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## Demand for Prompt Production of Records

**From** Lucy Dilworth <lucy.dilworth@gmail.com>

**Date** Mon 2/16/2026 5:10 PM

**To** MCE Clerk <clerk@mcecleanenergy.org>; Shanelle.Scales-Preston@bos.cccounty.us <Shanelle.Scales-Preston@bos.cccounty.us>; bos5@bos.cccounty.us <bos5@bos.cccounty.us>; darling@walnut-creek.org <darling@walnut-creek.org>; eduardo\_martinez@ci.richmond.ca.us <eduardo\_martinez@ci.richmond.ca.us>; mbelotz@danville.ca.gov <mbelotz@danville.ca.gov>; jmccormick@lovelafayette.org <jmccormick@lovelafayette.org>; meadows@ci.oakley.ca.us <meadows@ci.oakley.ca.us>; gquinto@elcerrito.gov <gquinto@elcerrito.gov>; DBailey@herculesca.gov <DBailey@herculesca.gov>; mayor@walnut-creek.org <mayor@walnut-creek.org>; dmurphy-EXT <dmurphy@pinole.gov>; laura.nakamura@cityofconcord.org <laura.nakamura@cityofconcord.org>; elizabethp@sanpabloca.gov <elizabethp@sanpabloca.gov>; msandhu@fairfield.ca.gov <msandhu@fairfield.ca.gov>; gthiel@moraga.ca.us <gthiel@moraga.ca.us>; SVerose@sanramon.ca.gov <SVerose@sanramon.ca.gov>; cesar\_zepeda@ci.richmond.ca.us <cesar\_zepeda@ci.richmond.ca.us>; bzorn@cityofmartinez.org <bzorn@cityofmartinez.org>

You don't often get email from lucy.dilworth@gmail.com. [Learn why this is important](#)

To the clerk of the board: please attach this public comment letter to the next meeting agenda as part of the public record.

The letter below has been reproduced in its entirety in this email, but, if it is difficult to read, I am also attaching the same letter as a Google Document with its own URL:

<https://docs.google.com/document/d/1GJ0oOLLyHn-K9UqqcgK7ISfWhaUnmppE/edit>

## CST Board of Directors

Mimi Willard	Carsten Andersenn	Kingston Cole	Lucy Dilworth	Charles Friede	Doug Kelly	Mary Stompe
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Via E-mail Only

February 16, 2026

Ms. Dawn Weisz, Members of the MCE Board of Directors, and MCE Board Clerk

MCE (Marin Clean Energy)

1125 Tamalpais Ave, San Rafael, CA 94901

2300 Clayton Rd, Suite 1500, Concord, CA 94520

RE: Demand for Prompt Production of Records -

Dear Ms. Weisz and Board Members:

I am a Director of the Coalition of Sensible Taxpayers (CST), a California nonprofit organization acting in the public interest as a local government watchdog. This letter concerns CST's California Public Records Act ("PRA") request dated November 22, 2025, seeking records related to MCE's energy procurement contracts and associated approval/authorization documentation.

Specifically, CST requested

- Records relating to all 1–5 year Energy Procurement Contracts executed by the CEO for FY2025 (April 1, 2024–March 31, 2025) and FY2026 year-to-date (April 1, 2025–present);
- Written documentation of the Technical Committee Chair's authorization, including the date of such authorization; and
- Written documentation identifying which "appropriate Committee of the Board of Directors" was consulted prior to execution of the contracts, including the date of consultation, committee members in attendance, and the record of committee vote.

MCE confirmed receipt of the CST PRA on December 2, 2025, and stated it had documents responsive to the request. MCE further represented that, due to the "voluminous" nature of the documents that are responsive to the PRA request, an initial production would be released on or before January 30, 2026. On January 30, 2026 MCE emailed that MCE was "unable to produce the materials to finalize" the PRA request and that it was "working to finalize it and will provide the materials next week." On Friday February 6, 2026, at 5:58 pm, MCE produced only six documents stating that it was "continuing to process" the PRA request. As of the date of this letter, CST has received no further records, no legally sufficient written determination extending time for production with a clear factual basis, and no revised production schedule. MCE has failed to object to any of the records requested and, as a result, any objections have been waived.

### **I. The Public Interest in Timely Disclosure is Substantial**

The records sought are central to transparency and accountability regarding MCE's procurement practices, particularly those who approved, authorized, and executed contracts that committed substantial public funds. CST's request seeks records that document the governance and authorization chain for these contracts, not merely summaries.

This public interest was heightened by materials that were to be discussed at MCE's 10:00 am February 6, 2026, Technical Committee meeting (Agenda Item #9. These materials appear to

address MCE's practices and proposed changes concerning who may approve and/or sign energy procurement contracts. Most concerning is MCE's acknowledgement that an "end-run" occurred to circumvent the necessary review and sign-off by the Committee Chair on all energy purchase contracts and, alternatively, propose to continue alternate signatories such as the Board Chair or Vice Chair. No responsive documents of any kind were provided to CST by MCE before the 10:00am meeting.

The public was and is entitled to evaluate these proposed policy changes with access to records reflecting what has occurred during FY2025 and FY2026 year-to-date. It appears that MCE's decision to delay or ignore its production obligation may have been due to the February 6, 2026, 10:00 am meeting. Six, insufficiently responsive documents were sent at the end of day on February 6th, well after the end of the meeting.

## **II. CST's Demand and Requested Production Schedule**

CST hereby requests and demands that MCE do the following: 1) confirm in writing the current status of CST's November 22, 2025, request, including the identity of the person responsible for processing it; 2) provide a rolling production within five (5) business days, including at minimum:

- Copies of executed FY2025 and FY2026 year-to-date procurement contracts or, alternatively, signature/approval pages and associated approval memoranda,
- Records identifying the individuals who approved and executed the contracts,
- Produce authorization/consultation records responsive to the request, including documentation of Technical Committee Chair authorization and Board committee consultation (dates, attendance, and vote records), and
- Provide a written explanation for any portion withheld or redacted, identifying the exemption(s) asserted with sufficient detail to evaluate the claim (e.g., an index or log).

CST prefers to resolve this informally and without court involvement. However, if MCE does not promptly comply with its obligations, CST will consider its options, including filing a Petition for Writ of Mandate with the Superior Court to compel MCE to comply with its legal duty to fully release the public records requested.

Please direct all communications regarding this matter to me at [PRA@sensibletaxpayers.org](mailto:PRA@sensibletaxpayers.org).

Sincerely,

**Lucy Dilworth**

**cc:** MCE Board of Directors (via Clerk)

Cc: CST Board of Directors

<https://docs.google.com/document/d/1GJ0oOLLyHn-K9UqqcgK7ISfWhaUnmppE/edit?usp=sharing&ouid=112287455721671365350&rtpof=true&sd=true>