

**CITY OF MILTON  
RESOLUTION 20-1936**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILTON,  
WASHINGTON, ADOPTING GUIDELINES FOR DISTRIBUTION OF  
CARES ACT FUNDS, AND ESTABLISHING A UTILITY ASSISTANCE  
PROGRAM.**

**WHEREAS**, the World Health Organization has determined that a pandemic exists due to the global spread of a highly contagious virus commonly known as COVID-19; and

**WHEREAS**, on February 29, 2020, the Governor of the State of Washington proclaimed a State of Emergency due to COVID-19; and

**WHEREAS**, on March 24, 2020 the Governor of the State of Washington, in Proclamation 20-23.1, strongly encouraged all utilities to take reasonable actions to mitigate the economic impacts of the COVID-19 pandemic on their utility customers, including but not limited to: acting to prevent disconnection of services due to non-payment during the state-wide emergency; waiving late payments and fees; and using payment plans to fulfill outstanding customer balances; and

**WHEREAS**, on March 11, 2020, Mayor Shanna Styron Sherrell proclaimed that a State of Emergency exists in the City of Milton due to the COVID-19 outbreak; and

**WHEREAS**, on March 17, 2020 the Attorney General of Washington provided guidance on “Analyzing Issues Related to Gifts of Public Funds During the COVID-19 Pandemic” and found that “protecting public health is without question a fundamental purpose of government.” He also found that the “promotion of the public welfare” provides a “strong basis for local governments to make expenditures for the primary purpose of protecting and promoting public health which may have an incidental benefit on private citizens and entities.”; and

**WHEREAS**, on April 6, 2020, the Attorney General of Washington provided further guidance regarding whether “a local government may provide cash assistance” to individuals who “are struggling financially due to COVID-19.” He found that, with adequate safeguards in place, and “a clear nexus between such programs and either protecting the local economy or promoting compliance with public health guidelines,” temporary financial assistance during a public health crisis to advance public welfare, prevent regional economic collapse and promote compliance with public health guidelines would likely not be found by a court to be an unconstitutional gift of public funds; and

**WHEREAS**, the Milton City Council recognizes that one of its essential functions is to promote public health by mitigating the economic impacts of the COVID-19 pandemic on the City of Milton utility customers; and

**WHEREAS**, the Utility Assistance Program is necessary to further the City’s purposes of protecting public health, safety and welfare during the COVID-19 pandemic, preventing local

economic collapse due to the loss of jobs and businesses within the City by offering utility billing assistance to those customers who have been impacted by COVID-19; and

**WHEREAS**, the United States Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which was signed into law by the President on March 27, 2020 to provide economic relief to cities, American workers, families and small businesses; and

**WHEREAS**, the City of Milton has received CARES Relief Funds in the amount of \$237,900; and

**WHEREAS**, the Treasury Department allows local governments to use CARES Relief Funds to provide grants to individuals facing economic hardship to allow them to pay their utility bills and thereby continue to receive essential services;

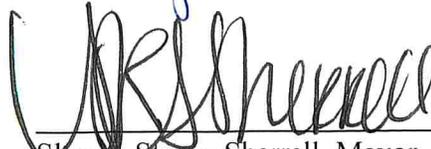
**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON DOES RESOLVE AS FOLLOWS:**

**Section 1.** The City Council hereby establishes the Utility Assistance Program as set forth in Attachment A, Utility Assistance Program Policy, and authorizes the Mayor or designee to implement the program.

**Section 2.** CARES Relief Funds (i.e. those funds which are to be received or anticipated to be received via the interagency agreement with the Department of Commerce for the Coronavirus Relief Fund for Local Governments) are to be allocated as follows:

- a. Fifty thousand dollars (\$50,000) shall be allocated to the Utility Assistance Program.
- b. The remaining funds, in the amount of one hundred eighty-seven thousand nine hundred dollars (\$187,900) shall be allocated for reimbursement of qualifying COVID-19 related expenses of the City, which may include, but are not limited to: personnel costs, equipment needs, facility improvements, personal protective equipment, cleaning and disinfecting supplies, small business assistance and other expenditures authorized by the CARES Act.

