



Mission Statement:

To provide municipal services, infrastructure, and a high quality of life through trusted leadership, accountability, and efficiency for the benefit of our community

**CITY OF ANGELS
FINANCE/POLICY COMMITTEE MEETING
February 22, 2024
2:00 p.m.**

THIS MEETING WILL BE HELD AT ANGELS FIRE HOUSE, 1404 VALLECITO ROAD AND WILL BE OPEN TO PUBLIC.

In person public attendance will be available with limited seating. Seats are available on a first come, first served basis. Members of the public shall have the right to observe and offer public comment at the appropriate time. CITY COUNCIL appreciates your interest and encourages your participation.

**Mayor: Jennifer Herndon
Council Member: Caroline Schirato
City Administrator: Rebecca Callen
Deputy City Clerk/Finance Director: Michelle Gonzalez**

CALL TO ORDER / PLEDGE OF ALLEGIANCE

- 1. ROLL CALL**
- 2. PUBLIC COMMENT:** The public may address the Council on any item of public interest not otherwise on the agenda that is within the jurisdiction of the city. No action may be taken. Matters to be addressed may be referred to City Staff or placed on a subsequent meeting Agenda. Speakers are limited to five minutes per person
- 3. NEW BUSINESS:**
 - A. Tampering with Water Meters and Water Theft, Rebecca Callen, City Administrator**
- 4. CITY ADMINISTRATOR COMMENTS**
- 5. COUNCIL MEMBER COMMENTS OR FUTURE AGENDA ITEMS**
- 6. NEXT COMMITTEE MEETING**
- 7. ADJOURNMENT**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at City Hall 209-736-2181. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II) Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection at City Hall at 200 Monte Verda Street Ste. B, Angels Camp, CA 95222 during normal business hours. The Agenda is also available on line at www.angelscamp.gov.



Vision Statement:

Dedicated to preserving our rich history and providing a safe and thriving community that is devoted to families, businesses, and visitors



CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

DATE: February 22, 2024
TO: City Council
FROM: Rebecca Callen, City Administrator
RE: TAMPERING WITH WATER METERS AND WATER THEFT

RECOMMENDATION:

Discussion and direction on amending Ordinance 173 (part) and adopting Resolution 23-54 Tampering with Water Meters and Water Theft.

BACKGROUND:

Government Code 53069.45 has expanded the administrative fines and penalties for tampering and theft of water. The current city code is insufficient to deter tampering and theft of City water and meters.

DISCUSSION:

The City has observed a pattern of non-payment among certain customers, leading to repeated lock-offs and, ultimately, meter removals as a last resort. Despite numerous outreach efforts to engage with delinquent customers and encourage them to avail themselves of assistance programs, a significant number have not responded, forcing the City to take stringent measures.

To mitigate the impact of financial hardship on access to water services, the City offers assistance programs for customers facing delinquency. These programs are designed to provide relief and prevent service interruptions. However, eligibility requires active engagement and cooperation with the City to explore available options.

Water theft, particularly through unauthorized hydrant use, presents another significant challenge. This illegal activity not only results in financial losses for the City and its ratepayers but also poses a risk to the integrity of the water distribution system. Unauthorized connections can potentially introduce contaminants into the water supply or disrupt service to lawful customers.

Regulation of Construction Water Usage

The City has established a formal process for individuals and entities requiring water for construction purposes. Applicants must submit a detailed application to access water from City hydrants, ensuring





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that all water used is strictly for construction activities within City limits and is appropriately paid for. This process is crucial in regulating water usage and preventing unauthorized access and theft.

Impacts of Water Meter Tampering and Theft

Tampering with water meters and unauthorized water withdrawal have tangible financial implications for the City and its ratepayers. Besides the direct loss of revenue, these actions incur additional costs related to system repairs, increased monitoring, and enforcement activities. Moreover, illegal taps and connections threaten the safety and reliability of the water distribution system, posing health risks to the community and potentially compromising service to legitimate users.

Recommendations

- 1. Enhanced Outreach and Education:** Increase efforts to educate the community about the available assistance programs and the consequences of non-payment and water theft. This includes leveraging social media, community meetings, and direct mailings.
- 2. Stricter Enforcement Measures:** Implement more stringent enforcement policies, including increased fines and penalties for unauthorized water use and tampering with water infrastructure.
- 3. Improved Monitoring and Security:** Invest in technology and manpower to enhance the monitoring of water usage and secure water infrastructure against unauthorized access.
- 4. Streamlined Application Process for Construction Water:** Review and streamline the application process for construction water to encourage compliance and facilitate easier access for legitimate needs.
- 5. Collaboration with Law Enforcement and Legal Action:** Work closely with law enforcement to prosecute individuals and entities involved in water theft and tampering, sending a clear message that these activities will not be tolerated.

Addressing the issues of non-payment for water services and water theft requires a multifaceted approach, including community engagement, stricter enforcement, and enhanced security measures. By taking decisive action, the City aims to safeguard its water resources, ensure financial stability, and maintain the integrity of its water distribution system for all ratepayers.





CITY HALL

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Beyond this one addition, there are several sections of Ordinance 173, found throughout Chapter 14 Water System that are either in conflict with our other policies or fee structures. Staff would like to work on this review and bringing back a more comprehensive code update as needed.

FINANCIAL IMPACT:

These fines and penalties are punitive as a method to deter tampering and theft.

ATTACHMENTS:

Resolution No. 23-54



Home of the Jumping Frog - Angelscamp.gov

Water System Ordinance Amendment

14.80.090 If, after a service is discontinued for delinquency in payment, service is resumed without authorization, the meter may be removed, and the property owner will be subject to enforcement per Resolution 24-XX. ~~a twenty-five dollar charge made for restoring service. This charge is in addition to all other charges and deposits. (Ord. 273 (part), 1985)~~

Resolution 24-XX

Tampering with Water Meters and Water Theft

Per Government Code 53069.45, water theft is prohibited, and violators are subject to an administrative fine or penalty as set forth:

Fines and Penalties will be added to the Property's Utility Account.

Tampering with the water meter shall be set at:

1. The first illegal tempering shall constitute a fine in the amount of \$130;
2. The second illegal tampering shall constitute a fine in the amount of \$700 within one year of the first violation;
3. The third violation and each additional violation within one year of the first violation shall constitute a fine in the amount of \$1,300

All other forms of water theft are punishable as follows:

1. \$1,000 for the first violation;
2. \$2,000 for the second violation within one year of the first;
3. \$3,000 for each additional violation of the same within one year.

"Water Theft" means an action to divert, tamper, or reconnect water utility services, as defined in Section 498 of the Penal Code.

The customer/property owner may appeal to the City Administrator within 10 calendar days from the letter of violation.