

RESOLUTION NO. 2188

A RESOLUTION AUTHORIZING THE SIGNING OF A LETTER IN SUPPORT OF AN APPLICATION BY TRIMET FOR A WAIVER OF CERTAIN FEDERAL RAILROAD ADMINISTRATION TRAIN HORN REGULATIONS FOR OPERATION OF THE WESTSIDE EXPRESS COMMUTER RAIL SERVICE.

WHEREAS, the Federal Railroad Administration is authorized to grant waivers from the train horn sound level and testing requirements of 49 C.F.R. §§ 229.129 and 222.21; and

WHEREAS, the Tri-County Metropolitan Transportation District of Oregon ("TriMet") is applying to the Federal Railroad Administration for a waiver of train horn sound level and testing requirements for operation of the Westside Express Commuter Rail Service ("WES") and has requested a letter in support its application from the City of Wilsonville; and

WHEREAS, the City of Wilsonville supports TriMet's commitment to continuing and expanding commuter rail service such as the WES, and the current level of WES train horn blasts severely disturbs residents and jeopardizes future public support for commuter rail; and

WHEREAS, the Wilsonville City Council finds the combination of TriMet's proposed horn and bell warning levels, the current safety devices at each Wilsonville public highway-rail grade crossing, the emergency horn equipment on every train, and the train headlights to provide a reasonable level of public safety; and

WHEREAS, the Wilsonville City Council determines after balancing its interests in ensuring safe rail crossings, addressing the disturbances caused by current train horn blasts, and supporting regional commuter rail, that the best policy is to support TriMet's application for a waiver;

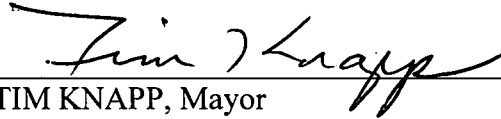
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES:

1. Based upon the recitals set forth above and incorporated by reference as fully set forth herein, the City Manager or her designee is authorized to sign a letter supporting TriMet's

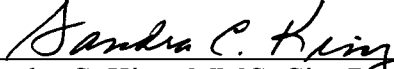
application to the Federal Railroad Administration for a temporary waiver from the train horn sound level and testing requirements of 49 C.F.R. § 229.129 for operation of the WES.

2. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 10th day of June, 2009, and filed with the Wilsonville City Recorder this same date.


TIM KNAPP, Mayor

ATTEST:


Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp- Yes

Council President Kirk - Excused

Councilor Hurst - Yes

Councilor Núñez - Yes

Councilor Ripple - Yes

_____, 2009

Mr. Grady C. Cothen, Jr.
Deputy Associate Administrator For Safety
Standards and Program Development
Federal Railroad Administration
1120 Vermont Avenue, NW
RRS-3, Mailstop 25
Washington, DC 20590

RE: Tri-County Metropolitan Transportation District of Oregon petition for waiver of 49 C.F.R. §§ 222.21 and 229.129 for its Westside Express Commuter Rail Service

Dear Mr. Cothen:

This letter is in reference to the Tri-County Metropolitan Transportation District of Oregon ("TriMet") petition for waiver of 49 C.F.R. §§ 222.21 and 229.129 for its Westside Express Commuter Rail Service ("WES"). The petition was filed with the Federal Railroad Administration ("FRA") on _____, 2009 in the above-referenced docket.

The City of Wilsonville has reviewed, and wholly supports and concurs with the petition for waiver. The City supports TriMet in its efforts to address citizen concerns about WES train horn noise, raised as early as 2007 and with greater intensity since WES revenue operations commenced in February 2009. The City believes the waiver, if granted, would ensure an equivalent level of safety at each of the highway-rail grade crossings along the WES alignment by permitting an 80 dbA horn coupled with 60 dbA bells. Granting of the waiver would help lessen the noise impacts. In the meantime, the City of Wilsonville will cooperate with TriMet in any efforts to educate its motorists and pedestrians on grade crossing safety issues.

W I T H I N T H E C I T Y O F W I L S O N V I L L E

Please let me know if you have any questions.

Respectfully submitted,

Tim Knapp, Mayor
City of Wilsonville

cc: Tuck Wilson (TriMet)