



STOCKTON PORT DISTRICT

Board of Port Commissioners

May 5, 2025

Pursuant to notice duly given, the re-organization meeting of the Board of Commissioners of the Stockton Port District was held on May 5, 2025, at the meeting place on the Port's West Complex in Room 165 located at 315 Fyffe Avenue in Stockton, California.

COMMISSIONERS PRESENT: David Atwater, Chairman
Anthony Barkett
Michael Patrick Duffy
Allen Sawyer, Vice Chairman
Margaret Shea Stephens
William R. Trezza

COMMISSIONERS ABSENT: None

COMMISSIONERS EXCUSED: Stephen Griffen

OTHERS PRESENT: Kirk DeJesus, Port Director
Jason Katindoy, Deputy Port Director
Katie Miller, Deputy Port Director
Jeff Wingfield, Deputy Port Director
Jason Cashman, Director of Environmental
Affairs
Sean Fairchild, Director of Maritime Operations
Rhonda Nelson, Director of Real Estate & Port
Development
Paula O'Keefe, Director of Finance and
Accounting
Rick Salsedo, Chief of Police
Sylvester Aguilar, Real Estate Marketing
Manager
Steve Herum, Port Counsel
Melanie Rodriguez, Secretary to the Board

A quorum being present, the meeting was called to order by Vice Chairman David Atwater at 3:30 p.m. Vice Chairman Atwater presided and Melanie Rodriguez, Secretary to the Board, acted as Secretary for the meeting.

2025 STOCKTON PORT DISTRICT BOARD RE-ORGANIZATION

Election of Chairman

Due to the resignation of Chairman Griffen a Board Re-organization was held to elect a new Chairman and Vice Chairman.

Commissioner Duffy nominated Vice Chairman Atwater for Chairman of the Board of Port Commissioners for the remainder of the 2025 term. Commissioner Trezza seconded the motion. The nominations were closed. Vice Chairman Atwater was elected to serve as Chairman for the remainder of the 2025 term by the following vote:

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

Election of Vice Chairman

Commissioner Barkett nominated Commissioner Sawyer for Vice Chairman of the Board of Port Commissioners for the remainder of the 2025 term. Commissioner Duffy seconded the motion. The nominations were closed. Commissioner Sawyer was elected to serve as Vice Chairman for the remainder of the 2025 term by the following vote:

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

CONSENT CALENDAR

In compliance with Stockton Port District Commission Governance Policy Statement #105, 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 Atwater acknowledged that there were no requests to address the Commission.

Commissioner Duffy moved, to adopt the following resolutions:

MINUTES OF APRIL 7, 2025 MEETING

Resolution #8568: RESOLVED, that the minutes of the regular meeting of the Board of Commissioners of the Stockton Port District held on the 7th day of April 2025, as the same are endorsed on Page No. 021 to Page No. 027, inclusive, of Minutes Book No. 67, be and they are hereby approved.

CONSIDERATION AND POSSIBLE APPROVAL ESTABLISHING THE PORT DIRECTOR AS AN AUTHORIZING AGENT ON BEHALF OF THE PORT AS SPECIFIED IN CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES' FORM OES-FPD-130 FOR ALL OPEN AND FUTURE DISASTERS/GRANTS DECLARED UP TO 3 YEARS

Resolution #8569: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized to execute for and on behalf of the Stockton Port District a public entity established under the laws of the State of California, the Designation of Applicant's Agent Resolution Non-State Agencies OES-FPD-130 application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM), under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- Flood Mitigation Assistance Program (FMA), under Section 1366 of the National Flood Insurance Act of 1968.

- National Earthquake Hazards Reduction Program (NEHRP) 42 U.S. Code 7704 (b) (2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov. Code – Gov., Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11 and 8587.12

That the Stockton Port District, a public entity established under the Harbors and Navigation Code of the laws of the State of California, hereby authorizes its agent to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

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 ADOPTION OF THE FRAMEWORK FOR THE PORT OF STOCKTON'S STRATEGIC PLAN

Resolution #8570: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port of Stockton's Framework for the Strategic Plan, a copy of which is on file with the Secretary to the Board, be and it is hereby adopted as presented.

Resolutions #8568, #8569 and #8570 were passed by the following vote:

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

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

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 WEST COMPLEX MARINE TERMINAL EROSION 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 \$750,000 FOR THE DURATION OF THE EMERGENCY, AND SUSPENDING PURCHASING REQUIREMENTS SET FORTH IN PORT BOARD POLICIES# 006 AND 007 FOR THE DURATION OF THE PORT EMERGENCY AS TO THE PURCHASE OF GOODS AND SERVICES RELATED TO THE WEST COMPLEX MARINE TERMINAL EROSION EMERGENCY

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.

