



**CITY OF RIVERBANK
SPECIAL CITY COUNCIL MEETING
Riverbank Community Center
MINUTES
MONDAY, JANUARY 26, 2011**

CALL TO ORDER:

The City Council of the City of Riverbank met this date in a Special session at 5:05 p.m. at the Community Center 3600 Santa Fe Street, Riverbank, California with Mayor Virginia Madueño presiding.

FLAG SALUTE: *Mayor Virginia Madueño*

ROLL CALL:

Present: *Mayor Virginia Madueño
Vice Mayor Richard O'Brien
Councilmember Dotty Nygard
Councilmember Jeanine Tucker*

Absent: *Councilmember Jesse James White*

CONFLICT OF INTEREST

Declaration by Council Members and Staff who would have a direct Conflict of Interest on any scheduled agenda item to be considered.
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No one spoke.

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council. Individual comments will be limited to a **maximum of 5 minutes** per person and each person may speak once during this time. Time cannot be yielded to another person. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the City Council. The public will be invited to make comments on agenda items when the item comes up for Council consideration. For Closed Session items, the public will be invited to make comments before the meeting is recessed to Closed Session. For record purposes, step up to the podium, state your name, and speak into the microphone when addressing the City Council.

No one spoke.

2. PRESENTATIONS

Item 2.1: Discussion of the lawsuit against Tuolumne County as related to the application of Jack and Patricia Gardella and Resource Exploration and Drilling, Inc., for a large-scale development of mineral resources for the removal of 56 million tons of crushed rock.

Mr. Doug White, Attorney representing the City of Riverbank, and J.D. Hightower, Development Services Director, opened the discussion, provided background information on the case and the reasons for the legal action on the quarry project.

Public Comment:

- *Mr. Leo (last name inaudible) expressed his concern for the dust that the trains and the materials transported would be creating.*
- *Mr. Roger Restafi expressed his concern with traffic, the sound of horns, and the times that the trains would be traveling.*
- *Mr. Scott McRitchie expressed his concern with the times the trains would be traveling, the fact that the railroad agency has plenty of funds to fight to against any restrictions, the noise and health of people, and suggested an under or over crossing for traffic that would eliminate most of the problems.*
- *Mr. John Buckley spoke in reference to his employer, a non-profit agency that was also in a similar lawsuit against the project and expressed some of their concerns.*
- *Mr. Mark Couples expressed his concern with the crossing at Terminal and Claribel and the regulations the railroads must follow concerning the length of time the can sit idle.*
- *Mr. Bob Courtney spoke in reference to the reality of the quarry project business model and some of the flaws.*
- *Mrs. Evelyn Halbert expressed her concern with the route.*
- *Mr. Steven Halbert expressed his concern with possibility of derailments.*

Council and Staff discussed the item.

Mayor Madueño was concerned with the low public attendance.

3. COMMENTS

Item 3.1: Staff Comments: (Information Only – No Action) *None.*

Item 3.2: Council Comments: (Information Only – No Action)

Vice Mayor Nygard recommended having the next Public Hearing at the School Campus to get the District and Parents involved.

Item 3.3: Mayor's Comments: (Information Only – No Action) *None.*

ADJOURNMENT

There being no further business, Mayor Madueño adjourned the meeting at 6:10 p.m.

ATTEST:

APPROVED:

Annabelle Aguilar, CMC
Deputy City Clerk

Virginia Madueño
Mayor