



AGENDA

Stockton Port District Commission Meeting

Monday, July 15, 2024
3:30 PM

Commission Board Meeting Room
315 Fyffe Avenue, Stockton, CA

NOTICE IS GIVEN, that a regular meeting of the Board of Commissioners of the Stockton Port District will be held at a TEMPORARY meeting place on the Port's West Complex in ASSEMBLY ROOM 147 located at 315 FYFFE AVENUE in Stockton, California, at 3:30 p.m. on Monday, July 15, 2024.

ADDITIONALLY, the following alternative will be available to members of the public to listen to the meeting and provide comments to the Commission **before** the closing of the public comment portion for the applicable agenda action item:

LISTEN and WATCH:

Via the Port's YouTube Channel at

<https://www.youtube.com/channel/UCEBvFYTYoFlbZzJKuNzdDQ/featured>

PUBLIC COMMENT:

Public Comments, designated for the Public Comments agenda item only are limited to 250 words or less, public comments may be submitted to the Commission; however, at the discretion of the Commission written comments of less than 250 words, may be read during the meeting. All comments should be submitted to the Commission Secretary in the following ways:

- Email: mrodriguez@stocktonport.com
- Mail: Port of Stockton, Attention Board Secretary, P.O. Box 2089, Stockton, CA 95201
- Hand Delivered: Port of Stockton Administrative Building Drop Box located in the Atrium at 2201 W. Washington Street, Stockton - Monday through Friday during regular business hours
- Phone: 209-946-0246

All Public Comments received prior to the close of the Commission meeting shall be part of the record of proceedings.

The Commission presentations for agenda action items will be available on the Port's website www.portofstockton.com on the Meeting Schedule and Agendas page. To access Commission packet materials please click on the applicable agenda item link found on the Agenda located on the Agendas page on the Port's website www.portofstockton.com.

If you need disability-related modification or accommodation in order to participate in the Commission meeting, please contact the Port of Stockton Information Technology Department at 209-946-0246 at least 48 hours prior to the start of the meeting.

1. CALL TO ORDER
2. ROLL CALL
3. PRESENTATION OF PORT EMPLOYEE SERVICE AWARDS

A. Alfredo Constantino, Shipping & Receiving Clerk	20 Years
B. Robert DeAnda, Lift Driver	10 Years
C. Fernando Galicia, Administrative Assistant I	10 Years
D. Hugh Lim, Lift Driver	10 Years
E. Sylvester Aguilar, Real Estate Marketing Manager	5 Years
F. Jennifer Balestracci, Receptionist Clerk	5 Years
G. Giovanni Maya, Lift Driver	5 Years

4. CONSENT CALENDAR

All Consent Calendar items will be acted upon under one vote unless specifically removed by a Commissioner, the Port Director or a member of the public

- A. Minutes of June 17, 2024 Meeting
- B. [Consideration and possible authorization for the Port Director to purchase the annual Manage Engine licensing, support, and maintenance renewal from I.T. Savvy for a total amount not-to-exceed \\$86,900.00](#)
- C. [Consideration and possible approval for the Port Director to execute an amendment to Master Professional Service Agreement with Dillion & Murphy Consulting Civil Engineers for Construction Management Services for the Davis Sewer Lift Station Replacement Project for an amount not-to-exceed \\$110,000.00](#)
- D. [Consideration and possible approval for the Port Director to execute an amendment to Master Professional Service Agreement 08126 with Dillion & Murphy Consulting Civil Engineers for the Burns Cutoff Expressway Bridge Repair Project for an amount not-to-exceed \\$160,000.00](#)
- E. [Consideration and possible approval of a Categorical Exemption 15301 and 15302 pursuant to the California Environmental Quality Act \(CEQA\); authorization for Port Staff to file a Notice of Exemption related thereto; authorization for the Port Director to award a services contract to Pipe and Plant for East Complex Sewer Services for an amount not-to-exceed \\$109,637.50](#)

- F. Consideration and possible approval of a Categorical Exemption 15301 and 15302 pursuant to the California Environmental Quality Act (CEQA); authorization for the Port Director to execute Task Orders 9, 10 and 11 for Master Professional Services Agreement (MPSA) 08105 with Bockmon & Woody Electric Company for the following not-to-exceed amounts respectively \$90,816.08, \$76,279.64 and \$91,079.77
- G. Consideration and possible approval for the Port Director to execute Amendment #1 to Master Professional Service Agreement 08132 with Dillion & Murphy Consulting Civil Engineers for the Project Design Services for Dock 5 – 6 Structural and Safety Repairs for an amount not-to-exceed \$90,000.00
- 5. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR
- 6. PRESENTATION, CONSIDERATION AND POSSIBLE APPROVAL OF THE STOCKTON PORT DISTRICT CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2024 THROUGH 2029
- 7. CONSIDERATION AND POSSIBLE APPROVAL TO AMEND THE STOCKTON PORT DISTRICT POLICY STATEMENT POLICY #013 CASH AND INVESTMENTS
- 8. CONSIDERATION AND POSSIBLE APPROVAL OF A CATEGORICAL EXEMPTION 15301, AND 15302 PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AUTHORIZATION FOR PORT STAFF TO FILE A NOTICE OF EXEMPTION RELATED THERETO; AUTHORIZATION FOR THE PORT DIRECTOR TO AWARD THE CONTRACT FOR THE DOCK 12-13 DOLPHIN REPAIR PROJECT TO VORTEX MARINE CONSTRUCTION, INC. FOR AN AMOUNT NOT-TO-EXCEED \$3,247,100.00; AND AUTHORIZATION FOR THE PORT DIRECTOR TO AWARD THE DOCK 12-13 DOLPHIN REPAIR PROJECT CONSTRUCTION MANAGEMENT SERVICES TO DILLION & MURPHY CONSULTING CIVIL ENGINEERS FOR AN AMOUNT NOT-TO-EXCEED \$410,000.00
- 9. CONSIDERATION AND POSSIBLE AUTHORIZATION FOR THE PORT DIRECTOR TO ENTER INTO A CONTRACT WITH GEOSYNTEC FOR THE WEST COMPLEX REMEDIATION PROGRAM THROUGH JUNE 30, 2025 FOR AN AMOUNT NOT-TO-EXCEED \$1,556,000.00
- 10. COMMITTEE REPORTS
- 11. PORT DIRECTOR'S COMMENTS
- 12. COMMISSION COMMENTS
- 13. PUBLIC COMMENTS ON NON-AGENDA ITEMS