**PASSED AND APPROVED** by the City Council of the City of Milton, Washington, at a regularly scheduled meeting this 17th day of August 2020.

  
\_\_\_\_\_  
Shanna Styron Sherrell, Mayor

Attest/Authenticated:

  
\_\_\_\_\_  
Trisha Summers, City Clerk



## **CITY OF MILTON**

### **Utility Assistance Program Policy**

#### **BACKGROUND**

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress with overwhelming, bipartisan support and signed into law by the President on March 27, 2020. This economic relief package provides direct economic assistance for American workers, families and small businesses. Through the Coronavirus Relief Fund, the CARES Act provided payments to State, Local and Tribal governments impacted by the COVID-19 outbreak.

On May 20, 2020, the Washington State Department of Commerce notified the City of Milton that they will release a portion of the CARES Act funding to local governments. The City's portion of these funds is \$237,900. The City of Milton will utilize these funds to cover unanticipated and unbudgeted costs for public health and safety related to COVID-19, as well as to help individuals and families overcome economic hardships related to COVID-19.

#### **FUNDING**

The City of Milton is allocating \$50,000 from the City's portion of CARES Act funding to implement a Utility Assistance Program.

#### **PURPOSE**

To help those citizens of the City of Milton who have been impacted by COVID-19 and provide eligible residential utility customers assistance with their City of Milton utility bills up to \$300. Funds will be credited directly to City of Milton utility bills and may only be used for services provided after March 11, 2020.

#### **QUALIFICATIONS**

- Must be a City of Milton residential utility customer within the Milton city limits.
- Meet the household net income requirements (listed below).
- Have a meter that calculates the utility use for your household (as opposed to a shared meter for multiple units).
- Must be negatively impacted by COVID-19 in one of the following ways:
  - Death of immediate family member due to COVID-19
  - Loss of job or income due to COVID-19
  - Loss of childcare due to COVID-19
  - Sudden illness or injury due to COVID-19
  - Substantial loss of funds due to COVID-19
  - Disabled or ill household member due to COVID-19
  - Other impacts as determined (explain in detail on application)

**NET INCOME LIMITS (200% of federal poverty guidelines)**

For purposes of this policy, monthly household net income is defined as monthly household income after taxes and other authorized deductions.

<b>Household Size (Number of Persons)</b>	<b>Maximum Monthly Household Net Income</b>
1	\$2,127
2	\$2,874
3	\$3,621
4	\$4,367
5	\$5,114
6	\$5,861
7	\$6,607
8	\$7,353

**LIMIT ON USE OF FUNDS**

Disbursement of funds up to \$300 per household will be credited directly to City of Milton utility bills and may only be used for services provided after March 11, 2020. Funds are restricted to the payment of City of Milton utility services only. The funds cannot be used to pay the following:

- Late Fees
- NSF Fees
- Reconnect Fees
- Payments in arrears prior to March 11, 2020

**TO APPLY**

- Complete a Utility Assistance Program Application. Only one application per household may be submitted.
- Attach documentation of household income. Acceptable income documents include:
  - Paycheck stubs
  - Child support invoices
  - SSI/SSDI award letters
  - Retirement pension or IRA statements
  - Interest, dividends or annuities statements
  - DSHS documents such as Lifeline/GAU or TANF
  - State Labor and Industry Veterans Affairs statements
  - Unemployment compensation documents
  - Rental property income documents
  - Self-employment income verification
- Attach a copy of identification such as a driver's license, passport, etc. The address on the identification must match the utility service address.

**Application deadline is Wednesday, September 30, 2020**

Limited funds are available and will be awarded on a first come, first served basis as determined by completed applications and proper documentation.