

SUPPLEMENTAL
JOINT SEWERAGE AGREEMENT

WHEREAS, the County of Mesa, Colorado is a political subdivision of the State of Colorado, and provides sewerage services to certain lands within the Persigo 201 Service Area located in Mesa County; and

WHEREAS, the collection and treatment of sewage within the Persigo 201 Service Area is provided by the City of Grand Junction ("City") as Manager/Operator of the regional wastewater system for the Persigo Service Area pursuant to an Agreement dated May 1, 1980, and as supplemented by Agreements dated October 7, 1980 and November 17, 1980; and

WHEREAS, the County has on ^{MCM} April 24, 1984, adopted a Resolution numbered 84-34 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 the revocable delegation to the City of certain limited administrative and enforcement powers concerning the County's industrial pretreatment program;

NOW, THEREFORE, IT IS MUTUALLY AGREED:

1. Delegation of Pretreatment Powers. The County hereby delegates to the City, and the City hereby accepts, joint administrative, managerial, and enforcement authority concerning the County industrial pretreatment program as applied to industrial users of the City's and County's joint regional wastewater system. The City will act as the County's agent in pretreatment matters to the extent necessary to allow direct regulatory and health-related control by the City over all industrial users within the Persigo 201 Service Area.

2. Intent of the County. It is the intent of the Board of County Commissioners of Mesa County, Colorado to authorize the City to act as the County's 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, the County, the Persigo 201 Service Area, and the Persigo Wastewater Treatment Plant.

3. Intent of the City. It is the intent of the City Council to exercise this authority on behalf of the County, the connector districts, and all users of the joint 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. Indemnity. The City hereby agrees to hold the County harmless from, and to indemnify the County for, any and all liability whatsoever for damages which may result either directly or indirectly from the City's acts or omissions arising from or related to the administrative, managerial, or enforcement authority concerning the County's industrial pretreatment program which is delegated herein.

5. Term of Contract. The term of this Agreement shall extend for a one-year period, to be thereafter automatically extended for one-year periods up to a maximum of thirty years from the date of this Agreement, unless sooner terminated by written notification to the City by the County, or until the underlying Joint Sewerage Agreements are terminated, whichever occurs sooner.

6. Repealer. All prior acts, orders, and agreements or parts thereof of the Board of County Commissioners of Mesa County, Colorado or of the City Council of the City of Grand Junction 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, or part thereof heretofore repealed.

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

ADOPTED AND APPROVED this 24th day of April, 1984.

MESA COUNTY, COLORADO

ATTEST:

Earl Sawyer
Earl Sawyer,
Mesa County Clerk and Recorder

By George White
George White, Chairman
Mesa County Board of County Commissioners

ADOPTED AND APPROVED this 27th day of April, 1984.

CITY OF GRAND JUNCTION, COLORADO

ATTEST:

Neva B. Lockhart, CMC
Neva Lockhart, City Clerk

By Gary Lucero
Gary Lucero, President
Grand Junction City Council

Approved as to form and legal sufficiency

By Stephen B. Johnson
Asst. Mesa County Attorney