AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Resolution

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

A Resolution Amending Gunnison County Emergency and Disaster Management and Procedures

Fiscal Impact:

Submitted by: Liz Mense **Submitter's Email Address:** EMense@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 3/18/20

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 3/18/2020 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 3/18/2020

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 15

Agenda Date: 3/19/2020

Revised April 2015

BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2020-_____

A RESOLUTION AMENDING GUNNISON COUNTY EMERGENCY AND DISASTER MANAGEMENT AND PROCEDURES

This resolution supersedes Resolution 2015-2 and Resolution 2017-19.

WHEREAS, on May 8, 2008, the Board of County Commissioners of the County of Gunnison, Colorado ("Board") approved and adopted Resolution 2008-15, A Resolution Establishing Gunnison County Emergency and Disaster Management and Procedures, to provide for the effective direction, control and coordination of Gunnison County government during an emergency or disaster; and

WHEREAS, on June 4, 2013, the Board approved and amended Section D.1.b. of Resolution 2008-15 by Resolution No: 2013-10; and

WHEREAS, on May 2, 2017, the Board approved and amended Resolution 2008-15 to add a new paragraph 5 to Section C. Direction and Control, to include the Delegation of Authority; and

WHEREAS, the Colorado Open Meetings Law applies to any meeting convened in person, by phone or electronically to discuss public business relating to the policy-making function of the Board; and

WHEREAS, when a meeting is convened to discuss public business and is a meeting at which any formal action occurs or at which a majority or quorum of the Board is expected to be in attendance, then such meetings are open to the public and public notice shall be given and minutes taken; and

WHEREAS, the Colorado Open Meetings Law contains no reference to emergency meetings; however, C.R.S. §30-10-303(2) allows the Board to call an emergency meeting provided it has adopted procedures therefor;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that this Resolution, including the authorities and requirements set forth herein regarding emergency and disaster management and procedures, shall be in full force and effect upon the adoption of the instant Resolution, shall thereafter govern the management and procedures during an emergency or disaster within Gunnison County, repealing and superseding Resolution Nos. 2008-15, 2015-2 and 2017-19.

A. GENERAL OPERATIONS.

1. This plan is based on the concept that emergency functions for various groups involved in Gunnison County government will generally parallel their normal day-to-day functions. To the extent possible, the same personnel and material resources will be employed in both non-emergency and emergency circumstances.

2. In an emergency circumstance, it is desirable, and always attempted, to maintain organizational continuity and to assign familiar tasks to personnel. In large scale disasters, it may

be necessary to draw on people's basic capacities and use them in areas of greatest need. Day-to-day functions that do not contribute directly to the emergency operation may be suspended for the duration of any emergency. Personnel and resources that would normally be required of those functions may be redirected to accomplish the emergency task.

3. In keeping with the current strategy of integrated emergency management, this Resolution is concerned with all types of emergency situations that may develop. It also accounts for activities before, during, and after emergency operations.

4. Each department and office has emergency functions in addition to its normal duties. Each department is responsible for developing and maintaining its own procedures and continuity of operations plans. In addition, each department is responsible for maintaining the appropriate level of National Incident Management System/Incident Command System competencies.

B. PHASES OF EMERGENCY MANAGEMENT.

1. Preparedness. Preparedness activities, programs and systems are those that exist prior to an emergency, and are used to support and enhance response to an emergency or disaster. Planning, training, and exercising are among the activities conducted under this phase.

2. Response. Response is comprised of activities and programs designed to address immediate and short-term effects at the onset of an emergency or disaster. It helps to reduce casualties and damage and to speed recovery. Response activities include direction and control, warning, evacuation and other similar operations.

3. Recovery. Recovery is the phase that involves restoring systems to normal. Short-term recovery actions are taken to assess damage and return vital public health, safety and welfare systems to at least minimum operating standards; long-term recovery actions may continue for many years.

4. Mitigation. Mitigation activities are those designed to either prevent the occurrence of an emergency, or long-term activities instituted to minimize the potentially adverse effects of an emergency from happening again.

