



## **STOCKTON PORT DISTRICT**

Board of Port Commissioners

April 18, 2022

Pursuant to notice duly given, the regular meeting of the Board of Commissioners of the Stockton Port District was held on April 18, 2022, in Room 18 of the Port of Stockton Administration Building located at 2201 West Washington Street in Stockton, California.

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

COMMISSIONERS ABSENT: None

COMMISSIONERS EXCUSED: None

OTHERS PRESENT: Kirk DeJesus, Port Director  
Richard Aschieris, Retiring Port Director  
Steve Escobar, Senior Deputy Port Director  
Jason Katindoy, Deputy Port Director  
Jeff Wingfield, Deputy Port Director  
Michelle Bowling, Director of Finance &  
Accounting  
Rhonda Nelson, Director of Real Estate & Port  
Development  
Juan Villanueva, Director of Development &  
Planning  
Sylvester Aguilar, Real Estate Marketing  
Manager  
Jason Cashman, Environmental & Regulatory  
Affairs Manager  
Steven A. Herum, Port Counsel  
Melanie Rodriguez, Secretary to the Board

A quorum being present, the meeting was called to order by Chairman Anthony Barkett at 3:32 p.m. Chairman Barkett 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.

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

Vice Chairman Duffy moved, to adopt the following resolutions:

### MINUTES OF MARCH 21, 2022 MEETING

Resolution #8299: RESOLVED, that the minutes of the REGULAR meeting of the Board of Commissioners of the Stockton Port District held on the 21st day of March 2022, as the same are endorsed on Page No. 015 to Page No. 020, inclusive, of Minutes Book No. 64, be and they are hereby approved.

CONSIDERATION AND POSSIBLE APPROVAL FOR THE PORT DIRECTOR TO APPROVE AN AMENDMENT TO THE MASTER PROFESSIONAL SERVICES CONTRACT FOR SCOPE AND COST INCREASE FOR HCS ENGINEERING, INC. FOR BUILDING 315 FYFFE AVENUE REHABILITATION ENGINEERING AND DESIGN SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$101,200

Resolution #8300: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to amend the Master Professional Services Contract for Building 315 Fyffe Avenue Rehabilitation Services to HCS Engineering, Inc. for an amount not-to-exceed \$101,200.00 (One Hundred One Thousand Two Hundred 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 FOR THE PORT DIRECTOR TO PURCHASE A JET DOCK FROM JET DOCK SYSTEMS, INC., UTILIZING GSA PRICING FOR AN AMOUNT NOT-TO-EXCEED \$191,728.97

Resolution #8301: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to purchase a Jet Dock Floating Dock System from Jet Dock Stockton utilizing GSA pricing in the amount of \$191,728.97 (One Hundred Ninety-One Thousand Seven Hundred Twenty-Eight and 97/100 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 #8299, #8300, and #8301 were passed by the following vote:

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

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

CONSIDERATION AND POSSIBLE APPROVAL FOR THE PORT DIRECTOR TO AWARD A MASTER PROFESSIONAL SERVICES AGREEMENT TO HDR ENGINEERING, INC. FOR FINAL DESIGN OF THE RAIL BRIDGE AND IMPROVEMENTS PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$6,185,096

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 Barkett acknowledged that there were no requests to address the Commission.

Commissioner Christopherson moved, to adopt the following resolution:

Resolution #8302: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to award a Master Professional Services Agreement (MPSA) for the Final Design for the Rail Bridge and Improvements Project to HDR Engineering for an amount not-to-exceed \$6,185,096.00 (Six Million One Hundred Eighty-Five Thousand Ninety-Six 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.

Resolution #8302 was passed by the following vote:

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

### COMMITTEE REPORTS

Chairman Barkett acknowledged that there were no Committee Reports.

### PORT DIRECTOR'S COMMENTS

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

- March 31, 2022 year-to-date shipping reflects 84 ships. Shipping activity for the same period in 2021 reported 70 ships. March 31, 2022 year-to-date tonnage totaled 1,189,066 metric tons. Tonnage for the same period in 2021 totaled 1,168,186 metric tons.
- Due to the Supply Chain Crisis, the Port has received increased interest from legislators and public agencies to see the Port's operations and to discuss funding and partnership opportunities.

