



STOCKTON PORT DISTRICT

Board of Port Commissioners

October 18, 2021

Pursuant to notice duly given, the regular meeting of the Board of Commissioners of the Stockton Port District was held on October 18, 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
Gary Christopherson
Michael Patrick Duffy
Stephen Griffen
William R. Trezza

COMMISSIONERS ABSENT: None

COMMISSIONERS EXCUSED: Elizabeth (Liz) Blanchard, Vice Chairperson

OTHERS PRESENT: Kirk DeJesus, Port Director
Richard Aschieris, Port Director
Steve Escobar, Senior Deputy Port Director
Michelle Bowling, Director of Finance
Katie Miller, Director of Human Resources &
Administrative Services
Jason Katindoy, Director of Maritime Operations
Juan Villanueva, Director of Development and Planning
Jeff Wingfield, Director of Environmental and Public
Affairs
Sylvester Aguilar, Real Estate Marketing 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 Consent Calendar items of business under one vote.

Chairman Allen acknowledged that there were no requests to address the Port Commission on these matters.

Commissioner Duffy moved, to adopt the following resolutions:

MINUTES OF SEPTEMBER 20, 2021 MEETING

Resolution #8269: RESOLVED, that the minutes of the REGULAR meeting of the Board of Commissioners of the Stockton Port District held on the 20th day of September 2021, as the same are endorsed on Page No. 091 to Page No. 098, inclusive, of Minutes Book No. 63, be and they are hereby approved.

APPROVAL OF ORIGINAL PILOT COMMISSION FOR CAPTAIN JASON VOGEL

Resolution #8270: WHEREAS, Captain Jason Vogel has submitted an application and medical forms to the Stockton Port District for appointment as a Commissioned Pilot, it is hereby

RESOLVED, that the Board of Commissioners of the Stockton Port District approves the appointment of Captain Jason Vogel as a Commissioned Pilot of the Stockton Port District from October 19, 2021 through June 30, 2022.

CONSIDERATION AND POSSIBLE APPROVAL OF THE PORT OF STOCKTON DOCFINITY ENTERPRISE CONTENT MANAGEMENT SYSTEM SOFTWARE AS A TRUSTED SYSTEM FOR THE MANAGEMENT OF THE PORT'S RECORDS AND THE AUTOMATION OF RETENTION REQUIREMENTS

Resolution #8271: WHEREAS, on August 19, 2019 the Port Commission adopted Resolution #8138, creating a Records Retention Schedule which established the retention periods for how long Records of the Port ("Records") will be retained in accordance with administrative, fiscal, historical, or legal purposes; and

WHEREAS, Section 60203, et seq, of the Government Code of the State of California provides the parameters whereby Port Records that have served their purpose and are no longer required may be destroyed, including the requirement that certain Records be reproduced on a "Trusted System," as defined in California Government Code Section 12168.7, prior to destruction; and

WHEREAS, California Government Code Section 12168.7 provides uniform statewide standards for storing documents in electronic media; and

WHEREAS, the Secretary of State has adopted Trustworthy Electronic Document or Record Preservation regulations, located in Chapter 15, Division 7, Title 2 of the California Code of Regulations, which govern the recording, storing and reproducing of Records in electronic media where the intent is to destroy the original hardcopy and maintain the electronic copy as the official Record; and

WHEREAS, the Director of Human Resources and Administrative Services has worked to ensure the Port's enterprise content management system and Records stored within the system, are kept in accordance with the State's Trusted System requirements and the Trustworthy Electronic Document or Record Preservation requirements; and

WHEREAS, the Port has established a Policy instituting the Port's standards for proper management of Records; and

WHEREAS, the Port uses DocFinity to electronically store Records in Portable Document Format (PDF); and

WHEREAS, Folder level permissions and restrictions have been established in DocFinity to ensure only appropriate personnel have access to Records; and

WHEREAS, Records Management Procedures for electronic Records have been developed for the implementation of the Records Retention Schedule and to provide for the routine scanning, uploading, saving, importing and disposing of Records in DocFinity during the normal course of business; and

