

## ORDINANCE NO. 18-7

### AN ORDINANCE APPROVING THE 2019 WATER RATES FOR THE MORTON GROVE-NILES WATER COMMISSION

**WHEREAS**, in 2017, the Morton Grove-Niles Water Commission (“MGNWC” or “Commission”) was established by the Village of Morton Grove, a home rule Illinois municipal corporation (“Morton Grove”), and the Village of Niles, a home rule Illinois municipal corporation (“Niles”), by the adoption of ordinances pursuant to Division 135 of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-135-1, *et seq.*). Morton Grove and Niles also approved an intergovernmental agreement entitled, “Intergovernmental Agreement for The Establishment and Operation of The Morton Grove-Niles Water Commission and for the Purchase and Sale of Water to the Commission for Commission Use and to Commission Wholesale Water Customers” (the “IGA”), to provide for the governance and operation of the MGNWC; and

**WHEREAS**, the Commission is authorized, pursuant to State law and certain provisions of the IGA, to enact regulations for the waterworks system that it will design, construct, own and operate (“Waterworks System”) and to set and collect water rates, service charges and fees to pay for the costs of delivering water to the customers of the Commission (“Customers”) and to fund the operational, maintenance, repair and replacement costs associated with the Waterworks System; and

**WHEREAS**, pursuant to Resolution 18-1, the Commission approved an agreement entitled “A Resolution Authorizing the Approval and Execution of a Water Supply Agreement between the Morton Grove-Niles Water Commission and the Village of Morton Grove and the Village of Niles” (the “MGNWC WSA”). Section 9 of the MGNWC WSA, the Commission requires the Commission to establish an estimated net annual cost of the MGNWC for the next following service year, and the estimated share of Niles and Morton Grove (“Estimated Annual Charge”) for said service year. Said Estimated Annual Charge shall further be subject to a true up after the completion of service year when the actual cost to operate the Waterworks System and the actual amount of water sold to each Village has been ascertained; and

**WHEREAS**, pursuant to Resolution 18-55, the Commission engaged Stanley Consultants, Inc. to conduct a water rate study to establish an estimated net annual cost of the MGNWC for 2019, and based on said net annual cost to establish the Estimated Annual Charge for Morton Grove and Niles based on the formula set forth in the MGNWC WSA, and calculate an annual rate per 1,000 gallons of water sold to each Village; and

**WHEREAS**, based on the water rate study, the Superintendent of the MGNWC has recommended that the 2019 water rate be set at \$3.50 per 1,000 gallons of water sold, subject to a true up after the completion of service year 2019 when the actual cost to operate the Waterworks System and the actual amount of water sold to each Village has been ascertained; and

**WHEREAS**, the MGNWC Board finds that the adoption and approval of the 2019 water rate for water sold by the MGNWC to Morton Grove and Niles in the amount of \$3.50 per 1,000 gallons of water sold is in the best interests of the Commission, its Customers and the public.

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE MORTON GROVE-NILES WATER COMMISSION, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** Each of the Whereas paragraphs above is incorporated into Section 1 of this Ordinance as material terms hereof.

**SECTION 2:** The MGNWC Board adopts and approves the 2019 water rate for water sold by the MGNWC to Morton Grove and Niles in the amount of \$3.50 per 1,000 gallons of water sold, subject to a true-up pursuant to the MGNWC WSA when the actual cost to operate the Waterworks System during calendar year 2019 and the actual amount of water sold to each Village during 2019 has been ascertained. For purposes of this ordinance the amount water sold to each Village shall be measured and determined at the metered point of connection to each member's water system; and

**SECTION 3:** Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

**SECTION 4:** This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

ADOPTED this 20th day of December 2018, pursuant to a roll call vote as follows:


AYES: John Pietron, Mark Fowler and Steven Vinezeano

NAYS: None

ABSENT: None

PASSED by the Board of Commissioners of the Morton Grove-Niles Water Commission, Cook County, Illinois on a roll call vote at a Regular Meeting thereof held on the 20th day of December 2018, and approved by the Chair, and attested by the Clerk on the same day.

  
Steven Vinezeano, Chair

ATTEST:  
  
John Pietron, Clerk

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF COOK     )

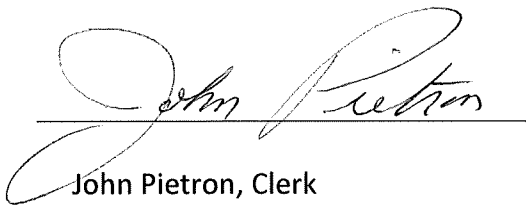
**CLERK’S CERTIFICATION**

I, John Pietron, certify that I am the duly appointed, qualified Clerk of the Morton Grove-Niles Water Commission. I do further certify that the above and foregoing, identified as Ordinance Number 18-7, is a true, complete and correct copy of an Ordinance otherwise identified as:

**AN ORDINANCE APPROVING THE 2019 WATER RATES  
FOR THE MORTON GROVE-NILES WATER COMMISSION**

Which Ordinance was passed by the Morton Grove-Niles Water Commission on the 10th day of December 2018, the original of which is part of the books and records within my control as Clerk of the Morton Grove-Niles Water Commission.

Dated this the 20th day of December 2018

A handwritten signature in cursive script that reads "John Pietron". The signature is written in black ink and is positioned above a horizontal line.

John Pietron, Clerk  
Morton Grove-Niles Water Commission