



## **STOCKTON PORT DISTRICT**

Board of Port Commissioners

May 23, 2022

Pursuant to notice duly given, the regular meeting of the Board of Commissioners of the Stockton Port District was held on May 23, 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  
Michael Patrick Duffy, Vice Chairman  
Stephen Griffen  
William R. Trezza

COMMISSIONERS ABSENT: None

COMMISSIONERS EXCUSED: Gary Christopherson

OTHERS PRESENT: Kirk DeJesus, Port Director  
Steve Escobar, Senior Deputy Port Director  
Jason Katindoy, Deputy Port Director  
Katie Miller, Deputy Port Director  
Jeff Wingfield, Deputy Port Director  
Michelle Bowling, Director of Finance &  
Accounting  
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 3:30 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.

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

Vice Chairman Duffy moved, to adopt the following resolutions:

## MINUTES OF APRIL 18, 2022 MEETING

Resolution #8304: RESOLVED, that the minutes of the REGULAR meeting of the Board of Commissioners of the Stockton Port District held on the 18th day of April 2022, as the same are endorsed on Page No. 021 to Page No. 028, inclusive, of Minutes Book No. 64, be and they are hereby approved.

## APPROVAL OF THE PORT OF STOCKTON ANNUAL UTILITY WILDFIRE MITIGATION PLAN

Resolution #8305: 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, Senate Bill (SB) 1028 (stats. 2016), adding California Public Utilities Code, Section 8387, requires each POU to construct, maintain and operate its electrical lines and equipment in a manner that will minimize the risk of wildfire posed by those electrical lines and equipment; and

WHEREAS, SB 901 (stats. 2018), amending California Public Utilities Code Section 8387, requires all POUs to prepare a Utility Wildfire Mitigation Plan before January 1, 2020, and annually thereafter; and

WHEREAS, California Public Utilities Code Section 8387(b)(2) specifies the content that must be included in each POU's Utility Wildfire Mitigation Plan; and

WHEREAS, California Public Utilities Code Section 8387(c) requires each POU to have a qualified independent evaluator review its Utility Wildfire Mitigation Plan to assess the comprehensiveness of its plan

and to issue a report that is made available on the POU's website and presented at a public meeting; and

WHEREAS, California Public Utilities Code Section 8387(b)(3) requires each POU to present its Utility Wildfire Mitigation Plan at an appropriately noticed public meeting and to verify that its plan complies with all applicable rules, regulations and standards, as appropriate; and

WHEREAS, SB 111 (stats. 2019), adding California Public Utilities Code Section 326.1, established the California Wildfire Safety Advisory Board; and

WHEREAS, SB 1054 (stats. 2019), amending California Public Utilities Code Section 8387, requires each POU to submit its Utility Wildfire Mitigation Plan to the California Wildfire Safety Advisory Board by July 1, of each year, starting in the year 2020; and

WHEREAS, pursuant to California Public Utilities Code Section 326.2, the California Wildfire Safety Advisory Board will review each POU's Utility Wildfire Mitigation Plan and will provide comments and advisory opinions on the content and sufficiency of each plan; and

WHEREAS, Port staff prepared a Utility Wildfire Mitigation Plan for calendar year 2020, addressing all statutory criteria; and

WHEREAS, the Port verified that the Utility Wildfire Mitigation Plan complies with all applicable rules, regulations and standards; and

WHEREAS, the Fire Marshall is a qualified independent evaluator and, after reviewing the Port's Utility Wildfire Mitigation Plan, has determined that the plan meets the requirements of California Public Utilities Code Section 8387; and

WHEREAS, within 60 days, the Fire Marshall shall prepare a report to be presented at a public meeting of the Port's governing board and posted to the Port's website; and

WHEREAS, Port staff will submit its Utility Wildfire Mitigation Plan, adopted today by the Port's governing board, to the California Wildfire Safety Advisory Board before July 1, 2022; now, therefore be it

RESOLVED that the Board of Commissioners of the Stockton Port District, pursuant to California Public Utilities Code Section 8387,

adopts the Stockton Port District's Utility Wildfire Mitigation Plan, dated May 16, 2022.

