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Civil Grand Jury Report and CEO Search Committee

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

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To MCE Clerk <clerk@mcecleanenergy.org>; liz.alessio@countyofnapa.org <liz.alessio@countyofnapa.org>; ebeckman@cortemadera.org <ebeckman@cortemadera.org>; mbelotz@danville.ca.gov <mbelotz@danville.ca.gov>; kbirdseye@ci.benicia.ca.us <kbirdseye@ci.benicia.ca.us>; bcoler@townoffairfaxca.gov <bcoler@townoffairfaxca.gov>; mebrownsolanocounty.com <mebrownsolanocounty.com>; kjacobs@novato.org <kjacobs@novato.org>; bkircher@townofrossca.gov <bkircher@townofrossca.gov>; cwalker-EXT <cwalker@sananselmo.gov>; maika@cityofsanrafael.org <maika@cityofsanrafael.org>; jmccormick@lovelafayette.org <jmccormick@lovelafayette.org>; meadows@ci.oakley.ca.us <meadows@ci.oakley.ca.us>; bpainter@cityofnapa.org <bpainter@cityofnapa.org>; Charles.Palmares@cityofvallejo.net <Charles.Palmares@cityofvallejo.net>; mperrey@cityofmillvalley.gov <mperrey@cityofmillvalley.gov>; cwysinger-EXT <cwysinger@elcerrito.gov>; hollithiertiburontowncouncil@gmail.com <hollithiertiburontowncouncil@gmail.com>; Mary.Sackett@marincounty.gov <Mary.Sackett@marincounty.gov>; swilkinson@cityofbelvedere.org <swilkinson@cityofbelvedere.org>

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Dear Chair and Members of the Board,

I am writing to express my support for the findings and recommendations contained in the Marin County Civil Grand Jury's report on MCE's governance and to encourage the Board to respond by implementing governance reforms, including establishing a formal, transparent process for appointing members to the CEO Search Committee.

As a former Foreperson of the Marin Civil Grand Jury I can attest that a grand jury serves as an impartial watchdog for local government. Comprehensive protocols, including judicial review, are in place to guarantee institutional independence, prevent bias and ensure that all reporting is objective and supported by the record.

This Grand Jury's report reflects a thorough and extensive investigation. It shows careful research supported by current and historical records, witness testimony, founding documents, and other probative evidence, all well documented in the report through citations and detailed footnotes. Whether or not every individual agrees with each conclusion, the report raises serious concerns about MCE's governance that deserve careful attention by the Board.

Specifically, this report identifies weaknesses in MCE's governance, including inadequate Board oversight, excessive delegation of authority, poor fiscal management, and unchecked energy procurement practices. It also highlights deficiencies in internal controls and reveals that legal counsel's

primary institutional alignment is with management rather than the agency as a whole. Collectively, these grave vulnerabilities call for prompt and comprehensive reform.

I urge the Board to accept the Grand Jury's findings and recommendations and to develop a clear, public plan for implementing meaningful reforms.

The selection of MCE's next Chief Executive Officer presents an important opportunity to strengthen the organization and restore public confidence. For that reason, there should be a formal and transparent process established for the selection of directors for the CEO Search Committee.

Selection criteria other than self nomination should be considered. To demonstrate a genuine commitment to addressing the serious governance concerns identified by the Grand Jury, directors who have consistently advocated for stronger oversight, accountability, and protection of ratepayer interests should be included. Both Director Stephanie Andre and Director Sally Wilkinson have demonstrated these qualities and either or both would bring valuable perspective to the search process. Their participation would help ensure a balanced consideration of the leadership qualities needed to guide MCE successfully through this important period of transition and into the future.

Thank you for considering these comments and for your service to MCE and its member communities.

Lucy Dilworth

Director, Coalition of Sensible Taxpayers