



MONROE CITY COUNCIL

Agenda Bill No. 20-136

SUBJECT:	Continuation of Emergency Executive Orders (COVID-19) 2020-001 and 2020-003
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
08/25/2020	Public Works	Brad Feilberg	Brad Feilberg	New Business #4

Discussion: 04/28/2020
Attachments: 1. Emergency Executive Order 2020-001
 2. Emergency Executive Order 2020-003

REQUESTED ACTION: For discussion and policy direction.

POLICY CONSIDERATIONS

The Emergency Executive Orders “remain in effect until cancelled, suspended, or upon the issuance of a proclamation ending the emergency.”

DESCRIPTION/BACKGROUND

Following the proclamation of emergency on March 2, 2020, Mayor Thomas has issued six emergency executive orders “to make or issue rules and regulations” related to the COVID-19 emergency as provided for in Monroe Municipal Code section 2-60-080(D)(1). Two of these Emergency Executive Orders (attached) have fiscal impacts:

- Emergency Executive Order 2020-001 – Waiving credit card telephone payment fees
- Emergency Executive Order 2020-003 – Suspending delinquent account penalty

As the COVID-19 Pandemic continues, we would like the City Council to consider the financial implications of these two Emergency Executive Orders and provide policy guidance.

Emergency Executive Order 2020-001 – Waiving credit card telephone payment fees
 This fee helps offset the staff time necessary to process the credit card payment. However, the customer is not charged a fee for paying utility bills online using a credit card. Slightly more than \$5,000 was collected in 2019.

Emergency Executive Order 2020-003 – Suspending delinquent account penalty
 This is a penalty for not paying a utility bill on time. Currently, Proclamation 20-23.7 issued by Governor Inslee prohibits the City from charging late fees or shutting off water due to nonpayment.

The money expected to be collected from these suspended fees is used during the budget process to determine the utility rates necessary to adequately fund the utilities.

While our accounting software does not differentiate between the Delinquent Account Penalty, the Shut-off Processing Fee, the Turn-on After Hours Fee, and the Turn-on-Return Trip Fee. The Finance Director estimates that approximately 85% or \$85,000 of the money collected comes from the Delinquent Account Penalty. This is about 1.2% of the total revenue of the water fund.

FISCAL IMPACTS

The following table shows the amount of fees and penalties collected since January 2019:

	Phone Fees	Penalties		Phone Fees	Penalties
Jan-19	\$ 483.00	\$ 23,505.98	Jan-20	\$ 336.00	\$ 7,095.97
Feb-19	\$ 434.00	\$ 7,333.07	Feb-20	\$ 322.00	\$ 6,088.28
Mar-19	\$ 595.00	\$ 8,090.19	Mar-20	\$ 14.00	\$ 7,648.66
Apr-19	\$ 600.00	\$ 6,276.99	Apr-20		\$ 1,240.72
May-19	\$ 333.00	\$ 6,119.22	May-20		\$ 119.00
Jun-19	\$ 357.00	\$ 5,727.66	Jun-20		\$ 90.00
Jul-19	\$ 385.00	\$ 7,497.16	Jul-20		\$ 120.00
Aug-19	\$ 399.00	\$ 7,687.63			
Sep-19	\$ 385.00	\$ 7,226.96			
Oct-19	\$ 385.00	\$ 7,739.77			
Nov-19	\$ 373.00	\$ 7,596.85			
Dec-19	\$ 381.00	\$ 6,440.12			
2019	\$ 5,110.00	\$ 101,241.60			

Phone fees are a revenue stream to the General Fund and are not material to the overall budget. Penalty fees are one of multiple revenues considered when determining an appropriate utility rate to fund utility activities. Penalty fees are a revenue to the Water O&M fund. 2019 penalty fees represented 1.44% of the total revenue to the water fund.

TIME CONSTRAINTS

None.

ALTERNATIVES

- A. Emergency Executive Order 2020-001 – Waiving credit card telephone payment fees
 1. Do nothing. Emergency Executive Order 2020-001 to remains in place until the Mayor issues a proclamation ending the current emergency.
 2. Request cancellation of Emergency Executive Order 2020-001. The City would again charge a fee for the use of a credit card to pay utility bills by phone.
 3. Amend the fees resolution to remove the Credit Card Telephone Payment fee.

