

RESOLUTION 09-18798

**A RESOLUTION SPECIFYING WATER RATE SCHEDULE ADJUSTMENT
ENACTED PURSUANT TO MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF BILLINGS AND THE COUNTY WATER DISTRICT
OF BILLINGS HEIGHTS.**

WHEREAS, the City Council of the City of Billings, Montana, retained Red Oak Consulting to prepare water and wastewater rate and fee schedules for the municipal water and wastewater utility that would generate adequate funds to operate the utilities over a three year period as well as require each customer class of the utilities to pay its fair share of the cost of operating the water and wastewater systems; and

WHEREAS, the *WATER AND WASTEWATER RATE AND FEE STUDY, CITY OF BILLINGS, MONTANA*, dated March 2008, prepared by Red Oak Consulting projects a need for extension, expansion, repair, improvement, and continued operation and maintenance of existing and proposed water and wastewater system facilities for the providing of water and wastewater service to the inhabitants of the City of Billings, Montana, during the period beginning July 1, 2008 and ending June 20, 2011; and

WHEREAS, in accordance with the provisions of the December 14, 1998, Agreement between the City of Billings and the County Water District of Billings Heights, the District disputed the resale water rates established in the fee study and adopted by the City Council; and

WHEREAS, the City of Billings and the County Water District of Billings Heights met in informal mediation on July 18, 2008, and agreed upon disputed items as outlined in a March 9, 2009, Memorandum of Understanding; and

WHEREAS, recalculation of the resale water rates incorporating the provisions of the Memorandum of Understanding results in the rates shown in this Resolution; and

WHEREAS, under Title 69, Chapter 7 of the Montana Code Annotated, and under the terms of City Resolution Number 13585, the City of Billings is authorized to regulate the City's municipal water and wastewater utility and to change water and wastewater rates, fees, and charges as may be deemed by the City Council to be reasonable and just;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. That the following schedule of rates is found to be just, reasonable, and necessary for the continued sound operation of the water and wastewater utilities and that the proposed rates are approved and adopted and published as the rates of the City of Billings, Montana water utilities, effective July 1, 2008; July 1, 2009; and July 1, 2010.

Schedule I

METERED WATER MONTHLY VOLUME CHARGES

<u>Customer Class</u>	<u>Effective Date</u>		
	<u>7/1/08</u>	<u>7/1/09</u>	<u>7/1/10</u>
Residential			
Block 1 (0-4 Ccf)	\$1.51	\$1.63	\$1.75
Block 2 (5-16 Ccf)	1.60	1.72	1.86
Block 3 (>16 Ccf)	2.39	2.57	2.77
Non-Residential	1.20	1.28	1.36
Seasonal	2.02	2.18	2.34
<i>Resale</i>	<i>1.22</i>	<i>1.23</i>	<i>1.24</i>

2. That this Resolution is to be immediately filed in the City Clerk's Office, and that the decision adopting the adjusted rates shall be final ten days after such are so filed.

3. That the Public Works Department is directed to file a copy of the revised wastewater rate schedules with the Public Service Commission within ten days after filing of this Resolution by the City Clerk.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, on the 9th day of March, 2009.



CITY OF BILLINGS

BY:


Ron Tussing, Mayor

ATTEST:

BY: Cari Martin
Cari Martin, City Clerk