

Resolution No. M.C.M. - 180
of the County of Mesa, Colorado

Resolution
of the City of Grand Junction, Colorado

A JOINT RESOLUTION OF
THE COUNTY OF MESA, COLORADO, AND
THE CITY OF GRAND JUNCTION, COLORADO
MAKING CERTAIN TECHNICAL AMENDMENTS
TO THE JOINT SEWERAGE SERVICE
AGREEMENT, DATED MAY 1, 1980 BY AND BETWEEN
THE CITY AND THE COUNTY

WHEREAS, the County of Mesa (the "County") and the City of Grand Junction (the "City"), did on May 1, 1980, enter into a Joint Sewerage Service Agreement (the "Agreement"); and

WHEREAS, subsequent thereto, the County did adopt and approve Resolution No. MCM 80-172, Series of 1980, of the County (the "Bond Resolution"), providing for the issuance by the County of its Sewer Improvement Revenue Bonds, Series 1980A, in the total principal amount of \$7,420,000, and its Sewer Refunding Revenue Bonds, Series 1980B in the total principal amount of \$805,000; and

WHEREAS, the County made certain covenants in the Bond Resolution relating to the collection of reasonable and adequate rates, fees, tolls and charges from users of the joint sewerage system of the City and County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MESA COUNTY, COLORADO AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, THAT:

1. Amendment of Agreement. For and in consideration of the premises and for other good and valuable consideration, the City and County hereby agree that third and fourth sentences of paragraph I of the Agreement be amended as follows (added language in capitalization):

I

OPERATION OF THE JOINT SYSTEM

1. * * * Such charges or fees shall be sufficient to meet the needs of the total costs for the operation, maintenance, principal and interest on Bonds OF THE COUNTY ISSUED FOR PURPOSES OF THE JOINT SYSTEM, AND ALL OTHER REQUIREMENTS OF THE RESOLUTIONS AUTHORIZING THE BONDS, and will be uniform for those

similarly situated within the System. The Board shall approve and the Council shall affirm such charges and fees, PROVIDED THAT NOTHING HEREIN SHALL IMPAIR THE ULTIMATE OBLIGATION OF THE COUNTY TO FIX, IN A TIMELY MANNER, JOINT SYSTEM CHARGES AND FEES SUFFICIENT TO MEET THE REQUIREMENTS OF THE COUNTY'S COVENANTS WITH THE HOLDERS OF ITS BONDS. * * *

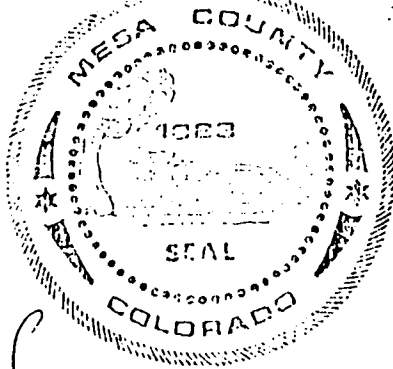
2. Ratification, Approval and Confirmation. All action not inconsistent with the provisions of this Resolution heretofore taken by the Board of County Commissioners or its officers and employees, or by the City Council or its officers or employees, directed toward adopting the amendatory language, is hereby ratified, approved and confirmed.

3. Repealer. All prior acts, orders, resolutions, ordinances, agreements or parts thereof, of the Board of County Commissioners or the City Council in conflict herewith are hereby repealed, except that this repealer shall not be construed to revive any such act, order, resolution or part thereof, heretofore repealed.

4. Effective Upon Passage. This Resolution shall take effect immediately upon its adoption.

ADOPTED AND APPROVED this 18 day of November, 1980.

(COUNTY)
(SEAL)



ATTEST:

Carl Sawyer
County Clerk

COUNTY OF MESA

Paul G. Adams
Chairman of the Board of
County Commissioners

ADOPTED AND APPROVED this 19 day of November, 1980.