WHEREAS, collectively, the Port's comprehensive Records Retention Schedule, Records and Information Management Policy, Records Management Procedures and the DocFinity technology constitute a Trusted System in accordance with California state law; now, therefore be it

RESOLVED, that the Board of Commissioners of the Stockton Port District, hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the Board of Commissioners adoption of this Resolution; and

RESOLVED FURTHER, that DocFinity is declared the Port's Records storage repository; and

RESOLVED FURTHER, that DocFinity is backed up and the backup copy is stored offsite on a routine schedule in a format that cannot be altered; and

RESOLVED FURTHER, that the Records Management Procedures have been implemented and are considered the approved procedures for the management of electronic Records; and

RESOLVED FURTHER, that the Board of Commissioners hereby declares the adopted Record Retention Schedule, Records and Information Management Policy as well as the implemented Records Management Procedures and the DocFinity technology collectively establish the Stockton Port District's Trusted System; and

RESOLVED FURTHER, that this Resolution shall take effect immediately upon its adoption.

CONSIDERATION AND POSSIBLE APPROVAL OF A CATEGORICAL EXEMPTION 15301 AND 15302 PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AUTHORIZATION FOR PORT STAFF TO FILE A NOTICE OF EXEMPTION RELATED THERETO; AND, FOR THE PORT DIRECTOR TO AUTHORIZE A CHANGE ORDER TO T.A. KRAUSE, INC. FOR WAREHOUSE 619 ROOF RESTORATION FOR \$220,084

Resolution #8272: RESOLVED, that pursuant to Port staff review of, and belief that the Warehouse 619 Roof Restoration is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15302 the Stockton Port District Board of Commissioners hereby adopts a CEQA Categorical Exemption for the Warehouse 619 Roof Restoration and authorizes the filing of a Notice of Exemption related thereto with San Joaquin County; and

RESOLVED FURTHER, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to award the Warehouse 619 Roof Restoration to T.A. Krause, Inc. for an amount not-to-exceed \$220,084.00 (Two Hundred Twenty Thousand Eighty-Four and 00/100 Dollars); and

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

CONSIDERATION AND POSSIBLE AUTHORIZATION FOR THE PORT DIRECTOR TO REIMBURSE RECLAMATION DISTRICT 403 FOR THE CONSTRUCTION OF AN EROSION CONTROL WALL FOR A NOT-TO-EXCEED AMOUNT OF \$1,500,000

Resolution #8273: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to reimburse Reclamation District 403 for the construction of an erosion control wall for an amount not-to-exceed \$943,350.00 (Nine Hundred Forty-Three Thousand Three Hundred Fifty and 00/100 Dollars); and

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

CONSIDERATION AND POSSIBLE APPROVAL OF A CATEGORICAL EXEMPTION 15304(G) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AUTHORIZATION FOR PORT STAFF TO FILE A NOTICE OF EXEMPTION RELATED THERETO; AND, AUTHORIZATION FOR THE PORT DIRECTOR TO AWARD A SOLE SOURCE CONTRACT TO ROSS ISLAND SAND AND GRAVEL COMPANY FOR THE DOCK 14 THROUGH DOCK 18 MAINTENANCE DREDGING PROJECT IN A NOT-TO-EXCEED AMOUNT OF \$1,100,000

Resolution #8274: RESOLVED, that pursuant to Port staff review of, and belief that the Dock 14 through Dock 18 Maintenance Dredging Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304(g), the Stockton Port District Board of Commissioners hereby adopts a CEQA Categorical Exemption for the Dock 14 through Dock 18 Maintenance Dredging Project and authorizes the filing of a Notice of Exemption related thereto with San Joaquin County; and

RESOLVED FURTHER, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to award the Dock 14 through Dock 18 Maintenance Dredging Project to Ross Island Sand and Gravel Company for an amount not-to-exceed \$1,100,000.00 (One Million One Hundred Thousand and 00/100 Dollars); and

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

CONSIDERATION AND POSSIBLE AUTHORIZATION FOR THE PORT DIRECTOR TO AWARD A CONTRACT TO STARCREST CONSULTING GROUP IN THE AMOUNT OF \$37,000 TO DEVELOP AN EMISSION REDUCTION STRATEGY

Resolution #8275: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to award a contract to Seacrest Consulting Group to develop an Emission Reduction Strategy for the Port of Stockton for an amount not-to-exceed \$37,000.00 (Thirty-Seven Thousand and 00/100 Dollars); and

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

Resolutions #8269, #8270, #8271, #8272, #8273, #8274 and #8275 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.

