

RESOLUTION NO. 4170

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
REQUESTING THAT THE CONGRESSIONAL REPRESENTATIVES PROVIDE
RELIEF FROM THE NEW RAIL PASSENGER PLATFORM REQUIREMENTS**

WHEREAS, the Federal Department of Justice (DOJ) has established new rules that comply with the Americans with Disabilities Act (ADA) for passenger platforms to improve access; and

WHEREAS, the DOJ has released a "Notice of Proposed Rule-making" that requires passenger platforms to be 15 inches above the top of the rails; and

WHEREAS, most railroads require 8 inches above the top of the rails; and

WHEREAS, there is an inconsistency in what the Department of Justice and the railroad owners will accept for passenger platforms; and

WHEREAS, the result would be that passenger platforms under the DOJ ruling would be operationally infeasible for freight trains; and

WHEREAS, implementing this rule by DOJ has essentially halted new passenger platform construction along any joint use tracks; and

WHEREAS, without some relief, these rules would delay passenger rail platform construction for Soledad, King City and Pajaro stations.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad that the Council does hereby approve the resolution requesting the Congressional Representatives for relief from the new rail passenger platform requirements.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Soledad duly held on the 20th day of February 2008 by the following vote:

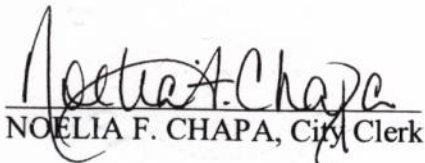
AYES, and in favor thereof, Councilmembers: Martha Camacho, Juan Saavedra, Patricia Stephens, Mayor Pro Tem Christopher Bourke, Mayor Richard Ortiz

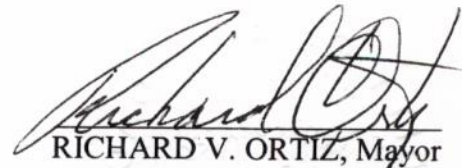
NOES, Councilmembers: None

ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None

ATTEST:


NOELIA F. CHAPA, City Clerk


RICHARD V. ORTIZ, Mayor