

CITY OF LONE TREE, COLORADO
DECLARATION OF PUBLIC HEALTH EMERGENCY RELATED TO COVID-19
PURSUANT TO SECTION 1, ARTICLE XVII OF THE HOME RULE CHARTER

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

WHEREAS, on March 10, 2020, Governor Jared Polis declared a State of Disaster Emergency as the number of identified COVID-19 cases in Colorado and in the United States increased and announced numerous emergency measures to protect public health and safety; and

WHEREAS, Douglas County issued a local disaster emergency declaration pursuant to C.R.S. § 24-33.5-709 on March 13, 2020; and

WHEREAS, the City of Lone Tree is monitoring the outbreak of COVID-19 and taking steps to help limit the spread of the disease and prepare for impacts to our community; and

WHEREAS, Section 1, Article XVII of the Home Rule Charter (“City Charter”), authorizes the Mayor of the City of Lone Tree to assume the authority to execute any action necessary for the protection of life and property in the event of an immediate danger or threat to the preservation of the public health, welfare, peace, and safety, or property of the City; and

WHEREAS, the cost and magnitude of responding to and recovery from the impact of the COVID-19 pandemic may exceed the City’s available resources; and

WHEREAS, the City’s declaration of a local disaster and emergency will assist and permit access to local emergency funds, Federal and State assistance, adjustments to policies, procedures, and ordinances to ensure the public’s health and welfare; and

WHEREAS, it is appropriate and in the interests of the public health and safety of the City and its residents to rapidly address community spread of COVID-19 and subsequent cascading impacts, such as economic distress, and to further protect the health and safety of the public by declaring an emergency in the City of Lone Tree; and

WHEREAS, the Mayor of the City of Lone Tree, as principal executive officer of the City of Lone Tree, is further authorized to declare a local disaster pursuant to C.R.S. § 24-33.5-709, to activate the City’s Emergency Operations Plan and Continuity of Operations Plan and to make certain findings with respect to the operation of City business during such emergency.

BE IT NOW THEREFORE, THAT THE MAYOR OF THE CITY OF LONE TREE
DECLARES AS FOLLOWS:

Section 1. Intent. It is the intent of this declaration to provide the necessary organization, powers, and authority to enable the timely and effective use of all available City resources to prepare for, respond to, and recover from the declared local public health emergency and disaster

consistent with Section 1, Article XVII, of the City Charter.

Section 2. Public Health Emergency and Disaster Declared. The City Council hereby declares that a public health emergency and disaster relating to COVID-19 exists within the State of Colorado and within the City. Such circumstance is referred to in this declaration as the “public health emergency.” The public shall be notified of this declaration through general dissemination to the news media, posting on the City website, or other means of publicity intended to advise the general public.

Section 3. Duration of Declaration of Public Health Emergency and Disaster. The declaration of the public health emergency as provided in Section 2 of this declaration shall remain in effect until the Mayor declares that the emergency has passed.

Section 4. Continuity of Government. During this state of public health emergency and disaster, the City shall continue to provide and maintain necessary public services to the maximum extent feasible.

Section 5. Powers. Until the Mayor declares that the public health emergency has passed, the Mayor, with the assistance of the City Manager, has full power and authority to take any action necessary for the protection of life and property, including but not limited to the following actions:

- (a) any action necessary for the protection of life and property, including, but not limited to, establishing regulations governing conduct related to the cause of the public health emergency;
- (b) suspend or cancel any City board and commission meetings or other City events, or conduct virtual meetings by electronic means in accordance with Council adopted policies;
- (c) appropriate and expend funds, execute contracts, authorize the obtaining and acquisition of property, equipment, services, supplies and materials without strict compliance with procurement regulations or procedures;
- (d) make application for local, state or federal assistance;
- (e) close, limit or prohibit the use of any City-owned, leased or operated building, facility, or property; and
- (f) undertake such other functions and activities as reasonably contemplated under the City’s Continuity of Operations Plan and Emergency Operations Plan.

Section 6. Access to Tabor Funds. During the current public health emergency the City Manager shall have access to the City’s emergency funds mandated by the Taxpayer’s Bill of Rights (TABOR) as set forth in Article X, Section 20, Subsection (5) of the Colorado Constitution entitled “Emergency reserves.” Funds utilized pursuant to this declaration shall be replenished no

later than the conclusion of the fiscal year following the end of the current public health emergency.

Section 7. Activation of Emergency Plans. The City Manager is authorized to activate the City's Emergency Operations Plan and Continuity of Operations Plan as deemed necessary.

DATED this ____ day of _____, 2020.

CITY OF LONE TREE

Jacqueline A. Millet, Mayor

ATTEST:

City Clerk

(S E A L)