

ORDINANCE NO. 15-62

AN ORDINANCE AMENDING ALL ARTICLES OF CHAPTER 1 (ADMINISTRATION, PERSONNEL AND FINANCE) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO THE MEMORIAL HEALTH SYSTEM AFFILIATION AS APPROVED BY THE ELECTORS

WHEREAS, since 1949, the City of Colorado Springs (the "City") has owned Memorial Health System (then known as Memorial Hospital) and was the licensed operator of Memorial Health System facilities from 1949 to 2012; and

WHEREAS, Memorial Health System was established as an enterprise of the City (the "MHS Enterprise") governed through a Board of Trustees; and

WHEREAS, in order to ensure the continued provision of the highest quality of care to the greater Colorado Springs community, careful consideration was given by the Board of Trustees, the City Council, and the citizens of the City to various options for the ownership, governance, and control of Memorial Health System, including the option of leasing the assets of Memorial Health System to an outside independent operator; and

WHEREAS, after determining it to be in the best interest of the public health, safety, and general welfare of the City and its residents, the City Council approved the City's entry into (i) the Health System Operating Lease Agreement dated July 2, 2012 (which contemplated transfer of Memorial Health System assets and the long-term lease of Memorial Health System facilities to a lessee (first Poudre Valley Health Care, Inc., then UCH-MHS)), and (ii) the Integration and Affiliation Agreement, dated July 2, 2012, by and among the City, University of Colorado Health, Poudre Valley Health Care, Inc., and UCH-MHS (such agreements, collectively, the "Memorial Health System Affiliation"); and

WHEREAS, the voters of the City, upon referral by the City Council and through the special election held August 28, 2012, approved the terms of the Memorial Health System Affiliation, and the transactions and actions contemplated thereby (the "Voter Referendum"), and the Memorial Health System Affiliation became effective on October 1, 2012; and

WHEREAS, the MHS Enterprise remains an enterprise of the City, with responsibilities relating to, among other matters, administering and monitoring the Memorial Health System Affiliation, preparing to address and resolve any issues or concerns arising under the Memorial Health System Affiliation or related agreements, evaluating potential future health care services and affiliations or ventures, and managing residual liabilities from the MHS Enterprise's direct operation of health care facilities prior to the Memorial Health System Affiliation; and

WHEREAS, the City Council deems it in the best interests of the City to make various clarifying and conforming modifications to applicable sections of the City Code in recognition of the Memorial Health System Affiliation, as contemplated by the Voter Referendum, including without limitation, to more clearly distinguish between the MHS Enterprise and UCH-MHS or any future operator of leased facilities under the Memorial Health System Affiliation, and thereby conform the City Code to the evident purposes of the electorate.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 106 (Definitions) of Part 1 (City Code, Title and Organization; Rules of Construction) of Article 1 (Administration) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.1.106: DEFINITIONS:

\* \* \*

**COUNCIL APPOINTEES:** The City Auditor, Utilities Executive Director, ~~Memorial Health System~~ **MHS Enterprise** Board of Trustees, and all Council appointed board, commission or committee members.

\* \* \*

**ENTERPRISES:** Colorado Springs Utilities, ~~Memorial Health System~~ **MHS Enterprise** and any other enterprise activity of the City. Unless specifically excluded, all City enterprises shall include Colorado Springs Utilities and ~~Memorial Health System~~ **MHS Enterprise**, as well as municipal enterprises.

\* \* \*

**MEMORIAL HEALTH SYSTEM AFFILIATION:** Includes (i) the Health System Operating Lease Agreement by and among the City of Colorado Springs, UCH-MHS and Poudre Valley Health Care, Inc., dated July 2, 2012, and (ii) the Integration and Affiliation Agreement by and among the City of Colorado Springs, University of Colorado Health, UCH-MHS and Poudre Valley Health Care, Inc., dated July 2, 2012.

**MHS ENTERPRISE:** The health system enterprise of the City, formerly referenced as Memorial Hospital or Memorial Health System. In the interest of clarity, "MHS Enterprise" does not refer to any current or future operator of leased facilities under the Memorial Health System Affiliation.