C. DIRECTION AND CONTROL.

1. The Board, consistent with C.R.S. § 24-33.5-709, Local Disaster Emergencies, identifies the County Manager as the only person with authority to declare a Gunnison County emergency. That declaration shall not be continued or renewed for a period in excess of seven days except by or with the consent of the Board of County Commissioners. In all events, the County Manager shall make all reasonable efforts to convene, by any reasonable methods, a quorum of the Board within 24 hours of the initial declaration of emergency; and shall continue those efforts until a quorum is convened. Any order or proclamation declaring, continuing, or terminating a Gunnison County emergency or disaster shall be given prompt and general publicity and shall be filed promptly with the Gunnison County Clerk and Recorder and with the State of Colorado Division of Emergency Management. Each Gunnison County Department Head and staff shall provide support to and cooperation with the County Manager.

2. a. Until a quorum of the Board has been convened, pursuant to a declaration of emergency by the Gunnison County Manager, the Manager shall have the full legal authority of the Board of County Commissioners. In addition, the County Manager shall have the authority to

activate the Gunnison County Emergency Operations Plan and to request assistance from each appropriate entity through the activation of their respective plans.

b. After twenty-four hours has elapsed from the initial declaration of emergency, the succession of authority to act for the Board shall be the following in order:

i. A majority of the Board;
ii. The chairperson;
iii. The vice chairperson;
iv. The third commissioner;
v. County Manager;
vi. Deputy County Manager;
vii. County Attorney

3. A template for a Declaration of Emergency by the County Manager is attached hereto and incorporated herein as Appendix A.

4. A template for an Order, by the Board of County Commissioners, continuing or renewing the Emergency Declaration in excess of seven days is attached hereto and incorporated herein as Appendix B.

5. In the event that the incident has exceeded (or is expected to exceed) Gunnison County's capacity and capability to effectively respond to and manage the incident, it may be necessary to request operational assistance from an incident management team (IMT). Requests for an IMT should be initiated through the Colorado Division of Homeland Security and Emergency Management, and will require a written **Delegation of Authority**, to be signed by the IMT Incident Commander and the appropriate Gunnison County representative as designated in section D.1 "Succession of Operational Command" in this resolution. In some cases it may be advisable to have jurisdictions with overlapping operational responsibility (i.e. a fire district) also sign the delegation.

The Delegation of Authority assigns incident related operational and tactical activities and responsibility for those activities to the IMT. The Delegation should reflect all issues and objectives County leadership determines to be in its best interests, as determined by the County Policy Group, which may consist of, but is not necessarily limited to; Commissioner(s), County Manager, Finance, Department having operational control etc. The delegation should specifically identify date and time of transfer/delegation. The Incident Commanders (outgoing and incoming) are responsible for ensuring that all involved agencies and personnel are notified of the Delegation. The Delegation does not preclude the County from participating in incident planning, nor does it absolve the County of its responsibilities during the incident. Typically, the Delegation will not include IMT management of peripheral incident activities such as management of shelters, evacuations, road closures, donations and volunteers, as these activities usually remain the responsibility of the county.

The Delegation is amendable, as incident conditions and strategies change. The Delegation is revocable, should the IMT not perform to the County's expectations. At the conclusion of the incident, or at which time the County determines it has sufficient capacity and capabilities to manage the incident, the IMT shall be released by termination of the Delegation.

A template for a Delegation of Authority is attached hereto and incorporated herein as Appendix C.

D. CONTINUITY OF OPERATIONS.

1. Succession of Operational Command.

(a) All authority vested in the County Manager by Resolution No. 1988-10, Resolution No. 2007-26, and any other then current delegation of authority to the County Manager shall be exercised, first, by the County Manager.

(b) The emergency, interim line of succession, in the event the County Manager is completely unavailable by any means ("Chain of Command"), shall be:

i. Deputy County Manager
ii. Health and Human Services Director
iii. Facilities Maintenance Manager
iv. Finance Director

Each of those persons shall have the full authority, in succession, as the County Manager. These emergency, interim successors shall relinquish such authority as directed by a person higher in the Chain of Command when such person becomes available.

(c) The line of succession in each department is according to the written continuity of operations procedures established by that department.

