



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 3/24/2020

File #: 20-210, Version: 1

SUBJECT: General Business

A Resolution of the Board of Trustees of the Town of Erie Declaring a Local Disaster Emergency

DEPARTMENT: Administration

PRESENTERS: Malcolm Fleming, Town Administrator, Kendra Carberry, Town Attorney

STAFF RECOMMENDATION:

Approve the resolution declaring a Local Disaster Emergency.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

As noted in the attached resolution, Governor Polis recognized the COVID-19 pandemic and declared a state of emergency. On March 14, 2020, Mayor Jennifer Carroll declared a local disaster emergency in and for the Town of Erie. Pursuant to State law, formal action of the Board of Trustees is required to extend an emergency declaration beyond 7 days. Because the Board was unable to consider extending the emergency declaration previously, and to avoid the emergency declaration lapsing on March 21, on March 20, 2020, Mayor Jennifer Carroll renewed the declaration of a local disaster emergency for 7 additional days, subject to ratification by the Board of Trustees. Approving the attached Resolution will ratify the Mayor's declarations and policies implemented in response to the disaster by the Town Administrator/Emergency Manager, and extend the declaration of an emergency disaster in Erie until April 30, 2020, to be consistent with the Governor's current emergency orders.

The resolution references three policies implemented by Town Administrator Malcolm Fleming, acting as the Town's Emergency Manager. Those policies are:

- Teleworking Policy
- Remote Meeting Policy
- Emergency Leave and Attendance Policy (revision to previous policy)
- State of Emergency Leave Policy

Emergency Manager Fleming implemented these policies to (1) clarify the terms under which Town employees may be asked to work from home or another location, (2) specify the circumstances under which meetings of the Board of Trustees and other Town boards, committees and commissions may be held without the physical presence of the members, Town staff or the public at a designated meeting location, (3) update the Town's Emergency Leave Policy to delete provisions providing for FLSA non-exempt emergency personnel to be paid time and one-half for all hours worked during an

official State of Emergency, and instead provide for paid State of Emergency Leave (SEL), which is paid at straight time, and (4) ensure Town employees do not suffer economic hardship due to quarantine issues and/or facility closure issues; without SEL, employees could suffer significant economic hardship that could influence them to not be available when the Town needs them and potentially be less likely to adhere to strict social distancing guidelines and perhaps come into work when they might be contagious.

ATTACHMENTS:

1. Resolution Declaring a Local Disaster Emergency
2. Mayor's March 14, 2020 Order Declaring a Local Disaster Emergency
3. Mayor's March 20, 2020 Order Declaring a Local Disaster Emergency
4. Teleworking Policy
5. Remote Meeting Policy
6. Emergency Leave and Attendance Policy (revision to previous policy)
7. State of Emergency Leave Policy