



STOCKTON PORT DISTRICT

Board of Port Commissioners

May 17, 2021

Pursuant to notice duly given, the regular meeting of the Board of Commissioners of the Stockton Port District was held on May 17, 2021, in Room 18 of the Port of Stockton Administration Building located at 2201 West Washington Street in Stockton, California.

COMMISSIONERS PRESENT: R. Jay Allen, Chairman
Anthony Barkett
Michael Patrick Duffy
Gary Christopherson,
Stephen Griffen
William R. Trezza

COMMISSIONERS ABSENT: None

COMMISSIONERS EXCUSED: Elizabeth (Liz) Blanchard, Vice Chairperson

OTHERS PRESENT: Richard Aschieris, Port Director
Steve Escobar, Senior Deputy Port Director
Michelle Bowling, Director of Finance
Katie Miller, Director of Human Resources and
Administrative Services
Juan Villanueva, Director of Development and
Planning
Sylvester Aguilar, Port Real Estate & Properties
Development Manager
Steven A. Herum, Port Counsel
Melanie Rodriguez, Secretary to the Board

A quorum being present, the meeting was called to order by Chairman R. Jay Allen at 3:30 p.m. Chairman Allen 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.

Commissioner Christopherson moved, to adopt the following resolutions:

MINUTES OF MAY 3, 2021 MEETING

Resolution #8235: RESOLVED, that the minutes of the REGULAR meeting of the Board of Commissioners of the Stockton Port District held on the 3rd day of May 2021, as the same are endorsed on Page No. 044 to Page No. 054, inclusive, of Minutes Book No. 63, be and they are hereby approved.

MINUTES OF MAY 7, 2021 MEETING

Resolution #8236: RESOLVED, that the minutes of the adjourned REGULAR meeting of the Board of Commissioners of the Stockton Port District held on the 7th day of May 2021, as the same are endorsed on Page No. 055 to Page No. 056, inclusive, of Minutes Book No. 63, be and they are hereby approved.

APPROVAL OF THE PORT OF STOCKTON'S 2020 POWER SOURCE DISCLOSURE ANNUAL REPORTS FOR SUBMITTAL TO THE CALIFORNIA ENERGY COMMISSION

Resolution #8237: WHEREAS, the Stockton Port District is a public corporation created for municipal purposes under Section 6290 of the California Harbors and Navigation Code; and

WHEREAS, the Port is generally subject to the legislative and regulatory requirements applicable to local publicly owned electric utilities (POU); and

WHEREAS, California Public Utilities Code Section 398.5 requires all retail suppliers of electric energy, including the Stockton Port District, to report to the California Energy Commission (CEC), on an annual basis, purchases from specified and unspecified sources as well as the disclosure made to customers pursuant to California Public Utilities Code Section 398.4, collectively referred to as the "Power Source Disclosure Report"; and

WHEREAS, the applicable CEC regulations require retail suppliers to have an auditor prepare a report validating the retail supplier's Power Source Disclosure Report; and

WHEREAS, the applicable CEC regulations exempt a retail supplier that is a public agency from the audit requirements if the public agency's

governing board approves the submission of an attestation on the veracity of the Power Source Disclosure Report; and

WHEREAS, staff completed the 2020 Power Source Disclosure Annual Report; and

WHEREAS, the Board of Port Commissioners (the Board) wishes to attest to the veracity of information presented in the 2020 Power Source Disclosure Report; now, therefore, it be

RESOLVED, that the Stockton Port District Board of Commissioners approves the 2020 Power Source Disclosure Annual Reports; and

RESOLVED FURTHER, that the Stockton Port District Board of Commissioners attests to the veracity of information presented in the 2020 Power Source Disclosure Annual Reports; and

RESOLVED FURTHER, that the Stockton Port District Board of Commissioners authorizes the Port Director, or designee, to execute and submit the attestation of the 2020 Power Source Disclosure Annual Reports to the California Energy Commission.

Resolutions #8235, #8236 and #8237 were passed by the following vote:

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

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

PORT OF STOCKTON STRATEGIC PLAN UPDATE

Mr. Daniel Smith, a Principal with The Tioga Group, Inc. provided an update on the Port's Strategic Plan. Mr. Smith's presentation included the following updates:

- Stakeholders and contacts that have been interviewed
- Cargo data, industrial real estate market and economic outlook information
- Draft outline and next steps

ACCEPTANCE OF THE STOCKTON PORT DISTRICT INDEPENDENT AUDITOR'S SINGLE AUDIT REPORT JUNE 30, 2020, AS PREPARED AND SUBMITTED BY THE INDEPENDENT ACCOUNTING FIRM OF EIDE BAILLY

Eide Bailly Audit Manager Kyle Bartle provided an overview of the audit services provided for the 2019/2020 fiscal year single audit.

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

Commissioner Duffy moved, to adopt the following resolution:

Resolution #8238: RESOLVED, by the Board of Commissioners of the Stockton Port District that the *Stockton Port District Independent Single Auditor Report as of June 30, 2020*, as prepared and submitted by the independent accounting firm of Eide Bailly, is hereby formally accepted and approved as presented.

