

SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT

RESOLUTION NO. 2020 - 06

CONTINUATION OF DECLARATION OF LOCAL DISASTER EMERGENCY

WHEREAS, the South Metro Fire Rescue Fire Protection District (“District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Article 1, Colorado Revised Statutes; and

WHEREAS, pursuant to § 32-1-1001, C.R.S. and § 32-1-1002, C.R.S., the District has all rights and powers necessary or incidental to or implied from the specific powers granted to special districts pursuant to Title 32, Article 1; and

WHEREAS, pursuant to § 24-33.5-709(1), C.R.S. and District Policy and Procedure 5.3.2.2, the Fire Chief declared a local disaster on March 19, 2020 (the “Disaster Declaration”) with respect to the national public health emergency and worldwide pandemic caused by a virus known as coronavirus disease 2019 (“COVID-19”); and

WHEREAS, pursuant to § 24-33.5-709(2), C.R.S. and District Policy and Procedure 5.3.2.2, the effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans, emergency funding and Board meeting procedures, and to authorize the furnishing of aid and assistance under such plans; and

WHEREAS, pursuant to § 24-33.5-709(1), C.R.S., the Disaster Declaration shall remain in effect for a period of seven (7) days unless continued or renewed in excess of such period by or with the consent of the Board of Directors of the District (the “Board”); and

WHEREAS, it is anticipated that the number of COVID-19 cases will continue to increase locally in the near-term, as it is highly contagious; and

WHEREAS, the Board desires to continue or renew, as applicable, the Disaster Declaration; and

WHEREAS, the Board hereby finds and determines that continuation or renewal of the Disaster Declaration, as applicable, is appropriate and necessary for the function and operation of the District and for protection of the public health, safety and welfare of the citizens and visitors to the District.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the Board of Directors of the South Metro Fire Rescue Fire Protection District that, due to the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or

property, resulting from the presence of COVID-19 within the District, the Board does hereby declare a local disaster within the District, and continues the Disaster Declaration, as modified herein. Further, pursuant to this Resolution, the Board continues to activate the response and recovery aspects of the District's, and any and all applicable local and interjurisdictional, disaster emergency response and recovery plans, emergency funding and Board meeting procedures, and authorizes the furnishing of aid and assistance under such plans. The Board further resolves that:

1. Until the Disaster Declaration is terminated by the Board, the Fire Chief is authorized and directed to take the following actions, as deemed reasonably necessary:

(a) Prioritize the District's resources and efforts to protect the health, safety and welfare of the residents and visitors of the District, while ensuring the safety of District personnel;

(b) Pursuant to Policy & Procedure 5.3.2.2., Procedure 1.a., the District's Emergency Response Plan, SMFR Action Plan COVID-19, is hereby activated.

(c) Discontinue or suspend any or all non-essential services;

(d) Implement policies and practices to minimize person-to-person contact in an effort to decrease the risk of transmission of COVID-19;

(e) Suspend or modify the provisions of any previously adopted District Resolution, Rule, Regulation, Policy or Procedure if strict compliance with the same would in any way prevent, hinder or delay necessary action to provide essential emergency services and/or ensure the safety of District personnel;

(f) Pursuant to Policy & Procedure 5.3.2.2., C., suspend purchasing and fiscal policies to save lives and/or protect property. All emergency purchases outside of standard authorizations but within the authority of members of the Executive Team may be approved by the appropriate member of the Executive Team. All emergency purchases outside of standard authorizations of an Executive Team member but within the standard authorization of the Fire Chief shall be approved by the Chief Financial Officer ("CFO") and reported to the Fire Chief. The Fire Chief may approve unbudgeted expenditures without prior Board approval in a cumulative amount not to exceed \$500,000.00. Emergency purchases outside of the Fire Chief's standard authorization shall be reported to the Board at its next regular meeting. Where possible, competitive pricing shall be sought by means as determined in the reasonable discretion of the Fire Chief.

(g) With the approval of the CFO and the Fire Chief, expend money from the District's emergency reserve account maintained pursuant to TABOR, Article X, Section 20 of the Colorado Constitution.

(h) Take such personnel actions as necessary to carry out the District's priority emergency services, including but not limited to assigning personnel to work from home; temporarily reassigning District personnel; denying or revoking previously approved leave requests; requiring reasonable documentation for extended sick leave requests, including COVID-19 testing results, if appropriate; and placing on leave or in quarantine any employee reasonably believed to have been exposed to or exhibiting symptoms consistent with COVID-19 and requiring testing prior to returning to work;

(i) Pursuant to Policy & Procedure 5.3.2.2., Procedure 1., a., to the extent the disaster exceeds the District's capabilities and exhausts its mutual/automatic aid assistance, request aid from the State of Colorado and other state, local and federal sources, including applying for and accepting any available local, state or federal assistance, although no repayment obligation may be entered into without approval of the CFO and Fire Chief and no multiple fiscal year obligation may be entered into without Board approval;

(j) Comply with any procedures or requirements established by the CFO to facilitate the intent of Policy & Procedure 5.3.2.2., Procedure 2., with regard to Disaster Expenditure Record Keeping.

(k) In consultation with the Board Chair and District legal counsel, arrange for meetings of the Board to be held via telephone, video conference, or other electronic means in a manner which as fully as possible given the emergency situation complies with the Colorado Open Meetings Law; and

(l) Take such other actions as reasonably necessary to carry out this Resolution and the Disaster Declaration and ensure the reliability of the District's emergency services, while also ensuring the safety of the District's personnel and the public.

2. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

3. **Effective Date.** This Resolution shall take effect and be enforced immediately upon its approval by the Board and shall be valid until the next regular meeting of the Board, unless earlier terminated, modified, continued or renewed by the Board.

ADOPTED this 25 day of March, 2020.

South Metro Fire Rescue Fire Protection
District



Ronda Scholting, Chair

Attest:


Danny Gaddy, Secretary

Filed with:

Clerk and Recorder for Arapahoe, Jefferson and Douglas Counties

Colorado Office of Emergency Management (Attn: Michael J. Willis, Director, 9195 East
Mineral Ave., Suite 200, Centennial, CO 80112 Fax:720.852.6750;
mike.willis@state.co.us)

RESOLUTION NO. 2020 - 06 WAS CONTINUED by the Board of Directors this ____ day of April, 2020.

South Metro Fire Rescue Fire Protection
District

By:

Ronda Scholting, Chair

Attest:

Danny Gaddy, Secretary

RESOLUTION NO. 2020 - 06 WAS CONTINUED by the Board of Directors this ____ day of May, 2020.

South Metro Fire Rescue Fire Protection
District

By:

Ronda Scholting, Chair

Attest:

Danny Gaddy, Secretary

RESOLUTION NO. 2020 - 06 WAS TERMINATED by the Board of Directors this ____ day of _____, 2020.

South Metro Fire Rescue Fire Protection
District

By:

Ronda Scholting, Chair

Attest:

Danny Gaddy, Secretary