

FSD84SSA

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: CONTRACT

NAME OF AGENCY OR CONTRACTOR: FRUITVALE WATER AND SANITATION DISTRICT

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: SUPPLEMENTAL SEWER
SERVICES AGREEMENT DATED SEPTEMBER 28, 1959, AND SEPTEMBER 3, 1980 FOR THE
PRETREATMENT OF SEWERAGE

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1984

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

SUPPLEMENTAL
SEWER SERVICE AGREEMENT

WHEREAS, the FRUITVALE WATER & SANITATION DISTRICT Sanitation District ("District") is a special district organized and existing under the laws of the State of Colorado, and providing a sewage system to certain lands within the County of Mesa ("County") State of Colorado, and within the Persigo Wastewater Treatment Plant 201 Service Area; and

WHEREAS, the collection and treatment of sewage from the District by the City of Grand Junction ("City") as Manager/Operator of the regional wastewater system for the Persigo service area is provided for by Agreement dated SEPT 28 1959, and as supplemented by Agreement dated SEPT. 3 1980; and

WHEREAS, the District has on April 3rd 1984 adopted a Resolution numbered NA approving, adopting, and incorporating the Industrial Pretreatment Ordinance passed by the Grand Junction City Council on January 4, 1984; and

WHEREAS, said Resolution provides for delegation to the City of administrative and enforcement power concerning the District's pretreatment program;

NOW, THEREFORE, IT IS MUTUALLY AGREED:

1. Delegation of Pretreatment Powers. The District hereby delegates to the City, and the City hereby accepts, joint administrative, managerial, and enforcement authority concerning the District pretreatment program as applied to industrial users of the City's and County's regional wastewater system. The City will act as the District's agent in pretreatment matters to the extent necessary to allow direct regulatory and health-related control by the City over industrial users within the District.

2. Intent of the District. It is the intent of the Board of Directors of the District to authorize the City to act as its agent in pretreatment matters so as to enable the City and County to comply with all federal and state grant and discharge permit requirements applicable to the City and the Persigo 201 Service Area.

3. Intent of the City. It is the intent of the City Council to exercise this authority on behalf of the District, other connector districts, the County, and all users of the regional wastewater system so as to cooperatively administer a uniform, and non-discriminatory pretreatment program encompassing the

entire Persigo 201 Service Area consistent with all state and federal requirements.

4. Term of Contract. The term of this Agreement shall extend for thirty years, or until the underlying sewer service agreements are terminated, whichever occurs sooner.

5. Repealer. All prior acts, orders, resolutions, ordinances, agreements or parts thereof, of the Board of Directors of the District or the City Council in conflict with this Supplemental Sewer Service Agreement are hereby repealed, except that this repealer shall not be construed to revive any such act, order, resolution, or part thereof heretofore repealed.

6. Effective Upon Passage. This Supplemental Sewer Service Agreement shall take effect immediately upon its adoption.

ADOPTED AND APPROVED this 3rd day of April, 1984.

(DISTRICT)
(SEAL)

~~GRAND~~ VALLE WATER & SANITATION DISTRICT District

By/s/ Lawrence A. Collins

ATTEST:

Name Lawrence Collins
President, Board of Directors

Gordon E. Lowe
Secretary, Board of Directors

ADOPTED AND APPROVED this 18 day of April, 1984.

(CITY)
(SEAL)
(ATTEST:

CITY OF GRAND JUNCTION, CO

By/s/ _____

Name _____
President of the Council

Theresa J. Martinez
Deputy City Clerk

[Signature]

RESOLUTION NO. NA

A RESOLUTION OF THE ~~FRUITVALE WATER & SANITATION DISTRICT~~
DISTRICT ESTABLISHING AN INDUSTRIAL PRETREATMENT PROGRAM BY
CONCURRENCE IN AND ADOPTION OF THE CITY OF GRAND JUNCTION'S
PROGRAM, AND PROVIDING FOR DELEGATION OF PROGRAM ADMINISTRA-
TION AND ENFORCEMENT AUTHORITY TO THE CITY IN ORDER TO COMPLY
WITH APPLICABLE FEDERAL AND STATE WATER QUALITY REQUIREMENTS.

