

ORDINANCE NO. 152, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PHILANTHROPIC REVENUE RECEIVED BY CITY GIVE
FOR THE 9/11 MEMORIAL, PARK PLANNING AND DESIGN FOR THE
CONSTRUCTION OF THE 9/11 MEMORIAL AT SPRING PARK

WHEREAS, 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”); and

WHEREAS, the Memorial will serve as the permanent home for a Steel World Trade Center I-beam; and

WHEREAS, the Memorial will honor firefighters, emergency medical technicians, law enforcement officers, and nearly 3,000 others who lost their lives on September 11, 2011; and

WHEREAS, the City has received in 2023 \$19,870.70 in donations for the park planning and design for the construction of the Memorial and in 2022 received a \$5,000 donation for such planning and design; and

WHEREAS, as acknowledged by Section 2.5 for the City’s Fiscal Management Policy 2 - Revenue approved by City Council, the City Manager has adopted the City Give Financial Governance Policy to provide for the responsible and efficient management of charitable donations to the City (the “City Give Policy”); and

WHEREAS, Section 52.2.C. of the City Give Policy authorizes the City Give Director to accept donations of \$5,000 or less for the City service area the donor intends to benefit; and

WHEREAS, as so authorized, the City Give Director has accepted for the City the donations to be appropriated in this Ordinance to be used solely as directed by each donor for the park planning and design for the construction of the Memorial; and

WHEREAS, 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; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, does not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year; and

WHEREAS, 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 of such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, the City Manager has recommended the appropriation described in Section 3 of this Ordinance and determined that the amount of this appropriation is available and previously unappropriated in the fund named in Section 3 and will not cause the total amount appropriated in such fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during this fiscal year; and

WHEREAS, Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds from 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; and

WHEREAS, the City Council wishes to designate the appropriations herein for various City Give donations for the Memorial as appropriations that shall not lapse until the earlier of the expiration of the donations or the City's expenditure of all funds received from such or donations.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from the prior year reserves in the Capital Projects Fund the FIVE THOUSAND DOLLARS (\$5,000) private donation received by City Give in 2022, to be expended for the park planning and design for the construction of the Memorial as described in the Agenda Item Summary for this Ordinance.

Section 3. That there is hereby appropriated from the Capital Projects Fund NINETEEN THOUSAND EIGHT HUNDRED SEVENTY AND 70/100 DOLLARS (\$19,870.70) in private donations received by City Give in 2023, to be expended for the park planning and design for the construction of the Memorial as described in the Agenda Item Summary for this Ordinance.

Section 4. That these appropriations for the Memorial are hereby designated, as authorized in Article V, Section 11 of the City Charter, as appropriations that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the donations or the City's expenditure of all funds received from such donations.

Introduced, considered favorably on first reading and ordered published this 21st day of November, 2023, and to be presented for final passage on the 5th day of December, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 5th day of December, 2023.

Mayor

ATTEST:

City Clerk