

CITY OF GLENDALE, COLORADO

RESOLUTION NO. 8

SERIES OF 2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GLENDALE COLORADO SUPPORTING GOVERNOR POLIS' ORDER
TO WEAR FACIAL COVERINGS IN INDOOR PUBLIC SPACES AND
TAKING ADDITIONAL STEPS TO IMPLEMENT THE ORDER**

WHEREAS, the novel Coronavirus Disease 2019 (“COVID 19”) is a severe respiratory illness; and,

WHEREAS, COVID 19, after originating in China, has spread rapidly across the globe and is a virus that results in symptoms ranging from fever, cough, acute respiratory distress syndrome, pneumonia, and even death; and,

WHEREAS, on March 10, 2020, the State of Colorado declared a State of Emergency in response to the growing outbreak of COVID 19 in our State; and,

WHEREAS, on March 13, 2020, President Trump declared a National Emergency on behalf of the United States of America related to the COVID 19 pandemic; and,

WHEREAS, consistent with section 4.9 B of the Glendale City Charter (“Charter”), on March 19, 2020 Mayor Dunafon signed a proclamation of the existence of an emergency and instructed and authorized the City Manager to declare a local emergency as provided in C.R.S. §24-33.5-709; and,

WHEREAS, pursuant to the Colorado Disaster Emergency Act, C.R.S.24-33.5-701 et.seq. on March 20, 2020 the City Manager of the City of Glendale declared a state of local disaster emergency with the City Council’s consent; and,

WHEREAS, the presence of COVID 19 and manner in which it is communicated, and in light of the incubation period during which symptoms may not be apparent, continues to pose a threat to the public health and welfare, and numerous governmental entities across the state of Colorado have cancelled or restricted public gatherings to reduce the spread of COVID 19; and,

WHEREAS, as of July 13, 2020, the City of Glendale had 32 confirmed cases of COVID 19 with no fatalities, representing .7% of the City’s population; and,

WHEREAS, the State of Colorado and Tri-County Health Department have issued numerous orders mandating the method and manner that businesses may operate and citizens may assemble and interact; and

WHEREAS, said orders are occasionally inconsistent in terminology, scope, timing and subject matter in a manner that unnecessarily complicates the public's understanding of their applicability, confuses how to avoid unsafe practices, and frustrates voluntary compliance; and,

WHEREAS, Tri-County Health Department's mask order issued on July 10, 2020 is overly broad and poorly harmonized with existing orders, specifically deviating from well-established acceptable group interactions and limiting all non-distanced interactions to only members of the same household; and,

WHEREAS, TCHD's order specifically prohibits seating in a restaurant with anybody other than household members, in comparison to Denver and the State of Colorado orders limiting seating to a maximum party size; and,

WHEREAS, TCHD Executive Director, Dr. John Douglas, has stated to elected officials and the press that the restaurant provision was poorly worded and will be amended; however as of July 17, one week before implementation of an order imposing large civil and criminal penalties for non-compliance, TCHD has not amended the six-line section related to restaurants; and,

WHEREAS, TCHD's order prohibits all close contacts, irrespective to location, to members of the same household; and

WHEREAS, 59% of Glendale's residents live alone; and,

WHEREAS, TCHD's order may discourage candid disclosure of close contacts, defined as a person spending fifteen minutes or longer within six feet of a known case, because to name a person that is a non-household member would admit to violation of the order for both the known case and their close contacts; and,

WHEREAS, it is unrealistic that people would discontinue in-person contact with existing close relationships, and expressly prohibiting such activity could preclude accurate close contact tracing, thereby imperiling public health by expanding unaware and unknown COVID 19 cases and preventing those cases from self-isolating while contagious; and,

WHEREAS, the Tri-County Health Department mask order allows municipalities to opt-out of and be excepted from the application of the order with written notification to TCHD through its governing body prior to the effective date of July 24, 2020; and,

WHEREAS, at the July 14, 2020 special meeting, the City Council instructed staff to draft an emergency ordinance adopting the same facial covering requirements as the City and County of Denver and include an enforcement mechanism; and,

WHEREAS, on July 16, 2020 Governor Polis issued executive order D 2020 138 ordering individuals in Colorado to wear non-medical face coverings; and,

WHEREAS, an emergency ordinance at this time would create unnecessary duplication with the Governor's executive order; and,

WHEREAS, the City Council believes that people seeking public services may not have anticipated entering the interior of a public building; and,

WHEREAS, the City Council desires to provide any needed facial coverings to the public, if needed, at no cost to allow them to receive necessary public services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Glendale, Colorado, as follows:

1. The City of Glendale will distribute facial coverings to any person entering the Glendale Municipal Building who does not possess the required facial covering.
2. The City of Glendale shall opt-out of the TCHD Order Requiring Facial Coverings.
3. Instruct the City Clerk to communicate this resolution to TCHD prior to the effective date.
4. Instruct Glendale City staff to inform the business community of this Resolution and the Executive Order issued on July 16, 2020.
5. This Resolution shall continue unless amended or rescinded by the City Council of the City of Glendale Colorado.

READ, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLENDALE, COLORADO THIS 21ST DAY OF JULY 2020.

Michael Dunafon, Mayor

ATTEST:

APPROVED AS TO FORM:

Veronica Marvin, City Clerk

Jeffrey Springer, City Attorney