

**From:** [Steve McGrath](#)  
**To:** [Debbie Gehret](#)  
**Subject:** FW: SMC Harbor District Culture of Harassment & Retaliation - Jan 17, 2018  
**Date:** Friday, January 26, 2018 11:01:28 AM

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*Steve McGrath*  
*San Mateo County Harbor District*

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**From:** Sabrina Brennan [mailto:sabrina@dfm.com]  
**Sent:** Tuesday, January 23, 2018 10:57 AM  
**To:** Steve McGrath <smcgrath@smharbor.com>  
**Cc:** Edmundo Larenas <ELarenas@smharbor.com>; Mary Topliff <Topliff@joblaw.com>; Sabrina Brennan <sbrennan@smharbor.com>; Sabrina Brennan Personal <sabrina@dfm.com>  
**Subject:** Fwd: SMC Harbor District Culture of Harassment & Retaliation - Jan 17, 2018

Hello Steve,

Please publish my Jan 17, 2018 5:01pm email below to the Board of Harbor Commissioners with the Jan 17, 2018 board packet under commissioner comments on District's website. Please also include my an 17, 2018 5:01pm email with the Jan 17, 2018 meeting minutes under commissioner comments.

Please confirm and send a link to my Jan 17, 2018 email to the board published on the District's website.

January 17, 2018 Commissioner Comments VIDEO LINK:

- Brennan's Commissioner Comment: [https://youtu.be/EJc\\_XKnXS8s?t=6m18s](https://youtu.be/EJc_XKnXS8s?t=6m18s)

Thank you,  
Sabrina

Begin forwarded message:

**From:** Sabrina Brennan <[sabrina@dfm.com](mailto:sabrina@dfm.com)>  
**Subject:** SMC Harbor District Culture of Harassment & Retaliation - Jan 17, 2018  
**Date:** January 17, 2018 at 5:01:42 PM PST  
**To:** Tom Mattusch <[TMattusch@smharbor.com](mailto:TMattusch@smharbor.com)>, Virginia Chang Kiraly

<[vchang-kiraly@smharbor.com](mailto:vchang-kiraly@smharbor.com)>, Robert Bernardo  
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"sbrennan@smharbor.com" <[sbrennan@smharbor.com](mailto:sbrennan@smharbor.com)>

Harbor Commissioners,

At the December 20, 2017, Harbor Commission meeting I brought up concerns about the Harbor District's harassment, discrimination, and retaliation investigation process.

Link to December 20, 2017 meeting video: <https://www.youtube.com/watch?v=FBCsW15L9C4>

**The District's investigation process is not independent, it's not neutral, it's not unbiased.**  
My concerns about the District's improper investigation process are included in the Jan 8, 2018 San Mateo Daily Journal article, link below.

County Harbor Commissioner alleges flawed investigation into her report or harassment

[http://www.smdailyjournal.com/news/local/harbor-district-reviews-complaint-over-explicit-photos/article\\_e32d97bc-f403-11e7-8523-2332d1229ae2.html](http://www.smdailyjournal.com/news/local/harbor-district-reviews-complaint-over-explicit-photos/article_e32d97bc-f403-11e7-8523-2332d1229ae2.html)

**There is a pattern of problems with the Harbor District's harassment, discrimination, and retaliation investigation process.**

In 2013, I made a sexual orientation harassment, gender discrimination, and retaliation complaint against former General Manager Peter Grenell. Key testimony from a second victim was withheld from the investigation report (findings) produced by the District's employment counsel Liebert Cassidy Whitmore (LCW) and investigator Amy Oppenheimer hired by LCW.

Lisa Fernandez, past Harbor District administrative employee is the second victim. Currently, Ms. Fernandez is the office manager at the Half Moon Bay Yacht Club. Her sexual harassment complaint against Peter Grenell was backed up by evidence included in an investigation report that is published online.

The botched investigation into my complaint against Mr. Grenell was never corrected despite the concerns I raised when I discovered that testimony Lisa Fernandez provided during an interview with investigator Amy Oppenheimer had been omitted from findings included in the final investigation report. I was very disheartened by the coverup and responded by requesting a new independent and unbiased investigation. Sadly, my repeated requests were ignored by the Harbor District.

**Fast forward to my 2017 complaint against President Mattusch.** In 2014, Tom Mattusch invited me to go on an all expense paid safari hunting trip to Tanzania, Africa. A few weeks after the travel invitation Mr. Mattusch sent me an extremely pornographic email with the subject line "My last vacation photos." The email included 9 demeaning images of women, including an image of a naked women on all fours groveling in the sand at the beach and a photo of two women on a chaise lounge chair both in spread eagle positions, with sandy handprint on their naked bodies.

I confronted Mr. Mattusch about the invitation and the email.

President Mattusch removed me from multiple standing committee assignments and the Oyster Point Liaison Group. I'm not currently serving on any active committees. President Mattusch recently also voted against allowing the board to hold "committees of the whole" thereby blocking me from participating at all committee meetings and the Oyster Point Liaison Group.

President Mattusch has also repeatedly blocked me from contributing agenda items at Regular Board Meetings.

President Mattusch blocked me from being an officer on the board. In 2017, he voted against me for every officer position on the board.

President Mattusch said during the Aug 16, 2017 Harbor Commission meeting that he was removing me from the Finance Committee because "actions have consequences." Link to meeting video: <https://www.youtube.com/watch?v=li4qySEPP7U&t=1449s>

President Mattusch has made threats towards me in person and on the phone. Telling me to "watch out" and saying that "more bad things are coming your way."

#### **The 2017/2018 Investigation Process:**

The following email quotes are from Mary Topliff the investigation hired by Steven Miller, general counsel for the Harbor District:

**Dec 5, 2017:** *"Finally, you asked whether my unredacted fact-finding report will be provided to the Board. I have passed along your inquiry to the District and either Steve McGrath or Steven Miller will respond directly to you."*

**Dec 11, 2017:** *"The issue of the handling of my report is not up to me but I believe that Steven Miller will be getting back to you on that."*

Here is an email quote from Steven Miller. Please note that to-date this is the only information I've been provide regarding how the investigation is being conducted.

**Dec 8, 2017:** *“When the investigation is complete, we will advise the entire Commission as to how the final report will be distributed. The decision will not be up to the investigator but will preliminarily be up to me...”*

I asked Mary Topliff if she was going to conduct interviews regarding the culture of harassment, retaliation, and discrimination at the Harbor District. Ms. Topliff said “no.”

**Independent oversight is needed because the process is broken. A panel that includes women should interview and select a law firm capable of conducting a truly independent investigation.**

My complaints against Steve McGrath (Dec 2017) and Tom Mattusch (Oct 2017) are linked. It's not possible to talk about one complaint without also talking about the others.

There is a lot more I could say about all of this but my time is limited.

Sabrina Brennan