

1 **BY AUTHORITY**

2  
3 RESOLUTION NO. 23-\_\_\_\_\_

COMMITTEE OF REFERENCE:

4  
5 SERIES OF 2023

Direct File - Torres

6  
7 **A RESOLUTION**

8  
9 **Extending the declaration of local disaster emergency pertaining to sheltering**  
10 **of migrants and asylum seekers filed with the clerk and recorder to April 24,**  
11 **2023.**

12  
13 **WHEREAS**, over the past five months, the City and County of Denver (City) has seen a  
14 steady influx of approximately 5,600 migrants and asylum seekers arrive in the City without having  
15 any immediate plans for shelter;

16 **WHEREAS**, this dramatic recent increase in the influx of migrants seeking shelter and asylum  
17 from foreign countries has significantly increased the need to provide shelter, transportation, food  
18 and services, basic health and first aid needs, COVID-19 testing and associated medical care  
19 needed during quarantine and isolation and other supportive services within the State of Colorado  
20 and specifically within the City;

21 **WHEREAS**, many of the migrants and asylum seekers are coping with the effects of trauma  
22 and exhaustion, as well as other physical and mental health concerns;

23 **WHEREAS**, to accommodate the recent increase in migrants and asylum seekers arriving in  
24 the City, the City has closed programming in one recreation center to utilize the space for shelter  
25 and services, and is evaluating other spaces that may be used to accommodate additional persons  
26 as needed;

27 **WHEREAS**, the sudden increase in need to provide shelter, transportation, food and services,  
28 basic health and first aid needs, COVID-19 testing and associated medical care needed during  
29 quarantine and isolation and other supportive services is straining and exceeding current City  
30 resources;

31 **WHEREAS**, if migrants and asylum seekers continue to enter the City at, near, or more than  
32 the current rate, the City's capacity to shelter and care for such persons will suffer additional strain  
33 and continue to exceed the City's capacity;

1       **WHEREAS**, the City now faces an unprecedented humanitarian crisis that requires it to take  
2 extraordinary measures to meet the immediate needs of the asylum seekers;

3       **WHEREAS**, the City has requested financial and other assistance from the state government  
4 as well as nonprofits and other community resources, including additional sheltering, food,  
5 transportation, and services;

6       **WHEREAS**, the City has requested financial and other assistance from the federal  
7 government;

8       **WHEREAS**, people and property are at risk based on the arrival of significant numbers of  
9 migrants and individuals and families seeking asylum, as described in the above paragraphs;

10       **WHEREAS**, the risks posed as described herein require preparation and arrangements for  
11 food, shelter, transportation, infrastructure, and other humanitarian aid to protect the health, safety,  
12 or welfare of people within the City described herein.

13       **WHEREAS**, on December 15, 2022, Mayor Hancock filed with the City and County of  
14 Denver Clerk and Recorder a State of Local Disaster Emergency Declaration (hereinafter  
15 “Declaration”);

16       **WHEREAS**, the period of Declaration is currently in effect until Monday, March 27, 2023;

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

20       **WHEREAS**, out of an abundance of caution, City Council intends to further extend the  
21 current Declaration until Monday, April 24, 2023;

22       **WHEREAS**, the Declaration gives the City the ability to expedite procurement for critical  
23 services and shelter for migrants and asylum seekers in the City and continuing to arrive in the  
24 City, among other time-sensitive needs.

25

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

27       **Section 1.** That the State of Local Disaster Emergency Declaration prepared by Mayor  
28 Michael B. Hancock and filed with the Clerk and Recorder of the City and County of Denver on  
29 December 15, 2022, be extended until April 24, 2023, and shall be in effect until terminated by the  
30 Mayor or by City Council in accordance with state and local laws.

31

32 COMMITTEE APPROVAL DATE: N/A

33 MAYOR-COUNCIL DATE: N/A

1 PASSED BY THE COUNCIL: \_\_\_\_\_

2 \_\_\_\_\_ - PRESIDENT

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

6 PREPARED BY: Lee Zarzecki, Assistant City Attorney DATE: March 14, 2023

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

11 Kerry Tipper, Denver City Attorney

12  
13 BY: \_\_\_\_\_, Assistant City Attorney

DATE: \_\_\_\_\_