

OFFICE OF THE
COUNTY EXECUTIVE

September 16, 2026

Honorable Stephen Freccero
Presiding Judge
Marin County Superior Court
3501 Civic Center Drive
San Rafael, CA 94903

Derek Johnson
COUNTY EXECUTIVE

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Dear Judge Freccero,

The Marin County Board of Supervisors' response to the FY 2025-2026 Civil Grand Jury Report "MCE, Marin Clean Energy: A Series of Missteps Highlight Need for Governance Changes" (June 16th, 2026) is attached. The report was delivered to the Board of Supervisors and responds to all the requests made under law and requested by the Grand Jury.

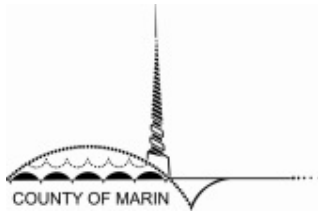
As always, thank you to the Court for overseeing this important part of local government and democracy. Please reach out if we can be of service to either the Civil Grand Jury or the Court.

Respectfully submitted,

Derek Johnson
Marin County Executive

ENC:

Marin County Board of Supervisors Response to Civil Grand Jury Report "MCE, Marin Clean Energy: A Series of Missteps Highlight Need for Governance Changes" (June 16th, 2026)



RESPONSE TO GRAND JURY REPORT FINDINGS AND RECOMMENDATIONS

REPORT TITLE: "MCE, Marin Clean Energy: A Series of Missteps Highlight Need for Governance Changes"
REPORT DATE: June 16, 2026
RESPONSE BY: County of Marin Board of Supervisors

GRAND JURY FINDINGS

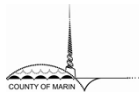
- We agree with the findings numbered: **F4-5**

GRAND JURY RECOMMENDATIONS

- Recommendations numbered **R5-6** will not be implemented because they are not warranted or reasonable.

Date: August 25, 2026

Signed: 
President, Board of Supervisors



County of Marin Response to Grand Jury Report Findings and Recommendations
“MCE, Marin Clean Energy: A Series of Missteps Highlight Need for Governance Changes”
June 16, 2026

RESPONSE TO GRAND JURY FINDINGS

F4. Many Board members have — quite understandably — limited expertise regarding a large and complex company such as MCE.

Response: Agree

The Board of Supervisors agrees with this finding, acknowledging that MCE is a large and complex organization. However, MCE Board members are elected officials who bring experience in public governance, budgeting, policy development, and oversight due to the nature of their elected office.

F5. All MCE Board members are local elected officials who face competing demands on their limited time and resources; as a result, meeting attendance has often been poor, and insufficient for optimally effective governance.

Response: Agree

The Board of Supervisors acknowledges the statistics on MCE Board of Director meeting absences (pg. 31) and agree with the Jury’s finding that meeting attendance is important for effective governance. However, Marin County’s appointed representatives have maintained a strong record of attendance at MCE Board meetings and utilized the designated alternate when necessary. The Board recognizes the importance of consistent participation and believes its current appointment process supports effective representation of Marin County’s interests on the MCE Board. Further, the Board of Supervisors’ representative on the MCE Board of Directors is taking an active role in ongoing organizational governance reforms by participating in both the Ad Hoc Governance Committee established at the January 15, 2026, meeting and Ad Hoc CEO Search Committee established at the July 16, 2026, meeting. The Board of Supervisors believes the formation of these committees and the hiring of an external firm to conduct a governance review are important steps taken by the Board of Directors to ensure effective oversight of the organization.

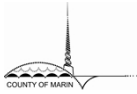
RESPONSE TO GRAND JURY RECOMMENDATIONS

The Marin County Civil Grand Jury recommends the following:

R5. By December 31, 2026, all of MCE’s Marin jurisdictions (and preferably, all 38 jurisdictions covered by MCE) should implement a process by which its appointed Board member (or, in that person’s absence, the designated alternate member) commits to attending each regular Board meeting.

This recommendation will not be implemented because it is not warranted or reasonable.

The Board of Supervisors has an established public process for appointing representatives and alternates to regional boards and commissions, including MCE, and expects those appointees to fulfill the responsibilities of their appointments. The Board’s representatives have consistently maintained strong attendance at MCE Board meetings and have utilized designated alternates to participate when necessary.



County of Marin Response to Grand Jury Report Findings and Recommendations
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R6. By December 31, 2026, all of MCE's Marin jurisdictions (and preferably, all 38 jurisdictions covered by MCE) should reassess their appointments of chosen Board members to prioritize those with the most extensive financial and energy expertise.

This recommendation will not be implemented because it is not warranted or reasonable.

The Board of Supervisors determines appointments to agencies, such as MCE, through an established public process that considers a variety of factors, including the interests of Marin County residents, the responsibilities of the appointment, and the Board's overall committee and regional assignments. MCE Board members receive orientation, though we support additional training ongoing support conducted by MCE to assist Board members in effectively fulfilling their governance responsibilities.