

RESOLUTION 2020-11-1

**A RESOLUTION DECLARING A LOCAL DISASTER EMERGENCY IN
THREE LAKES WATER AND SANITATION DISTRICT, GRAND COUNTY, COLORADO DUE TO
THE EAST TROUBLESOME CREEK FIRE AND ITS IMPACTS**

WHEREAS, Three Lakes Water and Sanitation District (“District”) is a special district and political subdivision of the State of Colorado, organized pursuant to § 32-10-101, *et seq.*, C.R.S., and acting pursuant to certain powers set forth in the Colorado Special District Act, § 32-1-101, *et seq.*, C.R.S.; and

WHEREAS, the Board of Directors of the District has powers including, without limitation, the authority to furnish services and facilities, to manage, control and supervise the business and affairs of the District, and to adopt, amend, and enforce Bylaws and Rules and Regulations, related to the District’s provision of sanitary sewer services, pursuant to § 32-1-1001, C.R.S.; and

WHEREAS, the East Troublesome Creek Fire (the “Disaster”) in Grand County that began on October 14, 2020 has caused and is continuing to cause widespread injury and severe damage to the District, its residents and its customers; and

WHEREAS, on October 17, 2020, the Federal Emergency Management Agency declared the East Troublesome Fire to be a disaster (FM-5378-CO); and

WHEREAS, the Board of County Commissioners of Grand County adopted Resolution 2020-10-22 on October 20, 2020, declaring a local disaster emergency in Grand County, Colorado, for the 2020 East Troublesome Creek Fire; and

WHEREAS, significant infrastructure, utilities, and water related impacts are possible as a result of the Disaster, as well as associated soil erosion, sedimentation, water quality, debris, and flow impacts; and

WHEREAS, the Disaster has the potential to cause service disruptions or delays and delays to District capital projects and may impact the District’s ability to meet some regulatory or contractual provisions and constitutes a force majeure; and

WHEREAS, the Disaster has potential to impact residential and commercial property, recreation, and public lands, creating a significant impact to the District’s economy, including impacting the District’s property tax base and its service fee revenue; and

WHEREAS, the cost and magnitude of responding to and recovery from the impact of the Disaster is in excess of the District’s available resources; and

WHEREAS, the Disaster has necessitated emergency evacuations and has the potential to displace community members; and

WHEREAS, the Grand County Emergency Operations Center and District Manager have recommended that a local disaster be declared, based in part on findings that: the fire presents a significant imminent threat to the safety, health, and welfare of the community, and the fire impacts to date include damage and recovery needs that will extend well past the extinguishment of the fire, including damage and recovery response associated with property damage, flooding, erosion, sedimentation, water quality, debris, and flow impacts; and

WHEREAS, it is appropriate and in the interests of public health and safety, and would further protect property, to declare a local disaster within the boundaries of the Three Lakes Water and Sanitation District; and

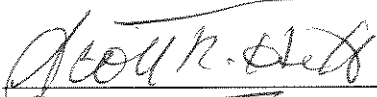
WHEREAS, the Board of Directors of the District is authorized to declare a local disaster pursuant to §24-33.5-709, C.R.S.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE THREE LAKES WATER AND SANITATION DISTRICT, GRAND COUNTY, COLORADO, that:


1. A local disaster emergency within the boundaries of the Three Lakes Water and Sanitation District, is hereby declared in order to ensure additional safety and assistance for the District response to the harm and threats to the health and welfare of the District, its citizens, and visitors, resulting from the 2020 East Troublesome Creek Fire.
2. This declaration shall activate the response and recovery aspects of any and all applicable local and inter-jurisdictional disaster emergency plans and authorizes the furnishing of aid and assistance under such plans.
3. This resolution is effective as of October 14, 2020 and shall remain in effect until June 30, 2021, unless expressly rescinded or extended by the Board of Directors of the District.
4. True copies of this Resolution shall be promptly filed with the District Manager and the Grand County Emergency Management Director-Office of Emergency Management, posted on the District's public website, and made available to the public.

ADOPTED AND APPROVED THIS 2ND DAY OF NOVEMBER, 2020 BY THE BOARD OF DIRECTORS OF THE THREE LAKES WATER AND SANITATION DISTRICT.

THREE LAKES WATER AND SANITATION DISTRICT


By: Sanitary Treasurer

ATTEST:


By: Chairperson

STATE OF COLORADO)
)
 COUNTY OF GRAND) SS.
)
 THREE LAKES WATER AND)
 SANITATION DISTRICT)

I, Scott Huff, the Secretary of the Three Lakes Water and Sanitation District, Grand County, Colorado (the "District"), do hereby certify that:

The foregoing pages are a true, correct, and complete copy of a resolution adopted by the Board of Directors of the District (the "Board") at a special meeting of the Board on November 2, 2020 (the "Resolution").


The Resolution was duly moved and seconded and was adopted at the special meeting on November 2, 2020, by an affirmative vote of a majority of the members of the Board as follows:

Name	"Yes"	"No"	Absent	Abstain
Patricia B. Farmer, Chairperson	✓			
Matthew Reed-Tolonen, Vice Chairperson	✓			
Scott R. Huff, Secretary	✓			
Michael W. Golden, Director	✓			
Judith A. Acierno, Director	✓			

The members of the Board were present at such special meeting and voted on the passage of such Resolution as set forth above.

The Resolution was approved and authenticated by the signature of an officer of the Board and recorded in the minutes of the Board.

IN WITNESS WHEREOF, I have hereunto set my hand this November 2nd, 2020.



 Secretary