



Via U.S. Certified Mail & Email (grandjury@marincounty.org)

September 11, 2023

The Honorable Judge Kelly V. Simmons
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

Rod Kerr, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: 2022-2023 Marin County Civil Grand Jury Report- "Build More ADUs - An Rx to Increase Marin's Housing Supply"

Honorable Judge Simmons and Foreperson Kerr:

Pursuant to Penal Code Section 933.05, below please find the Marin Municipal Water District's (District) responses to the findings and recommendations set forth in the 2022-2023 Marin County Civil Grand Jury's report entitled, "Build More ADUs - An Rx to Increase Marin's Housing Supply". The District appreciates the effort of the 2022-2023 Marin County Civil Grand Jury in developing this report as well as the opportunity to provide a response.

I. Responses to Findings

F7. Impact, connection, and capacity fees vary considerably throughout the County and such fees can be a disincentive to homeowners considering ADU development.

The District agrees with this finding.

The Marin Municipal Water District (MMWD) agrees that fees associated with the development of Accessory Dwelling Units may vary considerably across different jurisdictions within the County. One possible reason for variation is that each local agency faces a unique combination of operating costs, deferred maintenance and planned future improvements. Therefore, each independent agency must determine the most appropriate methodology for calculating fees to best fit their unique conditions.

MMWD also agrees that fees can be a disincentive to homeowners considering ADU development. MMWD meter installation charges are intended to recover the associated labor, equipment and material costs for the work. In order to provide pricing options to our

customers, the District does allow a property owner to hire their own qualified contractor to perform water service installations. See response to R4 for more on ADU connection fees.

II. Responses to Recommendations

R4. By December 1, 2023, begin a feasibility assessment of waiving or significantly lowering impact and connection fees for units smaller than 750 square feet.

This recommendation has been implemented.

In consideration of fees related to all new ADU development, the Board of Directors approved changes to the District's municipal code. First in 2019 and then again in 2020, Ordinances 445 and 446 removed requirements for separate metering and payment of connection fees for certain common types of ADUs including those units smaller than 750-square-feet. In addition, going beyond state mandates, the District established criteria upon which other types of ADUs may qualify for a waiver to the requirements of separate metering and payment of connection fees. Where a connection fee for an ADU smaller than 750-square-feet is applicable, the current average fee is approximately \$3,406.

Sincerely,



Bennett Horenstein
District General Manager

cc: Board of Directors, Marin Municipal Water District