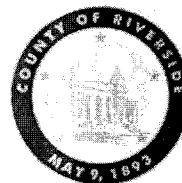


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.6
(ID # 5173)

MEETING DATE:

Tuesday, August 29, 2017

FROM : SUPERVISOR KEVIN JEFFRIES:

SUBJECT: SUPERVISOR KEVIN JEFFRIES: Reform of Indemnification Agreement
Procedures in Planning Process. [\$0]

Recommended Motion: That the Board of Supervisors direct the Transportation and Land Management Agency to work with County Counsel to reform or eliminate the burdensome Indemnification Agreement process and report back to the Board within 120 days.


ACTION: Policy


Supervisor Kevin Jeffries 8/17/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington, Perez and Ashley
Nays: None
Absent: Tavaglione
Date: August 29, 2017
xc: First District, TLMA, Co.Co.

Kezia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

BACKGROUND:

On March 24, 2015, the Board of Supervisors approved a template indemnification agreement and authorized the Planning Director and County Counsel to administer the indemnification agreements. The intent of these agreements is to protect county funds from being used to pay for costs associated with potential judicial challenges brought against private development projects and reiterate to property owners that they are responsible to bear the expense of defending against any such challenge. Since June of 2015 fully executed indemnification agreements have been required for most land use entitlement discretionary applications, except applications that are considered minor in nature, such as lot line adjustments, parcel mergers and map extensions of time. These agreements are required to be fully executed prior to public hearing.

The implementation of this process has led to significant delays in project approvals, and has greatly increased the costs for many submittals, while not demonstrably increasing the level of protection from liability of the County of Riverside. An informal survey of planning processes in other cities and counties seems to indicate Riverside County's current requirement is an aberration, adding an unnecessary layer of time and expense.

In the interests of making Riverside County more "business friendly," this proposal asks that the Planning Department consult with County Counsel to develop options to reform this process, making it more efficient and timely, up to and including an evaluation of eliminating the new process entirely, and to report back to the Board of Supervisors in the next 120 days.

Impact on Residents and Businesses: Delays and costs from the burdensome indemnification process are hurting valuable development projects and adding to Riverside County's reputation as a difficult place to do business.