WHEREAS, FRUITVALE WATER & SANITATION DISTRICT

is a special district providing a sewerage system in a portion of the County of Mesa, Colorado; and

WHEREAS, the transmission and treatment of sewage from the District is provided by the City of Grand Junction as Manager/Operator of the City's and County's regional wastewater treatment system; and

WHEREAS, Clean Water Act grant requirements and state NPDES discharge permit conditions require the wastewater plant owners and managers to possess and exercise direct physical and legally enforceable control over industrial users concerning pretreatment of industrial wastes; and

WHEREAS, in order to accomplish this goal each connecting special Sanitation District within the Persigo 201 Service Area must adopt uniform pretreatment program and contractually authorize the Plant Manager/Operator to enforce that program on the District's behalf; and

WHEREAS, the City has submitted to the District a copy of its Ordinance adopting a pretreatment program, marked as Exhibit A and incorporated herein by reference, and has requested the District to concur in, approve, and adopt that program or one parallel to it, and to delegate program authority to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FRUITVALE WATER & SANITATION DISTRICT :

1. The District Board of Directors, having fully examined said City Ordinance, and having considered the federal and state pretreatment requirements imposed on the treatment plant Manager/Operator does hereby concur in, approve and adopt the City of Grand Junction's Industrial Pretreatment Ordinance found in Article X of Chapter 25 of the City Code of Ordinances, as it appears in Exhibit A. Said ordinance shall hereupon be effective as the District rules and regulations concerning industrial pretreatment. Penalties, fines, and remedies for violation of any of the District's pretreatment rules and regulations shall be as provided for in Exhibit A.

2. Except as the Board of the District may otherwise contract, the District shall retain all jurisdiction and autonomy over the District and its collection system.

PASSED and ADOPTED this 3rd day of APRIL, 1984.

By /s/ Lawrence A. Collins

Name Lawrence Collins
President of the Board

(DISTRICT)

(SEAL)

ATTEST:

Lawrence E. Lowe
Secretary

RESOLUTION

OF CONCURRENCE IN REQUIREMENTS OF THE ENVIRONMENTAL PROTECTION AGENCY AND THE WATER QUALITY CONTROL COMMISSION AS TO SEWAGE TO BE TREATED BY THE PROPOSED COUNTY OF MESA WASTEWATER TREATMENT PLANT.

WHEREAS, FROTVALE WATER & SANITATION DISTRICT

is a special district providing a sewerage system in a portion of the County of Mesa, Colorado; and

WHEREAS, the treatment of sewage from the system is now provided by the plant owned and operated by the City of Grand Junction and will be treated by the plant to be owned by the County of Mesa and operated under an agreement with the City of Grand Junction; and

WHEREAS, as one of the conditions of the providing of grant monies for construction of interceptors and the plant, the United States Government has required that certain matters relating to sewage and its disposal be agreed to by all to be involved in the new plant; and

WHEREAS, there have been submitted to the District, Joint Resolutions and Ordinances, marked as Exhibits A and B and included herein by this reference, embodying, among other matters, those requirements which must be agreed to and observed by the District in the operation of its sewerage system and the collection and billing for sewage treatment;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FROTVALE WATER & SANITATION DISTRICT :

1. Those portions of Exhibits A and B which relate to the treatment of sewage are accepted, approved and will be observed by the Board in the operation of the system within the District.

2. Except as the Board of the District may otherwise contract, the District will retain its autonomy over the District and its sewerage system.

PASSED and ADOPTED this 5th day of February, 1980.

Attest:

Gordon E. Lowe
Secretary

Lawrence A. Collins
President of the Board