Minutes Approved 12/04/23
Resolution #8447

STOCKTON PORT DISTRICT

Board of Port Commissioners

November 13, 2023

Pursuant to notice duly given, the SPECIAL meeting of the Board of Commissioners of the Stockton Port District was held on November 13, 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 Michael Patrick Duffy, Chairman Stephen Griffen Allen Sawyer William R. Trezza, Vice Chairman
COMMISSIONERS ABSENT:	None
COMMISSIONERS EXCUSED:	Anthony Barkett
OTHERS PRESENT:	Kirk DeJesus, Port Director Jeff Wingfield, Deputy Port Director Paula O'Keefe, Director of Finance & Accounting Steven A. Herum, Port Counsel Tracy Fanucchi, Administrative Assistant III

A quorum being present, the meeting was called to order by Chairman Michael Patrick Duffy at 3:30 p.m. Chairman Duffy presided and Tracy Fanucchi, Administrative Assistant III, 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 the following Consent Calendar items of business under one vote.

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

Commissioner Allen moved, to adopt the following resolutions:

MINUTES OF OCTOBER 16, 2023 MEETING

Resolution #8439: RESOLVED, that the minutes of the REGULAR meeting of the Board of Commissioners of the Stockton Port District held on the 16th day of October 2023, as the same are endorsed on Page No. 092 to Page No. 099, inclusive, of Minutes Book No. 65, be and they are hereby approved.

CONSIDERATION AND POSSIBLE AUTHORIZATION FOR THE PORT DIRECTOR TO EXECUTE A MASTER PROFESSIONAL SERVICES AGREEMENT WITH HDR FOR AN AMOUNT NOT-TO-EXCEED $75,000.00

Resolution #8440: RESOLVED, by the Stockton Port District Board of Commissioners that the Port Director is hereby authorized, empowered and directed to execute a Master Professional Services Agreement (MPSA) with HDR for Public Relations Support for an amount not-to-exceed $75,000.00 (Seventy-Five Thousand 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 A CHANGE ORDER TO THE EXISTING CONTRACT NUMBER 2-23-1 WITH SORACCO, INC. FOR THE PHASE 2 DOMESTIC WATER PROJECT FOR A TOTAL INCREASE OF $15,984.00

Resolution #8441: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to execute a Change Order to the existing Contract Number 2-23-1 for the Phase 2 Domestic Water Project with Soracco, Inc. for an amount not-to-exceed $15,984.00 (Fifteen Thousand Nine Hundred Eighty-Four 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 A CHANGE ORDER TO THE EXISTING CONTRACT NUMBER 4-21-1 WITH ETIC FOR INITIAL REMEDIATION LANDFILL AREA FOR A TOTAL INCREASE OF $24,389.56

Resolution #8442: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to execute a Change Order to the existing Contract Number 4-21-1 for the Initial Remediation Landfill Area with ETIC for an amount not-to-exceed $24,389.56 (Twenty-Four Thousand Three Hundred Eighty-Nine and 56/100 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 A CHANGE ORDER TO THE EXISTING CONTRACT NUMBER 2-23-2 WITH WEST VALLEY CONSTRUCTION FOR THE AUXILIARY WATER LINE PHASE 2 PROJECT FOR A TOTAL INCREASE OF $36,900.00

Resolution #8443: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to execute a Change Order to the existing Contract Number 2-23-2 for the Auxiliary Water Line Phase 2 Project with West Valley Construction for an amount not-to-exceed $36,900.00 (Thirty-Six Thousand Nine 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 RE-ADOPTION OF THE STOCKTON PORT DISTRICT POLICY STATEMENT POLICY #012 FOR THE PURPOSE OF RENEWING THE DELEGATION OF AUTHORITY TO MANAGE THE INVESTMENT PROGRAM TO THE PORT DIRECTOR AND HIS/HER DESIGNATED “INVESTMENT OFFICER” FOR A ONE YEAR PERIOD

Resolution #8444: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Stockton Port District Policy Statement Policy #012 Cash and Investments is hereby re-adopted, as presented; and for the purpose of renewing the delegation of authority to manage the investment program to the Port Director and his/her designated “investment officer” for a period of one year until the delegation of authority is revoked or expired, in accordance with California Government Code, Section 53607 and Stockton Port District Policy Statement #012 Cash and Investments.

