

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

429



FROM: Transportation and Land Management Agency

SUBMITTAL DATE:
April 4, 2012

SUBJECT: First Amendment to Legal Services Agreement with Robert L. Klotz, Esq. for Implementation of Board Policy B-29 (Solar Power Plants)

RECOMMENDED MOTION: That the Board of Supervisors approve and authorize the chairman to sign the First Amendment to the legal services agreement with Robert L. Klotz, Esq.

BACKGROUND:

On March 20, 2012, the Board of Supervisors approved a legal services agreement with Robert L. Klotz for implementation of Board Policy B-29. The legal services agreement provides, among other things, that Mr. Klotz will negotiate project-specific franchise, real property interest and development agreements on behalf of the County as directed by County Counsel. This amendment clarifies that Mr. Klotz will be compensated for these project-specific legal services solely from processing fees paid by applicants for solar power plants. He will not be compensated by solar franchise payments or any other County funds.


 George A. Johnson, Director
 Transportation and Land Management Agency

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

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

C.E.O. RECOMMENDATION: APPROVE

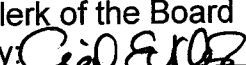
BY: 
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: April 17, 2012
 xc: TLMA

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

3.18

FORM APPROVED COUNTY COUNSEL
 BY: KATHERINE A. LIND DATE: 04/09/12
 Departmental Concurrence
 ATTACHMENTS FILED WITH THE CLERK OF THE BOARD
 Policy Policy
 Consent Consent
 Department Recommendation Per Executive Office:

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

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FIRST AMENDMENT TO
LEGAL SERVICES AGREEMENT

That certain Agreement by and between the COUNTY OF RIVERSIDE, hereinafter called "COUNTY" and Robert L. Klotz, hereinafter called "ATTORNEY", executed by COUNTY on March 20, 2012 and executed by ATTORNEY on March 13, 2012 is hereby amended as follows:

1. ATTORNEY SERVICES AND RESPONSIBILITIES. After the expenditure of the funds authorized by the Agreement, the attorney services provided under the Agreement shall be terminated except that the services described in paragraph (2) of Exhibit A to the Agreement may continue to be provided subject to the limits on compensation set forth in this Amendment.
2. LIMITS ON COMPENSATION. After expenditure of the funds authorized by the Agreement, ATTORNEY shall be compensated solely from processing fees paid by applicants for the project-specific agreements described in paragraph (2) of Exhibit A to the Agreement. ATTORNEY shall submit separate monthly billing statements for each project-specific agreement and shall be compensated solely from fees deposited with respect to such project-specific agreement. COUNTY and ATTORNEY shall monitor the amount of fees on deposit with respect to each project-specific agreement in order to ensure that adequate funds remain on deposit to compensate both COUNTY and ATTORNEY for necessary services. If adequate funds are not on deposit, services shall be suspended.
3. EFFECT OF AMENDMENT. Except as expressly amended by this First Amendment, all provisions of the Agreement shall remain in effect.

Dated: 4-17-12

COUNTY OF RIVERSIDE

By: 

Chairman, Board of Supervisors
JOHN TAVAGLIONE

1 ATTEST:

2 Kecia Harper-Ihem, Clerk of the Board

3 By: Yervaine Candia
4 Deputy

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6 Dated: 4-17-12

ATTORNEY

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8 Robert L. Klotz

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27 FORM APPROVED COUNTY COUNSEL

28 BY: Katherine A. Lind 04/09/12
KATHERINE A. LIND DATE