



PORT OF STOCKTON

PUBLIC HEARING
ON
PROPOSED RATE INCREASE TO ITEMS IN
THE PORT OF STOCKTON
GENERAL TARIFF NO. 1 AND TERMINAL TARIFF NO. 5

April 23, 2019

Pursuant to notice duly given, the Public Hearing of the Port of Stockton was held on April 23, 2019, in Room 18 of the Port of Stockton Administration Building located at 2201 West Washington Street in Stockton, California.

HEARING OFFICER: Richard Aschieris, Port Director

STAFF: Jason Katindoy, Director of Maritime Operations
Pete Grossgart, Marketing Manager
Jeff Beason, Maritime Accounts and Tariffs Manager
Steven A. Herum, Port Counsel

The Public Hearing was called to order by Port Director Aschieris at 9:00 a.m. Port Director Aschieris presided and Melanie Rodriguez, Secretary to the Board, acted as Secretary for the meeting.

CONSIDERATION AND POSSIBLE APPROVAL OF THE PROPOSED RATE INCREASE TO ITEMS IN THE PORT OF STOCKTON GENERAL TARIFF NO. 1 AND TERMINAL TARIFF NO. 5

Director of Maritime Operations Katindoy provided an executive summary of this agenda item. Mr. Katindoy's presentation included the following:

Background:

Annually, coinciding with the Port's fiscal year (July 1 – June 30) the Port conducts a review of the Consumer Price Index, All Urban Consumers (CPI-U), and labor wage adjustments per applicable indices, contracts and agreements. Upon identification of CPI-U and labor wage adjustments and rate amendments to the General Tariff No. 1 and Terminal Tariff No. 5 are proposed to the Port Director for his approval, exercising his delegated power. For fiscal year 2019/20, the following CPI-U and labor adjustments are proposed for the Port Director's consideration:

- CPI-U: 4.5% increase, per Bureau of Labor Statistics, Western Region, Oakland-San Francisco-Hayward, to non-labor related items
- ILWU Locals 54, 34 and 91 Longshore: 1.8% increase, per Pacific Coast Longshore Contract Document, to items associated with Longshore labor

The legally required Notice of Public Hearing appeared in “The Record” on April 13, 2019. It was also posted to the Port’s website. As of the date of the Public Hearing no public comments were received.

Proposed General Rate Increases:

General Tariff No. 1

Item	Subject	Adjustment Type
108	Minimum Charge	CPI-U
1201	Pollution Prevention and Control	CPI-U
1402.1	Bulk Equipment	CPI-U
1405	Harbor Usage Charge	CPI-U

Terminal Tariff No. 5

Item	Subject	Adjustment Type
315	Dockage for Coastwise and International Vessels	CPI-U
320	Dockage for Inland Waterway Trade	CPI-U
365	Wharfage Rates	CPI-U
415	Wharf Demurrage Rates	CPI-U
420	Wharf Demurrage and Storage	CPI-U
425	Wharf Storage Rates	CPI-U
430	Wharf Storage Rates	CPI-U
435	Wharf Storage Lumber and Forest Products in Open Areas	CPI-U
605	Taking, Releasing And Shifting Lines	ILWU Longshore
610	Connecting and Disconnecting Hoses, Booster Pumps and Accessories	ILWU Longshore
730	Minimum Charge	CPI-U
881	Supplying Water to Vessel	CPI-U
890	Equipment Rental	CPI-U
900	Security Fee	

If the proposed tariff changes are approved by the Port Director, then Port staff will submit the proposed changes to the tariffs to the California Association of Port Authorities (CAPA) to secure the approval of the General Rate Increase through the process established by CAPA and the Federal Maritime Commission. After receiving CAPA approval Port staff will implement the proposed changes to Port of Stockton’s General Tariff No 1 and Terminal Tariff No 5, for an effective date of July 1 2019.

Port Staff recommends that the Port Director: approve the proposed General Rate Increase to items in the Port of Stockton’s Tariff; authorize Port staff to submit the proposed changes in the Tariffs to the California Association of Port Authorities to secure the General Rate Increase approval; and, upon confirmation of CAPA’s approval, authorize Port Staff to amend the Port of Stockton General Tariff No. 1 and Terminal Tariff No. 5 to reflect the proposed rate changes with the effective date of July 1, 2019.

Port Director Aschieris acknowledged Mr. Marc Cuevas from the International Longshore and Warehouse Union (ILWU) Local 34 Ship Clerks Association. Mr. Cuevas inquired if the labor cost increase was proportionate to the Longshore Labor contract. Mr. Katindoy affirmed.

Attorney Herum announced that representatives from Penny Newman Grain, who have a stake in the proposed general rate increases, attended the Public Hearing but did not exercise their right to speak.

Port Director Aschieris approved the proposed General Rate Increase to items in the Port of Stockton's Tariff; he authorized Port staff to submit the proposed changes in the Tariffs to the California Association of Port Authorities (CAPA) to secure the General Rate Increase approval; and, upon confirmation of CAPA's approval, he authorized Port Staff to amend the Port of Stockton General Tariff No. 1 and Terminal Tariff No. 5 to reflect the proposed rate changes with the effective date of July 1, 2019.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Port Director Aschieris acknowledged Mr. James Netto the Vice President of Production and Sales from Penny Newman Grain, Incorporated. Mr. Netto shared that Penny Newman Grain, Inc. had not been advised of the Public Hearing which may increase the harbor usage fee that affects them. Attorney Herum responded that the Public Hearing was noticed as required. Mr. Herum also responded that Penny Newman Grain would need to write a letter to the Secretary of the Board of Port Commissioners requesting that they be added to the Commission meeting distribution list.

Port Director Aschieris acknowledged Mr. Robert Mentelos from Penny Newman Grain, Incorporated. Mr. Mentelos shared that Penny Newman Grain, Inc. is trying to be a good neighbor and had received no communication related to the Public Hearing which deals with issues that may concern Penny Newman Grain, Inc.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 9:15 a.m. by the Hearing Officer Aschieris.

Melanie Rodriguez
Secretary to the Board

Hearing Officer Richard Aschieris