



**NAPA-VALLEJO WASTE  
MANAGEMENT AUTHORITY**

Agenda Date: 9/2/2021

Agenda Placement: 7B

## Napa-Vallejo Waste Management Authority Board Agenda Letter

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**TO:** Board of Directors

**FROM:** Richard Luthy - Executive Director  
Napa-Vallejo Waste Management Authority

**REPORT BY:** Richard Luthy, Executive Director, Napa-Vallejo Waste Management - 707-299-1314

**SUBJECT:** Amendment No. 1 to Right of Entry Agreement 2020-06

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### **RECOMMENDATION**

#### **FIRST AMENDMENT TO AGREEMENT 2020-06**

REQUESTED ACTION: Approval and authorization for Executive Director to sign Amendment No. 1 to Authority Agreement No. 2020-06.

### **EXECUTIVE SUMMARY**

The City of Napa would like to extend Agreement No. 2020-06, which allows the City to temporarily store excess soil generated by a City construction project on a small portion of the Devlin Road Transfer Station property. The City is having difficulty finding places to dispose of the soil and would like to extend the agreement until July 31, 2023. The attached letter from Phil Brun, the City's Utilities Director, describes the City's recent efforts to remove the soil from Authority property.

The amendment to Agreement 2020-06 would allow the soil to remain on the property until July 31, 2023, and includes safeguards to protect the Authority from any future expenses incurred if the City fails to remove the soil. The letter indicates the City continues to be interested in purchasing about three acres of land from the Authority. If such a purchase were to occur prior to July 31, 2023, the extended agreement would no longer be necessary because the City would own the area where the soil has been deposited.

An extension of the agreement does not negatively impact the Authority, and staff recommends approval.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

### **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**

The City of Napa would like to extend Agreement No. 2020-06, which allows the City to temporarily store excess soil generated by a City construction project on a small portion of the Devlin Road Transfer Station property. The City is having difficulty finding places to dispose of the soil and would like to extend the agreement until July 31, 2023. The attached letter from Phil Brun, the City's Utilities Director, describes the City's recent efforts to remove the soil from Authority property.

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### **SUPPORTING DOCUMENTS**

A . City of Napa Request to Extend Right of Entry Agreement

Executive Director: Approve

Reviewed By: Marie Nicholas