



STOCKTON PORT DISTRICT

Board of Port Commissioners

April 17, 2023

Pursuant to notice duly given, the regular meeting of the Board of Commissioners of the Stockton Port District was held on April 17, 2023, 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
Michael Patrick Duffy, Chairman
Stephen Griffen
Allen Sawyer
William R. Trezza, Vice Chairman

COMMISSIONERS ABSENT: None

COMMISSIONERS EXCUSED: None

OTHERS PRESENT: Kirk DeJesus, Port Director
Jeff Wingfield, Deputy Port Director
Michelle Bowling, Director of Finance and Accounting
Rhonda Nelson, Director of Real Estate and Port Development
Juan Villanueva, Director of Procurement and Facilities
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 Michael Patrick Duffy at 3:30 p.m. Chairman Duffy presided and Melanie Rodriguez, Secretary to the Board, acted as Secretary for the meeting.

PRESENTATION OF PORT EMPLOYEE SERVICE AWARDS

The Port's Service Recognition Program honors Port employees for their commitment and dedicated service to the Port of Stockton. The Commissioners were pleased to recognize the following Port employees who recently observed a milestone service anniversary:

Jill McAuliffe, Maritime Accounts Supervisor	20 Years
Jose Armenta, Lift Driver	10 Years
Rebecca Barron, Maritime Accounts Supervisor	10 Years
Lesli Diehl, Senior Assistant Manager, Accounting	10 Years
Michael ElRod, Welder Working Foreman	10 Years
James Kisse, Plumber	5 Years

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 the following Consent Calendar items of business under one vote.

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

Commissioner Griffen moved, to adopt the following resolutions:

MINUTES OF MARCH 20, 2023 MEETING

Resolution #8372: RESOLVED, that the minutes of the REGULAR meeting of the Board of Commissioners of the Stockton Port District held on the 20th day of March 2023, as the same are endorsed on Page No. 024 to Page No. 030, inclusive, of Minutes Book No. 65, be and they are hereby approved.

CONSIDERATION AND POSSIBLE APPROVAL OF THE POLICE DEPARTMENT'S ANNUAL REPORT OF THE USE OF MILITARY EQUIPMENT

Resolution #8373: RESOLVED, that the Board of Commissioners of the Stockton Port District that the Police Department's Annual Report of the Use of Military Equipment is hereby accepted, as presented.

CONSIDERATION AND POSSIBLE APPROVAL FOR THE PORT DIRECTOR TO AMEND THE MASTER PROFESSIONAL SERVICES AGREEMENT (MPSA) WITH EIDE BAILLY FOR AUDITING SERVICES FOR FISCAL YEAR 2023 FINANCIAL STATEMENTS AND SINGLE AUDIT FOR AN AMOUNT NOT-TO-EXCEED \$77,450

Resolution #8374: 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 Agreement (MPSA) with Eide Bailly for Auditing Services for Fiscal Year 2023 for an amount not-to-exceed \$77,450.00 (Seventy-Seven Thousand Four 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 FOR THE PORT DIRECTOR TO EXECUTE A MASTER PROFESSIONAL SERVICES AGREEMENT (MPSA) WITH EIDE BAILLY FOR ACCOUNTING CONSULTING SERVICES RELATED TO GASB 87 AND GASB 96 FOR FISCAL YEAR 2023 FOR AN AMOUNT NOT-TO-EXCEED \$36,000

Resolution #8375: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to execute a Master Professional Services Agreement (MPSA) with Eide Bailly for Accounting Services related to GASB 87 and GASB 96 for Fiscal Year 2023 for an amount not-to-exceed \$36,000.00 (Thirty-Six 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 EXECUTE A CONTRACT WITH SHELL ENERGY NORTH AMERICA TO PURCHASE RESOURCE ADEQUACY POWER FOR A THREE YEAR TERM EFFECTIVE JANUARY 1, 2024

Resolution #8376: RESOLVED, that the Port Director is authorized, empowered and directed to execute a contract with Shell Energy North America to purchase Resource Adequacy power product for a three-year term starting January 1, 2024; 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 MASTER PROFESSIONAL SERVICE AGREEMENT TO JMA CIVIL FOR RAIL MANIFEST MODELING FOR AN AMOUNT NOT-TO-EXCEED \$87,990

Resolution #8377: RESOLVED, by the Stockton Port District Board of Commissioners that the Port Director is hereby authorized, empowered and directed to award a Master Professional Services Agreement (MPSA) to JMA Civil for Rail Manifest Modeling for an amount not-to-exceed \$87,990.00 (Eighty-Seven Thousand Nine Hundred Ninety and no/100 dollars); and

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

CONSIDERATION AND POSSIBLE AUTHORIZATION FOR THE PORT DIRECTOR TO EXECUTE AN AMENDMENT TO THE CONSTRUCTION MANAGEMENT CONTRACT THROUGH SEPTEMBER 30, 2023 WITH GEOSYNTEC CONSULTANTS FOR AN AMOUNT NOT-TO-EXCEED \$238,600

