

**RESOLUTION 2021-089  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPOINTING ONE BOARD MEMBER SELECTED  
BY THE CITY AND ONE BOARD MEMBER JOINTLY APPOINTED BY  
THE CITY AND LARIMER COUNTY TO THE BOXELDER BASIN  
REGIONAL STORMWATER AUTHORITY BOARD OF DIRECTORS**

WHEREAS, the City of Fort Collins (“City”), Board of Commissioners of Larimer County, Colorado (“County”) and Town of Wellington, Colorado are parties to that certain Intergovernmental Agreement for Stormwater Cooperation and Management dated August 20, 2008, and First Amendment to Intergovernmental Agreement for Stormwater Cooperation and Management dated June 16, 2014, as amended (collectively, the “IGA”) for the purpose of creating the Boxelder Basin Regional Stormwater Authority (the “Authority”); and

WHEREAS, the IGA specifies that the Authority shall be governed by a Board of Directors (the “Board”) consisting of five (5) Directors, one each appointed by the City, the Town of Wellington, and the County and two unaffiliated members, representing the public at large; and

WHEREAS, the IGA provides that one of the unaffiliated members of Board will be appointed by mutual agreement of the City and the County, with the other unaffiliated member appointed by mutual agreement the Town of Wellington and the County; and

WHEREAS, the Directors serve for staggered terms of three (3) years; and

WHEREAS, on July 7, 2015, the Fort Collins City Council (“Council”) adopted Resolution 2015-066 (“Council's 2015 Resolution”) adopting Council retreat priorities for 2015-2017, one of which called for appointment of members of the Board by Council rather than staff; and

WHEREAS, on April 5, 2016, Council adopted Resolution 2016-034 appointing then Mayor Pro Tem Gerry Horak to the Board as the Director appointed by the City and on April 23, 2019, Council adopted Resolution 2019-054 re-appointing Mr. Horak as the Director appointed by the City until such time as the Council acts to modify his appointment; and

WHEREAS, on May 5, 2020, Council adopted Resolution 2020-044 appointing former Mayor Pro Tem Gerry Horak as the unaffiliated member of the BBRSA Board jointly appointed by the City and Larimer County and Theresa Connor, Deputy Director of Fort Collins Utilities as the City appointed Board Director; and

WHEREAS, former Mayor Pro Tem Gerry Horak has resigned as the member of the BBRSA Board jointly appointed by the City and Larimer County; and

WHEREAS, after solicitation of applications for the jointly appointed position, one application was received and that applicant, Theresa Connor, was approved by the Board of County Commissioners to fill the jointly-appointed Board seat at its September 14, 2021, meeting; and

WHEREAS, although a selection committee was previously appointed to recommend an appointee for the joint position, since there was only one application for the joint position from an existing BBRSA Board Member, staff did not convene that committee to review the single application, and the process has moved forward without selection committee action; and

WHEREAS, in light of these developments, Council wishes to appoint Theresa Connor, currently Interim Director of Fort Collins Utilities as the member of the BBRSA Board jointly appointed by the City and Larimer County, and further wishes to appoint Mayor Jeni Arndt to fill the City-appointed seat to be vacated by Theresa Connor after her appointment to the joint City-County seat.

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

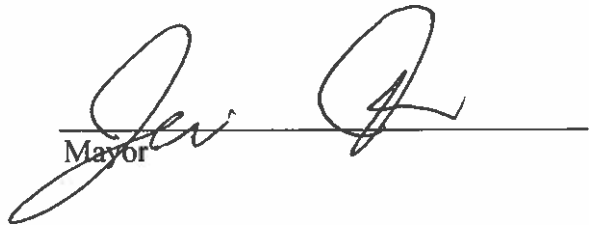
Section 1. That the City Council hereby makes any and all determinations and findings contained in the recitals set forth above.

Section 2. That Theresa Connor's appointment as the BBRSA Board Director jointly appointed by the City and Larimer County to complete the three-year term that began in April 2020, is hereby approved, effective immediately, to continue until April 2023 or until such time as the City and County approve a replacement appointee.

Section 3. That the Theresa Connor's appointment pursuant to Resolution 2020-044 is hereby terminated effective immediately.

Section 4. That Mayor Jenny Arndt is hereby appointed to serve as the Director appointed by the City on the BBRSA Board to complete the three-year term that began in April 2019, effective immediately, to continue until April 2022 or until such time as the City Council approves a replacement appointee.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 21st day of September, A.D. 2021.

  
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Mayor

ATTEST:

  
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Interim City Clerk

