

RESOLUTION 2020-20

EXTENDING THE CITY OF FRUITA EMERGENCY DECLARATION OF MARCH 24, 2020

WHEREAS, the City Fruita is threatened with serious injury and damage, consisting of widespread human and economic impact caused by the Novel Coronavirus 2019 (“COVID-19”); and

WHEREAS, COVID-19 is a highly contagious virus that has spread throughout the United States, including the City of Fruita, Colorado (the “City”); and

WHEREAS, COVID-19 may cause serious illness and death, especially with respect to elderly persons or those with underlying health conditions; and

WHEREAS, the World Health Organization declared the worldwide outbreak of COVID-19 a “public health emergency of international concern” on January 30, 2020; and

WHEREAS, the United States Department of Health and Human Services declared COVID-19 a public health emergency on January 31, 2020; and

WHEREAS, the State of Colorado identified its first positive case of COVID-19 on March 5, 2020, and

WHEREAS, the Mesa County Emergency Operations Plan was activated in response to the emerging threat March 9, 2020; and

WHEREAS, Governor Polis declared a state of emergency in response to the spread of COVID-19 on March 10, 2020; and

WHEREAS, the City of Fruita activated its COVID-19 Response Plan on March 10, 2020; and

WHEREAS, President Donald J. Trump declared a National Emergency on March 13, 2020, in response to the COVID-19 event; and

WHEREAS, the many public health and safety recommendations and/or orders issued in response to minimizing the spread of COVID-19 have resulted in severe economic hardships on Fruita residents and multiple local businesses in Fruita; and

WHEREAS, there are a reported 912 reported cases of COVID-19 in Colorado as of March 24, 2020; and

WHEREAS, the Mesa County Public Health Department has reported 5 cases of COVID-19 in Mesa County as of March 24, 2020, and anticipates the number of confirmed cases in the County will continue to increase and the County will see more cases of the virus and its transmission within the community; and,

WHEREAS, the Mesa County Emergency Services Director has recommended that all municipalities in the County declare a local emergency; and

WHEREAS, pursuant to the Colorado Disaster Emergency Act, the City has identified a local disaster currently present in the City in connection with the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from COVID-19 requiring emergency action to avert danger or damage and to protect public health; and

WHEREAS, the cost and magnitude of responding to and recovery from the impact of COVID-19 is far in excess of the City's available resources; and

WHEREAS, it would be appropriate and in the interests of the public health and safety, and would further protect property, for the City to take immediate actions for public safety, health and welfare; and

WHEREAS, pursuant to §24-33.5-709(1), C.R.S., the City Manager, as chief executive officer of the City, pursuant to Section 4.05 of the City's Home Rule Charter, declared a local disaster emergency on March 24, 2020, attached hereto as Exhibit A; and

WHEREAS, pursuant to § 24-33.5-709 (1), C.R.S., the declaration shall not be continued or renewed for a period in excess of seven days except with the consent of the City Council; and

WHEREAS, the City Council finds that it is appropriate and in the interests of the public health, safety, and welfare and would further protect property, for the City Council to ratify the actions of the City Manager and to extend the declaration until such time as the City Council terminates such declaration.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO:

Section 1. The City Council hereby confirms, determines, and declares that the spread of COVID-19 virus through Fruita, Colorado, poses an imminent threat of widespread or severe damage, injury or loss of life or property requiring emergency action to avert danger or damage.

Section 2. The effect of this declaration of disaster shall be to continue the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans, including, but not limited to aid and assistance requested or required to support Mesa County, Colorado, and to avail the City to

any financial assistance available from Mesa County, the State of Colorado or the United States federal government.

Section 3. The City Manager is directed and authorized to continue coordination with internal and external partners and to direct City staff as appropriate and necessary to address the local disaster emergency.

Section 4. That the City Council directs the City Manager to implement steps for long term continuity of government services.

Section 5. That the City Council hereby ratifies and adopts the actions of the City Manager and hereby extends the Declaration of Local Disaster Emergency until such time as the City Council terminates such declaration.

Section 6. That the City Clerk is directed to ensure this resolution and declaration is promptly filed with the Mesa County Clerk and Recorder, the Colorado Office of Emergency Management and the Mesa County Emergency Manager.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRUITA,
COLORADO THIS 26TH DAY OF MARCH 2020.**

CITY OF FRUITA

Joel Kincaid, Mayor

ATTEST:

Margaret Sell



CITY MANAGER'S DECLARATION OF LOCAL EMERGENCY

March 24, 2020

WHEREAS, the City Fruita is threatened with serious injury and damage, consisting of widespread human and economic impact caused by the Novel Coronavirus 2019 (COVID-19); and

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County will continue to increase and the County will see more cases of the virus and its transmission within the community; and,

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WHEREAS, pursuant to the Colorado Disaster Emergency Act, the City has identified a local disaster currently present in the City in connection with the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from COVID-19 requiring emergency action to avert danger or damage and to protect public health; and

WHEREAS, the cost and magnitude of responding to and recovery from the impact of COVID-19 is far in excess of the City's available resources; and

WHEREAS, it would be appropriate and in the interests of the public health and safety, and would further protect property, for the City to take immediate actions for public safety, health and welfare; and

WHEREAS, pursuant to §24-33.5-709(1), C.R.S., the City Manager, as chief executive officer of the City, pursuant to Section 4.05 of the City's Home Rule Charter, is authorized to declare a local disaster emergency.

NOW, THEREFORE, THE CITY MANAGER OF THE CITY OF FRUITA HEREBY DECLARES THE FOLLOWING:

Section 1. There is a local disaster emergency in the City of Fruita, Colorado arising from the spread of COVID-19 which has resulted in the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property requiring emergency action to avert danger or damage.

Section 2. The effect of this declaration of disaster shall be to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to seek and authorize the furnishing of aid and assistance under such plans.

Section 3. City of Fruita residents, businesses and visitors are encouraged to remain informed and follow the guidance provided by the U.S. Center for Disease Control, the State of Colorado, Mesa County and the City of Fruita for mitigation strategies for communities with local COVID-19 transmission.

Section 4. This declaration shall be effective upon the date and time given below and shall remain in effect for a period not to exceed seven days thereafter except by or with the consent of a majority of the members of the City Council. Two copies will be filed promptly with the Mesa County Emergency Manager, the Colorado Office of Emergency Management, the Mesa County Clerk and Recorder and the City Clerk.

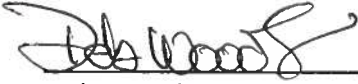
Dated: March 24, 2020, Time: 9:20 p.m.

THE CITY OF FRUITA



Michael P. Bennett, City Manager

ATTEST



Deb Woods, Deputy City Clerk