Resolution #8378: RESOLVED, by the Stockton Port District Board of Commissioners that the Port Director is hereby authorized, empowered and directed to execute an Amendment to the Construction Management Contract with Geosyntec Consultants through September 30, 2023 for an amount not-to-exceed \$238,600.00 (Two Hundred Thirty-Eight Thousand Six Hundred and no/100 dollars); and

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

CONSIDERATION AND POSSIBLE APPROVAL OF A CATEGORICAL EXEMPTION 15301, 15302 AND 15304 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 EXECUTE A PURCHASE ORDER FOR PROFESSIONAL SERVICES FOR A ONE YEAR TERM FOR AN AMOUNT NOT-TO-EXCEED \$150,000 TO EACH OF THE FOLLOWING: TA KRAUSE ROOFING, DR PIPELINE, SORACCO, INC. AND KNIFE RIVER CONSTRUCTION

Resolution #8379: RESOLVED, that pursuant to Port staff review of, and belief that the Professional Services are exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, 15302 and 15304 the Stockton Port District Board of Commissioners hereby adopts a CEQA Categorical Exemption 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 execute Purchase Orders for Professional Services to each of the

following: TA Krause Roofing, DR Pipeline, Soracco, Inc. and Knife River Construction for a one (1) year term for an amount not-to-exceed \$150,000 (One Hundred Fifty Thousand and no/100 Dollars) to each; and

Resolutions #8372, #8373, #8374, #8375, #8376, #8377, #8378 and #8379 were passed by the following vote:

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

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

INFORMATIONAL PRESENTATION:

A. Building Demolition at 95 North Port Road 14, East Complex

Director of Procurement and Facilities Villanueva provided an executive summary on the informational presentation listed above. 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.

COMMITTEE REPORTS

Chairman Duffy acknowledged that there were no Committee Reports.

PORT DIRECTOR'S COMMENTS

- Port Director DeJesus provided information about funding that was requested during his recent trip to Washington, D.C.

COMMISSION COMMENTS

Vice Chairman Trezza provided an update on the Inland Port project.

Commissioner Griffen shared information about the PMA labor negotiations.

Commissioner Atwater inquired about rail impacts.

Commissioner Barkett shared information about the recent trip that he, Chairman Duffy and Port Staff made to Washington, D.C. for the AAPA Legislative Summit.

Chairman Duffy shared information about the upcoming events the Port and Port staff are participating in the near future.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chairman Duffy acknowledged Mr. Dominick Gulli who provided comments.

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 PURCHASE RELATIVE TO 3800 COUNTRY CLUB BOULEVARD, 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 CONVEYANCE RELATIVE TO 700 ROTH ROAD, LATHROP, CA

At 3:59 p.m. Chairman Duffy 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 sessions commenced at 4:00 p.m. Port Director DeJesus, Deputy Port Director Wingfield, Director of Finance and Accounting Bowling, Director of Real Estate and Port Development Nelson, Director of Procurement and Facilities Villanueva, Real Estate Marketing Manager Aguilar and Port Counsel Herum remained for the entire executive session.

At 5:09 p.m., Chairman Duffy re-opened the meeting in public session. He reported that the Port Commission took no formal, reportable action during the closed sessions.

ADJOURNMENT

On behalf of the Stockton Port District Board of Commissioners, it was announced by Chairman Duffy that today's Commission meeting would be adjourned in memory of Leon (Lee) Judson Atwater, Jr. and Eugene Arthur Bromme.

Lee Atwater passed away on March 3, at the age of 95. Lee joined the Navy and was in the Pacific Theatre during the war. After the Navy, he obtained a degree in Economics from the University of the Pacific. He worked as an Economist for the State of California before working for Delta Oil Company, which was owned by his father-in-law. Delta Oil Company later became California Fuels, which merged, with Van De Pol Enterprises, Inc. in 1993. In 2018, he retired as the Chairman of the Board of Van De Pol Petroleum. Lee was a family man, he loved family gatherings, dancing with his wife Patsy, back packing, traveling and boating. He was preceded by his beloved wife Patsy; he is survived by his 4 children Cheyenne, Nancy (Barry), David (Grace), Jud (Sandy), five grandchildren, five great-grandchildren and six great-great-grandchildren.

Eugene Bromme passed away on March 16, at the age of 89. Eugene was a Corporal in the Army and served as a Signal Corp Wire Chief during the Korean War. Following his time in the Army, he owned a gas station and worked as a Probation Officer. He graduated from C.S.U. Stanislaus and became a teacher. He taught at Fremont Middle School for the majority of his teaching career. He was nominated for Who's Who Among American Teachers. He was preceded by his beloved wife Grete; he is survived by his three children Marc, Tom and Victoria (Allen), ten grandchildren and eight great-grandchildren.

On behalf of the Commissioners, Port Director and staff, sincere sympathy and condolences are extended to the families of Leon (Lee) Judson Atwater, Jr. and Eugene Arthur Bromme.

There being no further business to discuss, the meeting was adjourned at 5:12 p.m. by Chairman Duffy.

Melanie Rodriguez
Secretary to the Board

Chairman Michael Patrick Duffy