



Legislation Text

File #: 22-286, **Version:** 1

FROM:

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SUBJECT:

Response to 2021-2022 Marin Civil Grand Jury Report entitled *Electrifying Marin's Buildings: A Countywide Approach*

RECOMMENDATION

Approve and authorize the Mayor to sign the attached response to the Marin County Civil Grand Jury Report entitled *Electrifying Marin's Buildings: A Countywide Approach*.

BACKGROUND

In California, civil grand juries are authorized to "investigate and report upon the operations, accounts, and records of the officers, departments, functions, and the method or system of performing the duties of any such city or joint powers agency and make such recommendations as it may deem proper and fit" ([Cal. Penal Code section 925a](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=925a) <https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=925a>). Within 90 days after the grand jury submits a report regarding the operations of any public agency, the "governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body..." ([Cal. Penal Code section 933\(c\)](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=933) <https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=933>). The mayor is also required to comment on the findings and recommendations ([Cal. Penal Code section 933\(c\)](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=933) <https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=933>).

On June 6, 2022, the Marin County Civil Grand Jury released a report entitled *Electrifying Marin's Buildings: A Countywide Approach* (Attachment 1). The Grand Jury Report focused on the building sector as a primary contributor of greenhouse gas emissions and assessed existing and proposed programs and strategies to bring about the effective and equitable electrification of buildings in Marin. The Grand Jury has requested the Town to respond to Findings F1-F6 and Recommendations R1-R3. Under State law, the Town's written response must be submitted to The Honorable Judge James Chou by September 6, 2022.

DISCUSSION

Staff has reviewed the Grand Jury Report and drafted proposed responses (Attachment 2). The responses show that the Town agrees with all of the findings. In addition, the Town has responded to the following Recommendations:

1. R1 (adopt a reach code banning natural gas connections in newly constructed buildings) - The Town has

already implemented this recommendation.

2. R2 (adopt a reach code requiring energy efficiency measures in connection with renovations of existing residential buildings) - The Town has not implemented this recommendation, but it may be implemented in the future as described in Attachment 2.

3. R3 (develop a comprehensive Countywide Building Electrification Plan to be completed on or before January 1, 2024) - This recommendation requires further analysis and collaboration with other Marin jurisdictions and entities.

FISCAL IMPACT

There is no direct fiscal impact associated with responding to the Grand Jury Report.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

The Council's consideration and approval of this item is not a "project" under the California Environmental Quality Act, because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Cal. Pub. Res. Code § 21065).

The Town's Climate Action Plan includes Measure E-4: Green Building Reach Code, which includes adopting a green building ordinance for new and remodeled commercial and residential projects that requires green building methods and energy efficiency savings above the State building and energy codes. The Grand Jury Report's recommendations encourage the adoption of green building ordinances for both new construction and renovations of existing residential buildings.

CONCLUSION

Staff recommends that the Town Council approve the attached responses to the Grand Jury Report.