- The next Port Outreach Committee meeting is scheduled for Wednesday, April 20, 2022, at 4:00 p.m.
- Retiring Port Director Richard Aschieris formally thanked the Commission for the marvelous opportunity to be the Port Director for over twenty years. He shared that it has been a wonderful and remarkable experience and that much has been accomplished. He also thanked the Port staff for the remarkable job that they do.
- Port Director DeJesus thanked Retiring Port Director Aschieris for everything that he left and for the great staff that he gets to work with.

### COMMISSION COMMENTS

Chairman Barkett on behalf of the Commission thanked Retiring Port Director Aschieris for his 20 plus years as the Port Director.

Commissioner Christopherson thanked Retiring Port Director Aschieris for his loyal service to the Port for over 20 years. He also shared that during the 22 years that Retiring Port Director Aschieris was leading the Port, there has been steady growth and improvement. The Port is well positioned to prosper in the future with superb staff, well-improved infrastructure and well-improved community involvement and support.

Commissioner Allen seconded Commissioner Christopherson's thoughts and shared that Retiring Port Director Aschieris was a great face for the Port to the community and the legislators.

Commissioner Griffen shared that Retiring Port Director Aschieris did a fantastic job as the Port Director.

Commissioner Trezza shared that he was thrilled to be able to work with Retiring Port Director Aschieris as a Commissioner.

Commissioner Griffen and the Commission welcomed newly appointed Commissioner David Atwater to the Commission.

Commissioner Atwater shared that he is excited to be part of the center of commerce in San Joaquin County.

### PUBLIC COMMENTS ON NON-AGENDA ITEMS

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

CLOSED SESSIONS:

- A. 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 809-C SNEDEKER AVENUE, STOCKTON, CA
- B. 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 320 MCCLOY AVENUE, STOCKTON, CA
- C. 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 818 MCCLOY AVENUE, STOCKTON, CA
- D. PURSUANT TO GOVERNMENT CODE §54957.6 DISCUSSION OF PERSONNEL MATTER: ANNUAL PERFORMANCE REVIEW OF THE PORT DIRECTOR

At 4:02 p.m. Chairman Barkett 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 and §54957.6. The general public and other Port staff was excused from the meeting, and the closed sessions commenced at 4:03 p.m. Port Director DeJesus, Senior Deputy Port Director Escobar, Deputy Port Director Katindoy, Deputy Port Director Wingfield, Director of Finance and Accounting Bowling, Director of Real Estate & Port Development Nelson, Environmental and Regulatory Affairs Manager Cashman, Real Estate Marketing Manager Aguilar and Port Counsel Herum remained for a portion of the executive sessions.

Commissioner Atwater recused himself from discussion and participation of Closed Session (C) Pursuant to Government Code §54956.8 Real Property Transaction: Receive Reports From, Give Instructions To and Confer with Port Negotiator Kirk Dejesus Regarding Potential Real Property Transaction Relative To 818 McCloy Avenue, Stockton, California.

At 5:51 p.m., Chairman Barkett re-opened the meeting in public session. He reported that the Port Commission took no formal, reportable action during the closed sessions.

**CONSIDERATION AND POSSIBLE APPROVAL OF A LEASE ASSIGNMENT REQUEST FROM AMERICAN BIODIESEL (DBA COMMUNITY FUELS) LOCATED AT 809-C SNEDEKER AVENUE, STOCKTON, CA**

Senior Deputy Port Director Escobar 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 Barkett acknowledged that there were no requests to address the Commission.

Commissioner Allen moved, to adopt the following resolution:

Resolution #8303: RESOLVED, that the Board of Commissioners of the Stockton Port District hereby grants approval of its consent to assign lease interest from American Biodiesel, Inc. dba Community Fuels to Canary Renewables Corporation, for 40,000 square feet of warehouse space at 809-C Snedeker Avenue and 5.17 acres west of 809-C Snedeker Avenue on the West Complex; and

RESOLVED FURTHER, that the terms of the Consent to Assign Lease Interest agreement shall be subject to the covenants and conditions as set forth in said document, a copy of which is on file at the Stockton Port District; and

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

Resolution #8303 was passed by the following vote:

COMMISSIONERS IN FAVOR:	Allen, Atwater, Barkett, Christopherson, Duffy, Griffen, Trezza
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 Barkett.

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Melanie Rodriguez  
Secretary to the Board

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Chairman Anthony Barkett