

Napa-Vallejo Waste Management Authority Agenda - Information & Distribution WorkSheet

Agenda Item No: 7D

Date of Agenda Item: 10/7/2010
Originating Dept: Napa-Vallejo Waste Management Authority
Report Written by: Richard Luthy - 707-299-1314
Subject: Extension of Exclusive Right to Negotiate
Agreement:
Special Instructions:

For CEO Use Only

County Executive Officer Recommends:

Consent €

Administrative €

Set Matter/Public Hearing €
 Time:_____

For Clerk's Use Only

Motion and Vote:

(a) _____/ _____	_____	_____	_____	_____	_____	(b) _____/ _____	_____	_____	_____	_____	_____
Mo.	2nd	Ayes	Noes	Exec.	Abst.	Mo.	2nd	Ayes	Noes	Exec.	Abst.

Denied € Dropped €

Continued To _____

2nd Reading On _____

Resolution # _____

Agreement # _____

Ordinance # _____

Budget Transfer # _____



**NAPA-VALLEJO WASTE
MANAGEMENT AUTHORITY**

Agenda Date: 10/7/2010

Agenda Placement: 7D

Napa-Vallejo Waste Management Authority Board Agenda Letter

TO: Board of Directors
FROM: Luthy, Richard - Executive Director
Napa-Vallejo Waste Management Authority
REPORT BY: Richard Luthy, Executive Director - 707-299-1314
SUBJECT: Extension of Exclusive Right to Negotiate

RECOMMENDATION

EXCLUSIVE RIGHT TO NEGOTIATE

REQUESTED ACTION: Discussion and possible action to extend the Exclusive Right to Negotiate Agreement with Green Tech Power Group to December 31, 2010, as provided for in the Agreement.

EXECUTIVE SUMMARY

At the Authority's May 7, 2009 Board meeting, Mr. Larry Ascera of the Green Tech Power Group presented a proposal for the construction and operation of a solar facility at the closed landfill owned by the Authority. An Exclusive Right to Negotiate (ERN) was approved by the Board in July, and a six month extension was approved on January 14, 2010. On July 9, 2010 an additional extension was granted to October 9, 2010. Extending the Exclusive Right to Negotiate Agreement through December 31, 2010 will allow additional time for completion of ground lease negotiations and the Power Purchase Agreement with PG&E.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of

Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable

BACKGROUND AND DISCUSSION

On May 7, 2009, Mr. Larry Ascera of the Green Tech Power Group presented a proposal for the construction and operation of a solar facility at the closed landfill site owned by the Authority. The Board expressed its interest in pursuing this opportunity. On July 7, 2009 a Public Hearing was held and the Board approved the Exclusive Right to Negotiate (ERN) Agreement and adopted Resolution No. 09-10 making findings related to Energy Conservation Contracts.

On January 14, 2010 authorization to extend the ERN Agreement with Green Tech Power Group for an additional six months through July 9, 2010, was approved. On July 9 the Board authorized an extension of the ERN to October 9, 2010.

Significant progress has been made over the past three months, however the complexity of the project is such that additional time is needed to work out technical issues. An extension to the agreement, through December 31, 2010 will allow additional time to complete ground lease negotiations and the Power Purchase Agreement with PG&E.

SUPPORTING DOCUMENTS

None

Manager: Approve

Reviewed By: Martha Burdick