

Billings City Administrator Weekly Report

December 23, 2020

- 1. 2021 Legislature** – Grmoljez, Dorrington, Iffland, Twito and I met via Zoom late yesterday afternoon with Representatives Mercer, Usher and Moore to continue our public safety dialogue. We shared a few specific ideas on our parolee and incarceration challenges. We will keep the Council updated as we move forward.
- 2. City of Billings FEMA BRIC Grant Application** - Public Works, in conjunction with the Yellowstone County Department of Emergency Services, is actively pursuing grant funding through the new FEMA BRIC Grant Program to help complete the City of Billings Water Supply Flood and Drought Mitigation Project, better known in the community as the West End Reservoir and Water Treatment Plant project. The existing water system is limited by a single source of supply and water treatment facility. If the existing treatment plant or Yellowstone River are compromised due to a natural disaster such as flooding, drought, landslides or a man-made event such as a hazardous material pipeline failure, the City can only supply drinking water and water for fire suppression for approximately 8 hours.

The City of Billings existing water system serves the local population of approximately 127,000 people. In addition, the water system provides water for commercial, industrial, and medical facilities that serve not only the City of Billings, but all of southeast Montana. This project will provide a redundant water supply, treatment plant, and as much as 40 days of storage dramatically improving the City's ability to maintain service in the event of a natural or man-made disaster. The project will reclaim and convert a decommissioned gravel mine into raw water storage for the City of Billings drinking water system, beautifying the West End and allowing for greater ease of suburban development in the area. In addition to the obvious positive impact to the local workforce by creating jobs, this project will also provide the opportunity for future development of recreational opportunities for local residents and visitors to enjoy.

The amount of grant funding requested is \$50,000,000 and, if awarded, will be used to fund a portion of the new intake and pipeline, water treatment plant, and reservoir. This would greatly decrease the amount of bond funding required and ultimately lessen the rate impact to water customers. FEMA BRIC grant awards are expected to be announced in June 2021. End land use and recreational amenities are not eligible under this grant and the City will still need community partnerships and other funding sources to help develop the area as an amazing recreational facility for Billings.

- 3. Billings Fox Pump Station Wins Award** – American Council of Engineering Companies (ACEC) had a record number of entries this year for the Engineering Excellence Awards competition. The City of Billings' Fox Pump Station project won the 2021 ACEC award in the water resources category. Morrison-Maierle was the engineer on the project and designed a new four pump station to address demand variations from summer to winter. The Fox Pump Station is located by Skyview High School and supplies water to Heights residents west of Main Street. The old pump station

had low pressure problems due to demand and this new pump station was designed to provide more consistent pressure to water users in the area.

- 4. Heights Water District Dispute Description** – Attached is a description of the dispute between the City of Billings and the Heights Water District.
- 5. Joint Information Center (JLC) Team COVID 19** – Please find attached the weekly community update for the week of December 21, 2020.

Have a Merry Christmas!

December 21, 2020

The City converted to a new utility billing software in January 2015. In 2017, the City performed an in-depth review of billed water to each customer against the volume of water produced at the water treatment plant and found a discrepancy where actual production was higher than what was being billed. Typically, this is caused by an undiscovered leak in the water distribution system. After spending several months trying to find leaks in the system we determined that the missing water was in fact accounted for. The discrepancy was caused by an incorrect conversion factor within the new billing software for the specific type of water meter used only by the Heights Water District; no other customers were affected by the software conversion billing error. Heights Water District was underbilled by nearly \$3,000,000 since the software conversion took place.

Heights Water District revenues represent 8% of the City's water revenues. Conversely, purchased water represents approximately 52% of the Heights Water District's operating and maintenance expenses. The District was underbilled for consumption by approximately 40%; however, they continued to bill their customers for the full consumption utilized. Once the error was corrected, Heights Water District began paying the full amount however they refused to pay for the undercharged amounts. There is no dispute on how much water was provided to the HWD, only how much HWD should pay for water they sold to their customers. On September 2, 2018, the District's manager advised the City that the HWD Board voted against paying this bill for undercharges.

Since the fall of 2018 the City has tried to work with HWD to pay the underbilled amount. We have offered to let HWD make payments to the City over the same time period it took for the City to discover the error without interest. HWD refused and stated that since the error was on our end, we should gladly accept its offer to pay roughly half of the underbilled amount; thus, requiring the remaining city customers to make up the difference. Had the software error overbilled HWD the right thing to do would be to reimburse the district for the overpayment and we believe the reverse is also true. The City and HWD are long term partners not competitors, serving Billings citizens. The software error underbilled the District from February 27, 2015 to December 15, 2017, resulting in deficient rate payments totaling \$2,970,599.35.

The law on "rates and charges" in §7-13-4304, MCA, requires that municipal water rates and charges be commensurate with "services provided and benefits received" and that the rates and charges be as "nearly as possible equitable in proportion to the services and benefits rendered." Further, §7-13-4305, MCA, requires municipal water users to "pay the full and established rates."

With interest, the total amount owed as of October 2020 is approximately \$3,965,327.49. The Heights Water District has not disputed that it used the water for which it has been billed. The City made repeated efforts to resolve this dispute, both informally and through a formal mediation conference. Unfortunately, the City's efforts to settle and resolve this matter without litigation have been unsuccessful.

The City has exhausted all options to settle this matter. The Heights Water District refuses to pay the amount owed as required by §7-13-4304 and 7-13-4305, MCA.



Providing credible, concise, clear, consistent Information to our community citizens and leaders through trust, transparency, and teamwork.

