

DOCUMENTS INDEX - 1990:

Rev. 5/97

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- 1990 Strategic Plan meetings suspended and special districts filed suit attempting to deprive the City of any growth powers under the Agreement. (City Newsletter, August, 1994).
- ?/90 Daily Sentinel - guest editorial "Annexation, Provision of Service Often Mean Same Thing" - John Leane, Chairman, Mesa County Board of Commissioners. Urges return of "municipal type services (e.g., wastewater treatment, etc.) to the City - the County government is not able to provide them. [City Utility Files]
- 01/31/90 Letter from James Shanks to John Krizman, CGVSD, apologizing for not responding to 4/25/89 letter, explaining reason for delay. [052]
- 02/13/90 Letter from Mayor Mantlo to OMSD Chairman Elsberry seeking to set up a meeting between the City and the District to examine how costs are allocated to the various users of the system. [048]
- 02/21/90 Memorandum to Mark Eckert, et al. from Joe Crocker re: sewer LID information meeting scheduled to occur on 2/23/90 - Agenda. [County file "Sewer 1990-1994"]
- 02/26/90 Memorandum from Joe Crocker to Eckert, et al. re: minutes of LID meeting on 2/23/90. The interrelationship between the County and the County Board of Health. [County file "Sewer 1990-1994"]
- 03/04/90 Handwritten notes re: rate study, criteria for selection, proposal elements, etc. [County file "Sewer 1990-1994"]
- 03/29/90 Letter from Tom Harrison to CDOH - Citizen Complaint re: Valle Vista. [City Utility Files]
- 04/05/90 CDOH Notice of Violation of the Colorado Water Quality Control Act to Valle Vista Homeowner's Association. [City Utility Files]
- 04/06/90 Letter from Peggy Galligan, Colo. Dept. of Health, to Greg Trainor, confirming 4/16/90 meeting with her and Jim Brooks of EPA to review City's User Charge System. [031 - loose in file folder]
- 04/9/90 Letter from Larry Beckner to Marjorie Garnaeu, Ridges Metropolitan District (marked "personal and confidential") re: Mr. Beckner's work on "two issues for the "201 Sewer Authority". The two issues are assisting in the work on the sewer study and also finalizing the complaint for declaratory judgment seeking to declare the powers of attorney for annexation invalid. [County file - Joint Sewer Agreement-Persigo - Stack 3]
- 04/16/90 EPA Report on Operation and Maintenance of Wastewater Treatment Plant, inspection 4/16/90, Persigo Wash, owned by Mesa County/City of Grand Junction. [039 - attached to 5/11/88 Bowman letter]
- 04/16/90 Handwritten notes re: interviews with rate study consultants. [County file "Sewer 1990-1994"]

04/24/90 Letter from Wayne Wright, President, Valle Vista Homeowner's Association, to CDOH re: 4/5/90 Notice of Violation - Valle Vista's alternatives: hook into the valleywide sewer system or update the Rolling Hills Sewer Plant. **[City Utility Files]**

05/02/90 Letter from James Brooks, EPA, to Greg Trainor, re meeting of 4/17/90 to review City's sewer use ordinance and user charge system, transmitting copy of EPA's "User Charge Guidance Manual" and "Building Support for Increasing User Fees", stating changes needed. **[031 - attached to 4/6/90 Brooks letter]**

05/02/90 Daily Sentinel Article "Leaking Lagoon at Valle Vista, 'A Stinky Mess'." **[City Utility Files]**

05/08/90 (signed by City Manager) 4/27/90 (signed by CH2M HILL) Standard Agreement for Professional Services for sanitary sewer rate and cost allocation study. **[042]**

05/11/90 Letter from Bowman, CDOH to City transmitting copy of 4/16/90 EPA report.