~~MEMORIAL~~ **MHS ENTERPRISE** CHIEF EXECUTIVE OFFICER, ~~OR MEMORIAL CEO~~: The chief executive and administrative officer of ~~Memorial Health System~~ **MHS Enterprise** appointed by the ~~Memorial Health System~~ **MHS Enterprise** Board of Trustees, **and in the absence of such an appointee, the Chair of the MHS Enterprise Board of Trustees. In the interest of clarity, the “MHS Enterprise Chief Executive Officer” does not refer to the chief executive and administrative officer of any current or future operator of leased facilities under the Memorial Health System Affiliation.**

~~MEMORIAL HOSPITAL OR MEMORIAL HEALTH SYSTEM~~: The Hospital enterprise of the City.

\* \* \*

MUNICIPAL: General activities and operations of the City, not including Colorado Springs Utilities and ~~Memorial Health System~~ **MHS Enterprise**.

MUNICIPAL ENTERPRISES: Enterprise activities of the City, not including Colorado Springs Utilities and ~~Memorial Health System~~ **MHS Enterprise**.

\* \* \*

Section 2. Section 108 (Ordinance Approval and Adoption; Disapproval or Veto) of Part 1 (Elective Officers) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.2.108: ORDINANCE APPROVAL AND ADOPTION; DISAPPROVAL OR VETO:

\* \* \*

B. Mayoral Veto Power; Limitations:

\* \* \*

3. \* \* \*

b. An ordinance approving bonds to be issued by the City on behalf of Colorado Springs Utilities, ~~Memorial Health System~~ **MHS Enterprise** or any municipal enterprise.

\* \* \*

Section 3. Section 201 (Appointees) of Part 2 (Appointive Officers; General Provisions) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and

Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.2.201: APPOINTEES:

A. As provided by Charter, the following officers shall be appointed by the City Council: a City Auditor and a Utilities Executive Director. In addition, City Council shall appoint ~~Memorial Health System~~ **MHS Enterprise** trustees and may appoint advisory and decision making board, commission and committee members.

\* \* \*

Section 4. Section 407 (Make Reports) of Part 4 (Powers and Duties of the City Attorney) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.2.407: MAKE REPORTS:

The City Attorney shall immediately report to City Council, the Mayor, **and as appropriate**, the chief executive officers of Utilities ~~and or Memorial Health System~~ **MHS Enterprise**, and any other interested staff, the outcome of any litigation and similar legal matters in which the City, **Utilities or MHS Enterprise** has an interest and shall submit recommendations as to appeal, payment or other disposition in the event of judgment adverse to the City. From time to time, the City Attorney shall report all litigation and similar legal matters in which the City has an interest and the status of the litigation.

Section 5. Section 705 (Determine Effectiveness and Efficiency of Programs) of Part 7 (Powers and Duties of the City Auditor) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.2.705: DETERMINE EFFECTIVENESS AND EFFICIENCY OF PROGRAMS:

The City Auditor shall determine the extent to which legislative policies are being efficiently and effectively implemented by administrative officials. The City Auditor shall determine whether City programs are achieving desired objectives. The City Auditor shall review the administrative control systems established by the enterprises,

department, division, office or agency directors or managers and by the Mayor, Utilities Executive Director and ~~Memorial Health System~~ **MHS Enterprise** Chief Executive Officer and determine whether these control systems are adequate and effective in accomplishing their objectives.

Section 6. Section 101 (Legislative Purpose) of Article 3 (Code of Ethics) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.3.101: LEGISLATIVE PURPOSE:

A. There is hereby adopted by the City Council "The City of Colorado Springs Code of Ethics" which shall apply to the Mayor and Council Members, all their appointed boards, committees and commissions, the Utilities Chief Executive Officer, ~~Memorial Health System~~ **MHS Enterprise** Chief Executive Officer, City Attorney, City Clerk, City Auditor, Municipal Court Judges, department, division, office and agency heads appointed by the Mayor and all employees of the City's municipal government and its enterprises, including Colorado Springs Utilities and ~~Memorial Health System~~ **MHS Enterprise**.

