

**TOWN OF EMPIRE, COLORADO
RESOLUTION 21-18**

**A RESOLUTION OF THE TOWN OF EMPIRE, CLEAR CREEK COUNTY,
COLORADO DECLARING A LOCAL DISASTER EMERGENCY DUE TO THE
WORKFORCE HOUSING CRISIS**

WHEREAS, the Town of Empire, Colorado (the “Town”) has determined the housing shortage has created a local disaster emergency in the Town as well as surrounding areas in Clear Creek County; and

WHEREAS, it is essential to the Town’s local economy and sense of community that our workers and their families live in Empire and Clear Creek County, for without these workers our local businesses could not survive, much less thrive; and

WHEREAS, the dislocation of workers from our Town and community creates stress on our workers, local businesses, and the environment due to the long commutes over mountainous terrain; and

WHEREAS, The Town must increase the number of affordable workforce housing units in the community so that our medical workers, teachers, firefighters, law enforcement officers, service workers, and other critical members of our workforce can afford to live in the same community as they serve; and

WHEREAS, mountain and resort communities such as the Town face unique challenges regarding our housing inventory such as a supply that is constrained by land shortages, labor shortages, high construction costs, the second homeowner market, and the increasing popularity of short-term rentals in residential units of all types; and

WHEREAS, over the course of the last several years including those before the onset of the COVID-19 pandemic, housing for the Town’s local workforce had become increasingly out of reach such that it was very difficult for workers and their families to stay in Empire and our surrounding Community; and

WHEREAS, in the aftermath of the COVID-19 pandemic, the Town is seeing business and societal shifts brought on from remote working options that allow many second homeowners to move to Empire and our surrounding community on a full-time basis and allow high-income remote workers to purchase homes and relocate to our Community, which has also exacerbated the housing shortage; and

WHEREAS, according to the 2020 Colorado Census statistics, The State of Colorado is among the fastest growing states in the last decade and expected to continue for the next decade; And the State of Colorado census showed a growth from 2010-2020 of 14.8% in population while only a 12.6% growth in housing units; And the Census growth for both Clear Creek County and Empire are in double-digit percentage growth; Census data from the Colorado Dept. of Local Affairs State Demography Office shows

the Town of Empire's growth at 10.64% in population and in the immediate vicinity a growth of 22.3% from 2010-2020; And Census data indicates that housing growth in the Town has only grown 7.2% in housing units; and

WHEREAS, although the impacts of the COVID-19 pandemic have been widespread, the economic and housing impact of the pandemic has fallen most severely on lower-income households and people of color and/or age, who are already more challenged than the general population to find adequate housing; and

WHEREAS, the federal government recognized the disproportionate impact of COVID-19 on housing needs of vulnerable populations, households, and geographic areas and enacted the "American Rescue Plan Act of 2021" to provide support to state, local, and tribal governments in addressing housing issues; and

WHEREAS, the State of Colorado has enacted House Bill 21-1117, which recognizes the affordable housing crisis in Colorado and empowers local governments to regulate the development or redevelopment of property within their jurisdictions to promote new affordable housing units; and

WHEREAS, many local businesses and public entities are struggling to attract and retain employees and the lack of affordable housing is a major contributor to this workforce shortage with the result that local businesses are closing or reducing their hours of operation; and

WHEREAS, the Town anticipates that without appropriately responding to the immediate shortage of affordable and available workforce housing, the number of residents and employees unable to find housing will rise, additional displacement will occur, and that the current problems of workforce shortages will be exasperated; and

WHEREAS, the Town is working with stakeholders and Clear Creek County on the Clear Creek County Housing Strategy 2021 to better define a strategy and workable plan to address the housing crisis; and

WHEREAS, the Town is aggressively working to improve the Town's infrastructure due to current demands on water and sewer; and

WHEREAS, in 2020 and 2021, the Town has been aggressively making updates and changes to the Town Master Plan and Zoning Ordinances, in part, to increase housing and affordability; and

WHEREAS, the Town seeks to work with stakeholders to develop attainable housing for the workforce and community; And the Town seeks to improve development of current and future housing opportunities in a variety of low, medium, and high density housing units; and

WHEREAS, the Town is being proactive and creative to partner with public and private organizations to explore and develop housing units to address the specific needs defined by various community groups under various programs and laws (ex. HUD, low income, employee housing, elderly, etc.), and

WHEREAS, the Town continues to seek collaborations and funding with public and private entities and programs to include, but not limited to: the Clear Creek Housing Strategy 2021, developing a Multi-Jurisdictional Housing Authority, Low Income Housing Tax Credit (LIHTC), USDA and HUD programs (Section 8, vouchers, etc.), Colorado Legislation (HB21-1117 and HB21-1027, C.R.S. 8-4-123, *et. al.* on employee housing and labor laws), and develop an Opportunity Zone under the Colorado Office of Economic Development and International Trade; and

WHEREAS, the Town of Empire acknowledges that a solution to the affordable workforce housing shortage will require a multi-pronged approach, including the construction and acquisition of new workforce housing units, the modification of existing regulations, and creation of new incentive programs – all of which will require substantial additional funding from not just local resources but also state and federal sources; and

WHEREAS, the cost and magnitude of fully and promptly responding to and recovering from the impact of the ensuing event is in excess of the Town’s available resources; and

WHEREAS, Colorado law provides for declaring a local disaster emergency to assist local governments in responding to and recovering from emergency events; and

WHEREAS, the Town has the authority to declare a local disaster emergency pursuant to C.R.S. § 24-33.5-709(2).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD TRUSTEES FOR THE TOWN OF EMPIRE, STATE OF COLORADO THAT:

1. The above recitals are incorporated by reference.
2. **Local Disaster Emergency Declared.** A workforce housing crisis exists in the Town of Empire and our community which constitutes a local disaster emergency and that warrants immediate action by local, state, and federal authorities. Inaction will result in irreversible changes to the fabric of the community and limit the ability of the community to serve visitors and residents alike. The state of disaster emergency shall continue until rescinded by the Board of Trustees.
3. **Powers.** This resolution grants to the Town all powers granted to it pursuant to C.R.S. § 24-33.5-709 and as otherwise proscribed by state and federal law. Furthermore, the Town declares as follows:

- a. Governments, businesses, and other employers in Empire and our community must thoroughly explore and implement all viable strategies to mitigate the current workforce housing crisis.
- b. The representatives of the citizens and businesses of the Town of Empire implore Governor Polis and the State of Colorado to recognize the nature of the housing emergency in Colorado's High Country and to allocate funding from the American Rescue Plan Act of 2021, or any other available sources, to assist the Town of Empire and our community in the attainment of affordable housing.
- c. These ongoing efforts to improve housing needs in Empire will continue to allow local businesses and public service providers to keep a quality workforce in the Town of Empire, surrounding communities, and in Clear Creek County, resulting in a stronger economy and more robust community which will ultimately benefit the State of Colorado as a whole because our exceptional recreational amenities are cherished by the residents of Colorado as well as citizens across our nation who visit the Town.

4. Resolution to be filed with the Colorado Office of Emergency Management. This resolution shall be promptly filed with the Colorado Office of Emergency Management.

5. This resolution shall be effective immediately upon adoption.

ADOPTED this 14th day of December 2021

TOWN OF EMPIRE

BY:



Wendy Koch, Mayor

ATTEST:



Jeannette Piel, Town Clerk