

1 **BY AUTHORITY**

2
3 RESOLUTION NO. 23-0195
4 SERIES OF 2023

COMMITTEE OF REFERENCE:
Direct File - Torres

5
6 **A RESOLUTION**

7 **Extending the declaration of local disaster emergency pertaining to sheltering**
8 **of migrants and asylum seekers filed with the clerk and recorder to March 27,**
9 **2023.**
10

11 **WHEREAS**, over the past five months, the City and County of Denver (City) has seen a
12 steady influx of approximately 4,600 migrants and asylum seekers arrive in the City without having
13 any immediate plans for shelter;

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

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

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

25 **WHEREAS**, the City forecasts dangerously low freezing temperatures between January and
26 March, along with other inclement weather, such as snow and strong winds;

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 and federal
4 government as well as nonprofits and other community resources, including additional sheltering,
5 food, transportation, and services;

6 **WHEREAS**, the City anticipates requesting additional financial and other assistance from the
7 state and federal 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, February 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, March 27, 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.

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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 March 27, 2023, and shall be in effect until terminated by
30 the Mayor or by City Council in accordance with state and local laws.

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32

1 COMMITTEE APPROVAL DATE: N/A

2 MAYOR-COUNCIL DATE: N/A

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

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

8 PREPARED BY: Lee Zarzecki, Assistant City Attorney DATE: February 23, 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

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15 BY: _____, Assistant City Attorney DATE: _____