Meet the Joint Information Center (JIC) Team

Melanie Schwarz, BSED (JIC Lead)
 Gavin Woltjer, City of Billings
 Dr. Bob Wilmouth, Rocky Mountain College
 Greg Upham, School District 2
 Alex Tyson, Visit Billings
 Kelly McCandless, Billings Chamber of Commerce
 Maureen Brakke, MSU Billings
 Pat Zellar, RiverStone Health

Dave Nordel, (Incident Command Planner)
 Angela Douglas-Babcock, St. Vincent Healthcare
 Zach Benoit, Billings Clinic
 Arianne Snyder, Billings Clinic
 Karen Miller, St. John's United
 Dr. David Graham, St. Vincent Healthcare
 Emily Nantz, RiverStone Health

WEEKLY COMMUNITY UPDATE (12/21/2020)

Vaccine Report

- 975 Doses of Pfizer vaccine were delivered to Billings Clinic & St. Vincent Healthcare (12/14/2020)
 - Vaccine delivered to Tier 1A (As defined by [State of Montana DPHHS Vaccination Plan](#))
- Week of 12/21/2020 Expected Vaccines:
 - 900 Billings Clinic
 - 600 St. Vincent Healthcare
 - 200 RiverStone Health
- Moderna Vaccine Approved by FDA
 - Much of the allocated Moderna vaccine will go to rural and critical access facilities that do not have storage for Pfizer vaccine.
- Long Term Care Allocation distributed by Walgreens & CVS – Information is limited at this time.
- Second doses will be allocated in a second shipment 3 weeks after first allocation. Second dose must be received between week 3-4 from the first dose and must be the same as first (i.e. 1st dose Pfizer must receive 2nd dose Pfizer)

Vaccine in short supply (Sufficient to vaccinate all of Tier 1)	Vaccine in extremely short supply (Insufficient to vaccinate all of Tier 1)
All groups would be offered vaccine at the same time: <ul style="list-style-type: none"> • Deployed and mission critical personnel • Critical healthcare (inpatient, outpatient, long-term care, pharmacists, pharmacy technicians) • Public health personnel • Emergency Medical Services (EMS) • Law enforcement • Fire services • Manufacturers of vaccine and antivirals • Pregnant women • Infants and toddlers 	Proposed ranking of groups within Tier 1: <ol style="list-style-type: none"> 1. Front-line inpatient and hospital-based health care personnel caring for sickest persons; health care personnel with highest risk of exposure 2. Deployed and mission critical personnel who play essential role in national security 3. Front-line EMS 4. Front-line outpatient health care personnel, pharmacists and pharmacy technicians, and public health personnel who provide immunizations and outpatient care 5. Front-line law enforcement and fire services personnel 6. Pregnant women and infants aged 6 - 11 months old 7. Remaining groups in Tier 1 (includes other Tier 1 inpatient and outpatient healthcare personnel not vaccinated previously; public health; EMS, law enforcement, and fire services personnel; manufacturers of pandemic vaccine and antiviral drugs; and children aged 12-35 months old)

Figure 1. Allocating and Targeting Pandemic Influenza Vaccine During an Influenza

Public Health Information

- RiverStone Health COVID-19 Updates from week of 12/14/2020
 - Total Active Cases in Yellowstone County – 2224
 - Yellowstone County Deaths - 6 during week of 12/14/2020
 - December 13th – 19th – 545 Cases Reported
- Please share RiverStone Health's [Yellowstone County COVID-19 Vaccine Readiness Survey](#)

Hospital Capacity (12/21/2020)

- **St. Vincent Healthcare**
 - Adult acute bed capacity (inpatient units) – 84%
 - Total COVID-19 inpatients – 35
 - ICU capacity – 60%
 - COVID patients in ICU – 8
 - Elective surgeries - Yes
- **Billings Clinic**
 - Adult acute bed capacity (inpatient units) – 89%
 - Total COVID-19 inpatients – 58
 - ICU capacity – 96% (23/24 beds)
 - COVID patients in ICU – 14
 - Elective surgeries - Yes



TRUSTED RESOURCES FOR UP-TO-DATE COVID-19 INFORMATION

COVID-19 Resources:

Dr. Colin Fields – COVID19 Vaccines

[Local Yellowstone County COVID-19 information & resources for testing – RiverStone Health](#)

[Detailed COVID-19 Data by State/County – COVID ACT NOW](#)

[Center for Disease Control and Prevention](#)

[State of Montana COVID-19 Case Map](#)

[State of Montana DPHHS COVID-19 Vaccination Plan](#)

[Guidelines for Visitors or Potential Visitors to Yellowstone County](#)

Additional Resources and Stories from the Week:

[Congress Seals Deal on COVID-19 Relief Package](#)

[Pfizer-BioNTech COVID-19 Vaccine](#)

[Long Term Care Facilities information from Omnicare \(CVS\)](#)

[Seven Myths About Coronavirus Vaccines – AARP](#)

[BioTechnology Innovation Organization \(BIO\)](#)

Local Stories:

[Billings Clinic Receives First COVID-19 Vaccine Shipment](#)

[St. Vincent Healthcare Administers COVID-19 Vaccines](#)

[Billings Frontline Healthcare Workers Receive First Vaccine Shots](#)

[Montana Long Term Care Facilities Prepare for COVID-19 Vaccine Shipments](#)

[It Brought Me to Tears, Indian Country Begins to See First Doses of COVID-19 Vaccine](#)

[After Near Death COVID-19 Battle, Billings Clinic Nurse Returns Home](#)

[St. John's United Begins In House COVID-19 Testing with New Lab](#)