



STOCKTON PORT DISTRICT

Board of Port Commissioners

June 20, 2022

Pursuant to notice duly given, the regular meeting of the Board of Commissioners of the Stockton Port District was held on June 20, 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
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
Rhonda Nelson, Director of Real Estate & Port
Development
Juan Villanueva, Director of Facilities &
Procurement
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 3:30 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 MAY 23, 2022 MEETING

Resolution #8311: RESOLVED, that the minutes of the REGULAR meeting of the Board of Commissioners of the Stockton Port District held on the 23rd day of May 2022, as the same are endorsed on Page No. 029 to Page No. 037, inclusive, of Minutes Book No. 64, be and they are hereby approved.

AUTHORIZATIONS TO TRAVEL

Resolution #8312: RESOLVED, that the Board of Commissioners of the Stockton Port District hereby authorizes one or more Commissioners to travel to Napa, California for the California Special Districts Association (CSDA), Special District Leadership Academy Conference, September 18 – 21, 2022; and

RESOLVED FURTHER, that the Board of Commissioners of the Stockton Port District hereby authorizes one or more Commissioners to travel to Saipan, Commonwealth Northern Mariana Islands, for the Association of Pacific Ports (APP), Annual Conference, September 25 – 28, 2022; and

RESOLVED FURTHER, that the Board of Commissioners of the Stockton Port District hereby authorizes one or more Commissioners to travel to Orlando, Florida for the American Association of Port Authorities (AAPA), Annual Convention, October 16 – 19, 2022; and

RESOLVED FURTHER, that the travel expenses incurred by Commission delegates who participate in the CSDA Special District Leadership Academy Conference, the APP Annual Conference and

the AAPA Annual Convention shall be paid by the Stockton Port District.

APPOINTMENT OF COMMISSIONED PILOTS FOR FISCAL YEAR JULY 1, 2022 THROUGH JUNE 30, 2023

Resolution #8313: WHEREAS, the following Pilots have submitted applications and medical forms to the Stockton Port District for appointment as Commissioned Pilots for the ensuing fiscal year, it is hereby

RESOLVED, that the Board of Commissioners of the Stockton Port District approves the appointment of the following individuals as Commissioned Pilots of the Stockton Port District for the period of one (1) year commencing July 1, 2022 and ending June 30, 2023:

Captain Sam D'Aloisio
Captain Erik H. Fawcett
Captain Eric Johnson
Captain Kristopher Laakso
Captain Dan Larwood
Captain Matt Lingo
Captain Joseph Long
Captain Jermey Lowe
Captain David Merritt
Captain Ray Ridens
Captain Eric Robinson
Captain Jason Vogel
Captain David Weiss

CONSIDERATION AND POSSIBLE APPROVAL FOR THE PORT DIRECTOR TO EXECUTE A CHANGE ORDER FOR THE EXISTING CONTRACT WITH ETIC FOR INITIAL REMEDIATION OF LANDFILL AREA WEST OF HUMPHREYS DRIVE ON THE WEST COMPLEX FOR ONE YEAR FOR AN AMOUNT NOT-TO-EXCEED \$334,959.63

Resolution #8314: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to execute a change order for the existing contract with ETIC for initial remediation of the landfill area west of Humphreys Drive on the West Complex for an amount not-to-exceed \$334,959.63 (Three Hundred Thirty-Four Thousand Nine Hundred Fifty-Nine and 63/100 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 AWARD THE RAPID RESPONSE BOAT LAUNCH CONSTRUCTION PROJECT TO TCB INDUSTRIAL, INC., FOR AN AMOUNT NOT-TO-EXCEED \$674,534.45; AND AWARD THE RAPID RESPONSE BOAT LAUNCH CONSTRUCTION PROJECT MANAGEMENT TO DILLON & MURPHY ENGINEERING FOR AN AMOUNT NOT-TO-EXCEED \$137,852

Resolution #8315: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to award the Rapid Response Boat Launch Construction Project to TCB Industrial, Inc., for an amount not-to-exceed \$674,534.45 (Six Hundred Seventy-Four Thousand Five Hundred Thirty-Four and 45/100 Dollars); and

RESOLVED FURTHER, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to award the Rapid Response Boat Launch Construction Project Management to Dillon & Murphy Engineering for an amount not-to-exceed \$137,852.00 (One Hundred Thirty-Seven Thousand Eight Hundred Fifty-Two 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 #8311, #8312, #8313, #8314 and #8315 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.

PRESENTATION, CONSIDERATION AND POSSIBLE APPROVAL OF THE STOCKTON PORT DISTRICT BUDGET FOR FISCAL YEAR 2022/2023

On May 23, 2022 and June 20, 2022, an Ad Hoc Committee comprised of Commissioners Atwater, Christopherson and Trezza met with Port Director DeJesus, Finance and Accounting Director Bowling and staff to review and discuss the proposed 2022/2023 fiscal year budget. The Commissioners commended Port Director DeJesus and Port staff for the presentation, comprehensive analysis and detailed information provided in the budget.

Finance and Accounting Director Bowling provided a financial briefing of the proposed 2022/2023 budget. Information presented compared and highlighted the budget and forecast for the current fiscal year to the proposed budget for the upcoming fiscal year. Finance and Accounting Director Bowling's presentation included financial highlights, operating revenues and operating expenses.

