



## AGENDA ITEM SUMMARY

City Council

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### STAFF

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Nina Bodenhamer, Director, City Give  
Ted Hewitt, Legal

### SUBJECT

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**First Reading of Ordinance No. 015, 2023, Appropriating Philanthropic Revenue By City Give and Conservation Trust Funds for the Construction of the 9/11 Memorial at Spring Park and Related Art in Public Places.**

### EXECUTIVE SUMMARY

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The purpose of this item is to request appropriation of \$480,765.00 for the designated purpose toward the construction of the 9/11 Memorial at Spring Park, 2100 Mathews Steet, Fort Collins, CO.

A partnership between the City of Fort Collins and Poudre Fire Authority, the 9/11 Memorial will be located in midtown Fort Collins, and will honor firefighters, emergency medical technicians, law enforcement officers, and nearly 3,000 others who lost their lives on September 11, 2001.

### STAFF RECOMMENDATION

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Staff recommends adoption of the Ordinance on First Reading.

### BACKGROUND / DISCUSSION

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Adjacent to PFA Station 3, abutting Spring Park, the park will serve as the permanent home to the steel World Trade Center I-Beam, moved to Fort Collins in 2015. A symbol of resilience, this WTC artifact will draw visitors to reflect on the collective loss and incredible acts of bravery of September 11<sup>th</sup>.

Colorado Task Force 1- Urban Search and Rescue, a federal disaster response team, deployed 64 Coloradoans—including nine firefighters from the Poudre Fire Authority (PFA) —to New York City to assist with urban search and recovery. By telling their story, we acknowledge that the response to tragedy defines a community more than the tragedy itself.

Funding for the memorial is the culmination of generous community donors, Poudre Fire Authority and the City of Fort Collins. This item Appropriates \$180,765.00 representing a range of philanthropic gifts designated for the sole purpose of the 9/11 Memorial at Spring Park from individuals, businesses and local foundations, including \$80,000 awarded from our partner, Poudre Fire Authority.

This item also appropriates \$300,000 in the Conservation Trust Fund received from the Colorado State Lottery in accordance with state statutes to be “expended only for the acquisition, development, and maintenance of new conservation sites or for capital improvements or maintenance for recreational purposes on any public site.” The 9/11 Memorial meets the parameters of a “capital improvement . . . for

recreational purposes on any public site.” Operationally, the City has set a precedent of focusing the Conservation Trust funding source to support trails, however this special circumstance meets the allowable uses of the funding source and would enable the ability to leverage private funds for an important community amenity. After this one-time appropriation, the Conservation Trust reserves will still maintain a reasonable reserve balance without any anticipated impacts to the 2023-2024 workplan for trails.

### **CITY FINANCIAL IMPACTS**

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This Ordinance will appropriate \$480,765.00, including \$300,000 in Conservation Trust Funds. Three thousand dollars or 1% of the Conservation Trust Fund’s contribution will be transferred to the Cultural Services and Facilities Fund for Art in Public Places, per the City Code requirement for construction projects costing more than \$250,000. The remaining \$180,765.00 of the appropriation is from philanthropic revenue received by City Give for Park, Planning & Design, which is exempt from 1% applied to Art in Public Places per philanthropic policy guaranteeing 100% of charitable awards are dedicated in entirety to the designated project per donor intent. The philanthropic funds have been received and accepted per the City Give Administrative and Financial Policy.

The City Manager has also determined that these appropriations are available and previously unappropriated from the designated funds and will not cause the total amount appropriated in these funds to exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds during fiscal year 2023.

### **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

### **PUBLIC OUTREACH**

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None.

### **ATTACHMENTS**

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1. Ordinance for Consideration
2. Philanthropic Gifts for the 9/11 Memorial