CONSIDERATION AND POSSIBLE AUTHORIZATION FOR THE PORT DIRECTOR TO ADOPT A FINDING CONTINUING THE AUGUST 21, 2023 EMERGENCY DECLARATION AND UPDATE

Resolution #8445: RESOLVED, that the Board of Commissioners of the Stockton Port District that an emergency situation still exists that may demand the immediate expenditure of public funds, and that the emergency would not permit a delay resulting from a competitive solicitation for bids and that the action was necessary to respond to the Emergency Dredging of the Stockton Deep Water Ship Channel in the vicinity of Light 48 and the Sediment Trap; and

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

Resolutions #8439, #8440, #8441, #8442, #8443, #8444, and #8445 were passed by the following vote:

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

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

<u>CONSIDERATION AND POSSIBLE AUTHORIZATION FOR THE PORT DIRECTOR TO AMEND THE FISCAL YEAR 2023-2024 CAPITAL IMPROVEMENT BUDGET TO APPROPRIATE AN ADDITIONAL $440,836 OF UNRESTRICTED CASH; AND APPROVE AND EXECUTE THE CONTRACT AND SOFTWARE AS A SERVICE (SAAS) AGREEMENT WITH TYLER TECHNOLOGIES FOR THE ENTERPRISE RESOURCE PLANNING SOLUTION IN THE AMOUNT NOT-TO-EXCEED OF $1,222,498</u>

Director of Finance and Accounting O'Keefe provide 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 Duffy acknowledged that there were no requests to address the Commission.

Commissioner Atwater moved, to adopt the following resolution:

<u>Resolution #8446</u>: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to amend the FY2023-2024 Budget for Capital Improvements to appropriate and additional $440,836.00 (Four Hundred Forty Thousand Eight Hundred Thirty-Six and no/100) of Unrestricted Cash; and

RESOLVED FURTHER, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to execute a Contract and Software as a Service (SAAS) Agreement with Tyler Technologies for an Enterprise Resource Planning Solution for an amount not-to-exceed $1,222,498.00 (One Million Two Hundred Twenty-Two Thousand Four Hundred Ninety-Eight 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.

Resolution #8446 was passed by the following vote:

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

COMMITTEE REPORTS

Chairman Duffy acknowledged that there were no Committee Reports.

PORT DIRECTOR'S COMMENTS

- Port Director DeJesus shared that the Port's Holiday Celebration will be held on Saturday, December 2, at the Lindley House.

- Port Director DeJesus shared that the City of Stockton is seeking applications for Commissioner Allen's upcoming seat opening on the Board of Port Commissioners.

COMMISSION COMMENTS

Commissioner Allen shared that it was a great experience and opportunity to serve on the Commission. He also shared that he appreciated the efforts of staff.

Commissioner Griffen shared that Commissioner Allen did an excellent job during his tenure on the Board.

Vice Chairman Trezza shared that he is up for re-appointment to the Port Commission in January and that he will be re-applying for his seat.

Chairman Duffy shared that the City of Stockton made a good list in which it sited that Stockton has the largest inland port in the state. It was evidence that the Port helped the City make that list. Chairman Duffy also shared that the mission to Turkey went very well and the partnership with the soda ash group is solid.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chairman Duffy acknowledged the emailed comments that were received from Mary Elizabeth that were read in part by Port Director DeJesus and were distributed in whole to the Commission.

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 Paul Fairbrook.

Paul Fairbrook was born in Berlin Germany on August 21, 1923 and passed away on October 2, at the age of 100. Paul and his family left Germany in 1933 to escape Nazi presecution. The Fairbrook's finally settled in New York City. At 18 Paul joined the U.S. Army, he served in Military Intelligence and was one of "The Ritchie Boys." Paul helped write the "Order of Battle Book" which outlined the structure and plans of the Germany Army with information that was gathered from interrogating German prisoners. Paul was the Director of Auxiliary Services at the University of the Pacific for more than 20 years after a varied career in food services including serving as Dean of the Culinary Institute of America and as an international food service consultant. He also wrote and published several books about the food service industry. Paul served on the Port Commission from January 1974 through January 1977. Paul was active with St. Mary's Dining Room, he designed the modern kitchen which was named after him. Paul will be remembered for his generous spirit, boundless energy and enthusiasm. He is survived by his beloved wife Peig and by his daughter Carolyn and 2 sons John and Bob. He was proceeded by his son Coleman and daughter Susan.

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

There being no further business to discuss, the meeting was adjourned at 4:10 p.m. by Chairman Duffy.

Melanie Rodriguez
Secretary to the Board

Chairman Michael Patrick Duffy