TOWN OF GYPSUM, COLORADO

MAYOR'S DISASTER DECLARATION
SUPPLEMENT NO. 1

POSTPONEMENT OF REGULAR ELECTION
AND CONVERSION TO A MAIL BALLOT ELECTION

A. On January 31, 2020, the United States Health and Human Services Secretary declared a national public health emergency with respect to the transmission of a novel virus that causes a highly contagious and potentially fatal disease known as coronavirus disease 2019 ("COVID-19").

B. COVID-19 has resulted in a worldwide pandemic, as determined by the World Health Organization.

C. On March 6, 2020, Eagle County declared a local disaster emergency related to the spread of COVID-19 within Eagle County and has issued Public Health Orders closing businesses, limiting person-to-person contact, and directing other measures to reduce transmission of COVID-19.

D. On March 10, 2020, the Governor of the State of Colorado declared a state of emergency state-wide related to the COVID-19 outbreak and has issued numerous Executive Orders closing businesses and schools, limiting person-to-person contact, and directing other measures to reduce transmission of COVID-19.

E. On March 13, 2020, the President of the United States declared a national state of emergency related to the COVID-19 outbreak nationwide.

F. The Colorado Department of Public Health and Environment has issued numerous public health orders closing businesses, limiting access to skilled nursing facilities, assisted living residences and intermediate care facilities, and implementing social distancing measures.

G. By Declaration dated March 18, 2020, as Mayor of the Town of Gypsum I declared a local disaster due to an extraordinary emergency resulting from the occurrence or imminent threat of widespread or severe damage, injury, and loss of life due to the presence and widespread transmission of COVID-19. That Declaration was issued pursuant to the Town of Gypsum Home Rule Charter ("Charter"), Section 4.8, 2., f), the Colorado Disaster Emergency Act, Section 24-33.5-709, Colorado Revised Statutes, and any other applicable legal authority.

H. The Town of Gypsum’s Regular Municipal Election ("Election") is scheduled to be held as a polling place election on Tuesday, April 7, 2020. At the
Election, Town voters will elect members to the Town Council, and consider ballot questions to amend the Town’s Home Rule Charter and whether to spend funds to assist in the purchase of the Sweetwater Lake. The Election is being held pursuant to Resolution No. 51 (Series 2019), Ordinance No. 01 (Series 2020), and Resolution No. 06 (Series 2020) (jointly, the “2020 Regular Election Authorizations”).

I. Eagle County is currently one of the areas in Colorado hardest hit by COVID-19, having cases potentially in the thousands and one reported death. Cases will continue to increase locally in the near-term, as COVID-19 is highly contagious, making it uncertain whether Town voters will be willing and able to come to the Town’s polling place and whether the Town will have sufficient personnel to conduct the Election.

J. Despite efforts that could be undertaken to urge Town voters to request and vote using mail-in absent voter ballots and measures to afford social distancing and increased disinfection at the polling place, conducting the Election as a polling place election on April 7, 2020 will increase the chance of exposure and infection from COVID-19 for the voters, the Town election officials and election judges, and is inconsistent with the intent of the numerous County, State and Federal orders and directives. As a result, voter turnout for an April 7, 2020 polling place Election would also be very low.

K. The Charter authorizes the Mayor, in the case of an extraordinary emergency, to execute any action reasonable or necessary to protect life, including but not limited to, establishing regulations governing conduct and activities related to diminishing the emergency.

L. Because of the risks to public health, safety, and the lives of Town voters, election officials and election judges due to COVID-19, it is necessary to convert the Election from a polling place election to a mail ballot election and postpone the Election for a minimal period of time.

THerefore, pursuant to the authority given to the Mayor of the Town of Gypsum under the Town of Gypsum Home Rule Charter, Section 4.8, 2., f), and any other applicable legal authority, I hereby declare that:

1. The Town of Gypsum Regular Municipal Election, currently scheduled to be held as a polling place election on Tuesday, April 7, 2020, shall instead be held as a mail ballot election on July 7, 2020. All provisions of the 2020 Regular Election Authorizations inconsistent with this declaration are repealed and amended only to the extent of such inconsistency.

2. The Council shall be convened at its regularly scheduled meeting on March 24, 2020 to consider further action on the matters set forth herein as deemed necessary.
3. The Town Manager, Town Clerk and Town Attorney are directed to take all reasonable or necessary actions to carry out this declaration.

Dated this 23rd day of March, 2020.

Town of Gypsum, Colorado

By: ____________________________

Steve Carver, Mayor