



## **STOCKTON PORT DISTRICT**

Board of Port Commissioners

November 4, 2019

Pursuant to notice duly given, the regular meeting of the Board of Commissioners of the Stockton Port District was held on November 4, 2019, in Room 18 of the Port of Stockton Administration Building located at 2201 West Washington Street in Stockton, California.

COMMISSIONERS PRESENT: R. Jay Allen  
Anthony M. Barkett  
Elizabeth (Liz) Blanchard  
Gary Christopherson  
Michael Patrick Duffy, Vice Chairman  
Stephen Griffen, Chairman  
Victor Mow

COMMISSIONERS ABSENT: None

COMMISSIONERS EXCUSED: None

OTHERS PRESENT: Richard Aschieris, Port Director  
Juan G. Villanueva, Director of Development and  
Planning  
Steven A. Herum, Port Counsel  
Melanie Rodriguez, Secretary to the Board

A quorum being present, the meeting was called to order by Chairman Stephen Griffen at 3:30 p.m. Chairman Griffen presided and Melanie Rodriguez, Secretary to the Board, acted as Secretary for the meeting.

### **CONSENT CALENDAR**

In compliance with Port Policy Statement #003, the Consent Calendar items of business, having been provided to each member of the Board prior to this meeting, the Commissioners present acted upon all Consent Calendar items of business under one vote.

Vice Chairman Duffy moved to adopt the following resolution:

MINUTES OF OCTOBER 21, 2019 MEETING

Resolution #8146: RESOLVED, that the minutes of the regular meeting of the Board of Commissioners of the Stockton Port District held on the 21st day of October 2019, as the same are endorsed on Page No. 091 to Page No. 094, inclusive, of Minutes Book No. 61, be and they are hereby approved.

Resolution #8146 was passed by the following vote:

COMMISSIONERS IN FAVOR:	Allen, Barkett, Blanchard, Christopherson, Duffy, Griffen, Mow
COMMISSIONERS AGAINST:	None
COMMISSIONERS ABSTAINING:	None
COMMISSIONERS ABSENT:	None
COMMISSIONERS EXCUSED:	None

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Chairman Griffen acknowledged there were no items removed from the Consent Calendar.

CONSIDERATION AND POSSIBLE APPROVAL FOR THE PURCHASE OF THREE CHEVROLET SILVERADO VEHICLES FOR THE MAINTENANCE DEPARTMENT FROM CHASE CHEVROLET FOR \$116,386.27 AND THE PURCHASE OF ONE CASE 580SN BACKHOE FOR THE MAINTENANCE DEPARTMENT UTILIZING GSA PRICING FROM SONSRAY MACHINERY FOR \$108,443.01

Agenda Items number 5 and 6 were combined and voted on as one item.

Port Development and Planning Manager Villanueva provided an executive summary of these agenda items.

The fiscal year 2019-2020 budget allows for the purchase of two trucks and one heavy duty service truck for the Maintenance Department. The proposed purchase of two Chevrolet Silverado 1500 pickups and one Chevrolet Silverado 2500 heavy duty service truck would add three vehicles to the depleted Maintenance Department vehicle fleet.

The purchase of a Case 580SN Backhoe for use by the Maintenance Department is also allocated in the current budget. The Port has been renting a backhoe for two years to facilitate in-house repairs to underground utilities for approximately \$2,000 per month. The proposed purchase of a Case 580SN Backhoe would enable the Port to continue performing necessary repairs using its own asset. When 5-year depreciation is considered the Port would own a new backhoe within two years at approximately the same monthly rent of \$2,000 per month. Furthermore, the backhoe would be purchased using General Services Administration (GSA) pricing through a local dealer and would include a '5-year or 5,000 hour' warranty.

Pricing for the three Chevrolet Silverado vehicles was provided by the following dealerships:

Chase Chevrolet, Stockton  
American Chevrolet, Modesto  
Winner Chevrolet, Elk Grove

Chase Chevrolet of Stockton provided the lowest pricing and is a local dealership:

2020 Chevrolet Silverado 1500	\$ 38,213.26
2020 Chevrolet Silverado 1500	\$ 38,213.26
2020 Chevrolet Silverado 2500 Heavy Duty Service Truck	\$ 39,959.75
Total:	\$116,386.27

The Case 580SN Backhoe would be purchased using GSA pricing through local dealer, Sonsray Machinery for \$108,443.01. GSA provided the lowest price for the Case 580SN backhoe.

Port Commission consideration and approval was requested to authorize the Port Director to purchase three Chevrolet Silverado vehicles for a total cost of \$116,386.27 from Chase Chevrolet of Stockton and one Case 580SN Backhoe utilizing GSA pricing for a total cost of \$108,443.01 from Sonsray Machinery for the Maintenance Department.

Chairman Griffen acknowledged that there were no requests to address the Port Commission on this matter.

Commissioner Mow moved, to adopt the following resolution:

Resolution #8147: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to purchase two 2020 Chevrolet Silverado 1500 vehicles and one 2020 Chevrolet Silverado 2500 Heavy Duty Service Truck from Chase Chevrolet of Stockton for \$116,386.27 and one Case 580SN Backhoe from Sonsray Machinery for \$108,443.01 with funds from the Port of Stockton General Fund; and

RESOLVED FURTHER, that the Port Director is authorized, empowered and directed to ensure that the provisions of this resolution are appropriately effected.

