

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING SECTION 503 (COMPROMISE OR SETTLEMENT OF MATTERS/CLAIMS) AND SECTION 506 (LITIGATION) OF PART 5 (CLAIMS MANagements) OF ARTICLE 5 (FINANCE MANAGEMENT PROCEDURES) OF CHAPTER 1 (ADMINISTRATIVE, PERSONNEL AND FINANCE) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO CLAIMS AND LITIGATION SETTLEMENTS

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

Section 1. Section 503 (Compromise or Settlement Of Matters/Claims) of (Claims Managements) of Article 5 (Finance Management Procedures) 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:

1.5.503: COMPROMISE OR SETTLEMENT OF MATTERS/CLAIMS:

* * *

B. * * *

2. The City Attorney is authorized to settle matters or claims for an amount not to exceed **one hundred** fifty thousand dollars (\$150,000.00); **The City Attorney is authorized to settle police use of force matters or claims for an amount not to exceed one hundred thousand dollars (\$100,000.00);**

3. The Claims Review Board is authorized to settle matters or claims for an amount not to exceed ~~one~~ **two** hundred **fifty** thousand dollars (~~\$10~~**250,000.00**). **The Claims Review Board is authorized to settle police use of force matters or claims for an amount not to exceed two hundred thousand dollars (\$200,000.00);**

4. The City Council is authorized to settle **matters or claims for an amount in excess of two hundred fifty thousand dollars (\$250,000.00), police use of force matters or claims in an amount in excess of two hundred thousand dollars (\$200,000.00)**, matters or claims for an amount not to exceed the maximum liability limits under the Colorado Governmental Immunity Act for claims which lie or could lie in tort regardless of the nature

of the action which is brought by the claimant, and for any other amounts which the City Council deems appropriate with respect to claims arising under Federal law.

C. Report: No matters or claims shall be settled unless supported by a claims settlement report, which will give a concise statement of the nature of the matter or claim, the history of the proceedings and a recommendation from the person assigned the matter or claim on behalf of the City. **Claims settlement reports prepared by the City Attorney shall be protected by the attorney-client and attorney work product privileges.**

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Section 2. Section 506 (Litigation) of (Claims Managements) of Article 5 (Finance Management Procedures) 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:

1.5.506: LITIGATION:

* * *

B. The City Attorney shall have the authority to settle litigation up to **one hundred fifty thousand dollars (\$150,000.00)**, with settlements up to ~~one two hundred fifty thousand dollars (\$10250,000.00)~~ having the prior approval of the Claims Review Board, and settlements over ~~one two hundred fifty thousand dollars (\$10250,000.00)~~ with the prior approval of City Council. **For settlements of police use of force litigation only, the City Attorney shall have the authority to settle litigation up to one hundred thousand dollars (\$100,000.00), with settlements up to two hundred thousand dollars (\$200,000.00) having the prior approval of the Claims Review Board, and settlements over two hundred thousand dollars (\$200,000.00) with the prior approval of City Council.** Nothing herein precludes the City Attorney from exercising discretion in presenting any settlement, regardless of amount, to the City Council for prior approval.

C. * * *

D. * * *

E. In addition to the monthly litigation report, the City Attorney shall be responsible for providing a litigation settlement report to the City Council, Mayor, Risk Manager, and to the Utilities Chief Executive Officer for litigation cases pertaining to Utilities for all cases which have been settled without the prior knowledge of City Council pursuant to the requirements of this chapter. **Litigation**

settlement reports prepared by the City Attorney shall be protected by the attorney-client and attorney work product privileges.

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. 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