

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 16

DATE: April 15, 2003

STAFF: Jill Stilwell

SUBJECT:

First Reading of Ordinance No. 063, 2003, Appropriating Unanticipated Grant Revenue in the Cultural Services and Facilities Fund to be Used to Implement the Native American Graves Protection and Repatriation Act.

RECOMMENDATION:

Staff recommends adoption of the Ordinance on First Reading.

FINANCIAL IMPACT:

The Fort Collins Museum has been awarded a \$15,000 Native American Graves Protection and Repatriation Act (NAGPRA) repatriation grant from the federal National Park Service. This Ordinance appropriates the grant in the Cultural Services and Facilities Fund.

EXECUTIVE SUMMARY:

In 1990, Congress established NAGPRA, Public Law 101-601. This law provides a process for determining the rights of lineal descendants of Indian tribes, Alaskan Natives, and Native Hawaiian organizations to certain human remains, funerary objects, sacred objects, or objects of cultural patrimony that are currently held in public Museums. The Fort Collins Museum is working towards compliance with the law. The Museum has completed initial physical inventory of its collections; sent out notification letters to over 600 tribal communities, Alaskan villages, and Hawaiian Natives; and consulted with over 15 plains Indian tribes to determine the repatriation process of four human remains held in the Museum's collection. As a result of the process, the human remains will be repatriated to the Cheyenne and Arapaho Tribes of Oklahoma and will be reinterred locally at Roselawn Cemetery.

The 2003 NAGPRA Repatriation grant will support the stipends and travel for tribal representatives and elders to come to Fort Collins for the repatriation and reinterment process. The Cheyenne and Arapaho Tribes have agreed to reinter the human remains locally at Roselawn cemetery. The grant also provides funds for a NAGPRA consultant to organize and manage the repatriation process. The reinterment is expected to take place in June 2003.

ORDINANCE NO. 063, 2003
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED GRANT REVENUE
IN THE CULTURAL SERVICES AND FACILITIES FUND
TO BE USED TO IMPLEMENT THE NATIVE AMERICAN GRAVES
PROTECTION AND REPATRIATION ACT

WHEREAS, in 1990, Congress established the Native American Graves Protection and Repatriation Act (NAGPRA), Public Law 101-601, providing for a process for determining the rights of lineal descendants of Indian tribes, Alaskan Natives, and Native Hawaiian organizations to certain human remains, funerary objects, sacred objects, or objects of cultural patrimony that are currently held in public museums; and

WHEREAS, the Fort Collins Museum has been working towards compliance with the aforementioned law, by completing a physical inventory of its collections, sending out notification letters to tribal communities, and consulting with various plains Indian tribes to determine the repatriation process of four human remains held in the Museum's collection; and

WHEREAS, as a result of the Museum's efforts, the plains Indian tribes consulted, have agreed to a Shared Identity, selecting the Cheyenne and Arapaho Tribes of Oklahoma to take the lead on repatriating the remains; and

WHEREAS, on March 24, 2003, the Museum was awarded a NAGPRA grant, in the amount of \$15,000 from the Department of Interior, National Park Service; and

WHEREAS, the 2003 NAGPRA grant will provide funding for a NAGPRA consultant to organize and manage the repatriation process; and support stipends and travel for tribal representatives and elders to come to Fort Collins for the repatriation and interment of the remains at the City's Roselawn Cemetery; and

WHEREAS, no local matching funds are required; and

WHEREAS, Article V, Section 9, of the Charter of the City of Fort Collins permits the City Council to make supplemental appropriations by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, do not exceed the then current estimate of actual and anticipated revenues to be received during the fiscal year; and

WHEREAS, City staff has determined that the appropriation of the federal Native American Graves Protection and Repatriation Act grant as described herein will not cause the total amount appropriated in the Cultural Services and Facilities Fund Museum budget to exceed the current estimate of actual and anticipated revenues to be received during any fiscal year; and

WHEREAS, it is the desire of the Council to appropriate the sum of \$15,000 in federal Department of Interior, National Park Service NAGPRA grant funds in the Cultural Services and Facilities Fund, Museum NAGPRA grant project to be used to for implementing the Native American Graves Protection and Repatriation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated for expenditure from unanticipated revenue in the Cultural Services and Facilities Fund, Museum NAGPRA grant project, the sum of FIFTEEN THOUSAND DOLLARS (\$15,000), upon receipt, from the federal Department of Interior, National Park Service, to be used to implement the Native American Graves Protection and Repatriation Act.

Introduced and considered favorably on first reading and ordered published this 15th day of April, A.D. 2003, and to be presented for final passage on the 6th day of May, A.D. 2003.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 6th day of May, A.D. 2003.

Mayor

ATTEST:

City Clerk