



Legislation Text

File #: ID-63-19, **Version:** 1

Department of Community Development

Reference: E-470 Hazardous Material Route Designation

To: Mayor Kenneth J. Kreutzer and Members of City Council

Through: Philip A. Rodriguez, City Manager

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PURPOSE / BACKGROUND

This item was first mentioned at the October 23rd Study Session and City Staff came back on December 11th and January 22nd to discuss the item and to provide further information. The direction of City Council at the January 22nd Study Session, after further information was provided, was to draft a 'Letter of Opposition' to bring to a formal City Council meeting for a vote. On February 3rd, City Staff and City Council were made aware of the City Manager's intention to pull the item off the February 5th agenda after separate conversations with Adams County officials, our Mayor, and our Mayor Pro-Tem. On February 5th, City Staff and City Council were sent Adams County's memorandum on the matter. Staff is again looking for direction as to whether or not the City Council wishes to support the Hazardous Materials ("HazMat") designation of E-470.

STRATEGIC FOCUS AREAS

- Strong Regional Relationships and Partnerships
- Safe, Active and Engaged Community

SUMMARY OF FINDINGS / STAFF ANALYSIS

At the December and January Study Sessions on this matter, City staff provided information, verbally and in writing, on numerous topics surrounding the potential designation of E-470 as a HazMat Route. These included the definition and types of hazardous materials, area Comprehensive Plan designations, economic development concerns, the process to designate, criteria to consider, route analysis items, potential sections of designations, oversight and enforcement of routes, positions of neighboring jurisdictions, nearby routes, haulers and their standards, permit process for transportation, regulations surrounding transportation, thoughts of the Fire District, ability to reverse routes, a sample petition and study, CDOT's position, and the E-470 Public Highway Authority's ("Authority") possible future ability to move forward without Brighton's approval.

City staff has provided in its draft presentation (attached) on this matter its list of pros and cons on designation. Staff noted in earlier reports and in meetings that the City already has two vehicle transportation routes (US-85 and I-76) and two railroads that more than adequately serve our community and the northeast region. Other communities in the state that have multiple routes are Denver, Colorado Springs, and Pueblo. City staff does

not find this to be a favorable comparison as these jurisdictions are geographically much larger and have wide-ranging heavy industry. An argument can be made that Brighton already has a disproportionate amount of routes as compared to other neighboring cities. No data has been provided to show that this proposed route designation would create more or less truck trips through Brighton on existing or new routes. It is highly unlikely that Brighton would be able to petition for the removal of an existing route and there are already multiple east-west routes in the region in areas planned for less density or currently in use for industrial purposes. There is a potential that future employers that the city desires to attract to the area may not be desirous of sites that fall along a HazMat route. No data has been presented to demonstrate that designation would not deter non-industrial businesses.

NEXT STEPS

Per the City Attorney, a formal vote would need to occur for the City to issue a letter of support or opposition to the petition. This can be done by Resolution and it could authorize the Mayor to evidence the support or opposition by sending a letter. If Council provides direction that they are generally in support or opposition of the designation, City staff will schedule the item for an upcoming City Council meeting, provide a draft Resolution, and provide a draft letter in support or opposition of designation. Council may also make a determination to not voice its support or opposition at this time in order to request more information in terms of data from Adams County or the Authority. City staff has not changed its recommendation and it encourages City Council to ask for data from the County or Authority that would quell concerns and eliminate items from staff's list of cons.

ATTACHMENTS

- Draft City Staff PowerPoint
- Adams County's Memorandum
- CDOT Map of Colorado Hazardous and Nuclear Materials Routes
- City Staff's Report for Study Session on 1/22/19
- City Staff's PowerPoint for Study Session on 1/22/19
- City Staff's Report for Study Session on 12/11/18
- City Staff's PowerPoint for Study Session on 12/11/18
- Comprehensive Plan's Future Land Use Map
- E470 Hazmat Memo (Adams County will present)