

## RESOLUTION NO. 93-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, COLORADO, APPROVING THE BALLOT TITLE AND THE BALLOT TITLE LANGUAGE FOR A SPECIAL MUNICIPAL ELECTION ON AUGUST 28, 2012 CONCERNING THE PROPOSED MEMORIAL HEALTH SYSTEM OPERATING LEASE AGREEMENT AND THE INTEGRATION AND AFFILIATION AGREEMENT WITH UNIVERSITY OF COLORADO HEALTH SYSTEM, AND ALL TERMS AND CONDITIONS AS CONTAINED THEREIN.**

**WHEREAS**, since 1949, the City of Colorado Springs has owned and operated Memorial Health System, dedicated to being a regional leader in providing high quality healthcare services to all citizens; and,

**WHEREAS**, City Council carefully considered the option of leasing the assets of Memorial Health System to an outside independent operator to ensure provision of the best possible healthcare for the entire community; and,

**WHEREAS**, City Council previously determined that it is in the best interests of the public health, safety and welfare of the City and its residents to consider proposals from potential independent strategic partners that contemplate independent operation and management of Memorial Health System through an arrangement in which the City would lease the Memorial Health System facilities and transfer its operating assets to a third-party; and,

**WHEREAS**, City Council authorized and created the Memorial Health System Task Force in August 2011 comprised of Council members and citizens, which in turn issued a Confidential Descriptive Memorandum and Request for Proposals dated October 17, 2011, and said Task Force carefully reviewed and considered all proposals received there from; and,

**WHEREAS**, City Council in January 2012 accepted the recommendation of the Memorial Health System Task Force, and selected the University of Colorado Health system as the exclusive bidder to be considered as an independent strategic partner with the Memorial Health System and to pursue negotiations of an operating lease agreement between the City, and the University of Colorado Health system for the independent operation and management of the Memorial Health System through an arrangement in which the City would lease the Memorial Health System facilities and transfer its operating assets to the University of Colorado Health system and related parties; and,

**WHEREAS**, City Council and the City Attorney have completed negotiations with the University of Colorado Health system for the independent operation and

management of the Memorial Health System through a lease of the Memorial Health System facilities and the transfer of its operating assets, and said negotiations have now produced a Health System Operating Lease Agreement and an Integration and Affiliation Agreement between the City, and the University of Colorado Health system and related parties.

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

Section 1. There is hereby submitted and referred to a vote of the electors of the City at the Special Municipal Election to be conducted by Mail Ballot on August 28, 2012, a question regarding agreements to lease the Memorial Health System facilities and the transfer of its operating assets to the University of Colorado Health system and related parties for the independent operation and management of the Memorial Health System.

Section 2. The referred question shall be submitted to the registered qualified electors of the City in substantially the following form:

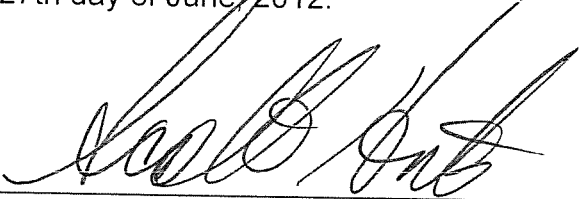
**“Shall the City of Colorado Springs be authorized to lease the Memorial Health System to the University of Colorado Health system pursuant to the terms and conditions approved by City Council on June 27, 2012, as set forth in Resolution No. 89-12, and to take all other actions necessary to accomplish this purpose.”**

Section 3. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

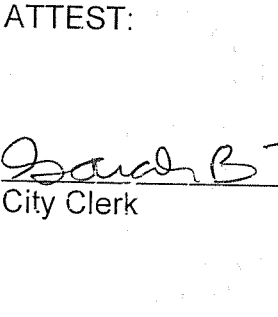
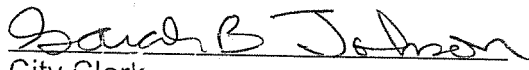
Section 4. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 5 This resolution shall be effective immediately upon its adoption. If passed by the electorate, the ballot measure shall be effective thereafter as provided by law.

DATED at Colorado Springs, Colorado, this 27th day of June 2012.

  
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Council President

ATTEST:

  
  
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City Clerk