

Jack M.

CHRONOLOGY OF COUNTY-CITY SEWER RELATIONSHIPS

- 1) December, 1976 Resolution of Valley Wide Sewer Committee, the County Commissioners of the County of Mesa, and the City Council of the City of Grand Junction - establishes the Building Department as the agency that will make sure a tap fee has been purchased before a building permit is issued; discusses moratoria provisions for building and sewer taps based upon the old City plant and identifies the Valley Wide Sewer Committee as the coordinating agency for a new sewer plant.
- 2) August, 1978 Valley Wide Sewer Committee Resolution - recommending that the proposed, new wastewater treatment plant and interceptors be constructed and operated by the County.
- 3) March, 1980 Joint Ordinance and Resolution of City of Grand Junction and County of Mesa, Colorado (MCM 80-49) - Repealing Chapter 25, Sections 14 to 61 of the City's Code of Ordinances and establishing MCM 80-49 of the County for regulating the use of public and private sewers and drains, private sewage disposal, installation and connection to the sewer system and the discharge of waste into the system (fees and penalties also).
- 4) May, 1980 Joint Sewerage Service Agreement (City-County Resolution MCA 80-10) - defining the operational area of the system, system operations, facilities' ownership, financing, bonding and construction.
- 5) October, 1980 Amendment to Joint Sewerage Service Agreement (MCM 80-154) whereby the means by which the City as system operator shall inform the Board of Commissioners and Council on matters of budget (by October 1 of each year). Further states: "The Board (of Commissioners) shall adopt and Council shall affirm such fees and charges."
- 6) January, 1981 Successor in Interest Agreement (MCA 81-8) - defines the Mesa County Board of Commissioners as the body that "assumes all the duties, obligations, and liabilities" under the EPA grants that had before been the role of the City Council.
- 7) March, 1984 Memo from Steve Johnson, Staff Attorney to Mark Eckert, Assistant County Administrator stating that the City has not been acquiring right of way on behalf of Mesa County.
- 8) April, 1984 Supplemental to Joint Sewerage Agreement (MCA 84-35) and reaffirms Industrial Pretreatment Ordinance of City of Grand Junction (January, 1984) - delegates to the City Pretreatment powers and the City holds harmless the County for actions that may be taken under the program.
- 9) January, 1985 Patterson Status Report on Persigo Wastewater Treatment Plan, Associated Infrastructure and Programs.
- 10) May, 1987 Quarterly Report from City (Trainor) to County (Cianko)

NOTES (COMMENTS AND QUESTIONS)

Joint Sewerage Service Agreement of 5/1/80

- I 1) 10/1 submittal of sewer budget to MCC
Would allow for County to charge a fee to support County staff to oversee facility?
- 2) How much have we reimbursed the City for its operation of the sewer plant?
- 3) System expansion not under manager but elected boards?
- 4) City sets sewer construction standards.
- a) Do these standards take into account roads?
(Ignored County input on Goat Wash Interceptor)
- b) Potential interference with County land use(?)
- 5) Is assurance sufficient??

Does this the City know the County's road standards, backfilling requirements, etc.

- 6) Interference with actual MCC decisionmaking.
- II 1 c) are these all of the special districts served?
- 2 b) does the County have a Resolution and Operational Procedure as per this paragraph??
- garbled reference to connection in County will require adherence to the City's annexation policies. What policies and does this include power of attorney??
- c) City's contracts with special districts should be reviewed.

- III 1 a) County owns plant, River Road and Redlands interceptors
- b) City owns Paradise Hills and others owned at that time (5/1/80) and inherit facilities (lines) as areas annexed.
- c) County owns all other lines not held as in II 1 b) or by special districts.

- IV 2 Bought out City's existing bonds (Did Air Quality controls fall under this, \$800,000?)
- 3 Independent Avenue Interceptor in?
Status of Scenic Interceptor?

- V 1 Incomprehensible!

2 1/1/81 commenced Joint Operations Fund

RESOLUTION #MCM 80-154

clarifying original paragraph #1

On user charges, tap fees and plant investment fees

Board of Commissioners adopt and Council affirms.

Establishes the County as the final recipient of the EPA grants and subject to all "duties, obligations, and liabilities..." and "...successor party to the <EPA> grants." and "<County> is in a position to fully perform said grants..."

1 The <County> hereby assumes responsibility for, be bound by and agrees to comply with the terms and conditions of said grants, applicable laws and regulations of the EPA.

MCA 84-85 4/24/85

Supplement to Joint Sewerage Agreement

1. County delegates Pretreatment Powers

"...joint administrative, managerial and enforcement authority concerning the County industrial pretreatment program..."

2. Intent of the County

"...authorize the City to act as the County's agent in pretreatment matters...to enable...compliance...with all federal and state grant and discharge permits applicable..."

3. Intent of the City

"...to exercise this authority (See #2 above) on behalf of the County, the connector districts, and all users of the joint regional wastewater system..."

4. Indemnify

"The City...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..."

5. Term

30 year agreement