(CITY)
(SEAL)

CITY OF GRAND JUNCTION

James J. Kennedy
Mayor

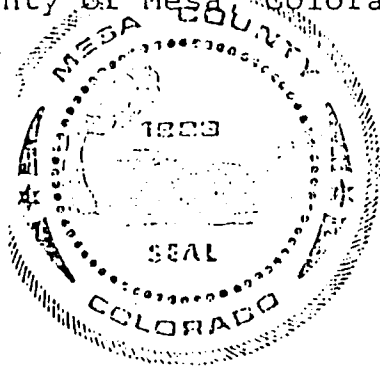
Neve B. Lockhart, CMC
City Clerk

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

I, Earl Sawyer, the duly elected or appointed County Clerk of Mesa County, Colorado, do hereby certify that the attached copy of Resolution No. MC 11-180 providing for an amendment to the Joint Sewerage Service Agreement by and between the City of Grand Junction and the County of Mesa, Colorado, is a true and correct copy of said Resolution as adopted by the Board of County Commissioners at a regular meeting thereof held at the County Courthouse in Grand Junction, Colorado, the regular meeting place of the Board, on Tuesday, the 18th day of November, 1980; that a true copy of said Resolution has been duly executed and authenticated by the signatures of the Mayor of the City of Grand Junction and Chairman of the Board of County Commissioners of Mesa County and the City and County Clerks, sealed with the seal of the City and the County, and recorded in the official records of the County; that the foregoing pages numbered 1 through 2, inclusive, constitute a true and correct copy of the record of the proceedings of the Board of County Commissioners at said regular meeting insofar as said proceedings relate to said Resolution; that said proceedings were duly had and taken; that said meeting was duly held; and that the persons were present at said meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Mesa, Colorado, this 18 day of November, 1980.

(COUNTY)
(SEAL)



Earl Sawyer
County Clerk
Mesa County, Colorado

STATE OF COLORADO)
)
COUNTY OF MESA) ss.
)
CITY OF GRAND JUNCTION)

I, Alan Lockhart, the duly appointed City Clerk of the City of Grand Junction, Colorado, do hereby certify that the attached copy of Resolution _____ amending the Joint Sewerage Service Agreement by and between the City and Mesa County, Colorado, is a true and correct copy of said Resolution as adopted by the City Council at a regular meeting thereof held at the City Hall, Grand Junction, Colorado, the regular meeting place of the City Council in the City, on Wednesday, the 19th day of November, 1980; that a true copy of said Resolution has been duly executed and authenticated by the signatures of the Mayor of the City of Grand Junction and the Chairman of the Board of County Commissioners of Mesa County, and the City and County Clerks, sealed with the seals of the City and the County, and recorded in the official records of the City; that the foregoing pages numbered 1 through 2, inclusive, constitute a true and correct copy of the record of proceedings of the City Council at said regular meeting insofar as said proceedings relate to said Resolution; that said proceedings were duly had and taken; that said meeting was duly held; and that the persons were present at said meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Grand Junction, Colorado this 19 day of November, 1980.

Alan B. Lockhart CMC
City Clerk

City of Grand Junction, Colorado

(CITY)
(SEAL)

A JOINT RESOLUTION OF THE COUNTY OF MESA, COLORADO, AND THE CITY OF GRAND JUNCTION, COLORADO, MAKING CERTAIN TECHNICAL AMENDMENTS TO THE JOINT SEWERAGE SERVICE AGREEMENT, DATED MAY 1, 1980, BY AND BETWEEN THE CITY AND THE COUNTY.

WHEREAS, the County of Mesa (the "County") and the City of Grand Junction (the "City"), did on May 1, 1980, enter into a Joint Sewerage Service Agreement (the "Agreement"); and

WHEREAS, subsequent thereto, the County did adopt and approve Resolution No. MCM 80-172, Series of 1980, of the County (the "Bond Resolution"), providing for the issuance by the County of its Sewer Improvement Revenue Bonds, Series 1980A, in the total principal amount of \$7,420,000, and its Sewer Refunding Revenue Bonds, Series 1980B in the total principal amount of \$805,000; and

WHEREAS, the County made certain covenants in the Bond Resolution relating to the collection of reasonable and adequate rates, fees, tolls and charges from users of the joint sewerage system of the City and County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MESA COUNTY, COLORADO, AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, THAT:

1. Amendment of Agreement. For and in consideration of the premises and for other good and valuable consideration, the City and County hereby agrees that third and fourth sentences of paragraph I of the Agreement be amended as follows (added language in capitalization):

