



# BROOMFIELD CITY COUNCIL

## BOARD OF HEALTH

**To: Mayor and City Council**  
**From: Jennifer Hoffman, City and County Manager**  
**Presented by: Jason Vahling, Public Health Director**

<i>Meeting Date</i>	<i>Agenda Category</i>	<i>Agenda Item #</i>
April 24, 2020	Board of Health	2(a)
<b>Consideration of Extension of Stay at Home Order</b>		
<b>Summary</b>		
<ul style="list-style-type: none"> <li>• Governor Polis has stated a “Safer at Home” order will go into effect April 27, 2020 as the statewide Stay at Home order expires.</li> <li>• Broomfield Public Health recommends the Board of Health extend the Governor’s Stay at Home Order by extending Broomfield Public Health Order No. 2020-02 until May 8, 2020, including a clause for businesses to conduct curbside retail only. The rationale for this recommendation is outlined below:</li> <li>• Governor Polis has issued a draft executive order, under the title “Continuing Stay at Home Requirements for Vulnerable Individuals and Permitting the Limited Reopening of Postsecondary Institutions and Certain Business Operations” implementing measures to allow individuals to return to work while maintaining a sustainable level of social distancing. The draft order directs CDPHE to issue more detailed directives, which are expected to be released on Monday, April 27, 2020.</li> <li>• Local public health agencies have been directed to implement data-informed strategies at the local level that best meet the needs of local communities.</li> <li>• The State and the Colorado Department of Public Health and Environment have not yet released the specific guidelines or criteria outlining how to implement the requirements of the new Safer-at-Home order. The immediate implementation does not allow Broomfield the time to ensure a structure and implementation for the best protection of the health of our residents, short term and long term.</li> <li>• The modeling data provided by the University of Colorado School of Public Health indicates current hospital capacity is manageable now with 85% social distancing compliance based on the current Stay-at-Home order. The model also shows hospital capacity will not be exceeded with a gradual step down to 60-65% social distancing under the Safer-at-Home Order. The 20-25% decrease in compliance that will come with the new order requires counties to ensure the proper preparation and structure is in place to accommodate the increase in cases that will come with additional testing and will require aggressive contact tracing, isolation, and quarantine measures.</li> <li>• These structural steps must be taken to avoid exceeding hospital ICU bed capacity once the social distancing level of 65% is sustained, along with mask-wearing, improved case detection and containment, and additional protections for older adults. Reinforcing the State Modeling, the state public health experts have concluded there is little room for error in the implementation of the Safer at Home Order, and as such, it would be in the best interests of the community to allow additional time to continue enhanced social distancing efforts, scale-up testing, and containment capacity, as well as activate effective communication and coordination plans with key stakeholders and sectors including but not limited to business, parks, child care, law enforcement, and public safety in order to position the community for successful implementation.</li> <li>• Broomfield’s teams from Public Health, City and County Management, Legal, and our Elected Officials that serve on the regional boards have been working diligently to develop a regional approach to create an implementation strategy.</li> <li>• Regional considerations are important because more than 75% of our residents work outside of Broomfield, and many businesses operate across counties in the Denver Metro area. The interconnection of our economies and geography requires we have a unified approach. We believe the proposed plan incorporates the goals above. Specific considerations related to the business community have been a significantly large component of the regional plan.</li> <li>• The guidelines must be clear and concise and include business input. That approach will lead to increased compliance and minimize confusion. Additionally, the establishment of a certification system to allow businesses to demonstrate their ability to comply with COVID-19 related regulations is unclear at this point and additional time will minimize potential inundation of the City and County departments responsible for enforcing the order.</li> <li>• Staff have prepared a presentation that will provide the supporting data used to reach the recommended extension of the Stay-at-Home order.</li> </ul>		

**Prior Council and BOH Action**

**HISTORY OF ACTIONS: COVID 19**

- Coronavirus disease (COVID-19) is an infectious disease caused by a newly discovered coronavirus. At this time, there are no specific vaccines or treatments for COVID-19. Reported illnesses have ranged from mild symptoms to severe illness and death for confirmed coronavirus disease 2019 (COVID-19).
- The COVID-19 pandemic has spread across the globe, including here in Colorado, and into Broomfield. The first confirmed case in Colorado was reported on February 15. The first case in Broomfield was confirmed on March 20, 2020. As of April 23, there are 125 cases of COVID-19 in Broomfield, and five confirmed deaths.
- On March 25 the City and County of Broomfield issued Public Health Order No. 20-01 Requiring Social Distancing and Encouraging all Broomfield Residents to Stay at Home effective March 26. This was followed by the issuance of a more restrictive statewide [Stay at Home Order](#) by the Colorado Department of Public Health and Environment, also effective March 26. As such on April 4, the City and County of Broomfield by Public Health Order No. 2020-02 rescinded the local order and adopted the statewide order, which expires April 26 at 12:59 pm.

**Financial Considerations**

- N/A

**Alternatives**

- Allow the Stay at Home order to expire April 26 and adopt the new statewide order (not yet released)

**Proposed Actions/Recommendations**

- That Public Health Order 2020-03 be adopted.