E. EFFECTS OF DECLARATION OF EMERGENCY.

The effects of an Emergency Declaration shall include but not be limited to:

1. Enhanced County Manager Authority.

(a) Authority to redeploy Gunnison County personnel or equipment from normal job duties to assist in emergency response;

(b) Authority to repurpose Gunnison County facilities to support the emergency;

(c) Authority to suspend or temporarily alter Personnel Policies;

(d) Increase in contracting authority to $250,000;

(e) Authority to delegate all or a portion of operational authority to Incident Command.

2. Ability to request and authorize assistance from all appropriate entities and individuals (e.g. local elected officials, other local governments, State of Colorado, federal government).

F. PUBLIC INFORMATION OFFICER.

1. The Incident Commander shall designate a Public Information Officer.

2. The Gunnison County Manager or next in chain of command may appoint a County PIO to coordinate with the Incident(s) PIO.

3. Only the designated Public Information Officer is authorized to speak on behalf of Gunnison County.

4. Each Commissioner shall defer to the designated Public Information Officer relative to public announcements.

5. All Gunnison County staff shall defer to the designated Public Information Officer relative to public announcements.

G. EMERGENCY MEETINGS

Pursuant to C.R.S. § 30-10-303(2), should the Board, the County Manager or the County Attorney decide, in their respective sole discretion, that an emergency meeting is required, the following procedures shall apply:

1. The County Attorney or the County Manager shall call or be contacted to call the emergency meeting, which can be held even in the event that proper public notification is not attainable.

2. The meeting may be held in person, via telephone, by video conference or other electronic means, or a combination thereof.

3. At the onset of the meeting, the Chair, or a member of the Board, shall describe the circumstances constituting the emergency under which the meeting is taking place, and acknowledge that the notice requirement may be affected by the type of meeting involved. For purposes of these procedures, "emergency" is defined as "an unforeseen combination of circumstances or the resulting state that calls for immediate action."

4. When the meeting is held in person, electronically or via telephone, the Board and Administration staff shall take the necessary steps to create an audio recording of the meeting. In addition, to the extent practicable, the Clerk and Recorder or a Deputy Clerk shall attend and take minutes of the meeting.

5. When the meeting is held electronically, the Board and Administration staff shall take all reasonable steps to ensure that the Clerk or a Deputy Clerk receives copies of all communications so that minutes may be prepared. E-mail between elected officials to discuss public business is normally open to the public unless otherwise exempt from disclosure under the Colorado Open Records Act.

6. Any action taken at the emergency meeting must be scheduled for ratification as a consent calendar or regular agenda item on the Board’s next regular meeting for which the agenda has not already been posted.

7. County Administration staff will undertake all reasonable efforts to notify the general public and press of the emergency meeting, including the use of existing electronic distribution lists.

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and passed on this _____ day of March, 2020.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO

By _____
Jonathan Houck, Chairperson

By _____
John Messner, Commissioner

By _____
Roland Mason, Commissioner

ATTEST:

_____
Deputy County Clerk

Appendix A

DECLARATION OF EMERGENCY GUNNISON COUNTY, COLORADO

WHEREAS, _____ has reported to the Gunnison County Manager, or the next person in the Gunnison County chain-of-command pursuant to Gunnison County Resolution 2020-_____, the following:

1. _____
2. _____
3. _____
4. _____; and

WHEREAS, _____ has confirmed to a reasonable degree the accuracy of the reports identified above; and

WHEREAS, the public health, safety and welfare of Gunnison County citizens and the public at large in Gunnison County currently is in danger; and

WHEREAS, persons and/or property are or will be damaged unless immediate efforts are undertaken to reduce the threat to life and/or property; and

WHEREAS, there is an emergency present which necessitates activation of the use of emergency powers granted by C.R.S. § 24-33.5-709, Local Disaster Emergencies, and Board of County Commissioners, Gunnison County, Colorado, Resolution No. 2020-_____.

NOW, THEREFORE, IT IS DIRECTED:

That it is hereby declared that there is an emergency/disaster due to the following conditions:

a. _____
b. _____
c. _____

Dated this _____ day of _____, _____.