Fiscal year-end 2023 unrestricted cash is forecasted at approximately 180 days of operation. The Cash and Investment Policy established by the Port Commission identifies a goal of unrestricted cash sufficient for 360 days of operation.

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

Commissioner Griffen moved, to adopt the following resolution:

Resolution #8316: RESOLVED, by the Board of Commissioners of the Stockton Port District that the budget for fiscal year 2022/2023, a copy of which is on file with the Secretary, be and it is hereby adopted.

Resolution #8316 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

CONSIDERATION AND POSSIBLE APPROVAL TO ADOPT THE 2022/2023 ADMINISTRATIVE SALARY SCHEDULES

The 2022/2023 administrative salary schedules were provided to each member of the Board prior to this meeting.

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

Commissioner Griffen moved to adopt the following resolution:

Resolution #8317: RESOLVED, by the Board of Commissioners of the Stockton Port District that the administrative salary schedules for fiscal year 2022/2023, copies of which are on file with the Secretary, be and it is hereby adopted.

Resolution #8317 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

ADOPTION OF A STATUTORY EXEMPTION PER SECTIONS 15301 AND 15303 OF THE CEQA GUIDELINES FOR THE BERTHS 7 AND 8 FENDER REPLACEMENT AND STRUCTURAL IMPROVEMENTS CONSTRUCTION PROJECT; AUTHORIZATION FOR THE PORT DIRECTOR TO AWARD A CONTRACT TO VORTEX MARINE CONSTRUCTION, INC., FOR A NOT-TO-EXCEED AMOUNT OF \$4,819,505.00 FOR THE BERTHS 7 AND 8 FENDER REPLACEMENT AND STRUCTURAL IMPROVEMENTS CONSTRUCTION PROJECT; AND AUTHORIZATION FOR THE PORT DIRECTOR TO AWARD A CONTRACT TO DILLION & MURPHY ENGINEERING FOR A NOT-TO-EXCEED AMOUNT OF \$288,148.00 FOR THE BERTHS 7 AND 8 FENDER REPLACEMENT AND STRUCTURAL IMPROVEMENTS PROJECT CONSTRUCTION MANAGEMENT

Facilities and Procurement 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 Allen moved, to adopt the following resolution:

Resolution #8318: RESOLVED, that pursuant to Port staff review of, and belief that the Berths 7 and 8 Fender Replacement and Structural Improvements Construction Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15303 the Stockton Port District Board of Commissioners hereby adopts a CEQA Categorical Exemption for the Berths 7 and 8 Fender Replacement and Structural Improvements Construction 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 to award the Berths 7 and 8 Fender Replacement and Structural Improvements Construction Project to Vortex Marine Construction, Inc., for an amount not-to-exceed \$4,819,505.00 (Four Million Eight Hundred Nineteen Thousand Five Hundred Five and 00/100 Dollars); and

RESOLVED FURTHER, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to award the Berths 7 and 8 Fender Replacement and Structural Improvements Project Construction Management to Dillon & Murphy Engineering for an amount not-to-exceed \$288,148.00 (Two Hundred Eighty-Eight Thousand One Hundred Forty-Eight 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 #8318 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

Ad Hoc Committee Meeting for the Annual Budget Review

On June 6, 2022 an Ad Hoc Committee Meeting for the Annual Budget Review comprised of Commissioners Atwater, Christopherson 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 was thanked for their participation in the Budget process and Port staff was also thanked for all of their hard work.

PORT DIRECTOR'S COMMENTS

Port Director DeJesus did not provide any comments.

COMMISSION COMMENTS

Commissioner Griffen thanked the Port Director for the periodic updates.

Commissioner Atwater inquired about a Sponsorship Policy.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chairman Barkett acknowledged Jeff Podesto and Richard Gilton who provided comments related to 818 McCloy Avenue on the West Complex. He also acknowledged Kevin McDonald who provided comments.

CLOSED SESSIONS:

- A. PURSUANT TO GOVERNMENT CODE §54957.6 DISCUSSION OF PERSONNEL MATTER: ANNUAL PERFORMANCE REVIEW OF THE PORT DIRECTOR

- 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 818 MCCLOY AVENUE, STOCKTON, CA

C. 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 320 MCCLOY AVENUE, STOCKTON, CA

At 4:31 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 and §54956.8. The general public and Port staff was excused from the meeting, and the closed session commenced at 4:33 p.m. Port Director DeJesus, Senior Deputy Port Director Escobar, Deputy Port Director Katindoy, Deputy Port Director Miller, Deputy Port Director Wingfield, Director of Finance and Accounting Bowling, Director of Real Estate and Port Development Nelson, Director of Facilities and Procurement Villanueva, Port Real Estate and Marketing Manager Aguilar, Environmental and Regulatory Affairs Manager Cashman and Port Counsel Herum remained for a portion of the executive session.

Commissioner Atwater recused himself from discussion and participation of Closed Session (B) 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 6:24 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.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 6:25 p.m. by Chairman Barkett.

Melanie Rodriguez
Secretary to the Board

Chairman Anthony Barkett