\* \* \*

C. Public service and public employment is a public trust. The Mayor and Council Members, all their appointed boards, committees and commissions, the Utilities Chief Executive Officer, ~~Memorial Health System~~ **MHS Enterprise** Chief Executive Officer, City Attorney, City Clerk, City Auditor, Municipal Court Judges, department, division, office and agency heads appointed by the Mayor and all employees of the City's municipal government and its enterprises, including Colorado Springs Utilities and ~~Memorial Health System~~ **MHS Enterprise** should employ independent objective judgment in performing their duties and should assure that businesses, operations and services are conducted openly to safeguard public confidence in the integrity of the City by avoiding any conduct creating the appearance of impropriety.

D. The City of Colorado Springs, through its municipal government and all its enterprises including Colorado Springs Utilities and ~~Memorial Health System~~ **MHS Enterprise**, exists for the purpose of serving the community through its businesses, operations and services.

\* \* \*

Section 7. Section 102 (Definitions) of Article 3 (Code of Ethics) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.3.102: DEFINITIONS:

\* \* \*

APPOINTEES: Are "administrative officers" and shall mean and include all persons appointed by the Mayor and/or members of City Council pursuant to the City Charter and this City Code, to include the City Attorney, City Auditor, City Clerk, Municipal Court Judges and Utilities Chief Executive Officer and all members of boards, committees and commissions appointed by the Mayor and/or City Council. For purposes of this Code, the term "appointee" shall also include the ~~Memorial Health System~~ **MHS Enterprise** Chief Executive Officer.

CITY: The municipal government and all its enterprises as defined by the Colorado Constitution, article X, section 20 and City Charter article VII, section 7-90, including, but not limited to, Colorado Springs Utilities and ~~Memorial Health System~~ **MHS Enterprise**. The City's municipal government and the municipal enterprises are subject to the management and control of the Mayor. The City's Colorado Springs Utilities enterprise is subject to the management and control of City Council's appointed Chief Executive Officer. ~~The~~ **Subject to the terms and conditions of the Memorial Health System Affiliation during its duration, the** City's ~~Memorial Health System enterprise~~ **MHS Enterprise: (i)** is subject to the general supervision and control of City Council, and **(ii)** is subject to the daily management and control of City Council's appointed Board of Trustees, who appoints a Chief Executive Officer.

\* \* \*

DIRECT OFFICIAL ACTION:

\* \* \*

E. "Direct official action" does not include acts that are purely ministerial. It also does not include signatures by the Mayor, City Council, City Auditor, City Attorney, City Clerk, Utilities Chief Executive Officer or ~~Memorial Health System~~ **MHS Enterprise** Chief Executive Officer unless these individuals initiate the contract or are involved in the selection of the contractor or the negotiation or administration of the contract. A person who abstains from a vote is not exercising direct official action.

\* \* \*

Section 8. Section 103 (Independent Ethics Commission) of Article 3 (Code of Ethics) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.3.103: INDEPENDENT ETHICS COMMISSION:

\* \* \*

K. Complaints; Inquiries: Any person may file a written complaint or an inquiry for consideration by the Independent Ethics Commission through the City Attorney regarding a matter involving an elected official, an appointee including members of boards, committees and commissions appointed by City Council, the President of Council or the Mayor, or an independent contractor. Any written complaint or inquiry shall be filed confidentially and processed in accord with the Independent Ethics Commission Rules of Procedure. The written complaint or inquiry may only be considered for matters occurring within the last twelve (12) months. Any person may file a written complaint or inquiry for consideration directly with the Mayor, Utilities Chief Executive Officer, ~~Memorial Health System~~ **MHS Enterprise** Chief Executive Officer, City Attorney, City Auditor, City Clerk or Presiding Municipal Judge for covered persons within those organizations or for covered persons who work for the City in a volunteer capacity, not including members of boards, committees and commissions appointed by City Council or the Mayor.

