

GOVERNING BOARD POLICY

Antelope Valley Air Quality Management District

Policy No: 09-01
Effective Date: January 20, 2009

Adopted: January 20, 2009
Amended:

Last Review: February 17, 2015

**SUBJECT: OBTAINING INDEMNIFICATION AGREEMENTS FOR CERTAIN
ACTIONS AND ACTIVITIES**

POLICY:

It is the policy of the Governing Board of the Antelope Valley Air Quality Management District (District) to encourage the use of indemnification agreements to limit the risk of substantial litigation expenses arising from certain actions and activities of the District.

AMPLIFICATION OF POLICY:

From time to time certain activities performed by the District may give rise to litigation. The two primary areas where this occurs are when the Air Pollution Control Officer (APCO) exercises his permitting authority and when the Governing Board performs its legislative function in adopting, amending or rescinding Rules and Regulations. In certain circumstances these actions may benefit a third party to such an extent that indemnification for litigation costs from that third party may be advisable. The APCO is encouraged to obtain indemnification agreements, if possible, from interested and benefited third parties whenever, in his opinion, there is a substantial threat of litigation arising from particular District activities and actions.

Signed:

_____/s/_____, Chairman
Antelope Valley Air Quality Management District

Approved as to Legal Form

_____/s/_____,
Karen K. Nowak
District Counsel