



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Resolution Authorizing the Director of Transportation to Execute Hold Harmless Agreements to Indemnify the County of El Dorado of Encroachments within the County right of way

WHEREAS, a Hold Harmless Agreement is a legal document whereby one party agrees to release another party from any liability for damages or injuries that may arise during the performance of an activity or the use of a service; and

WHEREAS, any property owner, developer, or applicant requesting an encroachment permit, variance, or other development approval that involves construction within or encroachment into the County right of way would need to request a Hold Harmless Agreement to indemnify the County of El Dorado; and

WHEREAS, the Department of Transportation worked in conjunction with County Counsel to draft a standard Hold Harmless Agreement to Indemnify the County of El Dorado (indemnity covenant) to satisfy the variance condition, and currently the Board of Supervisors is required to approve each indemnity covenant; and

WHEREAS, El Dorado County Ordinance Chapter 12.08 grants the Director of Transportation the authority to manage encroachment permits, which encompasses the oversight of agreements related to construction and maintenance within the County’s right of way;

WHEREAS, the Department of Transportation requests the Board of Supervisors delegate signatory authority to the Department Director to approve such agreements, allowing them to be processed more quickly and efficiently;

NOW, THEREFORE, BE IT RESOLVED, that the Director of Transportation is hereby authorized to accept and sign any Hold Harmless Agreement relating to encroachments in the County right of way, subject to approval by County Counsel as to form.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors