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at the Board Meeting.**

Chair Dayna Bochco
California Coastal Commission
North Coast District Office
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219
Dayna.Bochco@coastal.ca.gov

Monday, September 4, 2017

**Re: Three Captains CDP application No. 2-16-1131
Johnson Pier hoist installation, Pillar Point Harbor, Half Moon Bay**

Dear Chair Bochco and Members of the Commission,

We are writing to oppose CDP application No. 2-16-1131. It appears that Three Captains Sea Products, Inc. does not have legal possession of the property they seek to develop. The Three Captains CDP application proposes the installation of a second hoist on another tenants lease property.

Last week, Morning Star and other stakeholders first learned of Three Captain's intentions to unload product year-round from Morning Star's designated lease space. This may be a violation of the terms of Morning Star's lease agreement with the Harbor District. For reference please read lease agreement (<http://bit.ly/2eWSeW6>) and attached Amendment 1, Exhibit A, storage space A2.

In October 2016, Steve McGrath, General Manager of the San Mateo County Harbor District strongly opposed placing a hoist in this location. Please read the Harbor District staff-report. See attached.

Morning Star Fisheries has not applied for a CDP for a second hoist and has not agreed to allow Three Captains to take possession of their lease property.

We do not want to see Three Captains deprived of their right to have a second hoist, however it must be done in a way that is both legal and in harmony with the needs of the entire community that uses the facilities at Pillar Point Harbor.

For these reasons please vote NO on application No. 2-16-1131.

Sincerely,

Sabrina Brennan and Edmundo Larenas
San Mateo County Harbor Commissioners
Moss Beach, California



CC:

Renee Ananda: Renee.Ananda@coastal.ca.gov
Nancy Cave: Nancy.Cave@coastal.ca.gov

Dan Carl: Dan.Carl@coastal.ca.gov
Jeannine Manna: Jeannine.Manna@coastal.ca.gov

This letter does not represent the San Mateo County Harbor Commission or the SMC Harbor District.

Lease Amendment #1

Amendment to Lease dated March 13, 2013 between Morningstar Seafood (Lessee) and San Mateo County Harbor District (District).

The Lessee and the District entered into a lease on March 13, 2013 for space to be used at the Johnson Pier for fish buying and/or off-loading

This lease amendment changes the following sections as follows:

1 Section 6.1 is amended to reflect Board direction of September 7, 2015 to set fish buyer fees as below:

- (a) Wholesale Fish Purchase: \$5.00 per ton actual scale gross weight for squid, \$3.00 per ton actual scale gross weight for other wetfish and \$.005 per pound gross weight for other finfish and shellfish purchased by Tenant at the Premises on or before the first day of each and every successive fiscal quarter during the Term of this Lease.
- (b) Fish Off-Loading: \$5.00 per ton actual scale gross weight for squid, \$3.00 per ton actual scale gross weight for other wetfish and \$.005 per pound gross weight for other finfish and shellfish off-loaded by Tenant at the Premises on or before the first day of each and every successive fiscal quarter during the Term of this Lease.
- (c) Retail Fish Sales: Tenant will pay Landlord two and one-half percent (2.5%) of its gross receipts for all fish sold to the general public on or before the first day of each and every successive fiscal quarter during the Term of this Lease.

The following is added to clarify the payment of fees:

- (f) Fees paid under Sections 6.1 (a) and (b) above are in the alternative. For avoidance of doubt, a Tenant that both purchases and off-loads fish is not required to pay both the wholesale purchase and the off-loading fees but must pay only the [wholesale purchase/off-loading] fee.

2. Section 6.2 is amended as follows:

Payment of Purchase, Off-Loading Fees, and Retail Sales. Purchase, Off-Loading, and Retail Sales Fees at the rates set forth in Section 6.1 shall be paid quarterly and shall be due and payable by the last day of the month following the end of each fiscal quarter .

3 Section 9.1.(b) is amended to clarify the location of the clear space, and other uses on the pier:

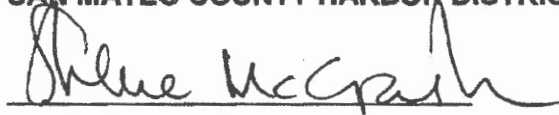
- (vi) Tenant agrees to keep free and clear a fifteen (15) foot wide area on Johnson Pier for common area access by all fish buyer tenants at all times, unless mutually agreed by all parties. Said space shall extend in an east west direction along the southern edge of the pier, as shown in 'Exhibit A, Plan'
- (ix) Tenant may use exterior pier deck and storage space, as shown and allocated on Exhibit A; provided that Tenant's use of such space may be limited or restricted by the Landlord, for instance as necessary to accommodate Landlord's repair and maintenance of the pier. Landlord agrees to work cooperatively with Tenant to minimize disruption during any such repair and maintenance activities.

LESSEE:


David Mallory, Morningstar Seafood

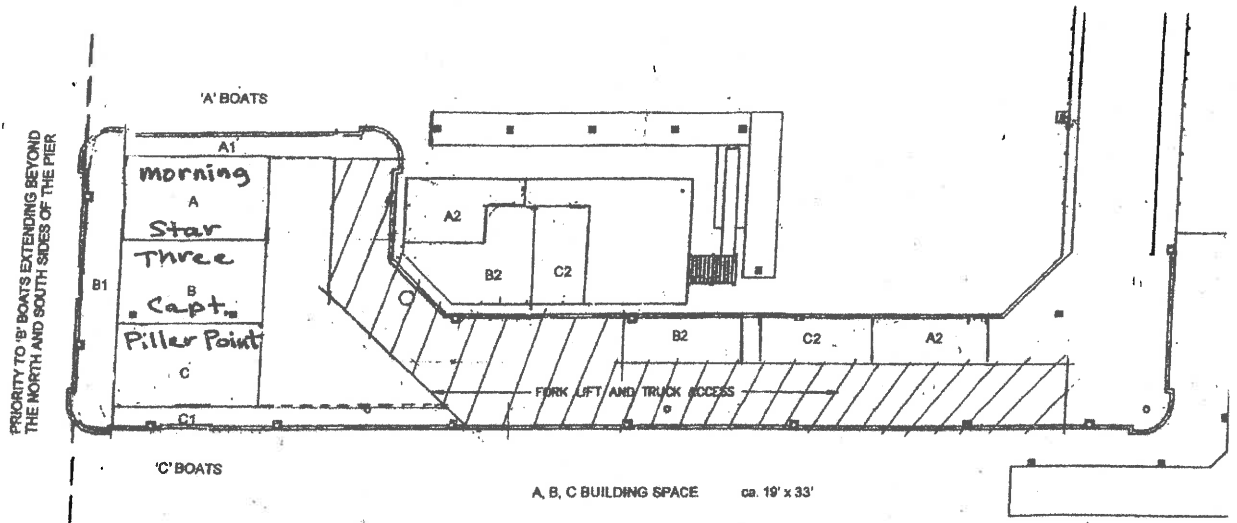
3-14-2017
Date

SAN MATEO COUNTY HARBOR DISTRICT:


Steve McGrath, General Manager

3/14/17
Date

EXHIBIT A - PLAN



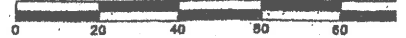
A, B, C BUILDING SPACE ca. 19' x 33'

A1 EXT. DECK SPACE ca. 325 s.f.
 A2 STORAGE AND REFRIG. ca. 810s.f.

B1 EXT. DECK SPACE ca. 630 s.f.
 B2 STORAGE AND REFRIG. ca. 1,280 s.f.

C1 EXT. DECK SPACE ca. 500 s.f.
 C2 STORAGE AND REFRIG. ca. 1,110 s.f.

GRAPHIC SCALE



SEPTEMBER 7, 2016

Dear Commissioners:

I'm contacting you regarding Item 15 on the October agenda.

I have not agreed to allow Three Captains to take possession of Morning Star lease property. The proposed "swap" of my leased storage space is a violation of the terms of my lease agreement with the Harbor District. Read Amendment 1, Exhibit A, storage space A2.

So here we are again, a year later, more or less. One entity trying to expand his operation. Another trying to protect his. A year ago, in a similar format, all the testimony that was brought, not some, but one hundred per cent of the testimony that was given centered around Three Captains' Seafood need for a second hoist to help speed up the access for crab fishermen to get their pots in the water at the beginning of the season, which has turned into a mad, frenzied, free-for-all. And unloading those pots at the end of season, and assisting any crabber in getting those tall, bulky, "live tanks" on their boat, which are apparently challenging to get through the Three Captains building. In other words, it was presented as a seasonal affair.

But, what a difference a year makes. The hoist proposed to alleviate crab congestion at the season's start has morphed into a year round, multi-fishery, operation for the purpose of unloading product as well. And included in that is squid pump unloading operation as well. That is not based on fantastical imaginings. It is based on documented letters. Letters written by Three Captains' lawyer to the California Coastal Commission. And this is when it all began to change for Morning Star Fisheries.

Steve McGrath told Morning Star that we must sacrifice our designated storage space on Johnson Pier. Now why should Morning Star do this? Why should Morning Star concede space to a competitor for him to come back and use it against him, when Mr. Fortado, of Three Captains was not up front from the start?

And so, Mr. McGrath, in an effort to appease a majority of the Harbor Commissioners and Mr. Fortado writes me a letter demanding that Morning Star give up said space so Three Captains' hoist can be installed on my lease space. He reasons that the Amendment to the lease, under Section 9.1, tenant must work with landlord in the event any "repairs and maintenance" need to be done on the pier. I'm disappointed by Mr. McGrath's attempt to twist "repairs and maintenance" into meaning that he can take away my lease space to unfairly benefit a competitor. In total, there seem to be some issues in conflict with the basic tenets of land-use law, to say the least.

Regards,

David Mallory

10/17/2017



Dear San Mateo County Harbor Commissioners:

Regarding: October 18, 2017 Agenda Items 13, 14, 15, 16 & 17

There are 5 items on the October 18, 2017 related to infrastructure changes on or around Johnson Pier. Rather than provide comment on each issue, we are sending in one comment for all agenda items. We once again ask the commission to take a broad view of all issues regarding Johnson Pier and require stakeholder input prior voting on issues that impact the commercial fishing fleet, public safety and other items on the agenda. Staff reports for items 13, 14, 15, 16, and 17 all contain the following language from Staff:

Summary/Recommendation: This Commission should also be aware of the other four items on this agenda related to projects at Pillar Point Harbor:

- 1 H Dock Improvements*
- 2 TIGER grant application*
- 3 Three Captains; work dock relocation*
- 4 Morningstar Fisheries; second hoist request*
- 5 Piling Repair; additional work authorization*

In particular, it should be noted that, should the TIGER grant application be successful, staff will work closely with all stake holders on the pier to ensure proper coordination of effort, appropriate stakeholder input into final project design, and reasonable efforts to relocate any equipment on a permanent or temporary basis, as necessary.

We must ask that the commission revise the agenda and look at changes to Johnson Pier as a whole, and not take action independently on these agenda items. And once again, we find ourselves asking for a fully comprehensive process prior to changing the infrastructure on which we depend. We can point to the many letters and requests that we have provided asking for this process over the years, but they should by now be pretty easy to find in the public record. The commercial fishing industry has not had the opportunity to discuss the details of any of the 5 items on tonight's agenda.

We do appreciate that Agenda item 13 and 14 reference stakeholder input as part of the implementation process, which is a step in the right direction. However, agenda item 15, 16, and 17 do not follow this process, nor do these seemingly similar projects appear to be following the same processes as each other. For example, a piling repair in one area of Johnson Pier is on the agenda to increase a project budget because a previously deemed "exempt" project has encountered "unintended regulatory compliance issues" (Agenda Item 17). Another seemingly similar request to move docks and drive pilings (Agenda item 15) is stated as "exempt" and does not assume similar regulatory compliance challenges to follow. One leaseholder is asking to exercise a section of his lease to install a second hoist and the staff recommendation is to wait for the Tiger Grant (Agenda item 16), but in order for another leaseholder to exercise that same lease section and install a second hoist (agenda item 15) there is a recommendation to approve major infrastructure changes and expenses prior to Tiger and again without stakeholder input.

To be clear, any hoist installation for any fish buyer, any moving of docks for any reason, any driving or changing of pilings, modification of the navigational waterways, moving of freezers on or off of the dock, or any other changes large or small to Johnson Pier have the potential to significantly impact all commercial fishermen, commercial fish buying activities and public safety. We ask that this commission stop making small individual decisions with big impacts that they don't understand.

Half Moon Bay Seafood Marketing Association-PO Box 872 Half Moon Bay, CA 94019
hmbmsboard@gmail.com www.halfmoonbayseafood.org (650) 255-2063

Instead we ask that Johnson Pier be looked at as a whole and that you remove items 15, 16 and 17 from the agenda until staff can come back to you with a more holistic approach to improvements to Johnson Pier.

The Tiger grant (Agenda Item 14) begins to create an opportunity for this, our belief that staff will work with all stakeholders is why we supported the SMCHD Tiger grant application.

We are not prepared to weigh in on the details of Agenda Item 13, but because the staff report states that there will be stakeholder involvement prior to board action, we do not object to this item moving forward.

If the Tiger grant funding does not come through, we still must once again ask that SMCHD engage stakeholders to best determine how to use the space we have prior to making any infrastructure changes.

Thank you,
Lisa Damrosch
Half Moon Bay Seafood Marketing Association

San Mateo County Harbor District

Item 10
Revised Attachment 2

Procedure	Number: 2.1.4	Approved Date: 10/18/17	Effective Date: 10/18/17
Title: Records Management and Retention	Prepared By: Hodges, Pyle	Approved By: S. McGrath	Page: Page 10 of 10
Objective: To establish a comprehensive Records Management and Retention Procedure			

REAL PROPERTY		
Deeds and Other Documents Related to Real Property Interest	PERMANENT (O)	LR
Eminent Domain	PERMANENT (O)	LR
Annexation and Detachment	PERMANENT (O)	LR
Maps, surveys and records showing District boundaries and parcels within the District	PERMANENT (O)	LR
Plans	Life of Facility + 5 years	
TAX RELATED		
Auditor's Assessed Valuation Certificates	5 years	LR
District Tax Collection Information	PERMANENT (O)	LR
MISCELLANEOUS		
Records to be of Significant and Lasting Historical, Administrative, Financial, Legal or Research Value	PERMANENT (C)	LR

San Mateo County Harbor District

Item 10
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Procedure	Number: 2.1.4	Approved Date: 10/18/17	Effective Date: 10/18/17
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Objective: To establish a comprehensive Records Management and Retention Procedure			

California Public Employees' Retirement System (CalPERS) records	PERMANENT (O)	LR
Amount of Compensation Paid to Commissioners and Employees	7 years after date of payment	LR
Reimbursements, Advances, and Credit Card Payment Records for Commissioner and Employee Travel and Other District Related Expenses	7 years after date of payment	LR
Job Descriptions	Current + 2 years	LR, "Current" = The most recent version
Timesheets	Current + 4 years	"Current" = The most recent version
Employment Agreements	Expiration or termination + 4 years	
Job Applications and Resumes (employed)	1 year	
Job Applications and Resumes (unsuccessful)	1 year	
Position Advertisement	1 year	
Employment Test Results	1 year	
OSHA Logs and Records	5 years	
Safety and Training Records	Employment + 4 years	
Employment Eligibility	3 years after hire or 1 year after termination, whichever is later	
Worker's Comp Claims	5 years following resolution of claim or litigation	
Injury Reports and Grievances	5 years following resolution of claim or litigation	

San Mateo County Harbor District

Item 10
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Procedure	Number: 2.1.4	Approved Date: 10/18/17	Effective Date: 10/18/17
Title: Records Management and Retention	Prepared By: Hodges, Pyle	Approved By: S. McGrath	Page: Page 8 of 10
Objective: To establish a comprehensive Records Management and Retention Procedure			

Securities:		
Acquisition of Securities	3 years	
Broker and Bank Receipts	3 years	
Periodic Statement	3 years	
INSURANCE		
Memoranda of Coverage	Expiration + 5 years	
Insurance Policies	Expiration + 5 years	
Endorsements	Expiration + 5 years	
Certificates of Insurance	Expiration + 5 years	
Surety and Fidelity Bonds	Expiration + 5 years	
LEGAL		
Claims and Claims Records	2 years after close of claim	LR
Minor's Claims	2 years from age 18	LR
Litigation	2 years after litigation concludes	LR
Lien Sales	10 years	
Court Records	PERMANENT (O)	
OPERATIONS		
Log Books	5 years	
Incident Reports	7 years	
PERSONNEL		
Personnel Files	PERMANENT (O)	LR

San Mateo County Harbor District

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Objective: To establish a comprehensive Records Management and Retention Procedure			

Reports and Studies (external)	Audit + 5 years	
Chart of Accounts	Audit + 3 years	
Accountant Reports	Audit + 3 years	
Financial Statements	Audit + 3 years	
Journal Entries	Audit + 3 years	
Annual Budget	Audit + 3 years	
Issuance of Indebtedness	Audit + 4 years after repayment	LR
Fixed Assets:		
Fixed Asset Ledgers	Audit + 3 years	
Supporting documentation	Audit + 3 years	
Inventory/Ledger	Audit + 3 years	
Maintenance and Inspection Logs	Life of Equipment + 4 years	
Computer Licenses	Until expiration	
Vehicle Files	Life of vehicle + 3 years	
Bond Insurance:		
Trust Indentures	4 years after repayment	LR
Funds Management Agreement	4 years after repayment	LR
Other Permanent Bond Records	4 years after repayment	LR
Cancelled Checks for Bond Interest Payments and Redemption	7 years	

San Mateo County Harbor District

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Procedure	Number: 2.1.4	Approved Date: 10/18/17	Effective Date: 10/18/17
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Objective: To establish a comprehensive Records Management and Retention Procedure			

Petty Cash Report	Audit + 3 years	
Employee/Commissioner Expense Reports	Audit + 3 years	
Invoices	Audit + 3 years	
Purchase Orders	Audit + 3 years	
Accounts Receivable:		
A/R Register	Audit + 3 years	
Invoices	Audit + 3 years	
Audit Reports:		
Audit Report	Audit + 5 years	
State Controller's Report	PERMANENT (C)	LR
Work Papers	Audit + 5 years	
Banking:		
Bank Confirmations	Audit + 3 years	
Bank Reconciliations	Audit + 3 years	
Bank Statements	Audit + 3 years	
Bank Securities (records)	PERMANENT (O)	
Bank Receipts	PERMANENT (O)	
Cancelled and Voided Checks	Audit + 3 years	
Deposit Slips	Audit + 3 years	
Signature Authorization	Audit + 3 years	
Financial Reporting:		

San Mateo County Harbor District

Item 10
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Objective: To establish a comprehensive Records Management and Retention Procedure			

Response to Request for Qualifications - unaccepted	2 years	LR
Commercial Activity Permits	Termination + 7 years	
Berth Rental Agreements	Termination + 7 years	
Grants	Life of grant + 7 years	
Event and Photo Permits	Termination + 7 years	
ELECTION MATERIALS		
Ballot arguments (bond issues)	PERMANENT (O)	
Bond Proposition Results	PERMANENT (O)	
Proposition 218 Material	PERMANENT (O)	
Results of Board of Harbor Commissioner Elections	PERMANENT (O)	
General Election Material, other than above	3 years	
Special Election Material, other than above	3 years	
EMAILS		
Emails	Deleted after 2 years	
FINANCIAL		
Accounts Payable:		
A/P Ledger and Distribution Journal	Audit + 3 years	
Cash Disbursements	Audit + 3 years	
Payroll Reports	Audit + 3 years	

San Mateo County Harbor District

Item 10
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Procedure	Number: 2.1.4	Approved Date: 10/18/17	Effective Date: 10/18/17
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Objective: To establish a comprehensive Records Management and Retention Procedure			

Board and Committee Meeting Minutes	PERMANENT (C)	LR
Ordinances	PERMANENT (O)	LR
Resolutions	PERMANENT (O)	LR
Policies	Current + 3 years	LR
Ethics Code	Current + 3 years	LR
Proofs of Completion – Ethics Training	5 years	LR
Board Meeting Video Recordings	1 year after approval of minutes	
CAPITAL IMPROVEMENTS		
Capital Improvement Contracts	Contract term + 7 years	LR
Accepted Bid Documents	Contract term + 7 years	
Unaccepted Construction Bids and Proposals	2 years	LR
CONTRACTS		
Agreements and Contracts	Termination + 7 years	LR
Requests for Proposals	Contract term + 5 years	
Requests for Qualifications	Contract term + 5 years	
Response to Request for Proposals – accepted	Contract term + 5 years	LR
Response to Request for Proposals - unaccepted	2 years	
Response to Request for Qualifications - accepted	Contract term + 5 years	LR

Procedure	Number: 2.1.4	Approved Date: 10/18/17	Effective Date: 10/18/17
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Objective: To establish a comprehensive Records Management and Retention Procedure			

E. Records Retention Schedule

All District records must be retained for a minimum of two years, unless otherwise provided for in the Records Retention Schedule below.

Legend:

PERMANENT (O) = Permanently Retained in Original Form

PERMANENT (C) = Permanently Retained, may be converted to electronic storage (i.e. a pdf copy)

LR = Legally Required Retention Period

TITLE	MINIMUM RETENTION PERIOD	NOTES AND COMMENTS
ADMINISTRATION		
Formal Correspondence	3 years	"Formal" defined as any correspondence on letterhead
Policies	3 years after cancelation or update	
Formation and Accreditation	PERMANENT (O)	LR
Oaths of Office, Ballots and Other Related Documents	Term of Office + 7	LR
Filings with Secretary of State	PERMANENT (C)	LR
Form 700 – Statement of Economic Interest	7 years after filing	LR
Form 470 – Annual Financial	7 years after filing	LR
BOARD OF HARBOR COMMISSIONERS		
Agendas	7 years	
Staff Reports	7 years	

Procedure	Number: 2.1.4	Approved Date: 10/18/17	Effective Date: 10/18/17
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Objective: To establish a comprehensive Records Management and Retention Procedure			

affected District personnel must nevertheless take care not to manually delete email that are subject to the legal hold, and must not destroy relevant email or other records until Legal Counsel has notified them in writing that the legal hold has been lifted.

C. Records Storage

All of the records referenced in this policy shall be maintained at (a) the District’s Administrative office at 504 Alhambra, El Granada, CA 94018 or (b) a secure repository designated by the General Manager.

D. Records Disposal

The District may dispose of the following records at any time, without maintenance of a copy:

1. Duplicates, the original or a permanent digital record of which is on file;
2. Rough drafts, notes and working papers prepared or kept by an employee or accumulated in the preparation of a communication, study, or other document, unless of a formal nature contributing significantly to the preparation of the document;
3. Cards, listings, non-permanent indices, and other papers used for controlling work and transitory files including letter of transmittal and similar records;
4. Canceled coupon sheets from registered bonds; and
5. Shorthand notebooks, telephone messages, text messages and inter-departmental notes.

The General Manager, or designee, may destroy and discard, by any permanent method that protects the confidentiality of any privileged or confidential information contained therein, any District record after the expiration of the applicable retention period described in the Records Retention Schedule.

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Objective: To establish a comprehensive Records Management and Retention Procedure			

A. Permanent Records

Except for the categories of records that need to be retained permanently, original documents may be converted to digital or photographic media and the originals destroyed at any time. To the extent permitted by law, the District shall use technology solutions to minimize the creation of paper files and records and to minimize the future workload in digitizing paper files for archive purposes.

The District must maintain any record that is the subject of a pending request made under the California Public Records Act, whether or not the District has concluded that the record is exempt from disclosure, until (a) the request has been granted, or (b) two years have elapsed since the District provided written notice to the requestor that the request has been denied.

B. Legal Holds

Under certain circumstances, the District's Legal Counsel determines that destruction of records in accordance with the Retention Schedule must be suspended for certain individuals (including their emails) and/or certain categories of records. Legal holds are most often implemented in the following circumstances:

- A lawsuit filed by or against the District;
- Threatened or anticipated litigation known to the District (e.g. A dispute between the District and a contractor or consultant that may give rise to litigation);
- A government investigation conducted in connection with the District;
- Protection or enforcement of the District's legal rights; or
- Tax audits, assessments or other investigations.

Regardless of whether the Legal Counsel has issued a formal legal hold, no records may be destroyed, even if to do so would otherwise be compliant with the Retention Schedule, if they reasonably relate to ongoing or reasonably anticipated litigation, audits or governmental investigations. District personnel must immediately report to the General Manager any issues, claims, or disputes where litigation is threatened or reasonably foreseeable. All questions regarding whether records or writings should be retained for legal or litigation purposes should be directed to the General Manager and Legal Counsel.

In case of a legal hold, Legal Counsel will coordinate with the General Manager to suspend automatic deletion of email for affected District personnel. Legal Counsel will disseminate instructions to affected District personnel to inform them what emails and other records must be retained. Although automatic email deletion will be suspended,

Item 10
Comparison Records Retention

Current Retention Schedule - dated 7/17/1996		Proposed Retention Schedule - dated 10/18/17		
Records Title	Retention Period	Records Title	Proposed Retention Period	Notes on Proposed Policy
Accident Reports	50 years	"included" under "Log Books" - "OSHA Logs"	5 years	
Accounts Payable	5 years	A/P Ledger and Distribution Journal	Audit + 3 years	
		Cash Disbursements	Audit + 3 years	
		Petty Cash Report	Audit + 3 years	
		Employee/Commissioner Expense Reports	Audit + 3 years	
		Invoices	Audit + 3 years	
Accounts Receivable	5 years	A/R Register	Audit + 3 years	
		Invoices	Audit + 3 years	
Administrative Regulations Procedures	Permanent	"included" under "Policies"	3 years after cancelation or update	
Advertisements	7 years	Position Advertisement	1 year	
		Requests for Proposals	Contract term + 5 years	
		Requests for Qualifications	Contract term + 5 years	
Agendas	Permanent	Agendas	7 years	
Audits	Permanent	Audit Report	Audit + 5 years	
		State Controller's Report	PERMANENT (C)	Legal Requirement
		Work Papers	Audit + 5 years	
Bank Reconciliations	5 years	Bank Reconciliations	Audit + 3 years	
Berther Records	7 years	Berth Rental Agreements	Termination + 7 years	
Bids/specifications (if accepted)	Life of guarantee or grant, if any, plus 7 years	Response to Request for Proposals - accepted	Contract term + 5 years	Legal Requirement
		Response to Request for Proposals - unaccepted	2 years	
		Response to Request for Qualifications - accepted	Contract term + 5 years	Legal Requirement
		Response to Request for Qualifications - unaccepted	2 years	Legal Requirement
		Accepted Bid Documents	Contract term + 7 years	
		Unaccepted Construction Bids and Proposals	2 years	Legal Requirement
Budgets	Permanent	Annual Budget	Audit + 3 years	
Canceled Checks	10 years	Cancelled and Voided Checks	Audit + 3 years	
Cash Receipt Stubs/Daily	5 years	"included" under "Accounts Receivable"	Audit + 3 years	
Chronological Copies	5 years	N/A	N/A	
Claims/Suits (against District)	7 years past settlement of the claim/suit	Claims and Claims Records	2 years after close of claim	Legal Requirement
Commercial Activity Permits	7 years from expiration of permit	Commercial Activity Permits	Termination + 7 years	
Complaints	3 years	"included" under "Grievances"	5 years following resolution of claim or litigation	
Conflict of Interest Code & Statements	4 years	Form 700 - Statement of Economic Interest	7 years after filing	Legal Requirement
Contracts	Life of contract plus 7 years	Agreements and Contracts	Termination + 7 years	Legal Requirement
		Capital Improvement Contracts	Contract term + 7 years	Legal Requirement
Correspondence - General	4 years	Formal Correspondence	3 years	"Formal" defined as any correspondence on letterhead
Court Records	Permanent	Court Records	PERMANENT (O)	
Credit Card Transmittals	7 years	"included" under "Accounts Receivable"	Audit + 3 years	
Deeds	Permanent	Deeds and Other Documents Related to Real Property Interest	PERMANENT (O)	Legal Requirement

Current Retention Schedule - dated 7/17/1996		Proposed Retention Schedule - dated 10/18/17		
Records Title	Retention Period	Records Title	Proposed Retention Period	Notes on Proposed Policy
Deferred Compensation	Permanent	"included" under "Payroll"	Audit + 3 years	
Deposit Slips	5 years	Deposit Slips	Audit + 3 years	
Employees	Permanent	Personnel Files	PERMANENT (O)	Legal Requirement
Employment Applications (not hired)	2 years	Job Applications and Resumes (unsuccessful)	1 year	
		Job Applications and Resumes (employed)	1 year	
Financial Statements	Permanent	Financial Statements	Audit + 3 years	
		Reports and Studies (external)	Audit + 5 years	
		Chart of Accounts	Audit + 3 years	
		Accountant Reports	Audit + 3 years	
		Journal Entries	Audit + 3 years	
Fixed Assets	Permanent	Fixed Asset Ledgers	Audit + 3 years	
Grants	Life of the grant plus 10 years	Grants	Life of grant + 7 years	
Grievances	3 years after case closed	Injury Reports and Grievances	5 years following resolution of claim or litigation	
Historical (District)	Permanent	Records to be of Significant and Lasting Historical, Administrative, Financial, Legal or Research Value	PERMANENT (C)	Legal Requirement
Incident Reports	Permanent	Incident Reports	7 years	
Insurance Policies	Life of the policy plus 7 years	Insurance Policies	Expiration + 5 years	
		Memoranda of Coverage	Expiration + 5 years	
		Endorsements	Expiration + 5 years	
		Certificates of Insurance	Expiration + 5 years	
		Surety and Fidelity Bonds	Expiration + 5 years	
		Trust Indentures	4 years after repayment	Legal Requirement
		Funds Management Agreement	4 years after repayment	Legal Requirement
		Other Permanent Bond Records	4 years after repayment	Legal Requirement
		Cancelled Checks for Bond Interest Payments and Redemption	7 years	
		Issuance of Indebtedness	Audit + 4 years after repayment	Legal Requirement
Interoffice (Memos)	4 years	"included" under various headings (Correspondence/Emails)	varies	
Job Descriptions	5 years after termination	Job Descriptions	Current + 2 years	Legal Requirement, "Current" = The most recent version
Labor Relations	50 years	"included" under "Contracts"	Termination + 7 years	Legal Requirement
Leases	7 years	"included" under "Contracts"	Termination + 7 years	Legal Requirement
Ledgers	7 years	Inventory/Ledger	Audit + 3 years	
Ledgers (Payroll)	25 years	"included" under "Payroll"	Audit + 3 years	
Lien Sales	10 years	Lien Sales	10 years	
Liens	Permanent	"included" under "Lien Sales"	10 years	
Litigation	Permanent	Litigation	2 years after litigation concludes	Legal Requirement
		Minor's Claims	2 years from age 18	Legal Requirement
Log Books	Permanent	Log Books	5 years	
		OSHA Logs and Records	5 years	
Maintenance Records (Repairs)	Life of equipment	Maintenance and Inspection Logs	Life of Equipment + 4 years	

Current Retention Schedule - dated 7/17/1996		Proposed Retention Schedule - dated 10/18/17		
Records Title	Retention Period	Records Title	Proposed Retention Period	Notes on Proposed Policy
		Computer Licenses	Until expiration	
Maps	12 years	Maps, surveys and records showing District boundaries and parcels within the District	PERMANENT (O)	Legal Requirement
Meeting Packets	12 years	Staff Reports	7 years	
Memorandums of Understanding	50 years	*Considered a 'Contract'		
Minutes	Permanent	Board and Committee Meeting Minutes	PERMANENT (C)	Legal Requirement
Notice of Completion	Permanent	Proofs of Completion - Ethics Training	5 years	Legal Requirement
Ordinances	Permanent	Ordinances	PERMANENT (O)	Legal Requirement
Payroll (Including W-2 Forms)	50 years	Payroll Reports	Audit + 3 years	
Payroll Deductions Records	7 years	"included" under "Payroll"	Audit + 3 years	
Payroll Distribution	7 years	"included" under "Payroll"	Audit + 3 years	
Payroll Employee Reference Reports	7 years	"included" under "Payroll"	Audit + 3 years	
Payroll Recaps	7 years	"included" under "Payroll"	Audit + 3 years	
Permits	7 years	Event and Photo Permits	Termination + 7 years	
Personnel Exams	50 years	Employment Test Results	1 year	
		Safety and Training Records	Employment + 4 years	
Personnel Files	50 years	Employment Eligibility	3 years after hire or 1 year after termination, whichever is later	
Personnel Injury Report Forms	50 years	"included" under "Log Books" - "OSHA Logs"	5 years	
Petitions	12 years	"included" under "Advertisements" - "Requests for Proposals & Requests for Qualifications"	Contract term + 5 years	
Petty Cash Records	5 years	"included" under "Accounts Payable"	Audit + 3 years	
Plans (as built)	Life of the facility	Plans	Life of Facility + 5 years	
Policies	Permanent	Policies	3 years after cancelation or update	
		Policies - Commission	Current + 3 years	Legal Requirement
Project Files	1 year after project is closed	"included" under various headings	varies	
Property Owned	Permanent	Eminent Domain	PERMANENT (O)	Legal Requirement
		Annexation and Detachment	PERMANENT (O)	Legal Requirement
Publications	5 years	"included" under various headings	varies	
Purchase Orders	5 years	Purchase Orders	Audit + 3 years	
Receipts	5 years	Bank Receipts	PERMANENT (O)	
Requisitions	5 years	"included" under "Accounts Payable"	Audit + 3 years	
Resolutions	Permanent	Resolutions	PERMANENT (O)	Legal Requirement
Salaries	Permanent	Amount of Compensation Paid to Commissioners and Employees	7 years after date of payment	Legal Requirement
		Reimbursements, Advances, and Credit Card Payment Records for Commissioner and Employee Travel and Other District Related Expenses	7 years after date of payment	Legal Requirement
Salary Schedule	Permanent	Employment Agreements	Expiration or termination + 4 years	
Shift Schedules	5 years	"included" under "Payroll"	Audit + 3 years	

Current Retention Schedule - dated 7/17/1996		Proposed Retention Schedule - dated 10/18/17		
Records Title	Retention Period	Records Title	Proposed Retention Period	Notes on Proposed Policy
Tape of Meetings	Until minutes are approved or 30 days after taping, whichever is later; unless, someone has asked for a copy of a tape, then keep that tape as long as the meeting packet	Board Meeting Video Recordings	1 year after approval of minutes	
Time Sheets	5 years after termination	Timesheets	Current + 4 years	"Current" = The most recent version
Title Records	Retain until property is transferred or no longer owned by the District	Supporting documentation (fixed assets)	Audit + 3 years	
Vehicle Files	Life of the vehicle	Vehicle Files	Life of vehicle + 3 years	
Warrant Registers	Permanent	"included" under "Invoices"	Audit + 3 years	
Workers' Compensation Claims	Permanent	Worker's Comp Claims	5 years following resolution of claim or litigation	
		New items added to the "Proposed Retention Schedule":		
		Formation and Accreditation	PERMANENT (O)	Legal Requirement
		Oaths of Office, Ballots and Other Related Documents	Term of Office + 7	Legal Requirement
		Filings with Secretary of State	PERMANENT (C)	Legal Requirement
		Form 470 - Annual Financial	7 years after filing	Legal Requirement
		Ethics Code (Commission)	Current + 3 years	Legal Requirement
		Proofs of Completion - Ethics Training	5 years	Legal Requirement
		Ballot arguments (bond issues)	PERMANENT (O)	
		Bond Proposition Results	PERMANENT (O)	
		Proposition 218 Material	PERMANENT (O)	
		Results of Board of Harbor Commissioner Elections	PERMANENT (O)	
		General Election Material, other than above	3 years	
		Special Election Material, other than above	3 years	
		Bank Confirmations	Audit + 3 years	
		Bank Statements	Audit + 3 years	
		Bank Securities (records)	PERMANENT (O)	
		Signature Authorization	Audit + 3 years	
		Acquisition of Securities	3 years	
		Broker and Bank Receipts	3 years	
		Periodic Securities Statement	3 years	
		California Public Employees' Retirement System (CalPERS) records	PERMANENT (O)	Legal Requirement
		Auditor's Assessed Valuation Certificates	5 years	Legal Requirement
		District Tax Collection Information	PERMANENT (O)	Legal Requirement
		Emails	Deleted after 2 years	

Resolution No. 17-18

Authorization for the General Manager to submit an application to the U.S. Department of Transportation (D.O.T.) Infrastructure Investment, TIGER Discretionary Grant 2017 (TIGER), in an amount not to exceed \$5.3 million and appoint the General Manager as Harbor District designee to execute an agreement with the Department of Transportation

