

RESOLUTION NO. MCM 80-154

AMENDING JOINT SEWERAGE SERVICE AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE COUNTY OF MESA, COLORADO.

WHEREAS, under date of May 1, 1980, the City of Grand Junction and the County of Mesa entered into a "JOINT SEWERAGE SERVICE AGREEMENT"; and

WHEREAS, in Paragraph 1 of that Agreement there is certain language concerning the levying of charges and fees for the use of the system contemplated by the Agreement, which language may be unclear as to the setting of those charges and fees;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA:

1. That Paragraph 1 of said Agreement, which now reads:

"1. The Parties agree that the Utility Department of the City (referred to herein as the Manager) will establish the joint annual charges in amounts that will be fair and reasonable for the carriage and treatment of the joint sewage and will raise sufficient annual revenue to meet the requirement set out in the resolutions of the County authorizing the issuance of Sewerage Revenue Bonds. The Manager will, prior to the 1st day of October of each year, submit to both the Board of County Commissioners of Mesa County and the City Council of the City of Grand Junction, its anticipated budget for the following year, including its recommended user charges, tap fees and plant investment fees to be charged within the system. Such charges or fees shall be sufficient to meet the needs of the total costs for the operation, maintenance, principal and interest on Bonds, and will be uniform for those similarly situated within the system. The Board and Council shall approve such charges and fees. This provision is not intended to prevent the City, County or one of the special districts or organizations which provide sewerage systems within a neighborhood from charging, in addition to the charges and fees mentioned, such additional charges or fees to accomplish an effective sewerage system within their communities and under the laws covering their activities. This provision is not intended to authorize any other entities with authority to provide sewer service to areas being served or to be served by the City or County."

shall be amended to read:

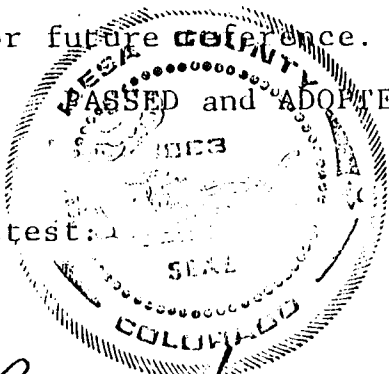
"1. The Parties agree that the Utility Department of the City (referred to herein as the Manager) will establish the joint annual charges in amounts that will be fair and reasonable for the carriage and treatment of the joint sewage and will raise sufficient annual revenue to meet the requirement set out in the resolutions of the County authorizing the issuance of Sewerage Revenue Bonds. The Manager will, prior

to the 1st day of October of each year, submit to both the Board of County Commissioners of Mesa County and the City Council of the City of Grand Junction, its anticipated budget for the following year, including its recommended user charges, tap fees and plant investment fees to be charged within the system. Such charges or fees shall be sufficient to meet the needs of the total costs for the operation, maintenance, principal and interest on Bonds, and will be uniform for those similarly situated within the system. The Board shall adopt and the Council shall affirm such charges and fees. This provision is not intended to prevent the City, County or one of the special districts or organizations which provide sewerage systems within a neighborhood from charging, in addition to the charges and fees mentioned, such additional charges or fees to accomplish an effective sewerage system within their communities and under the laws covering their activities. This provision is not intended to authorize any other entities with authority to provide sewer service to areas being served or to be served by the City or County."

2. This Resolution shall act as an amendment of the Joint Agreement and shall be attached thereto and made a part thereof for future reference.

PASSED and ADOPTED this 7 day of October, 1980.

Attest:



Earl Sawyer  
County Clerk

[Signature]  
Chairman of the Board of County  
Commissioners of the County of Mesa