



OFFICE OF THE CITY CLERK
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3342
509.625.6350

June 7, 2016

City Clerk File No.:
RES 2016-0056

COUNCIL ACTION MEMORANDUM

RE: RESOLUTION 2016-0056 CONCERNING THE RECENT OIL TRAIN DERAILMENT AND FIRE IN MOSIER, OREGON

During the Spokane City Council's 3:30 p.m. Administrative Session held Monday, June 6, 2016, Council President Stuckart requested a motion to suspend the Council Rules and a motion to add Resolution 2016-0056 to the Council's Legislative Agenda. He noted the reason he is doing this is because it calls for Union Pacific to stop running oil trails through Mosier until they clean up the oil trains that are mere feet away from the tracks right now. Subsequently, the following actions were taken:

Motion by Council Member Beggs, seconded by Council Member Kinnear, **to suspend** the (Council) Rules; **carried unanimously (Council Member Stratton absent).**

Motion by Council Member Beggs, seconded by Council Member Kinnear, **to add** the Resolution (RES 2016-0056) to tonight's (June 6) Legislative Agenda; **carried 5-1 (Council Member Fagan voting "no" and Council Member Stratton absent).**

At the 6:00 p.m. Legislative Session held June 6, the City Council then considered Resolution 2016-0056. Subsequent to a full reading of the resolution by the City Clerk and an overview of the resolution by Council President Stuckart, public testimony, and Council commentary, the following action was taken:

Upon 5-1 Roll Call Vote (Council Member Fagan voting "no" and Council Member Stratton absent), the City Council adopted Resolution 2016-0056 concerning the recent oil train derailment and fire in Mosier, Oregon.

Terri L. Pfister, MMC
Spokane City Clerk

RESOLUTION NO. 2016-0056

A Resolution concerning the recent oil train derailment and fire in Mosier, Oregon.

WHEREAS, recently, 16 cars from a 96-car train transporting highly flammable Bakken crude oil passed through Downtown Spokane and then derailed in the Columbia River Gorge city of Mosier, Oregon; and

WHEREAS, four of those 16 derailed cars caught fire, and some oil leaked into the Columbia River, which has since been contained; and

WHEREAS, the derailed cars damaged the City of Mosier's wastewater treatment facilities, requiring a boil water order for residents, and the removal of about 10,000 gallons of oil from the city's sewer system; wastewater is currently being trucked to nearby Hood River, Oregon for treatment; and

WHEREAS, the derailment, which occurred approximately 200 feet from Mosier's school, also required the evacuation of about 100 people – about a quarter of Mosier's residents; and

WHEREAS, the City of Mosier and Union Pacific Railroad officials readily acknowledge that the Mosier derailment and subsequent fire could have been a catastrophic disaster; the flames could easily have destroyed the city and jumped the river into Washington, had the winds at the time of the derailment been at the usual speed of approximately 25 miles per hour; and

WHEREAS, Union Pacific, recognizing the inherently dangerous nature of the substance still contained in the rail cars which left the tracks, immediately began efforts to remove the highly flammable material from the derailed cars; and

WHEREAS, despite the derailment, leak, and subsequent fire, and despite the fact that cars containing highly flammable Bakken crude remain approximately 10 feet away from the tracks, Union Pacific immediately resumed rail traffic through Mosier, before the clean-up was completed and before the results of the investigation of the cause of the derailment were known; and

WHEREAS, Mosier Mayor Arlene Burns stated the city's "strong[] object[ion] to Union Pacific's plans to restart running trains, including oil trains, as early as tonight [Sunday, June 5, 2016] through the derailment site where damaged oil tankers continue to sit feet from newly laid railroad track. Restarting trains before the high-risk carnage of their last accident is even cleared from the tracks is telling Mosier they are going to play a second round of Russian roulette with[] our town -- it's totally unacceptable"; and

WHEREAS, Mosier City Council President and Acting Mayor Emily Reed stated that “[t]he new tracks will be no safer than before the derailment and now we have tens of thousands of gallons of oil sitting in damaged rail tankers just feet away from the proposed new active track. They do not yet know what happened in this section of track to cause the accident on Friday so on what basis can they safely re-start running oil trains down this same section of track? This is literally hundreds of feet from our homes and school”; and

WHEREAS, the Mayor and City Council President of Mosier have asked Oregon Governor Kate Brown to intervene to help ensure that rail traffic through Mosier stops until Union Pacific both cleans up the highly flammable material and derailed cars, and determines the cause of the derailment; and

WHEREAS, the Mosier derailment is just the latest in a string of oil train derailments, some of which have occurred in populated areas: in July, 2013, a 73-car train transporting highly flammable Bakken crude oil derailed in the town of Lac-Mégantic, Quebec and exploded, killing 47 people, spilling 1.5 million gallons of oil, destroying 30 buildings in the town, and requiring the demolition of three dozen more buildings due to contamination; in January, 2014, an oil train derailed into the Shuylkill River in Philadelphia, with luckily no oil leaking into the river; in February 2014, an oil train derailed and caught fire in Lynchburg, Virginia, spilling some 30,000 gallons of oil into the James River; and

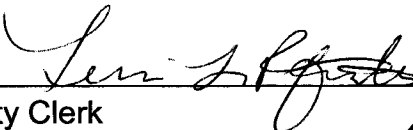
WHEREAS, a recent Seattle Times article by Lynda V. Mapes (“‘We are playing catch-up’ to oil-train threats in Washington state,” June 3, 2016) quotes Governor Inslee’s senior policy advisor on natural resources and the environment that the Mosier derailment is “exactly what we were worried about,” and that the state of Washington “is playing catch-up” on oil-by-rail safety; and

WHEREAS, recent events make abundantly clear that unless we take action, there will continue to be oil train derailments and resulting, fires, oil spills, and loss of life.

NOW, THEREFORE, BE IT RESOLVED that the City of Spokane stands with and strongly supports the City of Mosier in its demand that no further oil be shipped by rail through Mosier until both the clean-up has concluded and Union Pacific ensures that the cause of the derailment is identified and corrected.

BE IT FURTHER RESOLVED, that we call upon Governor Inslee and our Congressional delegation to take appropriate steps to safeguard our communities from the threat of further Bakken oil trail derailments, including requesting that the United States Department of Transportation exercise its authority under 49 U.S.C. 5121(d) to temporarily prohibit further shipments of Bakken crude oil through the Columbia River Gorge until the current derailment is fully cleaned up and appropriate steps have been taken to remove the chance of further oil train derailments.

Passed by the City Council this 6th day of June, 2016.



City Clerk



Approved as to form:



Assistant City Attorney