_____
Gunnison County Manager (or next in chain-of-command)

Attest: _____
Deputy Clerk

Appendix B

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
DECLARATION OF CONTINUATION EMERGENCY GUNNISON COUNTY, COLORADO

WHEREAS, on _____, the County Manager, or the next person in the Gunnison County chain-of-command pursuant to Gunnison County Resolution 2020-_____ declared an emergency; and

WHEREAS, the Board of County Commissioners has confirmed to a reasonable degree the continued existence of such emergency; and

WHEREAS, the public health, safety and welfare of Gunnison County citizens and the public at large in Gunnison County currently is in danger; and

WHEREAS, persons and/or property are or will be damaged unless continued efforts are undertaken to reduce the threat to life and/or property; and

WHEREAS, there is an emergency present which necessitates continuation of the use of emergency powers granted by C.R.S. § 24-33.5-709, Local Disaster Emergencies, and Board of County Commissioners, Gunnison County, Colorado, Resolution No. 2020-_____.

NOW, THEREFORE, IT IS DIRECTED:

That it is hereby declared that there continues to be an emergency/disaster due to the following conditions:

a. _____

b. _____

c. _____

Dated this _____ day of _____, _____.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO

By _____
Jonathan Houck, Chairperson

By _____
John Messner, Commissioner

By _____
Roland Mason, Commissioner

ATTEST:

_____

Deputy County Clerk

Appendix C

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
DELEGATION OF AUTHORITY

PURPOSE AND SCOPE OF THE DELEGATION OF AUTHORITY

The purpose of the *Delegation of Authority* is to transfer the responsibility and authority for incident management (i.e., legal command and incident decision authority) to the recipient; in this case, to a designated Incident Commander ("IC"). The *Delegation of Authority* is a written transfer of authority vesting the designated IC with the control and management of the incident in accordance with prescribed instructions and limitations.

The *Delegation of Authority* provides...

- Delegation (from agency administrator/unified agency administrator group) of full responsibility and authority for incident management under prescribed terms and conditions
- Terms, conditions, and limitations of the authority granted
- Local incident management policy (established in view of legal, financial, and political considerations)
- Delineation of line of authority (source of continuing local direction)
- Priorities for incident control
- Direction for unified command
- Documentation requirements
- Direction for media relations
- Direction for incident management reporting
- Termination conditions
- Other terms and conditions established by the local jurisdiction administrator

A *Delegation of Authority* may only be granted by action of the political governing body of the local jurisdiction. However, it may, by appropriate resolution, entrust the power to make that delegation to a specified jurisdiction official (e.g., a city manager, mayor, or fire chief) upon certain conditions, thus assuring timeliness and continuity of effective management and control. For maximum effectiveness, a procedure for the timely granting of a *Delegation of Authority* should be in place as an emergency planning measure.

It is important to understand that a *Delegation of Authority* is not an abdication of responsibility or authority, but rather a means of assuring them in an unusual emergency setting by providing for an assignment with prescribed conditions and limitations. The authority granted must be broad enough to ensure that local policy and priorities can be effectively implemented, accountability must be provided for, limitations as to scope, time, and/or incident may be included, and the power of review and termination retained.

INCIDENT COMMANDER

_____
Incident Commander Name

As IC, you are hereby delegated full responsibility and authority to manage:

_____
Incident Name

under the following terms and conditions.

1. **Incident Priorities**
   Incident management and strategies shall be pursuant to the primary incident priorities established by (any attached documents):

2. **Incident Management**
   Incident management and operations shall be conducted as efficiently and effectively as possible, given the prevailing conditions and circumstances.

3. **Unified Command**
   As IC, you shall operate in unified command with the designated command personnel of other authorities with jurisdiction.

4. **Local Personnel**
   When possible, local personnel shall be utilized within the incident management organization.

5. **Documentation**
   Complete and comprehensive incident documentation shall be maintained, including initial damage claims investigations.

6. **Media Relations**
   The incident management team will handle media relations through:

7. **Reporting**
   Incident management reports shall be directed to:

8. **Other Terms and Conditions**

9. **Termination**

This Delegation of Authority shall terminate upon notice from the undersigned granting authority.

This transfer becomes effective at _____ time on the date of _____, 20____, and may be changed or updated as conditions change.

_____

Gunnison County Representative

_____

Incident Commander

Attest: _____

Deputy Clerk