

1 **BY AUTHORITY**

2
3 RESOLUTION NO. 22-1661
4
5 SERIES OF 2022

COMMITTEE OF REFERENCE:

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 January 17,**
11 **2023.**
12

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

16 **WHEREAS**, in the past week alone, the number of migrants and asylum seekers arriving in the
17 City has numbered approximately 300, accounting for about half of the total number of migrants and
18 asylum seekers arriving in the City, which influx is expected to continue;

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

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

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

30 **WHEREAS**, the City forecasts dangerously low freezing temperatures in December and
31 January, along with other inclement weather, such as snow and strong winds;

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

36 **WHEREAS**, if migrants and asylum seekers continue to enter the City at, near, or more than
37 the current rate, the City's capacity to shelter and care for such persons will suffer additional strain
38 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 anticipates requesting 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 Denver
14 Clerk and Recorder a State of Local Disaster Emergency Declaration (hereinafter “Declaration”);

15 **WHEREAS**, the period of Declaration is currently in effect until Wednesday, December 21,
16 2022;

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

19 **WHEREAS**, out of an abundance of caution, City Council intends to further extend the current
20 Declaration until Monday, January 17, 2023;

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

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

26 **Section 1.** That the State of Local Disaster Emergency Declaration prepared by Mayor Michael
27 B. Hancock and filed with the Clerk and Recorder of the City and County of Denver on December
28 15, 2022, be extended until January 17, 2023, and shall be in effect until terminated by the Mayor or
29 by City Council in accordance with state and local laws.

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1 COMMITTEE APPROVAL DATE: N/A

2 MAYOR-COUNCIL DATE: N/A

3 PASSED BY THE COUNCIL: December 19, 2022

4  - PRESIDENT

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

8 PREPARED BY: Deanne Durfee, Assistant City Attorney DATE: December 15, 2022

9 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of the
10 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: *Anshul Bagga*, Assistant City Attorney

DATE: Dec 15, 2022