- B. Emergency Executive Order 2020-003 – Suspending delinquent account penalty
 1. Do nothing. Emergency Executive Order 2020-003 to remains in place until the Mayor issues a proclamation ending the current emergency.
 2. Request cancellation of Emergency Executive Order 2020-003. The charging of late fees would then be determined by Governor’s Proclamation 20-23.7 eq. seq.
 3. Amend the Monroe Municipal Code and the fees resolution to remove the delinquent account penalty. Payment of utility bills would be enforced by shut-offs.



Emergency Executive Order No. 2020-001

Waiving Credit Card Telephone Payment fees

Purpose:

To temporarily waive the imposition of the \$7.00 fee to use a credit card to pay for utility charges by telephone.

Discussion:

- I. On February 29, 2020, Washington State Governor Jay Inslee proclaimed a State of Emergency due to the public health emergency posed by the spread of the SARS-CoV-2 virus that causes the coronavirus disease COVID-19.
- II. On March 2, 2020, Mayor Thomas proclaimed a State of Emergency in the City of Monroe due to the SARS-CoV-2 virus that causes the coronavirus disease COVID-19.
- III. Pursuant to chapter 38.52 Revised Code of Washington and chapter 2.60 Monroe Municipal Code, Mayor Thomas has broad authority to issue, amend, and rescind orders, rules, and regulation on matters reasonably related to the protection of life and property related to a proclaimed emergency.
- IV. Social distancing is believed to be an effective means of limiting the spread of COVID-19.
- V. Providing an additional way to pay city utility bills without coming to City Hall or incurring additional fees encourages social distancing.

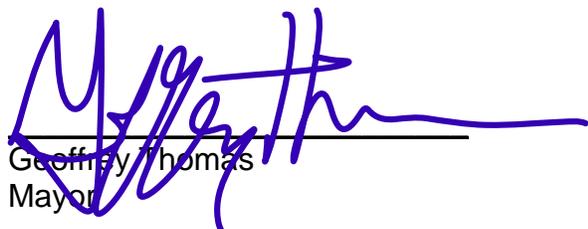
Action:

Payment of City of Monroe utility fees may be made using a credit card over the telephone without incurring the \$7.00 Credit Card Telephone Payment fee appearing in Schedule G of the Fees Resolution.

Effective:

- I. This Emergency Executive Order shall remain in effect until cancelled, suspended, or upon the issuance of a proclamation ending the emergency, whichever shall occur first.

Dated this 3rd day of March, 2020



 Geoffrey Thomas
 Mayor



Emergency Executive Order No. 2020-003

Suspending Delinquent Account Penalty

Purpose:

To suspend Delinquent Account Penalty charges contained in Schedule D of the Fees Resolution.

Discussion:

- I. On February 29, 2020, Washington State Governor Jay Inslee proclaimed a State of Emergency due to the public health emergency posed by the spread of the SARS-CoV-2 virus that causes the coronavirus disease COVID-19.
- II. On March 2, 2020, Mayor Thomas proclaimed a State of Emergency in the City of Monroe due to the SARS-CoV-2 virus that causes the coronavirus disease COVID-19.
- III. Pursuant to chapter 38.52 Revised Code of Washington and chapter 2.60 Monroe Municipal Code, Mayor Thomas has broad authority to issue, amend, and rescind orders, rules, and regulation on matters reasonably related to the protection of life and property related to a proclaimed emergency.
- IV. The current COVID-19 emergency has resulted in financial hardship for many residents of Monroe.
- V. Continued access to utility services is especially important during a public health emergency.

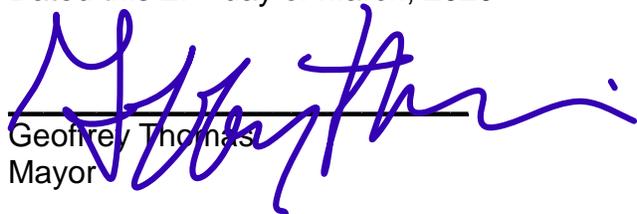
Action:

The Delinquent Account Penalty contained in Schedule D of the Fees Resolution shall not be charged on past due City of Monroe utility bills during this emergency.

Effective:

This Emergency Executive Order shall remain in effect until cancelled, suspended, or upon the issuance of a proclamation ending the emergency, whichever shall occur first.

Dated this 27th day of March, 2020



 Geoffrey Thomas
 Mayor