



AGENDA

Stockton Port District Commission Meeting

Monday, August 19, 2024
3:30 PM

Assembly Room 147
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, August 19, 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. 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 July 15, 2024 Meeting
 - B. [Consideration and possible approval of the Stockton Port District Electric Utility 2024–2026 Wildfire Mitigation Plan](#)
 - C. [Consideration and possible approval for the Port Director to execute an amendment to Master Professional Service Agreement with HDR, Inc. for Grant Application Support Services for an amount not-to-exceed \\$34,000.00](#)
 - D. [Consideration and possible approval for the Port Director to execute a Master Professional Service Agreement with Dillion & Murphy Consulting Civil Engineers for Engineering Support Services for the Dock 8 MOTEMS Project for an amount not-to-exceed \\$89,000.00](#)
 - E. [Consideration and possible approval of a Categorical Exemption 15269\(b\) 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 execute a Change Order for Contract No. 4-24-4 to include Alternative C with Vortex Marine Construction, Inc., for the Dock 12 – 13 Dolphin Repair Project for an amount not-to-exceed \\$146,000.00](#)
 - F. [Consideration and possible approval of a Categorical Exemption 15303 pursuant to the California Environmental Quality Act \(CEQA\); authorization for the Port Director to execute Task Orders 12, 13 and 14 for Master Professional Services Agreement \(MPSA\) 08105 with Bockmon & Woody Electric Company for the following not-to-exceed amounts respectively \\$26,955.20, \\$376,923.24 and \\$95,757.58](#)
 - G. [Consideration and possible approval for the Port Director to purchase ten \(10\) Electric Vehicle Chargers from Rexel Energy Solutions utilizing Grant funding of \\$585,476.00; and amend Resolution #8298 with the modified amount award of \\$647,250.75 with a twenty-five percent \(25%\) cost share](#)
 - H. [Consideration and possible authorization for the Port Director to adopt a finding continuing the July 15, 2024 Emergency Declaration and Update](#)
4. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

5. COMMITTEE REPORTS
6. PORT DIRECTOR'S COMMENTS
7. COMMISSION COMMENTS
8. PUBLIC COMMENTS ON NON-AGENDA ITEMS
9. CLOSED SESSIONS:
 - A. PURSUANT TO GOVERNMENT CODE §54956.9(D)(3): CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: ONE POTENTIAL CASE
 - 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 3034 NAVY DRIVE, STOCKTON, CA
 - C. 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
 - D. 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 1002 EMBARCADERO DRIVE, STOCKTON, CA
 - E. CLOSED SESSION PURSUANT TO GOVERNMENT CODE §54957.6 DISCUSSION OF PERSONNEL MATTER: ANNUAL PERFORMANCE REVIEW OF THE PORT DIRECTOR
10. CONTINUED HEARING FROM COMMISSION MEETING OF JULY 15, 2024 TO CONSIDER THE FOLLOWING POTENTIAL ACTIONS RELATED TO 3034 NAVY DRIVE:
 - A. A FINDING 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. A FINDING 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. ADOPTING THE FINAL IS/MND FOR THE PROJECT, INCLUDING ALL FEASIBLE MITIGATION MEASURES, WITH CONSIDERATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM (MMRP);
- D. ADOPTING 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. DIRECTING 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. APPROVING 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. AUTHORIZING THE PORT DIRECTOR TO EXECUTE THE LEASE; FINALIZE, APPROVE, AND EXECUTE THE LEASE EXHIBITS AND DOCUMENTS RELATED THERETO.

11. 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 New Port Administrative Office at 315 Fyffe Avenue, Stockton, CA, during normal business hours.