\* \* \*

Section 9. Section 108 (Further Ethics Rules and Regulations) of Article 3 (Code of Ethics) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.3.108: FURTHER ETHICS RULES AND REGULATIONS:

Nothing in this Code of Ethics shall prohibit the Mayor, City Attorney, City Auditor, City Clerk, Utilities Chief Executive Officer or ~~Memorial Health System~~ **MHS Enterprise** Board of Trustees or Chief Executive Officer, or Presiding Judge of the Municipal Court from enacting further ethics rules and regulations pertaining to those who report to them that may be as strict or more strict than this Code of Ethics.

Section 10. Section 102 (Personnel Policies and Procedures) of Part 1 (Employee Rules and Regulations) of Article 4 (City Employees) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.4.102: PERSONNEL POLICIES AND PROCEDURES:

A. In accord with Charter subsection 3-10(f), the City Council shall review and approve by ordinance personnel policies and procedures for all City employees,

including civil service employees, but specifically excluding employees of the Utilities and ~~Memorial Health System~~ **MHS Enterprise**. The Executive Director of Utilities and the ~~Memorial Hospital~~ **MHS Enterprise** Board of Trustees shall promulgate personnel policies and procedures and make any changes as deemed necessary for employees of those enterprises. Unless otherwise provided, these policies and procedures shall apply to employees as designated by their respective organization. The policies and procedures are not intended to be an express or implied contract. It shall be the responsibility of each employee to be familiar with these policies and procedures.

\* \* \*

Section 11. Section 108 (Authority to Subpoena) of Part 1 (Employee Rules and Regulations) of Article 4 (City Employees) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.4.108: AUTHORITY TO SUBPOENA:

In the course of any disciplinary hearing, a person acting as a hearing officer or a facilitator for a disciplinary review board as set forth in the policies and procedures promulgated by the City Council, Utilities Executive Director, the City's Civil Service Commission for the municipal police and fire forces or the ~~Memorial Hospital~~ **MHS Enterprise** Board of Trustees shall have the power to subpoena and require the attendance of witnesses and production by them of any written material in relation to any matters properly involved in the proceedings. Compliance with any subpoena issued pursuant to this section shall be in accord with chapter 11 of this Code.

Section 12. Section 301 (Criminal Actions) of Part 3 (Defense of Employees) of Article 4 (City Employees) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.4.301: CRIMINAL ACTIONS:

A. Defense Provided: Whenever a criminal action has been brought against any City employee, including municipal employees and employees of Colorado Springs Utilities and ~~Memorial Health System~~ **MHS Enterprise**, or the employee has been involved in an incident which is being investigated by a law enforcement agency with a view toward the filing of criminal charges or the submission of the facts surrounding the incident to a grand jury for review, and the employee requests in writing without delay that the cost of defense and/or fine for the employee be borne by the City, that cost,



including reasonable counsel fees and expenses, shall be borne by the City if the City Council first finds and determines that:

\* \* \*

Section 13. Section 302 (Civil Actions) of Part 3 (Defense of Employees) of Article 4 (City Employees) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.4.302: CIVIL ACTIONS:

\* \* \*

C. Civil Action Investigation Committee: To assist the City Council in making such findings and determinations, a committee consisting of the City Attorney, the Risk Manager, and the head of the affected employee's department, division, office, enterprise or agency for the City (or the Mayor, Utilities Executive Director or ~~Memorial Hospital~~ **MHS Enterprise** Chief Executive Officer if the employee charged is a department, division, office or agency director or manager) shall cause an investigation to be made of any civil action, and make a recommendation to the City Council whether the above criteria for paying the costs of defending the employee or the cost of payment of any judgment or settlement are required pursuant to the requirements of this section. **In the interest of clarity, "MHS Enterprise" does not refer to any current or future operator of leased facilities under the Memorial Health System Affiliation or encompass such operator's employees.**

Section 14. Section 403 (Designation of Donee) of Part 4 (Claims and Gifts) of Article 5 (Finance Management Procedures) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.5.403: DESIGNATION OF DONEE:

