

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

534



FROM: TLMA Planning

SUBMITTAL DATE:
11/03/06

SUBJECT: Professional Services Agreement with Robert L. Klotz, Esq. for review of land use ordinances associated with consistency zoning

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the above-referenced agreement, at a cost not to exceed \$96,000, in accordance with the Request for Proposal (RFP) waiver provisions of Board Policy A-18; and
2. Authorize the Chairman to execute the agreement on behalf of the Board.

BACKGROUND: When the County adopted its new General Plan in October of 2003, it applied new land use designations to all properties in the unincorporated area of the County. The new land use designations conflict, in some instances, with the existing zoning classifications applicable to those properties. In other instances, the existing zoning classifications do not interface well with the new land use designations. The Planning Department is currently resolving these issues through consistency zoning and an ordinance update process. (Con't. on page 2)

Robert C. Johnson, Planning Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 96,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 96,000	Budget Adjustment:	No
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	FY07

SOURCE OF FUNDS: General Funding	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature

Prev. Agn. Ref.:

District: All

Agenda Number:

3 . 32

FORM APPROVED COUNTY COUNSEL

NOV 06 2006

Departmental Concurrence

BY

Policy

Consent

Dep't Recomm.:

Policy

Consent

Per Exec. Ofc.:

NOV 06 2006 11:51 AM

RECEIVED RIVERSIDE COUNTY

PROFESSIONAL SERVICES AGREEMENT WITH ROBERT L. KLOTZ

Page 2

More specifically, the Planning Department, with the assistance of County Counsel and a Board-approved consultant, is drafting a new County Land Use Ordinance (Ordinance No. 850) that updates the current County Land Use Ordinance (Ordinance No. 348). The purpose of the update is to create new zoning classifications that interface better with the new General Plan land use designations and to simplify the land use permitting process. The Planning Department is also updating the related County Land Division Ordinance (Ordinance No. 460).

County Counsel has recommended that Robert L. Klotz, Esq. assist in the ordinance update process. Pursuant to the above-referenced agreement, Mr. Klotz would review proposed Ordinance No. 850 and proposed amendments to Ordinance No. 460, make comments thereon and propose revisions thereto. He would also help formulate a plan to implement the ordinances.

JUSTIFICATION: Mr. Klotz served as a Riverside County deputy county counsel for approximately eight years. His primary assignment was land use and he drafted many of the existing provisions of Ordinance Nos. 348 and 460. In addition, he regularly assisted the Planning Department, the Planning Commission and the Board of Supervisors in implementing and interpreting those ordinances. His familiarity with Ordinance Nos. 348 and 460, and their origin and application, makes him uniquely qualified to assist the County in the update of these ordinances and justifies a waiver of the Request for Proposal (RFP) provisions of Board Policy A-18.

PRICE REASONABLENESS: The rate of \$300.00 per hour is average to slightly below average for special counsel in the land use/planning field of law.