

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO. XXXX

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MARIN
MUNICIPAL WATER DISTRICT MAKING DETERMINATIONS WITH
RESPECT TO FEES AND CHARGES CONTAINED IN PIPELINE EXTENSION AGREEMENT AND
APPROVING A PIPELINE EXTENSION AGREEMENT TO SERVE AUBURN GROVE**

WHEREAS, Pierce Co Properties has applied to the District for a Pipeline Extension Agreement to serve Woodland Avenue, San Rafael – Auburn Grove, Assessor’s Parcel Nos. 018-074-16, 018-075-28, 018-085-23, 018-086-17 and 018-086-18 and

WHEREAS, a study has been conducted of the impacts of this development on the District's existing services and facilities in the unincorporated area of San Rafael along with an analysis of new, improved or expanded District facilities and improvements as required or appropriate to serve said development. This study sets forth the relationship between this development, existing District services or facilities, and the estimated cost of the proposed improvements. The study (herein “Study”) entitled, "Woodland Avenue, San Rafael – Auburn Grove", was prepared by Joseph Eischens and is dated April 13, 2026, and

WHEREAS, the Board of Directors finds as follows:

a. The purpose of the fees and charges set forth in paragraph 5 of the proposed pipeline extension agreement between the District and Pierce Co Properties is to pay for all required water facilities directly related to providing service to Woodland Avenue, San Rafael – Auburn Grove and to reimburse the District for constructing or provide funding to construct the necessary water supply, treatment, transmission, and terminal storage facilities for subject project;

b. The fees and charges specified in paragraph 5 of the proposed pipeline extension agreement shall be used to finance the following facilities: 1,150’ of 6” pipe, 4-6” hydrants, 15-4” firelines, 11-1.5” services and 6-1” services and payment for constructed water supply improvements through the District’s capacity charges set forth in its current capacity charge study;

c. It is appropriate and necessary for the properties to be served by the proposed pipeline extension agreement to provide for the facilities and improvements listed in Paragraph a. above, which have not been constructed, or have been constructed, but to which new development has not contributed its fair share because the development described in the pipeline extension agreement between the District and Pierce Co Properties will impose increased water supply and system capacity demands on existing District facilities;

e. The facts and evidence presented establish that there is a reasonable relationship between the need for the described public facilities and the development to be served by the proposed pipeline extension agreement between the District and Pierce Co Properties for which the corresponding fees and charges are imposed; and there is a reasonable relationship between the fees' and charges' use and the type of development for which the fees and charges are exacted, as these reasonable relationships are in more detail described in the Study;

f. The cost estimates set forth in the proposed pipeline extension agreement are reasonable cost estimates for constructing these facilities, and the fees and charges expected to be collected will not exceed the total of these costs.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby adopts the above findings and after considering the District staff report, the Study and the proposed pipeline extension agreement, and the Board of Directors hereby approves and adopts the Study; and

BE IT FURTHER RESOLVED, that the Board of Directors determines that the fees and charges to be collected pursuant to paragraph 5 of the proposed pipeline extension agreement between the District and Pierce Co Properties shall be used solely to pay for the described public facilities to be constructed by the District, for reimbursing the District for the development's fair share of those capital improvements already constructed by the District, or to reimburse other developers who have constructed public facilities described in the pipeline extension agreement where those facilities were beyond that needed to mitigate the impacts of the other developer's project or projects; and

BE IT FURTHER RESOLVED, that the Board hereby approves the proposed pipeline extension agreement between the District and Pierce Co Properties to allow extension of the District's facilities as necessary to serve the Seventy-nine (79) living units to be constructed within 16 buildings containing a mix of single-family, duplex and multi-family residences accessed from Woodland Avenue known as Auburn Grove; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the District General Manager to accept and execute all suitable real property easements and right-of-way required by the pipeline extension agreement; and

BE IT FURTHER RESOLVED, that the County of Marin determined that the proposed development project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21159.25 ("County Infill Exemption"), and the County filed a Notice of Exemption for the project on June 12, 2025 as the lead agency and the Board of Director's consideration of approval of a pipeline extension agreement is a discretionary project, as defined by CEQA and therefore the District is a responsible agency pursuant to section 15051 of the CEQA Guidelines. While the installation of utilities was not expressly addressed in the County Infill Exemption, the Board of Directors finds that the pipeline extension agreement qualifies for statutory exemption pursuant to Public Resources Code section 21080.21, as the proposed project consists of installation of less than one mile of

new pipeline within a public right-of-way. Additionally, the Board of Directors finds that the proposed project also qualifies for categorical exemption pursuant to Section 15303 of the CEQA Guidelines, as the proposed project includes installation of a water main of reasonable length and other utility extensions necessary to serve the development project.

PASSED AND ADOPTED this 16th day of June 2026, by the following vote of the Board.

AYES:

NOES:

ABSENT:

President, Board of Directors

ATTEST:

Secretary