# PUBLIC HEALTH ORDER EXTENDING COLORADO'S STAY AT HOME ORDER THROUGH MAY 8, 2020

## ORDER NO. 2020-03

### I. FINDINGS

The State of Colorado and the City and County of Broomfield ("Broomfield") are working to stop the spread of coronavirus 2019 (COVID-19).

On March 25, 2020, the Broomfield Public Health Director issued Order No. 2020-01 requiring social distancing and encouraging all Broomfield residents to stay at home, with certain limited exceptions, in an effort to protect and preserve the public health. Broomfield Order No. 2020-01 became effective at 8:00 a.m. on March 26, 2020, continuing until April 17, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Broomfield Public Health Director.

The Governor of Colorado issued a state-wide Stay at Home Order, Executive Order D 2020 017 ("EO 2020 017") on March 25, 2020 and the Colorado Department of Public Health & Environment ("CDPHE") issued Amended Public Health Order 20-24 (followed by an Updated Public Health Order 20-24 on March 26, 2020, Third Updated Public Health Order 20-24 on April 1, 2020, and Fourth Updated Public Health Order 20-24 on April 9, 2020) implementing stay at home requirements, which apply to all individuals and businesses in the State of Colorado, including the City and County of Broomfield.

On April 4, 2020, the Broomfield Public Health Director issued Order No. 2020-02 rescinding Order No. 2020-01 to reduce confusion about what individuals and businesses may or may not do under the Colorado stay at home order and Broomfield's Order No. 2020-01 and adopting the State of Colorado's Stay at Home Order and CDPHE's Amendments and Updates to Public Health Order 20-24.

The health conditions that led to the issuance of Executive Order D 2020-024 and Public Health Order 20-24 have not abated in Broomfield. Furthermore, it is the interest of the businesses and residents of Broomfield to have guidelines consistent with neighboring jurisdictions, particularly given that many businesses have locations across jurisdictions and many individuals travel across jurisdictional borders for work, recreation, and other purposes.

### II. ORDER

By this Order, the Board of Public Health for the City and County of Broomfield hereby extends the requirements contained in Colorado's Stay at Home Order and the underlying Amendments and Updates to CDPHE's Public Health Order 20-24 to May 8, 2020, regardless of whether Colorado's Stay at Home Order and CDPHE's Public Health Order 20-24 expire or are

rescinded. Colorado's Safer-At-Home guidelines, announced by Governor Polis on April 20, 2020, do not apply in the City and County of Broomfield while this Order remains in effect.

The clarifications identified in Order No. 2020-02 remain in effect. Specifically, individuals in Broomfield may engage in outdoor activity, provided they comply with **Social Distancing Requirements**, such as, by way of example and without limitation, walking, hiking, biking or running. For purposes of outdoor activity, City and County of Broomfield parks, open space, and trails will remain open to the public to engage in walking, hiking, biking, running, and similar outdoor activities. Golf courses can remain open provided that Social Distancing Requirements are strictly followed. Clubhouses, restaurants, snack bars and pro shops must not be open and tee times and golf fee transactions can only be made online. Only household members may share a golf car or be a caddy for a golfer. Golfers are strongly encouraged to not touch any equipment that is not their own (e.g. tees and flags).

The following recreation areas in the City and County of Broomfield remain closed: all playgrounds, bike parks, athletic courts (including tennis, basketball, and pickleball), sports fields (including football, baseball, and soccer), picnic areas, and other similar areas conducive to public gathering. Additionally, the outdoor activities permitted in this Order do not include activities that would violate the **Social Distancing Requirements**.

In CDPHE's Fourth Updated PHO 20-24, Critical Businesses -Retail (as defined therein) were authorized to offer retail sales, but non-Critical Businesses were precluded from doing so. By this Order, the requirements in Colorado's Stay At Home Orders as applied in the City and County of Broomfield are amended to permit non-Critical Businesses - Retail to offer goods through curbside delivery under the same conditions as currently permitted under CDPHE's Fourth Updated PHO 20-24 for restaurants and bars. The definition of Necessary Travel is hereby amended to allow travel to pick up goods through curbside delivery. Non-Critical Businesses must remain closed to the public.

On-site staffing of non-Critical Businesses - Retail is limited to the minimum number of employees necessary to fill and process orders and to provide curbside delivery, in addition to Minimum Basic Operations as defined in Colorado's Stay-At-Home Orders. However, in no event shall the number of employees permitted at the physical location of a Non-Critical Business -Retail exceed the number permitted by any existing or future state order. Employees of Non-Critical Businesses - Retail who are able to work remotely must continue to work remotely. No members of the public may enter the physical locations of Non-Critical Businesses - Retail, and Non-Critical Businesses - Retail must indicate that members of the public may not enter their physical locations.

If necessary to further protect individuals in the City and County of Broomfield, the Board of Public Health for the City and County of Broomfield may issue new orders and/or amend this current order.

This Order shall become effective at 12:01 a.m. on April 27, 2020, and will continue until 11:59 p.m. on May 8, 2020, unless extended, rescinded, suspended, or amended in writing.

Questions regarding this Order may be directed to the Broomfield Public Health Department at [publicheath@broomfield.org](mailto:publicheath@broomfield.org) or 720.887.2220.

Issued by:  
The Board of Health  
City and County of Broomfield

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Pat Quinn, Mayor and Chair  
Issued - April 24, 2020

Attest:

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City and County Clerk