14. 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 3028 NAVY DRIVE, 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 2201 WEST WASHINGTON STREET, STOCKTON, CA

15. CONSIDERATION OF THE FOLLOWING RELATED TO 3028 NAVY DRIVE:

- A. FIND THAT, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES §15074, THE FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR THE BAYOTECH HYDROGEN PRODUCTION AND FILLING FACILITY PROJECT (PROJECT) WAS COMPLETED IN COMPLIANCE WITH CEQA; IT WAS REVIEWED AND CONSIDERED BY THE BOARD PRIOR TO APPROVING THE PROJECT; AND IT REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE PORT OF STOCKTON (PORT);
- B. FIND THAT, BASED ON THE WHOLE RECORD BEFORE IT, THE PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT PURSUANT TO PUBLIC RESOURCES CODE (PRC) §21080 AND CEQA GUIDELINES §15070;
- C. ADOPT THE FINAL IS/MND FOR THE PROJECT, INCLUDING ALL FEASIBLE MITIGATION MEASURES, WITH CONSIDERATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM (MMRP);
- D. ADOPT THE MMRP, AS REQUIRED BY PRC §21081.6. THE MMRP ENSURES COMPLIANCE WITH THE MITIGATION MEASURES, LEASE MEASURES, AND STANDARD CONDITIONS ADOPTED TO AVOID OR LESSEN SIGNIFICANT EFFECTS ON THE ENVIRONMENT, AND IDENTIFIES THE RESPONSIBILITIES OF THE PORT, AS LEAD AGENCY, TO MONITOR AND VERIFY PROJECT COMPLIANCE WITH THOSE MITIGATION MEASURES AND LEASE MEASURES;
- E. DIRECT THE REAL ESTATE DIVISION TO INCORPORATE BY REFERENCE THE IS/MND INTO ANY AND ALL LEASE AGREEMENTS OR ASSIGNMENTS ENCOMPASSED IN THE APPROVED PROJECT;
- F. AUTHORIZE THE PORT TO FILE THE NOTICE OF DETERMINATION;

- G. APPROVE ORDINANCE NO. 262, A LEASE AGREEMENT NO. 2024-06 (LEASE) WITH THE STOCKTON PORT DISTRICT (PORT) AND BAYOTECH, INC. (TENANT) FOR THE CONSTRUCTION AND OPERATION OF A HYDROGEN PRODUCTION AND FILLING FACILITY LOCATED AT 3034 NAVY DRIVE FOR A TERM OF TEN (10) YEARS WITH TWO (2) FIVE-YEAR OPTIONS; AND
 - H. AUTHORIZE THE PORT DIRECTOR TO EXECUTE THE LEASE; FINALIZE, APPROVE, AND EXECUTE THE LEASE EXHIBITS AND DOCUMENTS RELATED THERETO.
16. CONSIDERATION AND POSSIBLE AUTHORIZATION FOR THE PORT DIRECTOR TO ADOPT A RETROACTIVE FINDING THAT AN EMERGENCY SITUATION EXISTS THAT DEMANDS THE IMMEDIATE EXPENDITURE OF PUBLIC FUNDS, THAT THE EMERGENCY WILL NOT PERMIT A DELAY RESULTING FROM A COMPETITIVE SOLICITATION FOR BIDS, AND THAT THE ACTION IS NECESSARY TO RESPOND TO THE EMERGENCY; ADOPTION OF A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NOTICE OF EXEMPTION PURSUANT TO CEQA GUIDELINES 15301 (EXISTING FACILITIES); AND, AUTHORIZE AN INCREASE TO THE PORT DIRECTOR'S CONTRACTING AUTHORITY FOR SERVICES AND GOODS RELATED TO THE EMERGENCY TO A MAXIMUM AMOUNT OF \$250,000 FOR THE DURATION OF THE EMERGENCY, AND SUSPENDING PURCHASING REQUIREMENTS SET FORTH IN PORT BOARD POLICIES# 006 AND 007 FOR DURATION OF PORT EMERGENCY AS TO THE PURCHASE OF GOODS AND SERVICES RELATED TO THE EMERGENCY
17. ADJOURNMENT

The public shall be provided a three-minute maximum opportunity to address the Stockton Port District Board of Commissioners during consideration of any agenda item within the subject matter jurisdiction of the Stockton Port District.

All proceedings before this meeting body are conducted in English. The Port of Stockton does not furnish language interpreters and, if one is needed, it shall be the responsibility of the person needing one.

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Secretary to the Commission at (209) 946-0246, during regular business hours, at least twenty-four hours prior to the time of the meeting.

Materials related to an item on this Agenda submitted to the Commission after distribution of the Agenda Packet are available for public inspection in the Port Administrative Office at 2201 West Washington Street, Stockton, CA, during normal business hours.