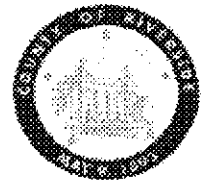


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

944



FROM: Transportation and Land Management Agency,
Planning Department

SUBMITTAL DATE:
October 14, 2008

SUBJECT: Second Amendment to Professional Services Agreement with Robert L. Klotz, Esq. for review and revision of the County's Land Use Ordinance and the County's Subdivision Ordinance.

RECOMMENDED MOTION: That the Board of Supervisors ratify and authorize the Chairman to execute the Second Amendment to the Professional Services Agreement.

BACKGROUND: On November 28, 2006, this Board entered into a professional services agreement which called for Robert L. Klotz, a former Deputy County Counsel, to review proposed comprehensive changes to the County's land use and subdivision ordinances. It was later determined that these proposals would be infeasible and too costly to finalize and implement. The estimated cost of implementation was at least \$2,500,000.00.

See Attachments

Departmental Concurrence

Damien Meins, Asst. Director for

Ron Goldman, Planning Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 160,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 160,000	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	FY 08/09

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

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL

BY: ~~KATHERINE A. LIND~~ A. Lind 10/22/08 DATE

Dept't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | District: | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.32

Page 2 of 2

Subject: Second Amendment to Professional Services Agreement with Robert L. Klotz, Esq. for review and revision of the County's Land Use Ordinance and the County's Subdivision Ordinance.

On June 19, 2007, this Board entered into an amendment of the agreement with Mr. Klotz which called for him to instead make comments on and propose revisions to the County's current land use ordinance (Ordinance No. 348). Review of the County's current subdivision ordinance (Ordinance No. 460) was also authorized. The revision of Ordinance No. 348 is essential to do each of the following: fully implement the General Plan, make the ordinance consistent with changes in State law, remove internal inconsistencies in the ordinance and make the ordinance more user friendly. Initial adopted changes have included the complete revision of Articles I and II of Ordinance No. 348 to reflect current legal requirements and to create a General Plan Amendment initiation process that gives the Board significantly greater control over the County's General Plan.

The second amendment to the agreement with Mr. Klotz will enable him to complete the Ordinance No. 348 review and revision process in accordance with Exhibit A-2 to the second amendment. Pursuant thereto, his hourly billing rate is reduced to \$250.00 per hour and he is to be paid up to an additional \$160,000.00 for his services after the work is completed. This billing rate is below average for counsel of equivalent qualifications and experience. This brings his total compensation to \$355,000.00. The additional \$160,000.00 will come from monies already allocated to TLMA. As a result, the second amendment will not require the allocation of additional general fund monies.