

RESOLUTION NO. 21-11

**RESOLUTION OF THE SAN MATEO COUNTY HARBOR DISTRICT
REVOKING INDEPENDENT COMMERCIAL ACTIVITY PERMIT OF
TOM MATTUSCH FOR F/V HULI CAT**

WHEREAS, the San Mateo County Harbor District issued Tom Mattusch an Independent Commercial Activity Permit (ICAP) for F/V Huli Cat (Permit No. 2011-22); and,

WHEREAS, pursuant to his ICAP, Mr. Mattusch is authorized to conduct charter fishing and other commercial activities at San Mateo County Harbor District facilities from January 1, 2011 to December 31, 2011; and

WHEREAS, the ICAP, Section 3, Commercial Activity Fee, Subsection 3.3 requires Mr. Mattusch to collect a Passenger Service Fee of \$2.00 per person plus a surcharge of \$0.25 during the term of the permit; and

WHEREAS, the ICAP, Subsection 3.3 further requires that all Passenger Service Fees shall be due and payable on the first day of each month during the term of the ICAP; and

WHEREAS, the District has billed Mr. Mattusch for the months of January through September, 2011, inclusive and he has refused to make those payments.

WHEREAS, at the meeting on October 5, 2011, the Board was provided with information regarding Mr. Mattusch's alleged failure to comply with the terms of his permit and with information and a request to terminate the ICAP.

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

1. Mr. Mattusch is in violation of the ICAP by virtue of his failure to make monthly payments of Passenger Service Fees as called for in the months of January through September, 2011, inclusive.
2. Mr. Mattusch has refused to pay Passenger Service Fees despite written requests to do so on July 21 and September 2, 2011.
3. Mr. Mattusch's refusal to make payments constitutes a violation of his ICAP, Section 3.3, and is grounds for revocation of the permit per Section 5.0.
4. Based upon the above-referenced findings, the Board of Harbor Commissioners hereby orders that Mr. Mattusch's ICAP is revoked.

no action taken. mattusch paid fees prior to Board meeting.

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Board of Harbor Commissioners of the San Mateo County Harbor District at a regular meeting thereof held on October 5, 2011 by the following vote:

AYES, HARBOR COMMISSIONERS: _____

NOES, HARBOR COMMISSIONERS: _____

ABSTAIN, HARBOR COMMISSIONERS: _____

ABSENT, HARBOR COMMISSIONERS: _____

DEPUTY SECRETARY for the
San Mateo County Harbor District

APPROVED:

GENERAL MANAGER for the
San Mateo County Harbor District