05/29/90 Letter to Emily Whittum, Industrial Pretreatment Program Coordinator, City of Grand Junction from Steve A. Burkett, Chief Compliance Branch, Water Management Division (CDOH) re: industrial pretreatment program request for program modification - acknowledging receipt of Ms. Whittum's 5/10/90 letter requesting a "non-substantial review of the City of Grand Junction's municipal code regarding the pretreatment program" and advising that "any change of the City Code is deemed a substantial revision to the industrial pretreatment program" and therefore denying immediate approval and requesting additional clarification. Modification procedures set forth including attorneys review to assure Code modifications are consistent with federal law. Notifying the City that the City's current penalty provisions will not meet the regulatory minimum and require modification. **[EPA Documents - Permit Section]**

06/15/90 Letter from Larry Beckner to Commissioner John Leane enclosing a copy of the proposed complaint for declaratory judgment to be filed by the Special Districts against the City. **[County file - Legal/Non-Contracts - Box 1]**

06/25/90 Letter from Jerry O'Brien, City Wastewater Superintendent to CDOH re: 6/18/90 sewage spill from a storm sewer into the Colorado River at the Grand Avenue bridge. **[County file - Staff Service Studies - Box 1]**

07/02/90 CDOH memo from Dwain Watson to Dave Akers re: City of Grand Junction Storm Sewer Discharge. **[County file - Staff Service Studies - Box 1]**

07/12/90 Letter from Beckner to Special Districts enclosing a copy of the Complaint seeking declaratory judgment on the issue of the validity of the powers of attorney for annexation. References a conversation with Commissioner Leane on 7/12/90. Copy of the Complaint attached. **[County - Stack 2]**

07/12/90 Summons and Complaint, Mesa County District Court No. 90 CV 373, Central Grand Valley Sanitation District, et al. v. City of Grand Junction. (re 201 Plan, powers of attorney for annexation as condition of receiving sewer service. **[042]**

07/16/90 Handwritten notes re Persigo Meeting w/City Services Committee & Leane re City-County sewerage agreements. **[042]**

07/16/90 Rough draft Resolution for City Council consideration re special district power of attorney/annexation lawsuit. **[042]**

- 07/17/90 Memo from Dan Wilson to Jim Shanks re Sewer Cost Allocation Study, instructing CH2M Hill personnel not to release any information obtained from City, special districts, etc., without first obtaining permission. [042]
- 07/20/90 Amended Summons and Complaint, Mesa County District Court No. 90 CV 373 (omits Railhead Water & Sanitation District. [042]
- 07/20/90 Memo (informational purposes only - author unknown and not addressed to anyone) re: the services provided to the Special Districts by the City and the "distribution of 201 sewer costs based on 1990 rate structure". The memo summarizes the number of customers within each district and those services provided by the City (i.e. billing, collection, maintenance, etc.) as to each.
- 07/24/90 Letter to Marshall Fischer, Industrial Pretreatment Program Coordinator, EPA Region VIII from John Shaver, Assistant City Attorney submitting proposed changes to the City Code for amendment to the City's Industrial Pretreatment Program. [EPA Documents - Permit Section]
- 07/24/90 Letter (draft?) to Dear Customer re valley wide sewer system, fees charged and potential cost savings if CGVSD absorbed into valley wide system. [042 - attached to 9/5/90 Handwritten notes]
- 07/26/90 Letter from CDOH to Jerry O'Brien, City Wastewater Treatment Plant re: analytical results of samples collected from the point source discharge on 6/18/90 (sewage spill into the storm sewer discharged into the Colorado River at the Grand Avenue bridge). [County file - Staff Service Studies - Box 1]
- 08/14/90 Letter from Wayne Schroeder to Dan Wilson re: Special District Dissolution - legal memo concerning how a Special District may be dissolved and the role of a home rule city. [Achen files]
- 08/28/90 Attorney/Client Privilege - Letter from Gerald E. Dahl, Gorsuch, Kirgis, Campbell, Walker and Grover, attorneys to Dan Wilson re: CGVSD vs. Grand Junction - Mr. Dahl provides Mr. Wilson with a copy of Mr. Dahl's 9/5/86 letter to CDOH Water Quality Control Division and EPA Municipal Facilities Branch re: Colorado annexation procedures and the construction grants program as it related to the City of Delta's requirement that north Delta landowners be required to annex to the City as a condition of access to the City's new plant. Mr. Dahl's letter was written as general counsel for the Colorado Municipal League. Good legal analysis - a legal memo. [Achen's files]
- 08/28/90 Letter from Steven L. Defeyter, Mesa County Department of Health, Environmental Health Supervisor to David A. Younger, Nelson, Hoskin and Farina re: Local Board of Health Authority regarding the adoption of regulations pertaining to public wastewater sewers (representing a request to Mr. Younger to research the County Health Department's "authority regarding public sewer lines"), (i.e., seeking clarification regarding statutory authority re: regulation of public sewer lines other than as contained in Chapter 25 of Article 10, C.R.S. and posing the following questions: "What authority is currently held by the Local Board of Health regarding sewers? and How can the Local Board of Health obtain regulatory authority over sewer planning, installation, and operation? Attached is a copy of a document entitled "A Survey of Colorado Local Health Departments Regarding Employment of Registered Engineers and Public Sewer Issues" prepared and issued the Environmental Health Division of the Mesa County Health Department. [County file - Sewer Negotiations - Stack 3]