WHEREAS, the San Mateo County Harbor District Board of Commissioners ("Board") is acting to prepare a Strategic Plan for the Harbor District ("District") and its harbors; and,

WHEREAS, the Board has expressed its commitment to plan and act to sustain the commercial fishing industry at Pillar Point Harbor and,

WHEREAS, the U.S. Department of Transportation ("D.O.T.") has issued an invitation for applications to seek grant funds from its Transportation Infrastructure Investments grant program (TIGER Discretionary Grant 2017); and,

WHEREAS, the District, as an urban area, has been informed by D.O.T. that it may be eligible to receive eighty percent (80%) grant funding if its application is approved, District would be responsible for approximately \$1.3 million in cost share.

NOW, THEREFORE BE IT RESOLVED that the San Mateo County Harbor District Board of Harbor Commissioners:

1. Approves submission of a TIGER grant application to D.O.T. in an amount not to exceed \$5.3 million for road and pier improvements to support the fishing industry and other operations at Pillar Point Harbor.
2. Appoints the General Manager, Steve McGrath, to be the District's designee for the purposes of executing a TIGER grant agreement with D.O.T.

Passed and adopted this 18th day of October 2017 at a regular meeting of the San Mateo County Harbor District Board of Harbor Commissioners by a recorded vote as follows:

For:
Against:
Absent:
Abstaining:

Attested

Board of Harbor Commissioners

Debbie Gehret
Deputy Secretary

Tom Mattusch
President

Debbie Gehret

From: Steve McGrath
Sent: Wednesday, October 18, 2017 5:06 PM
To: Debbie Gehret
Subject: FW: tonights meeting- harbor district property plans

Steve McGrath
San Mateo County Harbor District

-----Original Message-----

From: Dan Haggerty [mailto:coastdemdan@gmail.com]
Sent: Wednesday, October 18, 2017 5:01 PM
To: Steve McGrath <smcgrath@smharbor.com>; Tom Mattusch <tmattusch@smharbor.com>; Virginia Chang Kiraly <vchang-kiraly@smharbor.com>; Robert Bernardo <rbernardo@smharbor.com>; Sabrina Brennan <sbrennan@smharbor.com>
Subject: tonights meeting- harbor district property plans

Commissioners and General Manager,

Item # 11) Any discussion of Permanent District-owned headquarters should be included with extensive public participation. I am very interested in any initial plans or ideas.

Item # 12) I support the concept of making Harbor District space available for local public meetings. There is a current great local need for this use.

Please include my comments on record for tonights meeting. I can not make tonights meeting due to other commitments. Please forward to Ed Larenas.

Regards,

Dan Haggerty
El Granada

Debbie Gehret

From: Steve McGrath
Sent: Wednesday, October 18, 2017 5:00 PM
To: Debbie Gehret
Subject: FW: Agenda Item 18 (SMCHD Meeting, Oct. 18)

Steve McGrath
San Mateo County Harbor District

-----Original Message-----

From: James Lee [mailto:jamesleerwc@gmail.com]
Sent: Wednesday, October 18, 2017 1:34 PM
To: Steve McGrath <smcgrath@smharbor.com>
Cc: Tom Mattusch <tmattusch@smharbor.com>; Virginia Chang Kiraly <vchang-kiraly@smharbor.com>; Sabrina Brennan <sbrennan@smharbor.com>; Robert Bernardo <rbernardo@smharbor.com>; Clay L. <clay@hmbreview.com>; Carina Woudenberg <carina@hmbreview.com>; Jon Mays <jon@smdailyjournal.com>
Subject: Agenda Item 18 (SMCHD Meeting, Oct. 18)

Good afternoon Steve,

I hope you've been well. I'm writing to voice my opposition to Item 18 on your agenda, in which you recommend limiting the ability of commissioners, who are elected representatives of county residents, from placing items on the agenda. I strongly urge the board to either table the item or take no vote on the matter:

Ever since the board of commissioners chose, under your direction, to cut the number of Harbor District meetings down to once a month, almost every meeting has now become overly stuffed with agenda items and has ended up running so long that "Commissioner Items," located near the end of the agenda, frequently go unheard. This means that any commissioner who hopes to bring important community concerns before the commission are frequently unable to do so.

With agenda item 18, you have made it clear in your staff report that this is a situation that is being created with the specific intent of hampering commissioners from doing their job, which is to represent the public and their interests.

Under the staff report for Item 18, you write that Resolution 19-13 limits commissioners to one item per meeting. This is untrue. The exact wording of the 2015 amendment to Res. 19-13 states that "Any Commissioner is allowed one item per Commissioner per meeting."

"Allowed" does not mean "limited to." It certainly does not and should not mean that when a commissioner is prevented from bringing an item to the board due to a meeting's length, that they should be prevented from bringing a new item to the next meeting if their first item went unheard. Commissioners now only have 12 regular meetings a year in which they can bring an item to the commission. They should not be penalized for meetings running long, particularly when agendas are stacked so that Commissioner Items regularly go unheard.

I would remind you that the language of the 2015 amendment to Res. 19-13 was written in the spirit of fairness. Previously, the Resolution stated that a board majority must approve proposed Commissioner Items, which guaranteed that commissioners who had dissenting opinions or were marginalized by the board would never be able to get an item on the agenda.