



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Supporting the Stop Theft of Power Act

MEETING DATE: November 7, 2012

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: Adopt a resolution supporting the Stop Theft of Power Act.

BACKGROUND INFORMATION: The diversion of electricity is a misdemeanor under Penal Code Section 498. Electric Utility staff, in conjunction with the City Manager and the City Attorney, is advocating tougher penalties for the theft of electricity, specifically by enhancing the civil penalty associated with this crime to three times the estimated value of the diverted utility services. The intent of this legislative proposal is to increase the penalties significantly, thus serving as a more serious deterrent to this crime.

The theft or diversion of electricity is both illegal and potentially fatal. According to federal crime statistics, the theft of electricity and other "utilities" (such as cable, telecommunications and natural gas) is a multi-billion crime in America annually, ranking third to credit card and auto theft. Since July of 2011, the total identified energy theft in Lodi was \$44,271.50. This figure does not include energy stolen as part of another crime committed in our community.

Staff is seeking support from the Lodi City Council to pursue a legislative proposal that will strengthen penalties associated with energy theft diversion. City of Lodi staff will then coordinate and further develop this proposal with staff from the California Municipal Utilities Association and the Northern California Power Agency, for introduction as state legislation in 2013.

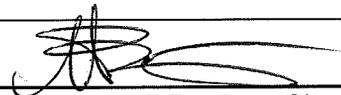
FISCAL IMPACT: By strengthening California law, the financial losses incurred by the City of Lodi from energy theft could decrease, as tougher penalties would serve as a deterrent to persons either stealing power today, or considering it in the future.

FUNDING: Not applicable.



Elizabeth A. Kirkley
Electric Utility Director

PREPARED BY: Rob Lechner, Customer Service & Programs Manager
EK/RSL/lst

APPROVED: 

Konradt Bartlam, City Manager

RESOLUTION NO. 2012-174

A RESOLUTION OF THE LODI CITY COUNCIL IN
SUPPORT OF THE STOP THEFT OF POWER ACT, A
LEGISLATIVE PROPOSAL DEVELOPED BY THE CITY
OF LODI ELECTRIC UTILITY DEPARTMENT AND THE
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION

WHEREAS, the theft of electricity is unsafe, illegal, and constitutes a multi-billion dollar crime in America today; and

WHEREAS, energy theft in Lodi, California, is also a significant challenge, with losses exceeding \$44,000 since July 2011; and

WHEREAS, under current California statute, the theft of electricity is a misdemeanor; and

WHEREAS, City of Lodi staff is proposing to enhance the civil penalties associated with this crime to three times the estimated value of the diverted utility services.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby adopt a Resolution supporting the "Stop Theft of Power (STOP) Act," a legislative proposal that would enhance penalties associated with the theft of electricity in the Lodi community and statewide if eventually adopted by the California State Legislature and the Governor of the State of California.

Dated: November 7, 2012

I hereby certify that Resolution No. 2012-174 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 7, 2012, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, and Mayor Mounce

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Nakanishi

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk