

1 **BY AUTHORITY**

2  
3 RESOLUTION NO. CR23-1776  
4 SERIES OF 2023

COMMITTEE OF REFERENCE:  
Direct File - Torres

5 **A RESOLUTION**

6  
7 **Extending the declaration of local disaster emergency pertaining to**  
8 **unsheltered residents filed with the clerk and recorder to December 31, 2023.**  
9

10 **WHEREAS**, the City and County of Denver has experienced year over year increases in the  
11 number of people experiencing homelessness, an increase in those experiencing first time  
12 homelessness, and a tripling in the number of people experiencing unsheltered homelessness  
13 since 2019;

14 **WHEREAS**, the 2022 Point in Time Count, an annual survey of the number of people  
15 experiencing homelessness on a single night in January, counted over 1,300 City residents who  
16 were unsheltered and living outdoors;

17 **WHEREAS**, the initial results from the 2023 Point in Time Count again showed an increase in  
18 the total number of people experiencing homelessness and in the number of people experiencing  
19 unsheltered homelessness, with over 1,400 City residents unsheltered and living outdoors;

20 **WHEREAS**, the number of people living unsheltered in 2023 is the highest number ever  
21 recorded in the City;

22 **WHEREAS**, the large number of people living unsheltered in the City creates significant public  
23 health and safety risks due to the lack of available services and the associated impacts of  
24 encampments created in spaces that are not safe for habitation;

25 **WHEREAS**, people who live unsheltered have higher rates of illness and shorter life spans  
26 and living unsheltered is a dangerous health condition for individuals;

27 **WHEREAS**, the need to provide shelter, physical and behavioral health care services, and  
28 other supportive services for the City's unsheltered residents is straining and exceeding current  
29 City resources;

30 **WHEREAS**, the City faces a humanitarian crisis that requires it to take extraordinary  
31 measures to meet the immediate needs of City residents living unsheltered;

32 **WHEREAS**, the City has requested financial and other assistance from the state government  
33 as well as nonprofits and other community resources, including additional sheltering, physical and  
34 behavioral health care services, and other supportive services;

1       **WHEREAS**, the City anticipates requesting financial and other assistance from the federal  
2 government;

3       **WHEREAS**, people and property are at risk based on the number of individuals living  
4 unsheltered and outdoors in the City, as described in the above paragraphs;

5       **WHEREAS**, the risks posed as described herein require preparation and arrangements for  
6 housing, shelter, infrastructure, and other supportive services to protect the health, safety, or  
7 welfare of people within the City described herein;

8       **WHEREAS**, on July 18, 2023, Mayor Johnston filed with the City and County of Denver Clerk  
9 and Recorder a State of Local Disaster Emergency Declaration (hereinafter “Declaration”);

10       **WHEREAS**, the period of Declaration is currently in effect until Monday, November 13, 2023;

11       **WHEREAS**, pursuant to state law, Colo. Rev. Stat. §24-33.5-709 (1), the effect of the period  
12 of local disaster emergency cannot exceed seven days except by or with the approval of City  
13 Council;

14       **WHEREAS**, out of an abundance of caution, City Council intends to further extend the current  
15 Declaration until December 31, 2023.

16       **WHEREAS**, the Declaration gives the City the ability to expedite procurement for critical  
17 services and shelter for unsheltered residents living outdoors in the City, among other time-  
18 sensitive needs.

19       **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**


20       **Section 1.** That the State of Local Disaster Emergency Declaration prepared by Mayor  
21 Michael C. Johnston and filed with the Clerk and Recorder of the City and County of Denver on  
22 July 18, 2023, be extended until December 31, 2023, and shall be in effect until terminated by the  
23 Mayor or by City Council in accordance with state and local laws.

24  
25                               **[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**  
26

1 COMMITTEE APPROVAL DATE: N/A

2 MAYOR-COUNCIL DATE: N/A

3 PASSED BY THE COUNCIL: November 13, 2023

4  \_\_\_\_\_ - PRESIDENT

5 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
6 EX-OFFICIO CLERK OF THE  
7 CITY AND COUNTY OF DENVER

8 PREPARED BY: Megan E. Waples, Assistant City Attorney      DATE: November 9, 2023

9 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of  
10 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
11 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to  
12 §3.2.6 of the Charter.

13 Kerry Tipper, Denver City Attorney

14

15 BY: Anshul Bagga, Assistant City Attorney      DATE: Nov 9, 2023