

Harbor Commissioner Sues Herself

July 8, 2025



In a move that has left many scratching their heads, Crescent City Harbor Commissioner Annie Nehmer filed a lawsuit against her own agency, including herself, as a sitting commissioner, in a failed attempt to reverse the commission's 4-1 vote approving an employment contract for CEO/ Harbormaster Mike Rademaker. Her request was expediently denied by the Del Norte County Superior Court due to a fundamental procedural error: Nehmer did not wait the required 30 days after sending a "cure and correct" notice BEFORE filing the lawsuit, rendering her position invalid.

Commissioner Nehmer, who cast the lone dissenting vote against the contract, claimed violations of California's Open Meeting law (The Brown Act) argued the vote lacked legal review and transparency; however, her in pro per (self represented) filing failed to follow the most basic procedural requirements, forcing the Court to deny the petition outright before even considering the merits of the case.

Observers have described the legal maneuver as a bizarre example of political frustration, morphing into litigation. Rather than continuing to work through her concerns at the Board of Commissioners level, Commissioner Nehmer sought judicial intervention in an attempt to override the will of the majority, despite being part of the agency she has sued.

This lawsuit and another from the public has created a significant drain on public resources. The Harbor Commission is compelled to defend itself in court and issue multiple point-by-point staff reports from both General Counsel Mitchell Law Firm and CEO Rademaker, debunking Nehmer's claims. The above-referenced reports from the Commission were consistent with the spirit of The Brown Act, since the Brown

Act has not been funded in many years. Public comment opportunities have been provided and the final terms of the contract had been disclosed prior to the vote, completely dispelling Nehmer's claims.

Among the more puzzling moments, Commissioner Dan Schmidt, publicly speculated at the June 25th commissioner's meeting that the Harbor's legal counsel was colluding with Harbormaster Rademaker, despite the fact the contract underwent legal review by four different attorneys, over several months. This alleged collusion accusation by commissioner Schmidt was never substantiated.

Ultimately, the employment contract was re-viewed(third time) and revised by current counsel Ryan Plotz to provide even greater clarity and transparency. It was then brought back for another vote, displaying the Commission's willingness to accommodate even frivolous concerns such as the location of the harbormaster's residence. Commissioners persevered despite the procedural chaos caused by Nehmer's lawsuit.

Nehmer and Schmidt were both offered retort to the events of the June 25th meeting. Schmidt submitted a 1500 word response and when The Triplicate's requested shortening his responses to curtail the length of his responses, he said, "It's complicated." Nonetheless, Schmidt has been offered a 750 word opinion piece on P.2 of next week's paper

Nehmer has been afforded several opportunities to submit, in writing, her reasons for filing multiple lawsuits, in open session, but has not taken advantage of the Triplicate offer whose goal is to objectively present balanced reporting. Commissioner Nehmer has hired a Davis attorney (at her own cost) to do her talking. Nehmer has bypassed both legal advice from the Harbor's attorney and board decorum in what can only be described as a personal crusade to undo a decision with which she disagrees. The Court's denial highlighted the less than serious nature of the filing and underscored the risks of attempting to play attorney without understanding the law.

The next Harbor meeting is Wednesday July 9 at the Harbor office 101 Citizens Dock Rd at 2PM.