

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS, SUPPORTING THE INCLUSION OF BLOCKHOUSE DRIVE INTO THE CITY OF CEDAR PARK'S TRAIN HORN QUIET ZONE APPLICATION TO CAPITAL METRO, THROUGH WHICH TRAIN HORNS ARE TO BE PROHIBITED FROM SOUNDING EXCEPT IN CASE OF EMERGENCY AS OUTLINED IN SECTION 222 OF TITLE 49 OF THE CODE OF FEDERAL REGULATIONS.

WHEREAS, as outlined in Section 222 of Title 49 of the Code of Federal Regulations (FRA), train horns are required to be sounded when approaching all at-grade highway rail crossings that have not yet been authorized as being within a Quiet Zone; and

WHEREAS, the Blockhouse Municipal Utility District Board of Directors have, through board resolutions, expressed the community's desire to include the rail crossing at Blockhouse Drive into a designated Quiet Zone; and

WHEREAS, the Commissioner's Court of Williamson County, Texas, has determined that, the train horn soundings as required by the FRA interferes with the quality of life desired by the Blockhouse Municipal Utility District residents; and

WHEREAS, the FRA allows a Quiet Zone to be established within the jurisdiction of a public authority after specific Supplemental Safety Measures are installed at the public roadway rail crossing within the proposed Quiet Zone; and

WHEREAS, the installation of Four Quadrant Gates or Gates with Medians are Supplemental Safety Measures which satisfy the FRA requirements to authorize the establishment of a Quiet Zone; and

WHEREAS, according to 222.35.a.3 of Title 49 of the Code of Federal Regulation, a Quiet Zone may cross more than one political jurisdiction; and

WHEREAS, a Four Quadrant Gates crossing system, approved by Capital Metro, is installed and operational at the rail crossing of Blockhouse Drive; and

WHEREAS, according to 222.37 of the Title 49 of the Code of Federal Regulations, when a proposed quiet zone includes public highway-rail grade crossing under the authority and control of more than one public authority (such as a county road or a State highway crossing), both public authorities must agree to establishment of the quiet zone, and must jointly, or by delegation provided to one of the authorities, take such actions as are required by Section 222 of Title 49.

WHEREAS, based on receipt of this executed resolution, the City of Cedar Park will include the at-grade rail crossing of Blockhouse Drive, a roadway within the jurisdiction of Williamson County, into the Train Horn Quiet Zone application to Capital Metro.

NOW, THEREFOR, BE IT ORDAINED BY THE COMMISSIONER'S COURT OF THE COUNTY OF WILLIAMSON, TEXAS:

SECTION 1. Findings: The foregoing recitals are hereby found to be true and correct and are hereby adopted by the Commissioner's Court and made a part hereof for all purposes as findings of fact.

SECTION 2. The Commissioner's Court authorizes the City of Cedar Park to include Block House Drive, a County crossing between the City of Cedar Park and the City of Leander, into the Cedar Park Quiet Zone request; and

SECTION 3: It is found and determined that this request was heard and approved during the August 12, 2008 meeting before the Williamson County Commissioner's Court as Agenda Number 28, and said meeting was open to the public as required by Chapter 551 of the Texas Government Code.

SECTION 4: It is found and determined that the meeting at which this Resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given as required by Chapter 551 of the Texas Government Code.

APPROVED AND ADOPTED on this 12th day of August, 2008.

COUNTY OF WILLIAMSON,
TEXAS



Dan A. Gattis
Williamson County Judge
Commissioner's Court Chair

ATTEST:



Nancy Rister
Williamson County Clerk

APPROVED AS TO FORM
AND CONTENT:

Jana Duty
County Attorney