Gifts, devises and bequests may be made to the City, the City Council, to any officer, agency or employee of the City either by personal name or official title, ~~Memorial Health System~~ **MHS Enterprise** or to any division, department, office, agency or board of the City regardless of how described. All gifts, devises and bequests shall be valid and effective as if made directly to the City and shall be administered by the City for the benefit of the division, department, office, agency or board of the City in accord with the terms of the gift, devise or bequest. Gifts, devises and bequests made to or for the benefit of ~~Memorial Health System~~ **MHS Enterprise** or any department shall be

administered by the Board of Trustees of ~~Memorial Health System~~ **MHS Enterprise**. **In the interest of clarity, "MHS Enterprise" does not refer to any current or future operator of leased facilities under the Memorial Health System Affiliation or encompass such operator's employees.**

Section 15. Section 601 (Purpose and Intent) of Part 6 (Workers' Compensation) of Article 5 (Finance Management Procedures) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.5.601: PURPOSE AND INTENT:

The City Council hereby recognizes that the City is required to provide workers' compensation coverage for the City due to personal injuries or death sustained by any employee, pursuant to Colorado Revised Statutes title 8, articles 40 to 47 and 55. For purposes of this article, reference to the "City" shall be deemed to include the general fund, to also include all enterprise and internal service fund activities, Utilities, ~~Memorial Health System~~ **MHS Enterprise**, regional building, housing authority, joint ventures, authorities, and others. **In the interest of clarity, "MHS Enterprise" does not refer to any current or future operator of leased facilities under the Memorial Health System Affiliation or encompass such operator's employees.**

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Section 16. Section 602 (Workers' Compensation Claim Reserve Fund) of Part 6 (Workers' Compensation) of Article 5 (Finance Management Procedures) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.5.602: WORKERS' COMPENSATION CLAIM RESERVE FUND:

A. \* \* \*

The terms and conditions of the employer's coverages and benefits are particularly described in Colorado Revised Statutes title 8, articles 40 to 47 and 55 and the City's excess insurance policy. The monies "otherwise made available" shall be deemed to include transfers of monies to the funds authorized in any given annual budget ordinance. All interest earned from the investment of monies in the workers' compensation claim reserve fund shall be credited to those funds and become a part. The monies in the funds are hereby continuously appropriated for purposes of this

article. The City's Chief Financial Officer shall account for all independent fund categories within the workers' compensation claim reserve fund including Utilities, ~~Memorial Health System~~ **MHS Enterprise (in the interest of clarity, "MHS Enterprise" does not refer to any current or future operator of leased facilities under the Memorial Health System Affiliation or encompass such operator's employees)**, authorities, ventures and enterprise funds if any are so appropriated. The accounting of these funds shall be in a manner consistent with the applicable governmental accounting standards. At the end of any fiscal year, all unexpended and unencumbered monies in the workers' compensation claim reserve funds shall remain in the fund, shall not be credited or transferred to any other fund, and shall not be construed to be an asset of the City.

Section 17. Section 702 (Definitions) of Part 7 (Unclaimed Property) of Article 5 (Finance Management Procedures) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.5.702: DEFINITIONS:

DIRECTOR: For all unclaimed property that is held by or under the control of the City but is not held by or under the control of Utilities or ~~Memorial Health System~~ **MHS Enterprise**, Director shall mean the Mayor, or the Mayor's designee. For unclaimed property held by or under the control of Utilities, Director shall mean the Executive Director of Utilities. For property held by or under the control of ~~Memorial Health System~~ **MHS Enterprise**, Director shall be the Chief Executive Officer of ~~Memorial Health System~~ **MHS Enterprise**.

\* \* \*

Section 18. Section 703 (Procedure for Disposition of Property) of Part 7 (Unclaimed Property) of Article 5 (Finance Management Procedures) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.5.703: PROCEDURE FOR DISPOSITION OF PROPERTY:

A. Prior to the disposition of any unclaimed property, the Director shall send a written notice by regular mail to the last known address, if any, of any owner of unclaimed property. The last known address of the owner shall be the last address of the owner as shown by the records of the City group, department or agency holding the property, Utilities or ~~Memorial Health System~~ **MHS Enterprise**. The notice shall include a description of the property, the amount or estimated value of the property and, when

available, the purpose for which the property was deposited or otherwise held. The notice shall state where the owner may make inquiry of or claim the property. The notice shall also state that if the owner fails to provide the Director with a written claim for the return of the property within sixty (60) days of the date of the notice, the property shall become the sole property of the City, Utilities or ~~Memorial Health System~~ **MHS Enterprise** and any claim of the owner to the property shall be forfeited.