**CONSIDERATION AND POSSIBLE APPROVAL FOR THE PORT DIRECTOR TO EXECUTE A PRELIMINARY ENGINEERING SERVICES AGREEMENT FOR THE RAIL BRIDGE AND RAIL IMPROVEMENTS PROJECT REVIEW AND DIAGNOSTIC EVALUATION WITH BNSF RAILWAY COMPANY FOR AN AMOUNT NOT-TO-EXCEED \$150,000.00**

Resolution #8306: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to execute a Preliminary Engineering Services Agreement for project review and diagnostic evaluation with BNSF Railway Company for the Rail Bridge and Rail Improvements Project utilizing Senate Bill 1 (SB 1) Funding of \$105,000.00 and \$45,000.00 Port funds for a total amount not-to-exceed \$150,000.00 (One Hundred Fifty 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 APPROVAL FOR THE PORT DIRECTOR TO PURCHASE THE SERVER SUPPORT RENEWAL AGREEMENT FROM I.T. SAVVY FOR AN AMOUNT NOT-TO-EXCEED \$92,214.00**

Resolution #8307: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to purchase the server support renewal agreement from I.T. Savvy utilizing Port Security Grant Program (PSGP) 2020 funds of \$65,318.25 and \$26,895.75 Port funds for a total amount not-to-exceed \$92,214.00 (Ninety-Two Thousand Two Hundred Fourteen 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 LICENSING, SUPPORT AND MAINTENANCE RENEWAL FOR THE PORT'S I.T. MONITORING SYSTEM FROM I.T. SAVVY FOR AN AMOUNT NOT-TO-EXCEED \$108,974.93**

Resolution #8308: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to purchase the

licensing, support and maintenance renewal for the Port's I.T. monitoring system from I.T. Savvy utilizing Port Security Grant Program (PSGP) 2020 funds of \$81,731.20 and \$27,243.73 Port funds for a total amount not-to-exceed \$108,974.93 (One Hundred Eight Thousand Nine Hundred Seventy-Four and 93/100 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 BACK-UP STORAGE SOLUTION FROM I.T. SAVVY FOR AN AMOUNT NOT-TO-EXCEED \$161,773.54**

Resolution #8309: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to purchase a backup storage solution from I.T. Savvy utilizing Port Security Grant Program (PSGP) 2020 funds of \$94,721.54 and \$67,052.00 Port funds for a total amount not-to-exceed \$161,773.54 (One Hundred Sixty-One Thousand Seven Hundred Seventy-Three and 54/100 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 #8304, #8305, #8306, #8307, #8308 and #8309 were passed by the following vote:

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

**CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR**

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

## INFORMATIONAL PRESENTATION OF THIRD QUARTER 2022-2021 FISCAL YEAR FINANCIAL STATEMENTS

Finance and Accounting Director Bowling provided an overview of the financial reports for the three-month period of January 1, 2022 through March 31, 2022. Copies of the financial information were provided to the Commission prior to today's meeting. Information presented included financial highlights, operating revenues, expenses, and capital projects.

### CONSIDERATION AND POSSIBLE APPROVAL FOR THE PORT DIRECTOR TO EXECUTE THE AMENDED AGREEMENT FOR THE MANDEVILLE ISLAND DREDGE PLACEMENT SITE AND APPROVE THE PAYMENT OF \$198,440.00 TO MANDEVILLE ISLAND

Deputy Port Director Wingfield 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 #8310: RESOLVED, by the Board of Commissioners of the Stockton Port District that a one-time payment to Mandeville Island in the amount of \$198,440.00 (One Hundred Ninety-Eight Thousand Four Hundred Forty and 00/100 Dollars) for 19,844 cubic yards of disposed dredged material from the Stockton Deep Water Ship Channel during the 2021 annual maintenance dredging effort by the United State Army Corps of Engineers, is approved; and

RESOLVED FURTHER, that the Port Director is hereby authorized, empowered and directed to execute the Amended Dredge Sediment Agreement with Mandeville Island, 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 #8310 was passed by the following vote:

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

COMMISSIONERS AGAINST: None

COMMISSIONERS ABSTAINING: None  
COMMISSIONERS ABSENT: None  
COMMISSIONERS EXCUSED: Christopherson

## COMMITTEE REPORTS

### Ad Hoc Committee Meeting for the Annual Budget Review

Prior of the Commission Meeting today, an Ad Hoc Committee Meeting for the Annual Budget Review comprised of Commissioners Atwater and Trezza met with Port Director DeJesus, Finance and Accounting Director Bowling and Port staff to review the 2022/2023 Budget. The Ad Hoc Budget Review Committee complimented staff for being well prepared for the meeting.

## PORT DIRECTOR'S COMMENTS

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

April 30, 2022 year-to-date shipping reflects 116 ships. Shipping activity for the same period in 2021 reported 90 ships. April 30, 2022 year-to-date tonnage totaled 1,658,930 metric tons. Tonnage for the same period in 2021 totaled 1,547,510 metric tons.

- Since the last Commission meeting, the following short-term leases have been executed:

Lessee: Ramsey Express Trucking  
Location: West Complex, 4.2 acres of land at the Hay Pad, 4.5 acres of land at the 700 Yard and 3.0 acres of land at 1111 Pad South  
Term: 3 months

Lessee: CFR Rinkens, LLC.  
Location: West Complex, 5.0 acres at 1111 Humphreys Drive  
Term: 1 year

Lessee: BWC Terminals, LLC.  
Location: East Complex, Track 820  
Term: 5 years

Lessee: PRPLEI dba Red Hot Jammer Dogs  
Location: West Complex, 17-A Fyffe Avenue  
Term: 1 year

## COMMISSION COMMENTS

Commissioner Griffen shared information about the recently lifted Longshoremen travel ban.

Commissioner Allen shared that the Port's 2021 Annual Report was the best one to date. He also commented about the vegetation on the West Complex.

Commissioner Trezza shared that he attended the State of the City event that was held at the Port. He shared that people appreciate that the Port hosts the event. He also shared that the road repairs on Davis Road were appreciated.

Chairman Barkett thanked Commissioner Allen for giving the Port's speech at the State of the City event. He shared that many people said that Commissioner Allen did a great job. He also shared that Port staff did a good job of representing the Port during the San Joaquin Council of Government (SJCOG) One Voice trip to Washington, DC. Those that attended complimented the Port for the hosted dinner during the One Voice trip.

## PUBLIC COMMENTS ON NON-AGENDA ITEMS

Port Attorney Herum introduced the newest member of his firm Mr. John Luebberke the former City of Stockton Attorney.

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

At 4:08 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 §54957.6. The general public and Port staff was excused from the meeting, and the closed session commenced at 4:10 p.m.

At 4:57 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 session.

## ADJOURNMENT

On behalf of the Stockton Port District Board of Commissioners, it was announced by Chairman Barkett that today's Commission meeting would be adjourned in memory of Alberta Deerinck.

Mrs. Deerinck passed away on March 8, 2022 at the age of 94. She was born on December 24, 1927 in Stockton, California. Alberta graduated from Stockton High School. She took



great pride and joy in her 10 children and was even crowned San Joaquin Homemaker of the Year in 1965. She was a faithful parishioner of St. Bernadette's Church. She was a volunteer catechism teacher and helped with bookkeeping at her husband's business, John Falls Men's Shop. She later began working as a food clerk at Safeway for nearly 20 years. In her spare time, Alberta enjoyed family water skiing trips on the Delta, swimming with the Silver Aquanuts at UOP and played in a ladies poker club. She is survived by her children Patricia (Pat) Jacquez, Nancy Travis, Sally (Bruce) Keszler, Mary Spring, Joan Bernadette Jones, Thomas (Karla) Deerinck, Timothy (Dina) Deerinck, Charles (Alessandra) Deerinck, Laura Martini, 22 grandchildren and 11 great grandchildren.

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

There being no further business to discuss, the meeting was adjourned at 4:59 p.m. by Chairman Barkett.

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Melanie Rodriguez  
Secretary to the Board

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Chairman Anthony Barkett