I

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1. * * * Such charges or fees shall be sufficient to meet the needs of the total costs for the operation, maintenance, principal and interest on Bonds OF THE COUNTY ISSUED FOR PURPOSES OF THE JOINT SYSTEM, AND ALL OTHER REQUIREMENTS OF THE RESOLUTIONS AUTHORIZING THE BONDS, and will be uniform for those similarly situated within the System. The Board shall approve and the Council shall affirm such charges and fees, PROVIDED THAT NOTHING HEREIN SHALL IMPAIR THE ULTIMATE OBLIGATION OF THE COUNTY TO FIX, IN A TIMELY MANNER, JOINT SYSTEM CHARGES AND FEES SUFFICIENT TO MEET THE REQUIREMENTS OF THE COUNTY'S COVENANTS WITH THE HOLDERS OF ITS BONDS. * * *

2. Ratification, Approval and Confirmation. All action not inconsistent with the provisions of this Resolution heretofore taken by the Board of County Commissioners or its officers and employees, or by the City Council or its officers or employees, directed toward adopting the amendatory language, is hereby ratified, approved and confirmed.

November 19, 1980

3. Repealer. All prior acts, orders, resolutions, ordinances, agreements or parts thereof, of the Board of County Commissioners or the City Council in conflict herewith are hereby repealed, except that this repealer shall not be construed to revive any such act, order, resolution or part thereof, heretofore repealed.

4. Effective upon Passage. This Resolution shall take effect immediately upon its adoption.

ADOPTED and APPROVED this 18 day of November, 1980.

Attest:

COUNTY OF MESA

/s/ Earl Sawyer
County Clerk

/s/ Rick Enstrom
Chairman of the Board of
County Commissioners

ADOPTED and APPROVED this 19 day of November, 1980.

Attest:

CITY OF GRAND JUNCTION

/s/ Neva B. Lockhart
City Clerk

/s/ Jane S. Quimby
Mayor

Upon motion by Councilman Johnson, seconded by Councilman Brach and carried by roll call vote, the Resolution was passed and adopted as read.

ANNOUNCEMENTS

The City Manager announced the jump rope contest Saturday at 1:45 p.m.

The City Manager announced that he has a representative coming in to visit with him next week regarding Police and Fire pensions. A meeting will be necessary regarding that to explain position on rank escalation and offer alternatives so Council can make a determination so the Administration can sit down with the employees to figure out for them individually what they would like to do. Council will be notified as soon as the date is determined. Monday noon the 24th of November was suggested.

It was announced that a Highway meeting would be held November 24 at 9:45 a.m. at Howard Johnson's.

Ken Idleman is recovering from a knee operation, and Johnny Mancuso has gone from poor to fair after his heart attack.

PARKS AND RECREATION

Councilman Dunn reported that the Recreation Board met at noon today and reviewed the winter programs.

PARKING METERS

Councilman Holmes suggested that Council should clarify its policy, if there is one, regarding the people feeding the meters. The City Manager said that this came about as a result of some conversation in a series of alternatives that were offered by the downtown consultant regarding parking, and it has been picked up by the public for whatever reason as being fact.

PERFORMING ARTS CITIZENS COMMITTEE

President Quimby announced openings for citizens interested in serving on the Performing Arts Center and requested applications.

NOTICE OF REFUNDING

of

CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO
SEWER REFUNDING REVENUE BONDS, SERIES 1978A
DATED MAY 1, 1978

PUBLIC NOTICE IS HEREBY GIVEN that Sewer Refunding Revenue Bonds, Series 1978A, dated May 1, 1978, outstanding in the amount of \$1,080,000, of the City of Grand Junction, Colorado, have been refunded by the joint action of the City Council of the City and the Board of County Commissioners of Mesa County, Colorado, as follows:

Bonds numbered 1 to 216, inclusive, maturing semiannually in the years 1991 to 2005, inclusive, shall be paid and retired at their respective maturity dates, according to their original terms, at the United States Bank of Grand Junction, Grand Junction, Colorado; provided, if the U. S. Treasury Department should call for redemption in the year 2000 or thereafter, the \$80,000 of 8-1/4% Treasury Bonds maturing May 15, 2005 and callable May 15, 2000, held in the Escrow Account, the Escrow Bank shall call a like amount of the City's outstanding bonds of the 1978 Issue.

THIS NOTICE GIVEN by order of the City Council of the City of Grand Junction and the County of Mesa, State of Colorado, as of this 19th day of November, 1980.

(CITY SEAL)

/s/ Neva B. Lockhart
City Clerk

(COUNTY SEAL)

/s/ Earl Sawyer
County Clerk