

June 11, 2014

City of Rio Dell

Jim Stretch, City Manager

675 Wildwood Ave.

Rio Dell, CA 95562

Dear Mr. Stretch:

Re. California Public Records Act Request

The study session held on 6/10/14 regarding the city budget included a brief disclosure that the city and the fire hall continue to receive "free" water despite the Prop. 218 prohibitions that were passed by voters in 1996. It has also been disclosed in the past that city employees have been provided free water as an employee benefit which has been going on for years (it is unknown who else is provided "free" water by the city). The current lawsuit involving these same general issues brought by rate payers against the City of Davis was mentioned during the study session in a brief reference to the possible effects on the city's current practices. However, there have been numerous lawsuits regarding the same issues of subsidized utilities since the passage of Prop. 218 as well as many publications distributed by the state and the League of California Cities advising municipal governments against the continuation of these practices. There has been ample notice over the years that the city practice of providing rate payer subsidized water is illegal and should have been addressed long ago.

We are requesting documentation related to utility usage that has been provided at no or reduced cost to the city, the fire hall, employees and/or council members (past and present) and other entities as yet unknown that may have received benefits subsidized by the rate payers in the city. It was disclosed that the city does have water meters installed at city facilities and the fire hall that would be able to provide usage data and there are other known unmetered water lines that have provided "free" water to city employees and unknown other entities. We are requesting the usage records for any/all water meters that did not result in a subsequent charge spanning at least 5 years back; this would include all city facilities, the fire hall and Fireman's Park, city employees (past and present) and any other entity as yet unknown. The documentation should include the location/property address of the

meters identified. There are also unmetered lines that the city has knowledge of such as one installed on the property of former Public Works Director Jim Hale and a second unmetered line installed at an unknown location which was disclosed in the Administrative Investigation Report completed by Stokes Associates in 2009. The report states that Hale intended to have 11 unmetered secondary lines run as part of the infrastructure rehabilitation project (page 21). We request any/all documentation related to the installation or existence of any unmetered water line which would include those disclosed by the investigation in addition to others as of yet unknown; documentation to include the location of unmetered lines. Additionally, we request documentation of any steps taken to correct the situation by installing water meters, removing the unmetered lines, any compensation charged or paid for the unmetered lines and/or water usage. We are interested in knowing if the unmetered water lines were allowed to remain as-is which would then be providing an unknown amount of "free" water at the expense of other rate payers.

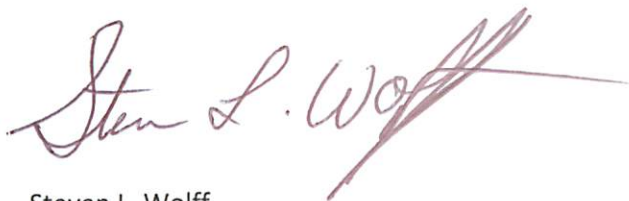
The above mentioned investigation report also substantiates the use of Public Works staff and equipment for the personal benefit of individuals; including installation of sidewalks at private residences, paving work done at city expense for the benefit of a private developer, water pipe installation completed outside of the city for an unidentified party, using staff to work on "selected (past) city council members, other city employee's property or contractor friends property," and many more similar findings detailed in the report. These activities are subsidized by every rate payer in the city and are clearly misappropriation of city funds. We request any/all documentation of steps taken to recover any of the funds identified in the investigation report. The "felony-level offense embezzlement" of property as well as misappropriation of public works staff and resources is a very serious matter that rate payers have a public interest and right to know of city action to recover the funds or any steps taken in response to the investigation report as well as any steps taken to prevent similar actions in the future. Rate payers are justifiably concerned that these types of well known and well documented activities continue to date since the city has never addressed publicly the findings of the report or any attempts to recover the vast amounts of tax payer money identified.

The city is beginning the steps necessary to increase water rates despite the fact that city rate payers currently have the highest water/sewer rates in the region. It is going to be even more critical to assure residents that their high rates are not being used to subsidize water for others in violation of Prop. 218. The city has already disclosed that this is exactly what has been going on to date so it will be

extremely important to change the current practices prior to asking residents to pay even more for their utilities.

We request the documentation in electronic form.

Sincerely,

A handwritten signature in red ink that reads "Steven L. Wolff". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Steven L. Wolff

A handwritten signature in red ink that reads "Sharon L. Wolff". The signature is cursive and more compact than the one to its left.

Sharon L. Wolff

3 Painter St.

Rio Dell, CA 95562

Sharon@riodelltimes.com