CONSIDERATION AND POSSIBLE APPROVAL FOR THE PORT DIRECTOR TO EXECUTE A DISPOSITION OF GRANT-ACQUIRED PROPERTY AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION MARITIME ADMINISTRATION FOR BARGES M-580 A AND B AND EXECUTE A BROKERAGE AGREEMENT WITH PACIFIC RIM SHIPBROKERS, INC. FOR THE SALE OF BARGES M-580 A AND B AT A BROKERAGE RATE OF 5% OF THE GROSS SALE FOR A 6-MONTH TERM

Development and Planning Director Villanueva provided an executive summary on this agenda item. The staff report was provided to each member of the Board prior to the meeting and was also available as a link on the Agenda posted on the Port's website.

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

Commissioner Griffen moved, to adopt the following resolution:

Resolution #8276: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to execute a Disposition of Grant-Acquired Property Agreement with the United States Department of Transportation Maritime Administration (MARAD) for Barges M-580 A and M-580 B; and

RESOLVED FURTHER, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to execute a Brokerage Agreement with Pacific Rim Shipbrokers, Inc. for the sale of Barges M-580 A and M-580 B at a brokerage rate of five percent (5%) of the gross sale for a term of six (6) months; and

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

Resolution #8276 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

American Association of Port Authorities (AAPA)

Commissioners Barkett and Trezza attended the American Association of Port Authorities (AAPA) 110th Annual Convention in Austin, Texas. The AAPA Annual Convention was both educational and interesting. Commissioners Barkett and Trezza thanked staff for their great work representing the Port at the conference.

PORT DIRECTOR'S COMMENTS

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

- Current calendar year-to-date shipping reflects 245 ships and 1 barge. Shipping activity for the same period in 2020 reported 190 ships. Current calendar year-to-date tonnage totaled 4,097,445 metric tons. Tonnage for the same period in 2020 totaled 3,092,685 metric tons.
- Since the last Commission meeting, the following short-term lease has been executed:

Lessee:	City of Stockton, Firearms Training Center
Location:	7.75 acres on Navy Drive
Term:	3 years with two 1 year options
- The Port was presented an Award of Excellence for its Port of Possibilities marketing campaign and an Award of Distinction for its Shaping the World of Maritime report from the American Association of Port Authorities (AAPA).

COMMISSION COMMENTS

Commissioner Christopherson distributed an article from the publication *The Economist* related to shipping. He also shared that Port lease Escalation Clauses should be tied to the actual Consumer Price Index (CPI).

Commissioner Griffen thanked the Port Director for providing a letter in support of increasing the longshore labor force at the Port.

Commissioner Trezza shared that the San Joaquin Council of Governments would be hosting a teleconference meeting related to California in-land ports.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chairman Allen acknowledged that there were no Public Comments on non-agenda items.

CLOSED SESSION PURSUANT TO GOVERNMENT CODE §54956.8 REAL PROPERTY TRANSACTION: RECEIVE REPORTS FROM, GIVE INSTRUCTIONS TO & CONFER WITH PORT NEGOTIATOR KIRK DEJESUS REGARDING POTENTIAL REAL PROPERTY TRANSACTION RELATIVE TO 3028 NAVY DRIVE, STOCKTON, CA

At 3:50 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 §54956.8. The general public and other Port staff was excused from the meeting, and the closed session commenced at 3:51 p.m. Port Director DeJesus, Senior Deputy Director Escobar, Director of Finance Bowling, Director of Maritime Operations Katindoy, Director of Human Resources and Administration Services Miller, Director of Development and Planning Villanueva, Director of Environmental and Public Affairs Wingfield, Port Real Estate Marketing Manager Aguilar and Port Counsel Herum remained for the executive session.

At 4:22 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.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 4:24 p.m. by Chairman Allen.

Melanie Rodriguez
Secretary to the Board

Chairman R. Jay Allen