
| E-mail Address | chradam@stanislaussheriff.com | | | |

| | | |
|----------------------|-----------------|-------------|
| FOR OFFICE USE ONLY: | Version # _____ | APP # _____ |
|----------------------|-----------------|-------------|

A. Statement of Activity or Product

Stanislaus County has two OHV parks for off road enthusiasts. In order to enjoy these resources the sheriff's department seeks to establish and implement an education program that emphasizes the importance of riding practices. We are requesting funding to purchase computer equipment, a TV/DVD, and educational handouts. This will significantly increase the opportunity to inform and educate the OHV community, provide safety awareness, and allow for voluntary equipment inspections.

Within our two OHV parks are a variety of conditions which offer a wide variety of rider skill levels. Last year our parks experienced a 25% increase in park visitors. Some of these visitors and younger riders may need to be educated on safe operations of OHV vehicles. Some of our concerns are the importance of environmental responsibility, wildlife, and privately owned property. Some of these areas pose risk to uninformed or misinformed riders who get lost on unfamiliar or closed land, or get onto a steep terrain above their ability.

The department wants to provide several educational programs using field contacts and community contact. Through these contacts, educational materials such as park maps, brochures, and other educational handouts will provide information on safety, environmental responsibility, and the respect for private property. We will conduct voluntary spark arrester and sound level checks on OHV vehicles at no charge. We will also conduct vehicle safety inspections for proper safety equipment. This will help promote safe and lawful use of OHV vehicles and adherence to both park rules and vehicle code laws.

B. Relation of Proposed Project to OHV Recreation

Educational handouts will be distributed to help inform the community about recreational areas to enjoy. Detailed maps of the parks will help riders to identify areas established for riding. SVOU staff will offer free voluntary sound level checks, spark arrester checks, and free vehicle inspections. This will help address both the fire hazard concerns and safety concerns at both parks.

C. Identification of Needs

With the vast number of OHV participants it is critical to educate the OHV community in the safe and lawful operation of OHV equipment. At the rate OHV laws are changing, opportunities will be reduced or closed without education of the OHV community about safety and environmental responsibility. That is why the Stanislaus County Sheriff Department thinks it is a must that an educational program be implemented.

La Grange OHV Park is about 150 acres. On a busy weekend or race weekend, the population at the park can reach over 300 visitors. Frank Raines OHV Park is about 800 acres and on a busy or event weekend, population can reach upwards of 600 visitors.

Without educational programs this influx to both parks can harm the natural resources. The noise, trespassing on private property and the environmental damage has been a problem with the park neighbors.

Access to this safety and outreach program will promote a better understanding of the importance to protect the OHV opportunities and encourage safe, environmentally responsible OHVing.

To achieve this we need an out-reach program to educate OHV visitors. We need to be able to contact these visitors at the park where they ride. Therefore, we need to be able to reach these riders at the parks.

The Sheriff's Department will provide an enclosed box trailer to start the mobile education unit. Grant funds will be used to purchase educational materials, a laptop computer and printer for power point shows and in field training, and sound checking equipment.

The Sheriff's Department will provide trained staff to educate and handout educational materials.

D. Location of Training Services

The Special Vehicle Operations Unit will conduct this training at both OHV parks, safety fairs, National Night Out, and other like events.

E. OHV Safety, Environmental Responsibility, and Respect Private Property

SVOU will use programs already established such as "Tread Lightly", and "Hug a Tree". Unit members will provide literature to the public during contacts. Unit members will give out information to the OHV community about legal riding areas and will help educate the public about protecting the natural environment and the importance of staying on designated trails and operating only in designated OHV areas.

Law Enforcement Needs for Grants and Cooperative Agreements Program - 2011/2012 4/6/2012
Agency: Stanislaus County Sheriff's Department
Application: Law Enforcement

| | | |
|----------------------|-----------------|-------------|
| FOR OFFICE USE ONLY: | Version # _____ | APP # _____ |
|----------------------|-----------------|-------------|

ITEM 1. Proposed Project

Stanislaus County is located in the central valley about 90 miles south of Sacramento. Stanislaus County is a large farming community with cities of Modesto, Turlock, Ceres, and Oakdale to name a few. The county's population is approximately 510,000 (per 2008 U.S. Census estimates) and consisting of 1,515 sq miles.

Stanislaus County has two Off Highway Vehicle Parks totaling approximately 900 acres. Frank Raines OHV Park is located about 16 miles West of Patterson (west side of the county). It is closed from May through October on the request of Cal Fire due to a lack of full time patrol at the park during the high fire season. We would like to be able to staff this park year round. La Grange OHV Park is located about 20 miles east of Waterford (east side of the county). This park is open year round, but we are not able to patrol this park daily during the summer months due to staffing levels and other Special Vehicle Operation Unit commitments. We would also like to be able to patrol this park on a year round basis.

