



CITY OF POMONA COUNCIL REPORT

April 20, 2026

To: Honorable Mayor and Members of the City Council

From: Anita D. Scott, City Manager

Submitted by: Chris Diggs, Water Resources Director

SUBJECT: ADOPT A RESOLUTION APPROVING POLICIES AND PROCEDURES REGARDING THE PROVISION OF WATER AND SEWER SERVICES TO PROPOSED DEVELOPMENTS THAT INCLUDE AFFORDABLE HOUSING UNITS FOR LOWER INCOME HOUSEHOLDS

RECOMMENDATION:

It is recommended that the City Council adopt the following Resolution:

RESOLUTION NO. 2026-44 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING POLICIES AND PROCEDURES REGARDING THE PROVISION OF WATER AND SEWER SERVICES TO PROPOSED DEVELOPMENTS THAT INCLUDE AFFORDABLE HOUSING UNITS FOR LOWER INCOME HOUSEHOLDS.

EXECUTIVE SUMMARY

Public agencies that provide water and sewer services are required by state law to adopt written policies and procedures granting priority for service to proposed housing developments that include units affordable to lower-income households. Adoption of the attached Resolution (Attachment No. 1) updates and reaffirms the City's policies and procedures to ensure continued compliance with state law.

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 \$500 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$500 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:

There is no fiscal impact associated with adoption of this Resolution. The policies and procedures reaffirm existing statutory requirements and do not authorize new expenditures or fees.

PREVIOUS RELATED ACTION:

On February 7, 2022, as part of the Pro Housing Pomona, 2021–2029 update, the City Council adopted policies and procedures governing the priority of water and sewer services for proposed affordable housing developments.

DISCUSSION:

In 2005, the California State Legislature determined that the shortage of affordable housing was a statewide concern. To address the issue, Senate Bill 1087 (Chapter 727, Statutes of 2005) amended Government Code Section 65589.7 which required water and sewer service providers grant priority to proposed developments that include housing units affordable to lower-income households.

Furthermore, Government Code Section 65589.7 as amended required that public agencies that provide water and sewer services adopt written policies and procedures no later than July 1, 2006, and at least once every five years thereafter, to establish priority for affordable housing projects. Since the City of Pomona is its own water and sewer service provider, the City is subject to these statutory requirements.

The attached Resolution establishes updated policies and procedures that prioritize water and sewer service for qualifying affordable housing developments, while also clearly identifying the limited circumstances under which service may be denied, conditioned, or reduced, as permitted by state law. These circumstances include insufficient water supply or system capacity, regulatory prohibitions on new connections, or an applicant’s failure to agree to reasonable and generally applicable service terms.

Adoption of this Resolution ensures the City remains compliant with state law, supports the development of affordable housing, and aligns with the City’s ongoing efforts to plan for adequate water and sewer capacity to meet future development needs.

Prepared by:
Martha Duarte, Management Analyst

ATTACHMENTS:

Attachment No. 1 – Resolution No. 2026-44