

RESOLUTION #R-132-2020

A RESOLUTION OF THE LOVELAND CITY COUNCIL EXTENDING RESOLUTION #R-41-2020 THAT EXTENDS THE LOVELAND CITY MANAGER'S DECLARATION OF LOCAL DISASTER REGARDING COVID-19 AND AUTHORIZING THE USE OF ADDITIONAL POWERS TO PRESERVE THE HEALTH, SAFETY AND WELFARE OF LOVELAND RESIDENTS AND BUSINESSES

WHEREAS, pursuant to Resolution #R-41-2020, City Council extended the Loveland City Manager's Declaration of Local Disaster Pursuant to C.R.S. Section 24-33.5-709 Regarding COVID-19 (the "Declaration") and authorized the use of additional powers to preserve the health, safety and welfare of Loveland residents and businesses in response to the COVID-19 pandemic; and

WHEREAS, Resolution #R-41-2020 was set to expire on July 7, 2020 and, in response thereto, on June 16, 2020, City Council adopted Resolution #R-60-2020 extending the Declaration and authorizations under Resolution #R-41-2020 through October 7, 2020, and on October 6, 2020, City Council adopted Resolution #R-96-2020 again extending the Declaration and authorizations under Resolution #R-41-2020 through January 6, 2021; and

WHEREAS, the resolutions, in part, provide a mechanism for federal reimbursement of certain expenses related to the City of Loveland's response to the COVID-19 pandemic including its compliance with several public health orders issued by the state and Larimer County, and implementation of guidelines issued by the Center for Disease Control; and

WHEREAS, the resolutions also empower the City Manager to act to ensure that the local response to the COVID-19 pandemic is sufficiently flexible for Loveland residents and businesses to act to preserve their health, safety and welfare, and authorize members of Council, citizens and City board and commission members to participate in remote meetings; and

WHEREAS, pursuant to the resolutions, the City Manager issued orders suspending or modifying City ordinances and policies to allow businesses to designate parking spaces for food delivery, permit recognition signage at Lake Loveland for graduating high school seniors, expand restaurants and retail businesses into the public rights-of-way, and authorize the use of recreational vehicles on private property to limit the potential spread of the coronavirus; and

WHEREAS, the resolutions also permitted the City to defer the collection of sales tax to assist businesses struggling with public health order restrictions, and to suspend utility disconnections and waive related late fees and interest to ensure the safety of residents ordered to stay at home, who may have lost their jobs, or were otherwise facing financial difficulty due to the COVID-19 pandemic; and

WHEREAS, unless extended by City Council, the authority granted under the resolutions will expire on January 6, 2021, thereby ending both the local disaster declaration and the additional authority delegated to the City Manager to respond to the needs of residents and local businesses; and

WHEREAS, City Council finds that the current situation and conditions set forth in the Declaration and Resolution #R-41-2020 continue to constitute a local disaster and a health emergency, and require the City Manager to issue necessary orders to preserve the public health and welfare consistent therewith; and

WHEREAS, City Council anticipates that the current situation and conditions may require the City to continue to commit resources and expend City funds to protect the public's health, safety and welfare; and

WHEREAS, the City Manager must have flexibility to address the rapidly changing situation and respond locally in a manner that best preserves the health, safety and welfare of Loveland residents and businesses; and

WHEREAS, under the broad powers vested in the City by the laws of the State of Colorado, the City of Loveland Charter, and the Loveland Municipal Code, and by the City's home rule status, the City Manager or City Council has the authority to take such lawful actions as are necessary to protect the public's health, safety and welfare; and

WHEREAS, City Council has determined that continuing Resolution #R-41-2020 as extended by Resolutions #R-60-2020 and #R-96-2020, including the Declaration pursuant to C.R.S. § 24-33.5-709, and ratifying and authorizing action by the City Manager pursuant to C.R.S. § 31-15-401(1)(b), each in response to the COVID-19 outbreak, are actions necessary to protect the public's health, safety and welfare.

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

Section 1. That the recitations above are incorporated herein by reference.

Section 2. That Resolution #R-41-2020, as extended by Resolutions #R-60-2020 and #R-96-2020, is hereby extended and shall continue in effect until the earliest of: (a) the date the City Manager determines that the local disaster declared in the Declaration no longer exists within the City of Loveland; (b) April 7, 2021, unless extended by City Council; or (c) the date on which City Council ends the local disaster declared in the Declaration (such earliest date is the "Termination Date").

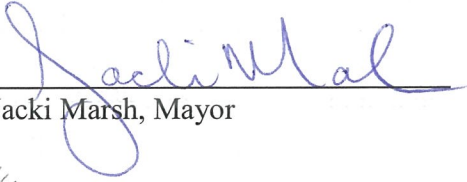
Section 3. That any order issued by the City Manager pursuant to Resolution #R-41-2020, Resolution #R-60-2020, Resolution #R-96-2020 or this Resolution shall be subject to the Termination Date as provided herein.

Section 4. That the City Council ratifies all acts of the City Manager prior to the adoption of this Resolution which acts were in response to COVID-19, pursuant to C.R.S. § 24-33.5-709 and C.R.S. § 31-15-401(1)(b).

Section 5. That this Resolution shall be filed with the City Clerk and the City Clerk is directed to promptly publicize this Resolution to the general public and to file a copy with the Colorado Office of Emergency Management.

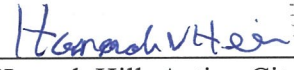
Section 6. That this Resolution shall be effective as of the date of its adoption.

ADOPTED this 5th Day of January, 2021.



Jacki Marsh, Mayor

ATTEST:



Hannah Hill, Acting City Clerk



APPROVED AS TO FORM:



Moses Garcia, City Attorney

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