

ALTAMONT LANDFILL OPEN SPACE ADVISORY COMMITTEE
January 20, 2012
APPROVED MEETING MINUTES

- I. Call to order** – The meeting was called to order by Chris Gray at 12:44 p.m.
- II. Approval of Minutes – May 20, 2011** – Mr. Schneider noted that the date on the second page should read May 20th and that Joan Seppala’s name is misspelled. Ms. Stern noted that on the second page the word pursue is misspelled. Mr. Schneider moved to approve the minutes of May 20, 2011, with corrections as submitted. Steve Stewart seconded. The minutes were approved unanimously.
- III. Public Comment – Any member of the public may address the committee on a matter not on the regular agenda. No discussion or action may be taken on these items.** – David Tam commented that last week he attended a three day conference in San Francisco by Biomass Magazine and he found interesting that one of the key speakers talked about how landfills will become obsolete. He informed everyone present that the Oakland Museum during its renovation will have a presentation on John Muir trails.
- IV. Consideration of side letter to the Altamont Landfill Settlement Agreement on guidelines and procedures for the Altamont Open Space Committee** – County Counsel William Fleishhacker gave a summary of past discussions regarding procedures not being followed as written in the agreement. He shared a draft of the proposed amendment to the agreement to formalize current procedures being followed by the committee. These amendments as written will give the committee more flexibility. He said Livermore’s Counsel has been working with the Community Monitor Committee and said they would like to make changes and suggested that all changes should be done at the same time. He said their changes might be more substantive and he did not want to slow down the process for this committee. He has received some comments and asked the committee for direction.

Chris Gray stated that these are just procedural changes but that in the future there might be some substantive changes. David Tam said he suggested that the procedural changes be made so as to avoid litigation from someone that could bring up the non-conformance issue with the settlement agreement. He said that among the more significant changes are the import restrictions and current fees. He has called Waste Management officials to discuss some of these changes.

Dick Schneider commented that the Sierra Club committees he has presented these proposed changes to have no opposition. However, there are concerns with opening up the Settlement Agreement for substantive changes. The Sierra Club passed a resolution agreeing only to these procedural changes. The Northern California Recycling Association, one of the original parties to the agreement, was very skeptical on supporting these changes, because only the parties to the agreement would have standing to sue. Since all the parties are represented in the committee and agree with the current procedures, the issue is mute. They expressed concern with opening up the Settlement Agreement. They did pass a resolution that they would not support the expansion of the waste shed. They did not take action on the procedural issue, but had a very long discussion on it and were not in support of these changes.

Chris Gray and David Tam both agreed that these proposed changes offer some protection in case of future disagreements between the parties. Ms. Stern from the City of Pleasanton agreed. Jeri Ram, City of Dublin representative, stated that she would like to discuss this further with City’s staff as the agreement they have with the City of Pleasanton mirrors the wording of the Settlement Agreement. She was not sure if this change would have any effect on their agreement.

County Counsel said he would draft a letter and send it along with the proposed changes to all parties to the Settlement Agreement. He commented that City of Dublin may go ahead and discuss with staff, and if they feel there is a need to change their agreement that decision can be made apart from this committee’s decision. Discussion ensued on parties to be contacted regarding these changes.

Steve Stewart, City of Livermore, moved to have County Counsel send a letter and amendments as shown in the attachment to parties to the Settlement Agreement. Steve asked if these changes will eventually have to go back to the respective City Councils. William said yes. Once all City Councils and other parties to the agreement respond favorably to these changes, then we will go to the Board of Supervisors. Dick Schneider seconded the motion made by Steve. Motion passed unanimously.

Jeri Ram asked why the committee initially decided not to have a priority list. David Tam explained the committee felt that if a priority list existed, it would give property owners a chance to raise the property values. He was part of the initial group that developed these procedures, but he is now willing to abandon this failed experiment.

Steve Stewart introduced Lauren Turner, City of Livermore's representative to the Open Space Committee.

- V. Update on San Francisco Contract** – David Tam informed the committee that the San Francisco contract is up in the air for another 12 to 18 months. There are various lawsuits that were filed by environmental groups and others. Recology is proposing to move San Francisco's non-recyclable trash by train to a landfill in Yuba County. This new contract would end in 2025. Dick Schneider commented that the current contract will not expire until 2015 or 2016. The contract is for amount of garbage not time. David Tam said they will be using Union Pacific Railroad which will have impact on the County. If Altamont Landfill loses this contract there will be a significant decrease in fees.
- VI. Update on available funding** – Report was distributed and presented. Current balance for the 80% of Altamont and Vasco funds is \$7,781,608 and for the 20% area is \$1,082,599.
- VII. Future Agenda Items/Speakers** – Liz asked committee members if they were interested in developing a brochure for Altamont Open Space. The Agency has hired a graphic designer and she could help with a brochure and also the website. David Tam noted that it will give the committee more visibility and make the public aware of the mitigation revenues. David Tam suggested that staff attend other meetings and also get refunded for time. Chris Gray asked that Liz bring a proposal for the next meeting.
- VIII. Next meeting** - March 15, 2011
- IX. Questions/Comments** –
The meeting was adjourned at 2:00 p.m.