- 08/31/90 Letter from Larry Beckner to Kees Corssmit and Dave Raby, indicating City is operator of facility and has no greater or lesser ownership interest in treatment plant than any special districts or individuals tapped into system, references lawsuit by special districts against City for declaratory judgment; list of people to whom letter was mailed. **[042 - attached to 9/4/90 Telecopy transmittal from Sheffield]**
- 09/05/90 Ad Hoc's Sewer Committee meeting between the City, County and Special Districts re system management, major capital expenditures, definitions of the sewer system, sewer rates and annexation.
- 09/05/90 Handwritten notes re Ad Hoc Meeting w/Special Districts, et al., scheduling another meeting 9/17, references Beckner desire to comment on whether P.O.A. suit is negotiable or not, question as to whether or not County should be involved in agenda; Scope of Work Comprehensive Wastewater Utility Rate and Cost Allocation Study for The City of Grand Junction, Colorado, April 1990. **[042]**
- 09/07/90 CDOH letter to Jim Patterson re: sewage spill. **[County file - Staff Service Studies - Box 1]**
- 09/17/90 Ad Hoc's Sewer Committee meeting with Special Districts and County attended by City. Informal agreement reached for all parties to prepare a statement of their goals for the 201 system (see the City's 10/8/90 statement of goals and the County's 10/25/90 memorandum). **[No documents, as yet]**
- 09/19/90 Letter from Mark Achen to Mark Eckert, Mesa County Administrator advising agreement that County should participate in future meetings, advising next meeting date. **[042 - attached to 10/8/90 handwritten notes]**
- 10/01/90 Order - District Court (Judge Bottger): Central Grand Valley Sanitation District vs. City of Grand Junction, 90 CV 373.
- 10/02/90 Memo from Dan Wilson to Mark Achen, City Council and Department Heads advising Judge Bottger has dismissed POA Special District Law Suit, advising will file for attorney's fees. **[042 - attached to 10/8/90 handwritten notes]**
- 10/03/90 Memo from the Mesa County Commissioners to the City of Grand Junction and Sanitation Districts within the Persigo 201 Planning Area re: Mesa County stances on Persigo Wash Wastewater Treatment Facility and collection system. **[County file - Sewer Negotiations - Stack 3]**
- 10/03/90 Draft memorandum from Commissioners to the City re: Mesa County stances on Persigo Wash Wastewater Treatment Facility and Collection System (final version 10/25/90). *NOTE: Filed behind the 10/25/90 final version.* **[County file - Staff Service Studies - Box 1]**
- 10/08/90 Ad Hoc's Sewer Committee meeting (attended by City and special districts - County representative absent due to conflict).
- 10/08/90 City Memo "City of Grand Junction Goals for the 201 Wastewater System" (one page document presented at 10/8/90 Ad Hoc Sewer Committee meeting). **[042 - attached to 10/8/90 handwritten notes]**

