



CITY COUNCIL AGENDA REPORT

City Council Meeting Date: July 20, 2020

Item Title/Agenda Subject: Ordinance 4855 (second reading) to correct definition of "low-income disabled citizen" in City's utility code.

Submitted by: Ryan Lyyski Public Works & Utilities

Recommended Action or Motion: Conduct second reading and adoption of Ordinance 4855 correcting the definition of "low-income disabled citizen" in ECC 9.30.020.

Background/Summary: Staff has recently discovered an inconsistency in the current definition for Low-Income Disabled Citizen in Title 9 of the utilities code. The City Council is being requested to amend definition of Low Income Disabled Citizen.

Previous Council Action: The definition of Low Income Disabled in ECC 9.30.020 was modified in 2010 (Ordinance 4571) and again in 2013 (Ordinance 4650). This definition was not modified in 2019 as part of the standardization of the utility discount program. Council gave first reading of Ordinance 4855 at their July 6, 2020 meeting.

Analysis: Staff recommends changing the existing definition of "low-income disabled citizen" in RCW 9.30.020 because it was discovered to have been previously amended in a manner that mistakenly narrowed the previous definition, contrary to the intent at the time. Amendments made in 2010 and 2013 resulted in a four-part test for qualifying under the definition, which included income qualification and multiple requirements to show disability qualification. When staff reviewed the legislative history, it was clear that Council had intended that there only be a two part test: income qualification and disability qualification, and the disability requirement could be met in one of four ways. The proposed ordinance will correct this error and return the definition to its original intent.

The Utility Advisory Committee forwarded a favorable recommendation to the City Council, to adopt an ordinance amending the definition at their February 20, 2020 meeting.

Financial Impact:

The proposed changes are expected to result in a slight increase in customers who qualify for the rate. Any resulting decrease in revenue will be incorporated in future budgets.

Attachments:

[4855 - Title 9 Low-Income Disabled Citizen definition 07-20-20](#)