B. If the Director receives no written claim within the above sixty (60) day claim period, the property shall become the sole property of the City, Utilities or ~~Memorial Health System~~ **MHS Enterprise** and any claim of the owner to the property shall be forfeited.

\* \* \*

E. If all claims filed are denied, the property shall become the sole property of the City, Utilities or ~~Memorial Health System~~ **MHS Enterprise** and any claim of the owner shall be forfeited.

\* \* \*

Section 19. Section 102 (Investment of Funds) of Part 1 (General Provisions) of Article 6 (City Funds) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.6.102: INVESTMENT OF FUNDS:

\* \* \*

C. Investments Of Monies Received By ~~Memorial Health System~~ **MHS Enterprise**: All monies received by ~~Memorial Health System~~ **MHS Enterprise** by donation and not otherwise restricted as to investments (**subject to MHS Enterprise's obligations under the Memorial Health System Affiliation**), may be invested by the Board of Trustees as the Board deems advisable subject only to the provisions of Colorado Revised Statutes 1973, title 15, article 1, section 3 (prudent investor rule).

D. Investments Of Monies In ~~Memorial Health System's~~ **MHS Enterprise's** Capital Improvement Fund: The ~~Memorial Health System's~~ **MHS Enterprise's** capital improvement fund (**to the extent that such fund is utilized**) shall be invested in accord with the Colorado Springs ~~Memorial Health System~~ **MHS Enterprise** capital improvement fund investment policy statement as approved by the ~~Memorial Health System~~ **MHS Enterprise** Board of Trustees. Up to fifty percent (50%) of the market value of the ~~Memorial Health System~~ **MHS Enterprise** capital improvement fund may be invested in equity securities and up to fifty percent (50%) may be invested in corporate bonds, or other fixed income securities. All investments made pursuant to the policy statement shall be subject to the Uniform Prudent Investor Act, Colorado Revised Statutes section 15-1.1-101 et seq., and other applicable laws.

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Section 20. Section 904 (Accounts Within the Claims Reserve Fund) of Part 9 (Claims Reserve Fund) of Article 6 (City Funds) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.6.904: ACCOUNTS WITHIN THE CLAIMS RESERVE FUND:

The Chief Financial Officer shall be responsible for maintaining an accounting of funds contributed by and amounts paid out on behalf of City, Utilities, ~~Memorial Hospital~~ **MHS Enterprise** and all enterprise activities so that annual contributions to the claims reserve fund can be based on claims experience.

Section 21. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 22. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 8<sup>th</sup> day of September, 2015.

**Finally passed:** September 22, 2015

  
Merv Bennett, Council President

Delivered to Mayor on \_\_\_\_\_.

**Mayor's Action:**

- Approved on 9/25/2015.
- Disapproved on \_\_\_\_\_, based on the following objections:

\_\_\_\_\_  
\_\_\_\_\_

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*John W. Suthers*  
John W. Suthers, Mayor

**Council Action After Disapproval:**

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_.
- Council action on \_\_\_\_\_ failed to override the Mayor's veto.

ATTEST:

*Sarah B. Johnson*  
Sarah B. Johnson, City Clerk




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Merv Bennett, Council President

*OK*  
*TJB*

I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE AMENDING ALL ARTICLES OF CHAPTER 1 (ADMINISTRATION, PERSONNEL AND FINANCE) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO THE MEMORIAL HEALTH SYSTEM AFFILIATION AS APPROVED BY THE ELECTORS”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on September 8, 2015; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 22<sup>nd</sup> day of September, 2015, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 25<sup>th</sup> day of September, 2015.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: September 11, 2015  
2<sup>nd</sup> Publication Date: September 30, 2015

Effective Date: October 5, 2015 Initial: SBJ  
City Clerk