

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 March 27,**
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 4,600 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 City forecasts dangerously low freezing temperatures between January and
28 March, along with other inclement weather, such as snow and strong winds;

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

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

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

6 **WHEREAS**, the City has requested financial and other assistance from the state and federal
7 government as well as nonprofits and other community resources, including additional sheltering,
8 food, transportation, and services;

9 **WHEREAS**, the City anticipates requesting additional financial and other assistance from the
10 state and federal government;

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

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

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

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

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

23 **WHEREAS**, out of an abundance of caution, City Council intends to further extend the
24 current Declaration until Monday, March 27, 2023;

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

28

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

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

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COMMITTEE APPROVAL DATE: N/A

MAYOR-COUNCIL DATE: N/A

PASSED BY THE COUNCIL: _____

_____ - PRESIDENT

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

PREPARED BY: Lee Zarzecki, Assistant City Attorney DATE: February 9, 2023

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

Kerry Tipper, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____