Resolution #8147 was passed by the following vote:

COMMISSIONERS IN FAVOR:	Allen, Barkett, Blanchard, Christopherson, Duffy, Griffen, Mow
COMMISSIONERS AGAINST:	None
COMMISSIONERS ABSTAINING:	None
COMMISSIONERS ABSENT:	None
COMMISSIONERS EXCUSED:	None

### COMMITTEE REPORTS

Chairman Griffen acknowledged that there were no Committee Reports.

### PORT DIRECTOR'S COMMENTS

Port Director Aschieris provided an executive summary of recent Port activities.

- Since the last Commission meeting, the following short-term lease has been executed:

Lessee:	The Sulphuric Acid Trading Company (SATCO)
Location:	East Complex, 1.35 acres at 2835 W. Washington Street
Term:	5 years

- Current calendar year-to-date shipping reflects 203 ships. Shipping activity for the same period in 2018 reported 217 ships. Since the last Commission meeting, 6 ships have called at the Port.
- Current calendar year-to-date tonnage totaled 3,901,159 metric tons. Tonnage for the same period in 2018 totaled 4,043,110 metric tons. Since the last Commission meeting, 123,201 metric tons of sulfuric acid from Japan and Vietnam, fertilizer from Russia, steel from Japan, sulfur to Mexico, molasses from Australia and dry bulk to Japan have been handled.
- In lieu of the regularly scheduled November 18, 2019 Commission Meeting an Ad Hoc Committee meeting will be held to review the proposed changes to the Stockton Port District Policy Statement.
- The Port will host the following events: a luncheon to honor the Port's Military Veterans on November 7, 2019 at Pietro's and a holiday reception to view the Annual Delta Reflections

Lighted Boat Parade on December 7, 2019 at the Albert Lindley House on the West Complex.

### COMMISSION COMMENTS

Chairman Griffen requested that Port Counsel prepare a report that outlines the options that the Port Commission may take related to Commissioner Mow's possible removal from the Board.

Commissioner Barkett shared that he had attended the recent San Joaquin Partnership meeting. He shared that Port staff may be better suited to participate in the monthly meetings held by the San Joaquin Partnership.

### PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chairman Griffen acknowledged Ms. Mary Elizabeth from the Delta-Sierra Group. Ms. Elizabeth requested that she and Mr. Jonathan Pruitt be added to the mailing list for California Environmental Quality Act (CEQA) notices related to Port projects.

### CLOSED SESSION: PURSUANT TO GOVERNMENT CODE §54957.6 DISCUSSION OF PERSONNEL MATTER: ANNUAL PERFORMANCE REVIEW OF THE PORT DIRECTOR

At 3:59 p.m. Chairman Griffen announced that, in accordance with the Ralph M. Brown Act, an executive session would be conducted by the Board of Commissioners pursuant to Government Code §54957.6. The general public and other Port staff was excused from the meeting, and the closed session commenced at 4:01 p.m. Port Director Aschieris remained for a portion of the executive session.

At 5:52 p.m., Chairman Griffen re-opened the meeting in public session. He reported that the Port Commission took action during the closed session pertaining to the annual performance review of the Port Director.

### CONSIDERATION AND POSSIBLE ACTION REGARDING AMENDED EMPLOYMENT AGREEMENT OF PORT DIRECTOR

On behalf of the Port Commission, Chairman Griffen summarized action taken and approved by the Commission regarding the amended employment for the Port Director: annual base salary of \$268,000.00, performance incentive of \$40,000.00 and a deferred compensation contribution of the annual maximum amount allowed by law in equal monthly contributions.

Resolution #8148: WHEREAS, in accordance with the provisions of the California Harbors and Navigation Code Section 6240 and following, the Board of

Commissioners of the Stockton Port District (Port Commission) and Richard Aschieris (Port Director Aschieris) entered into an Employment Agreement on February 14, 2000, (Employment Agreement), which has been renewed and amended annually, the last being the Amended Employment Agreement for Port Director dated the 16th day of July 2018 and effective as of July 1, 2018; and

WHEREAS, on November 4, 2019, the Port Commission completed a performance evaluation of Port Director Aschieris; now, therefore be it

RESOLVED, that the Port Commission and Port Director Aschieris renew, amend and completely supersede the Amended Employment Agreement for Port Director dated July 16, 2018 with the Amended Employment Agreement for Port Director dated the 4th day of November 2019 and effective as of July 1, 2019; and,

RESOLVED FURTHER, by the Port Commission that the Amended Employment Agreement for the Port Director dated the 4th day of November 2019 and effective as of July 1, 2019 shall delineate provisions for an annual base salary of \$268,000.00 (Two Hundred Sixty Eight Thousand 00/100 dollars), a performance incentive of \$40,000 (Forty Thousand and 00/100 dollars) and a deferred compensation contribution of the annual maximum amount allowed by law in equal monthly contributions; and

RESOLVED FURTHER, that on behalf of the Stockton Port District Board of Commissioners, the Chairman of the Port Commission is hereby authorized and directed to execute said Amended Employment Agreement for Port Director dated the 4th day of November 2019 and effective as of July 1, 2019.

Resolution #8148 was passed by the following vote:

COMMISSIONERS IN FAVOR:	Allen, Barkett, Blanchard Christopherson, Duffy, Griffen, Mow
COMMISSIONERS AGAINST:	None
COMMISSIONERS ABSTAINING:	None
COMMISSIONERS ABSENT:	None
COMMISSIONERS EXCUSED:	None

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 5:53 p.m. by Chairman Griffen.

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Melanie Rodriguez  
Secretary to the Board

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Chairman Stephen Griffen