

January 6, 2021

Honorable Mayor and City Council,

On January 5, 2021, the City of Columbia Commission on Human Rights voted to draft a proposal to address the ongoing concerns regarding delinquent utility accounts and those accounts pending utility disconnection as a result of the ongoing global pandemic.

As noted by Director Sorrell in the October 5, 2020 City Council meeting, delinquency rates for City utilities have increased considerably since March 2020¹, over double what they were prior to COVID-19². In further discussion with the utilities department, the Commission understands that the increase in delinquency rates can likely be attributed to the economic climate as a result of COVID-19, rather than a typical or seasonal increase. The issue of utility disconnections may need to be addressed with long-term solutions; however, when coupled with a pandemic, the inequities and human rights implications of this very fraught moment are magnified and exacerbated.

The Commission believes that the current state of our City utility accounts requires thoughtful and urgent action, action that balances both the practical business concerns of the City alongside the very real human impacts on our community. While the current state of affairs is not a sole creation of the City of Columbia, we believe that the power to enact real and lasting change does lie with the City Council. Bearing that in mind, the Commission makes the following recommendations to the Council, fully acknowledging that the recommendations are merely a starting point and strongly encourages Council to further pursue other, more systemic solutions.

- 1. Waive disconnect and reconnect fees for those households that are at or below 200% of the established Federal Poverty Level (FPL).**
 - a. Per ordinance Chapter 27, Section 27-18(c), a disconnect fee of \$30 is charged to residential customers when a worker is dispatched to disconnect the customer's water or electric service for nonpayment. A subsequent reconnection fee of \$60 is charged when services are to be reinstated.
 - b. Current emergency assistance provided through the City of Columbia Division of Human Services requires that households have an income at or below 150% FPL. Emergency assistance provided through Central Missouri Community Action (CMCA) requires applicants to have an annual income at or below 135% FPL.
 - c. Discussion with representatives from CMCA at the January 5, 2020 Commission meeting provided insight on the limitations of utilizing the current FPL requirement, as many households with two working adults earn more than the

¹ https://gocolumbiamo.granicus.com/player/clip/2130?view_id=13&redirect=true
https://gocolumbiamo.legistar1.com/gocolumbiamo/meetings/2021/1/4672_A_Commission_on_Human_Rights_21-01-05_Meeting_Agenda.pdf

135% FPL and often fall into assistance gaps. Waiving the disconnect and reconnect fees for households that are at or below 200% FPL would provide relief for our most stressed residents. While the mechanisms to identify households who are at or below 200% FPL are not currently in place in the City Utilities and Utility Customer Service, but should be pursued, an interim solution would be to follow the approach most recently taken by the CDC in their utilization of completed declarations for applicable households.³

- d. In the same vein as fee waivers, additional consideration should be given to Section 4.2(b)(5) and Section 4.2(b)(7) of the LIHEAP supplier agreement which suggests that energy suppliers should “make an effort to offer eligible customers, on whose behalf the State Agency has made payment, a deferred payment plan for any balance due on their account that exceeds the amount made by the State Agency” and “should “consider waiving deposits, name change or late payment fees for an eligible customer for whom the Supplier agrees to accept a LIHEAP payment.”

2. Extend the moratorium on utility disconnections for households with school-aged children.

- a. As outlined in a October 19, 2020⁴ letter sent to Council on behalf of the Youth Advisory Council, “utility disconnections jeopardize the education of Columbia’s youth, exacerbate educational inequities, and make CPS funded resources inaccessible.” Utility disconnections for households where children reside set into motion a number of unintended consequences; however, when actions are taken during a time of virtual learning, children’s educational access are completely cut off.
- b. Similar to the aforementioned recommendation to waive disconnect and reconnect fees for households at or below 200% FPL, the mechanisms to identify households with school-aged children are not currently in place within City Utilities and Utility Customer Service. However, this should not be a deterrent to implementing an interim solution such as signed declarations akin to those used by the CDC.

3. Waive the City requirement that non-electric charges must be brought current before outside assistance for electric charges can be accepted.

- a. Discussion with representatives from CMCA brought forth a concern regarding the disbursement of assistance funds. Current regulations for the LIHEAP program⁵ do not allow for agencies like CMCA to assist with utilities such as water, sewer, and solid waste. However, the City currently requires that those non-electric charges must be brought current prior to accepting pledges from

³ [HHS/CDC Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19.](https://www.hhs.gov/cdc/covid19/residential-evictions)

⁴ https://gocolumbiamo.legistar1.com/gocolumbiamo/meetings/2020/10/3992_A_City_Council_20-10-19_Meeting_Agenda.pdf

⁵ <https://cmca.us/get-help/energy-assistance/>

CMCA to cover electric charges. This process is cumbersome at best and problematic at worst. Unnecessary restrictions, whether in policy or in ordinance, create barriers to our most vulnerable residents receiving the assistance they need to remain safe and healthy in their homes.

4. Increase awareness of and the ability to contribute to the City's CASH and HELP assistance programs.

- a. Where possible, increase the prominence of the donation function for the CASH and HELP programs, as well as the ease by which a resident is able to contribute directly to the fund. By increasing the opportunities for residents to donate to the assistance funds, potential for an increase in the fund balance is also present.

Everyone is struggling. This economic downturn is nationwide and has impacted multitudes. We owe it to Columbia residents to creatively address the problems at hand, including looking toward other municipalities for best practices and reviewing current policies and programs for opportunities for change. It is the hope of the Commission that the City Council will pursue these recommendations with fervor and a sense of urgency to provide intermediate and long-term relief for those who need it most.

Thank you for your time.

A handwritten signature in black ink that reads "Andrea Waner". The signature is written in a cursive, flowing style.

Andrea Waner, chair
City of Columbia Commission on Human Rights