Resolution #8238 was passed by the following vote:

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

COMMITTEE REPORTS

Audit Ad Hoc Committee Meeting

On April 29, 2021, an Ad Hoc Committee Meeting for the Audit comprised of Commissioners Barkett and Duffy, Port Director Aschieris and Port staff met with Eide Bailly representatives to discuss the previous and upcoming audit. Commissioners Barkett and Duffy thanked Port staff for all of their good work on the previous audit.

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: West Coast Biofuel, LLC
Location: West Complex, 217 Fyffe Avenue, Suite 136
Term: 1 year

- Current calendar year-to-date shipping reflects 111 ships. Shipping activity for the same period in 2020 reported 87 ships. Since the last Commission meeting, 17 ships have called at the Port.
- Current calendar year-to-date tonnage totaled 1,880,995 metric tons. Tonnage for the same period in 2020 totaled 1,591,362 metric tons. Since the last Commission meeting, 248,914 metric tons of cement/slag from Vietnam and Mexico, fertilizer from Trinidad, Belgium, Estonia and Norway, molasses from Guatemala, animal feed from China, bagged sugar from Nicaragua, food oils from Indonesia, anhydrous ammonia from Trinidad, project cargo from Belgium, bagged rice, tire chips, project cargo and dry bulk to Japan have been handled.
- The first Port Outreach Committee meeting was held on May 12, 2021. Thirty-five individuals participated that included neighboring residents, environmental justice groups, representatives from the City of Stockton and San Joaquin County, Supervisor Miguel Villapudua's Chief of Staff, the California Air Resources Board, the San Joaquin Valley Air Pollution Control District and Port tenants. The meeting was considered a listening session to learn about the issues that the participants want to engage in with the Port. The next meeting will be titled *Port 101* and will provide participants a wide range of information about the Port.

COMMISSION COMMENTS

Commissioner Griffen shared his thoughts about Port Retiree Patricia Huff who passed away on May 9, 2021, in whose memory the meeting will be adjourned in.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Mary Elizabeth with the Delta-Sierra Group submitted emailed comments that were ready by Chairman Allen and submitted to the Commission.

CLOSED SESSION PERSONNEL/PORT DIRECTOR PURSUANT TO GOVERNMENT CODE §54957.6

At 4:14 p.m. Chairman Allen 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 4:15 p.m. Port Counsel Herum remained for a portion of the executive session.

At 4:27 p.m., Chairman Allen re-opened the meeting in public session. He reported that the Port Commission took no formal, reportable action during the closed session.

CONSIDERATION AND POSSIBLE APPROVAL OF THE APPOINTMENT OF THE NEW PORT DIRECTOR, CONSIDERATION AND POSSIBLE APPROVAL OF AN EMPLOYMENT CONTRACT FOR THE NEW PORT DIRECTOR AND AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE THE APPROVED CONTRACT

Chairman Allen recommended that Mr. Kirk DeJesus be named the next Port Director for the Port of Stockton, that the annual base salary for Mr. DeJesus be \$280,000.00 which is contingent upon the completion of a satisfactory physical exam and that the Chairman of the Port Commission is authorized to execute the approved employment contract.

Commissioner Trezza moved to adopt the following resolution:

Resolution #8239: 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 Kirk DeJesus (Port Director DeJesus) entered into an Employment Agreement on May 17, 2021, (Employment Agreement), with an effective date as of May 18, 2021; and

WHEREAS, the Employment Agreement is contingent upon the completion of a satisfactory physical exam; now, therefore, it be

RESOLVED, by the Port Commission that the Employment Agreement for Port Director DeJesus dated the 17th day of May 2021 and effective as of May 18, 2021 shall delineate provisions for an annual base salary of \$280,000.00 (Two Hundred Eighty Thousand and 00/100 dollars); and

RESOLVED FURTHER, that on behalf of the Stockton Port District Board of Commissioners, that the Chairman of the Port Commission is hereby authorized and directed to execute said Employment Agreement for Port Director DeJesus dated the 17th day of May 2021 and effective as of May 18, 2021.

Resolution #8239 was passed by the following vote:

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

ADJOURNMENT

On behalf of the Stockton Port District Board of Commissioners, it was announced by Chairman Allen that today's Commission meeting would be adjourned in memory of Retired Deputy Director Patricia (Pat) Huff.

Pat Huff has born September 5, 1931 and passed away on May 9, 2021 at the age of 89. Pat started on May 24, 1972 as a Secretary to Port Director W. J. Turner. In 1973 she moved to the Community Relations Department, in 1974 she became the Community Relations Manager. Pat's title changed to Property Management/Promotion in 1979. In 1989 her title has changed to Trade and Property Development General Manager. Her final promotion has to Deputy Director in 1989. Pat retired from the Port on July 2, 1999. Prior to working at the Port Pat worked in the TV industry. Pat is survived by her children Shannon, Gina and Joseph and many grandchildren and great-grandchildren.

On behalf of the Commissioners, Port Director and staff, sincere sympathy and condolences were extended to the family of Pat Huff.

There being no further business to discuss, the meeting was adjourned at 4:31 p.m. by Chairman Allen.

Melanie Rodriguez
Secretary to the Board

Chairman R. Jay Allen