

ORDINANCE NO. 091, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REPEALING ORDINANCE NO. 078, 2024,
AND APPROPRIATING PRIOR YEAR PHILANTHROPIC
REVENUE RESERVES RECEIVED BY CITY GIVE FOR
THE 9/11 MEMORIAL AT SPRING PARK

A. The City of Fort Collins and Poudre Fire Authority have collaborated to construct a memorial to the events of September 11, 2001, at Spring Creek Park, adjacent to Poudre Fire Authority Station 3 (the "Memorial").

B. The Memorial will serve as the permanent home for a Steel World Trade Center I-beam and will honor firefighters, emergency medical technicians, law enforcement officers, and nearly 3,000 others who lost their lives on September 11, 2011.

C. Funding for the memorial is made possible by donations from generous community donors and efforts by Poudre Fire Authority and the City of Fort Collins staff members. This item appropriates \$12,500 in philanthropic gifts from UC Health and charitable proceeds from Canvas Credit Union's HeroFest. These gifts are appropriated for the sole purpose of the 9/11 Memorial at Spring Park.

D. This appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of facilitating the construction of a public memorial to the tragic events of September 11, 2001.

E. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year from such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

F. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Capital Project Fund and will not cause the total amount appropriated in the Capital Project Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

G. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or donation or the City's expenditure of all funds received from such grant or donation.

H. The City Council wishes to designate the appropriation herein for 9/11 Memorial at Spring Park donation as an appropriation that shall not lapse until the earlier of the expiration of the grant or donation or the City's expenditure of all funds received from such grant or donation.

I. The City Council previously made these appropriations in Ordinance No. 078, 2024 (“Ordinance No. 078”) adopted at final reading on June 18, 2024, but Ordinance No. 075 was not published after such adoption as required by Section 7 in City Charter Article II.

J. It is therefore necessary that the City Council adopt this Ordinance No. 091, 2024, to both repeal Ordinance No. 078 and to authorize and approve these appropriations again.

K. The City has not expended any of the appropriations approved in Ordinance No. 078.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from prior year reserves in the Capital Project Fund the sum of TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500) to be expended in the Capital Project Fund for the 9/11 Memorial at Spring Park.

Section 2. The appropriation herein for the 9/11 Memorial at Spring Creek is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or donation or the City’s expenditure of all funds received from such grant or donation.

Section 3. Ordinance No. 078, 2024, is hereby repealed.

Introduced, considered favorably on first reading on July 2, 2024, and approved on second reading for final passage on July 16, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: July 26, 2024
Approving Attorney: Jenny Lopez Filkins