



CITY OF POMONA COUNCIL REPORT

February 3, 2020

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Andrew Mowbray, Finance Director/City Treasurer
Robert DeLoach, Interim Water Resources Director

**SUBJECT: SECOND READING AND ADOPTION OF AN ORDINANCE
AMENDING SECTION 62-299 OF THE POMONA CITY PERTAINING
TO THE REQUIRMENTS AND PROCEDURES FOR WATER
SERVICE BILLING, DELINQUENCY, AND DISCONNECTION FOR
NONPAYMENT**

RECOMMENDATION:

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

**ORDINANCE NO. 4280 – AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF POMONA, CALIFORNIA, AMENDING SECTION 62-299 OF THE
POMONA CITY CODE PERTAINING TO WATER SERVICE BILLING,
DELINQUENCY, AND DISCONNECTION FOR NONPAYMENT**

EXECUTIVE SUMMARY:

The proposed ordinance will amend section 62-299 of the Pomona City Code pertaining to water service billing, delinquency, and disconnection for nonpayment, in compliance with State Senate Bill SB 998 (Bill).

FISCAL IMPACT:

The exact fiscal impact is not fully known; however, it is believed that the impact will not be significant. Fees and charges for water service are to continue to be charged at the then current rate, with the exception of certain disconnection charges which are to be capped to qualified residential customers.

PREVIOUS RELATED ACTION:

On January 27, 2020, Resolution No. 2020-10 a Resolution of the City Council of the City of Pomona, adopted a policy on discontinuation of residential water service.

DISCUSSION:

This ordinance was first introduced at the January 27, 2020 City Council Meeting (Attachment No. 2). The purpose of proposed Ordinance No. 4280 (Attachment No. 1) is to fulfill the obligations of the Bill which was approved in September of 2018. The Bill provides procedural protections for certain residential customers before disconnection of water service for nonpayment. Under the Bill the City must adopt a written policy pertaining to water service disconnection and delineate a plan for deferred payment, reduced payments, and payment schedules. Additionally, the City's plan and written notices must be available in English, Spanish, Chinese, Tagalong, Vietnamese, and Korean.

The proposed Ordinance No. 4280 amends the City's Code to allow compliance with the Bill. The Bill effectively changes the earliest time certain residential customers can be shut off from 34 days to 60 days. This allows City residential customers more time to make payment between bills prior to the water service being shut off. If a customer makes a request for a payment agreement within 13 days after the notice of service termination is sent (45 days after the utility bill is initially sent), and the customer has a letter from a primary care provider that service disconnection would be life threatening, and the customer can provide evidence of being financially unable to make payment within the normal billing cycle, the City is required to offer alternative arrangement for making payment.

In compliance with SB 998, the ordinance will take effect on February 1, 2020 after its adoption.

Prepared by:

Chris Diggs – Water Resources Manager
Rozaluia Outley – Revenue Operations Supervisor

ATTACHMENTS:

Attachment No. 1 – Proposed Ordinance No. 4280, Amending PMC 62-299
Attachment No. 2 – Staff Report No. 7 dated January 27, 2020