



**NAPA-VALLEJO WASTE  
MANAGEMENT AUTHORITY**

Agenda Date: 7/8/2010

Agenda Placement: 6E

## 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 -  
**SUBJECT:** Extension of Exclusive Right to Negotiate

---

### **RECOMMENDATION**

#### **EXCLUSIVE RIGHT TO NEGOTIATE**

REQUESTED ACTION: Discussion and possible action to extend for an additional 90 days, to October 9, 2010, the Exclusive Right to Negotiate Agreement with Green Tech PowEr Group. 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 site (Site), owned by the Authority. An Exclusive Right to Negotiate (ERN) was approved by the Board in July and an additional six month extension was approved at the January 14, 2010 meeting. Extending the Exclusive Right to Negotiate for an additional 90 days through October 9, 2010 will allow for completion of ground lease negotiations.

### **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 (Group) presented a proposal for the construction and operation of a solar facility at the closed landfill site (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 (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.

The Authority is requesting an additional 90 day extension through October 9, 2010 to complete ground lease negotiations.

**SUPPORTING DOCUMENTS**

None

Manager: Approve  
Reviewed By: Martha Burdick