



**NAPA-VALLEJO WASTE
MANAGEMENT AUTHORITY**

Agenda Date: 9/1/2011
Agenda Placement: 10A

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, Napa-Vallejo Waste Management - 707-299-1314
SUBJECT: CLOSED SESSION Conference with Legal Counsel

RECOMMENDATION

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Determination of whether the Authority will join as amicus curiae in a lawsuit pursuant to subdivision (c) of Government Code Section 54956.9: (one consolidated appeal of 3 cases)

Names of Cases:

1. SIERRA CLUB v. COUNTY OF SOLANO et al.; Real Party, Potrero Hills Landfill, Inc.; Intervener, BLT ENTERPRISES OF SACRAMENTO, et al. (Court of Appeal of the State of California First Appellate District, Division Three, Case No. A130682)
2. NORTHERN CALIFORNIA RECYCLING ASSOCIATION v. COUNTY OF SOLANO (Court of Appeal of the State of California First Appellate District, Division Three, Case No. A130734)
3. SUSTAINABILITY, PARKS, RECYCLING & WILDLIFE LEGAL DEFENSE FUND v. COUNTY OF SOLANO et al.; Real Party, POTRERO HILLS LANDFILL, Inc., et al., Interveners, TRASHPROS LLC et al. (Court of Appeal of the State of California First Appellate District, Division Three, Case No. A130735)

EXECUTIVE SUMMARY

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

SUPPORTING DOCUMENTS

None

Executive Director: Approve

Reviewed By: Martha Burdick