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# CITY OF POMONA

## COUNCIL REPORT

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June 3, 2024

To: Honorable Mayor and Members of the City Council

From: Anita D. Gutierrez, City Manager

Submitted By: Chris Diggs, Water Resources Director

**SUBJECT: ADOPTION AND SECOND READING OF ORDINANCE NO. 4344**

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### **RECOMMENDATIONS:**

It is recommended that the City Council take the following actions:

- 1) Hereby determine that the adoption of this Ordinance is not subject to the California Environmental Quality Act under Section 15378(b)(2) and (b)(5) of Title 14 of the California Code of Regulations; and,
- 2) Adopt, waive further and give second reading to the following ordinance:

**ORDINANCE NO. 4344 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING SECTIONS 62-200 OF CHAPTERS 62, ALSO KNOWN AS THE CODE OF THE CITY OF POMONA, REGULATING BACKFLOW PREVENTION DEVICES AND ADOPTING THE CROSS CONNECTION CONTROL POLICY HANDBOOK.**

### **EXECUTIVE SUMMARY:**

On December 19, 2023, the State Water Resources Control Board (SWRCB) adopted the Cross-Connection Control Policy Handbook (Handbook). The Handbook replaces the existing Title 17 cross-connection control and backflow prevention regulation. All public water systems must implement the Handbook and develop a Cross-Connection Control Plan by July 1, 2025, its effective date. Passage of this Ordinance, Attachment 1, brings the City into compliance with the new regulation.

### **SB1439/GOVERNMENT CODE §84308 APPLICABILITY:**

☐ When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$250 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$250 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

**FISCAL IMPACT:**

Additional staff time will be necessary to comply with all the requirements identified within the Handbook; however, estimates of these efforts have not yet been determined.

**PUBLIC NOTICING REQUIREMENTS:**

Pursuant to Government Code Sections 6062a and 66016 *et seq.*, notice for the proposed adoption of the Cross-Connection Control Policy Handbook was published in the Inland Valley Daily Bulletin on May 6 and May 20, 2024, Attachment No. 4.

**PREVIOUS RELATED ACTION:**

On March 6, 1989, Ordinance No. 3482 was adopted amending section 62-200 of Chapter 62, Utility, of the Pomona City Code.

**ENVIRONMENTAL IMPACT:**

The recommended action is not subject to CEQA under Section 15378(b)(2) and (b)(5) of Title 14 of the California Code of Regulations as the State has mandated the adoption of the State Water Resources Control Board Cross-Connection Control Policy Handbook, and the “Cross-Connection Control Plan.” As such, the attached Ordinance is an administrative activities that will not result in a direct or indirect physical change in the environment is therefore not CEQA project.

**DISCUSSION:**

On July 1, 2024, the SWRCB adopted Handbook will take effect, replacing the current regulations within Title 17. The primary objective of the Handbook is the protection of public health. This is done through standards intended to ensure public water distribution systems will not be subject to backflow conditions, that being a connection between a potable and non-potable source. Additionally, the Handbook aims to better inform the public of the potential of backflow conditions and to build better cross-connection prevention programs. Implementation of the Handbook will require development of a Cross-Connection Control Plan, which is in the process of being developed by Water Resources Department staff. The SWRCB mandates all public water systems comply with the Handbook.

Prepared by:

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Lily Perez  
Program Assistant

**ATTACHMENTS:**

Attachment No. 1 – Ordinance No. 4344 (Clean Version)  
Attachment No. 2 – Ordinance No. 4344 (Redline Version)  
Attachment No. 3 – Cross Connection Control Policy Handbook  
Attachment No. 4 – Notice of Public Hearing (5-20-2024)