

**RESOLUTION NO. 11-003**

**RESOLUTION OF THE NAPA SANITATION DISTRICT  
GRANTING RELIEF ON APPLICATION  
FOR MODIFICATION OF SECTION 906(E) OF ORDINANCE 87  
AS APPLIED TO 201 AND 251 RIVERSIDE DRIVE  
(APN's: 005-123-006 & 005-123-011) IN NAPA**

**WHEREAS**, the Board of Directors adopted Sewer Use Ordinance 87 on September 15, 2010;  
and

**WHEREAS**, Section 906(E) of the Ordinance states that capacity charge credits shall be valid for a period of two years from the date the demolition permit is issued by the District, and shall remain with the parcel from which they were established; and

**WHEREAS**, Pacific Gas and Electric ("PG&E") owns two properties at 201 and 251 Riverside Drive (APNs 005-123-006 and 005-123-011) (the "Properties"), and intends to conduct environmental remediation on the Properties for an unspecified amount of time; and

**WHEREAS**, PG&E wishes to sell the Properties to a developer for further development after receiving clearance from the Department of Toxic Substances that the environmental remediation is complete; and

**WHEREAS**, PG&E has applied for a modification of Ordinance 87, Section 906(E) so as to extend the capacity charge credit period for the Properties; and

**WHEREAS**, the Board of Directors of the Napa Sanitation District wishes to grant the requested modification and to extend the capacity charge credit period for the duration of the remediation plus two years, but not longer than five years from the date the demolition permit is issued.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors, as the governing body of the Napa Sanitation District, pursuant to Section 206 of Ordinance 87, hereby grants relief on application for a modification of Section 906(E) of Ordinance 87 as applied to the Properties and extends the capacity charge credit period for the duration of the remediation plus two years, but not longer than five years from the date the demolition permit is issued.

I hereby certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Napa Sanitation District, at its regularly scheduled meeting on the 6<sup>th</sup> day of April, 2011, by the following vote:

{Continued on next page}

AYES: GRAVETT, LUCE, SHINNAMON, TECHEL, VAN GORDER  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

  
\_\_\_\_\_  
Chair, Board of Directors

ATTEST:  
  
\_\_\_\_\_  
Secretary, Board of Directors