- 10/08/90 City Memo (two pages) for City of Grand Junction to Ad Hoc Sewer Committee re Written Goal Statements 201 Wastewater Operations (includes goal statement by City that as a requirement to receiving sewer service, any potential user agree to annex to the City of GJ prior to receiving service presented at 10/8/90 Ad Hoc Sewer Committee meeting). **[042 - attached to 10/8/90 handwritten notes]**
- 10/08/90 CGVSD Memo - "Negotiation Package for Rate Study/Power of Attorney issues submitted by CGVSD". **[Achen's files as of 4/11/95]**
- 10/8/90 OMSD Memo - "Proposed Negotiation Package for Rate Study/POA Litigation issues from OMSD. **[Achen's files as of 4/11/95]**
- 10/08/90 Handwritten notes re meeting w/City and Special Districts, references Mesa County absent due to conflict, objective - to understand other's objectives; list of attendees; Negotiation Package for Rate Study/Power of Attorney Issues Submitted by Central Grand Valley Sanitation District. **[042]**
- 10/16/90 Letter from Achen to Eckert enclosing sewer proposals submitted by various Ad Hoc Sewer Committee members (the City and several special districts) at the 10/8/90 meeting. The Ridges intends not to communicate further "until their board leak is closed". the City is considering whether to continue meeting or suspend further discussions". Attachments include: 10/8/90 proposal from the City (the one page version-not the two page version), 10/8/90 negotiation package submitted by CGVSD, 10/8/90 proposed negotiation package submitted by OMSD. **[Achen's files as of 4/11/95]**
- 10/22/90 Ridges Memo: Proposed negotiation package for rate study/POA litigation issues prepared by Ridges Metropolitan District and delivered to the City by Ken Bundy on 10/29/90. Addressed are the following issues: system, definition of the sewer system (backbone system), sewer rates, 201 Service Area extensions, annexation/POAs. The Ridges Metro District's proposal submitted as part of the Ad Hoc Sewer Committee meeting process. **[Achen's files as of 4/11/95]**
- 10/22/90 Second and Third drafts of the County memo to the City "re: Mesa County stances on Persigo Wash Wastewater Treatment Facility and Collection System". *NOTE: Filed behind the 10/25/90 final version.* **[County file - Staff Service Studies - Box 1]**
- 10/25/90 County Memo to City of Grand Junction and Sanitation Districts Within the Persigo 201 Planning Area from Mesa County Board of Commissioners re Mesa County Stances on Persigo Wash Wastewater Treatment Facility and Collection System. County's position stated as to the following issues: system financial decisions (management); system capital expenditures (major capital expenditure, definition of sewer system, system management); sewer rates (utility approach), I & I, flow monitoring, 201 expansion; annexation. **[042]**
- 11/13/90 Letter from Carl P. Houck, P.E., Camp, Dresser & McKee, Inc. to Mark Eckert re: the 10/31/90 issuance by the EPA of the final "NPDES storm water permitting regulations for separate municipal and industrial storm water systems and enclosing a CDM document entitled "Clean Water Act update". **[County file - Staff Service Studies - Box 1]**
- 11/26/90 Letter from Mayor McCurry to Commissioners Genova, Leane and Pond re: the City Council's unwillingness to continue to work with the Special Districts in the rate and allocation study in view of the districts serupticious organization to sue the City regarding annexation and the district's attempt to use the Study as a means of gathering information to bolster their legal claims. **[Achen's files]**

- 11/27/90 CGVSD letter to the Commissioners concerning the 10/25/90 Position Statement prepared by the County re: the Persigo Wastewater Treatment Facility and collection system and providing the CGVSD Board's comments. **[County file - Sewer Negotiations - Stack 3]**
- 12/10/90 CDOH Interoffice Communication from Dwain Watson to Dave Akers re: Valle Vista problem. **[City Utility Files]**
- 12/20/90 Letter from CGVSD/John Krizman to Kees Corsmitt/CH2M Hill re: the District's displeasure with not being included in the sewer utility rate and cost allocation study. Critical of EQU rate system and encouraging the adoption of a flow monitoring rate system. Enclosures were: a map illustrating the District's definition of the "back bone system" as well as possible locations for metering stations together with four separate memorandums from the County, CGVSD, OMSD and the City regarding the management and rates for the joint system (Enclosures not attached). **[County - Stack 2]**
- 12/31/90 & 12/31/91 Financial Statements and Auditor's Report Orchard Mesa Sanitation District, Grand Junction, Colorado. **[045] [048]**