Many times during the year, deputies need to deploy to both sides of the county to keep up with the demands of off highway vehicle use. While at both parks, deputies will meet with individual campers, contact riders in open areas, and conduct check points. During these patrols, every effort will be made to ensure contact with the OHV community including giving out educational material, which will help protect the sensitive areas designated for OHV use. Warnings/Citations, and a strong law enforcement presence, will enhance the opportunity to educate as well as reduce natural resource damage. Enforcement efforts will be made to prevent OHV use on private land, canals and waterways, railroad right of ways, and the areas of critical environmental concerns around the OHV park. In addition to enforcement of OHV registration laws, there are safety issues such as helmet requirements, passengers on ATVs, as well as alcohol and drug violations. One of the major areas of conflicts is OHV trespassing in closed / restricted areas of public land or onto privately owned land. Often these areas are very rural and not clearly defined. We will contact and educate riders in the areas where trespassing occurs.

OHV usage in Stanislaus County is rapidly increasing, not only from increased population in our county, but also from OHV enthusiasts from other counties coming to our county for recreation. Our two OHV parks, rivers, lakes, and campgrounds draw thousands of OHV enthusiasts to our county each year. (our parks saw a 17% increase in visitors in 2010 and a 25% increase in 2011)

The Sheriff's Department is dedicated to the OHV program, as evidenced by sustaining its OHV program during these times of uncertain funding. In 2009 the department purchased from non-OHV funds or any grant money two fully outfitted Jeep Rubicons for our OHV unit. This equipment is used along with equipment purchased with OHV trust monies.

Members of the SVOU attend many local events such as fairs, school functions, National Night Out, CORVA Northern Jamboree, and community meetings to provide educational materials and answer OHV related questions.

In 2011 two staff members were able to attend the ATV Safety Institute, and the Driving Company for both ATV and off highway driving training. In the summer of 2011 we were able to provide the first ATV Safety Institute safety class at our parks. We are working with ATV Safety Institute at this time to get set up as public instructors also.

We are asking again for grant funds to provide patrol, and extra patrols in the parks not only for the busy holidays and American Motorcycle Association, and California Motorcycle Association race weekends where attendance will double and even triple, but day to day patrols. Due to the economy our department has downsized and does not have the staffing we used to have. These funds would enable us to keep the SVOU deputies in the parks.

Over the past two years we have been working on getting radio communications at our two parks. 2010's grant allowed us to purchase two vehicle repeaters and one portable repeater. The 2011 year we were able to use grant funds to outfit one more of our vehicles with these repeaters. With this equipment it makes it possible for us to communicate to dispatch from Franks Raines OHV park (the first time in the history of the park).

The grant award will help fund the purchase of safety equipment, replace old equipment, and purchase educational materials. The addition of this new equipment is vital to the continued successful operation of our OHV program.

ITEM 2. Project Coverage

The Stanislaus County sheriff's office response area covers a total of 1,515 square miles including two OHV parks on both sides of the county. Frank Raines OHV Park has approximately 750 acres of OHV riding with about 75 miles of trails and the remainder being open riding. There is 484 acres in the upper area closed to riders at this time. La Grange OHV Park has approximately 150 acres of open riding. Opportunities exist for the use of 4X4 vehicles, dune buggies, ATVs, and motorcycles within the riding areas.

Law Enforcement needs within these areas consist of:

Vehicle, Penal, Health and Safety, and Fish and Game code violations

OHV Registration

Noise Regulations

Spark Arrester Requirements

Safety Equipment Violations

Trespassing

Entering Closed Area Violations

Rider Safety and Education

Drunk Drivers

First Responders and First Aid

Search and Rescue of lost and or injured riders

The grant funds requested in this project will assist SVOU to safely and effectively provide law enforcement service to the OHV enthusiasts that use our open public lands. The fund will allow us to education of riders, enhanced enforcement, and provide adequate emergency response to our OHV parks.

ITEM 3. Describe the frequency of the patrols

Regular patrol function is 24 hours, 7 days a week. SVOU personal respond to OHV incursions and complaints through a reactive system based on dispatched or cell phone calls they receive 24 hours a day, 7 day a week.

OHV specific patrols will also be in conjunction with pre-planned OHV activities: generally holidays, opening of hunting seasons, CORVA weekends, AMA, and CMA Races and other special events sponsored by local clubs. Staffing levels will be based on location, events, number of riders, and the weather conditions.

In the future, we hope to be able to increase this to year round with additional staffing.

ITEM 4. Deployment of Personnel

The Stanislaus County Special Vehicle Operations Unit (SVOU) was formed in 2006 and is currently managed from the Waterford Substation. The SVOU responds to hundreds of OHV related calls for service each year. These calls include trespassing on private property, noise complaints, stolen and recovered OHV vehicles, and Search and Rescue involving lost and or injured OHV enthusiasts.

SVOU is made up of four full time deputies, one sergeant, and one lieutenant. During SVOU patrols, a minimum of two deputy sheriffs will deployed as a team.

Staffing levels will be based on location, number of riders, events, and weather conditions. Deputies work a minimum of 40 hours a week on a split schedule to provide a daily patrol at a minimum of two deputies per shift. SVOU deputies are allowed to adjust their schedules as necessary to ensure maximum coverage.

Law Enforcement Needs for Grants and Cooperative Agreements Program - 2011/2012 4/6/2012
Agency: Stanislaus County Sheriff's Department
Application: Law Enforcement
