

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING SECTION 104 (COUNCIL MEETINGS; PROCEDURE) OF PART 1 (ELECTIVE OFFICERS), AND SECTION 406 (SETTLE CLAIMS) AND SECTION 407 (MAKE REPORTS) OF PART 4 (POWERS AND DUTIES OF THE CITY ATTORNEY) ALL OF ARTICLE 2 (OFFICERS OF THE CITY) OF CHAPTER 1 (ADMINISTRATIVE, PERSONNEL AND FINANCE) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO HOUSEKEEPING AMENDMENTS RELATED TO CITY COUNCIL AND CITY ATTORNEY SETTLEMENTS

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

Section 1. Section 104 (Council Meetings; Procedure) of Part 1 (Elective Officers) of Article 2 (Officers of the City) of Chapter 1 (Administrative, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.2.104: COUNCIL MEETINGS; PROCEDURE:

* * *

B. When City Council provides direction to the City Attorney to negotiate settlement of a matter, claim, or litigation **pursuant to the provisions of part 5 of article 5 of this chapter**~~-in excess of one hundred thousand dollars (\$100,000.00)~~, City Council shall vote to approve its direction to negotiate a settlement during a regular or special meeting of City Council, but without publicly identifying the amount of the settlement authority. The matter, claim, or litigation may be identified by subject matter in the discretion of the City Attorney.

C. When the City Attorney has negotiated settlement of a matter, claim or litigation **pursuant to the provisions of part 5 of article 5 of this chapter**~~-in excess of one hundred thousand dollars (\$100,000.00)~~, that is contingent only on City Council approval, City Council shall vote to approve settlement of the matter, claim, or litigation during a regular or special meeting of City Council. A matter or claim may be identified by subject matter in the discretion of the City Attorney. Litigation will be identified by case number, caption, or subject matter.

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Section 2. Section 406 (Settle Claims) of Part 4 (Powers And Duties Of The City Attorney) of Article 2 (Officers of the City) of Chapter 1 (Administrative, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

1.2.406: SETTLE CLAIMS:

Subject to the requirements of article 5, part 5 of this chapter, the City Attorney shall have the power to adjust, settle, compromise or submit to mediation any action, accounts, debts, claims, demands, disputes and matters in favor of or against the City or in which the City is concerned as debtor or creditor, now existing or which may later arise, not involving or requiring payment to exceed **one hundred** fifty thousand dollars (\$150,000.00) **or for police use of force matters or claims for an amount not to exceed of one hundred thousand dollars (\$100,000.00)**, and, with the authorization of the Claims Review Board, may do likewise in matters not involving or requiring payment to exceed ~~one~~**two** hundred **fifty** thousand dollars (~~\$10~~**250,000.00**) **or for police use of force matters or claims for an amount not to exceed two hundred thousand dollars (\$200,000.00)**, provided the money to settle claims generally has been appropriated and is available.

Section 3. Section 407 (Make Reports) of Part 4 (Powers And Duties Of The City Attorney) of Article 2 (Officers of the City) of Chapter 1 (Administrative, 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 report quarterly to City Council, the Mayor, the Risk Manager and as appropriate, the chief executive officers of Utilities ~~or 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. Quarterly, the City Attorney shall report all litigation and similar legal matters in which the City has an interest and the status of the litigation. The City Attorney shall report to the Mayor and City Council as soon as practicable, but no later than three (3) days, any settlement amounts over ~~one~~**two** hundred **fifty** thousand dollars (~~\$10~~**250,000.00**).

Section 4. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 5. 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 ____ day of _____, 2025.

Finally passed: _____

Randy Helms, Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Blessing A. Mobolade, 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.

Randy Helms, Council President

ATTEST:

Sarah B. Johnson, City Clerk