Deputy Port Director Katindoy provided the following executive summary on the West Complex Marine Terminal Erosion Emergency:

In September 2024, the Port's Facilities and Maintenance staff began repairing a 6-by-4-foot section of the reinforced concrete floor south of the dock bulkhead in Transit Shed 19. The damage resulted from the handling of steel coils within the Transit Shed. During the repairs, a large void was discovered beneath the floor, which was inconsistent with the original design of a reinforced concrete floor on ground. The void, caused by erosion, measures approximately 1 to 12 feet deep, extends 1 to 6 feet from the dock bulkhead and spans roughly 100 feet along the bulkhead in Transit Shed 19.

Since this discovery, the Port has implemented two inspection methods to identify potential voids in all areas adjacent to the dock bulkhead (approximately 6,300 linear feet):

- Drilling inspection holes adjacent to the dock bulkhead at 50-foot spacing
- Use of Ground Penetrating Radar to scan the full length of the dock bulkhead

The findings from these inspection methods are as follows:

- West Complex Transit Sheds: Approximately 30% of capacity is either fully or partially restricted.
- West Complex Open Docks and Breezeways: Approximately 64% of access to/from the Docks is either fully or partially restricted.

To further assess the scope and scale of the voids caused by erosion, the next steps involve verification drilling to confirm the presence of potential voids identified through the analysis of Ground Penetrating Radar scans. Once void areas are confirmed, repair options will be developed and priority repair areas will be identified based on the planned use of the facility.

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

Commissioner Duffy moved, to adopt the following resolution:

Resolution #8571: RESOLVED, that the Board of Commissioners of the Stockton Port District adopt a retroactive finding that an emergency situation existed that demanded 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 West Complex Marine Terminal Erosion Emergency; and

RESOLVED FURTHER, that pursuant to Port staff review of and belief that the West Complex Marine Terminal Erosion Emergency is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 the Stockton Port District Board of Commissioners hereby adopts a CEQA Categorical Exemption and authorizes the posting of a Notice of Exemption related thereto; and

RESOLVED FURTHER, by the Board of Commissioners of the Stockton Port District that the Port Director's contracting authority for services and goods related to the emergency is hereby increased to a maximum of \$750,000.00 (Seven Hundred Fifty Thousand and no/100 Dollars) for the West Complex Marine Terminal Erosion Emergency; 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 #8571 was passed by the following vote:

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

COMMITTEE REPORTS

Ad Hoc Committee for the Budget

The Budget Ad Hoc Committee comprised of Chairman Atwater and Commissioner Duffy met prior to today's Commission Meeting. Commissioner Duffy shared his appreciation to Director of Finance and Accounting O'Keefe and Port staff for preparing the best and easiest to understand budget materials.

Ad Hoc Committee for the Port Director's Annual Performance Evaluation

The Port Director's Annual Performance Evaluation Ad Hoc Committee comprised of Chairman Atwater, Commissioners Barkett and Stephens shared they are making progress on the performance evaluation criteria.

PORT DIRECTOR'S COMMENTS

Port Director DeJesus provided an update on the following items:

- The City of Stockton has approved the Port's Annual Development Agreement
- The Port's 2nd Annual Golf Tournament benefiting the Boggs Tract Community is Monday, June 9, at the Stockton Golf and Country Club.
- The Port participated in Clean California Community Days – Spring into Action sponsored by the Governor's Office and Caltrans on April 19, the volunteers cleaned various locations within the Boggs Tract neighborhood.
- The Port participated in Earth Day activities on April 22.
- The Port co-hosted the Ribbon Cutting Ceremony for the new BWC MOTEMS on Berth 8 on April 22.
- A public statement about the GSNR Wood Pellet Project can be found on the Port's website.

COMMISSION COMMENTS

Commissioner Barkett shared that the new BWC MOTEMS berth was very impressive.

Chairman Atwater inquired about replacing the Port Police K-9 Barney. Port Police Chief Salsedo shared that a replacement K-9 should be deployed in August of this year. .

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chairman Atwater acknowledged Mary Elizabeth.

* Commissioner Stephens left prior to the commencement of the Closed Sessions at 4:05 p.m.

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 1315 FYFFE AVENUE, STOCKTON, CA
- B. PURSUANT TO GOVERNMENT CODE §54957.6 DISCUSSION OF PERSONNEL MATTER: ANNUAL PERFORMANCE REVIEW OF THE PORT DIRECTOR

At 4:05 p.m. Chairman Atwater 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 and §54957.6. The general public and other Port staff was excused from the meeting, and the closed sessions commenced at 4:06 p.m. Port Director DeJesus and Deputy Port Director Miller remained for both Closed Sessions A. and B.. Deputy Port Director Katindoy, Deputy Port Director Wingfield, Director of Environmental Affairs Cashman, Director of Maritime Operations Fairchild, Director of Real Estate and Port Development Nelson, Director of Finance and Accounting O'Keefe, Real Estate Marketing Manager Aguilar and Port Counsel Herum remained for Closed Session A.

At 4:29 p.m., Chairman Atwater 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 Atwater that today's Commission meeting would be adjourned in memory of Jose Talamantes, Sr.

Jose Talamantes Sr. beloved father of I.T. Technician I Daniel Talamantes. Jose was born on September 8, 1946 and passed away in Lodi, on February 8, at the age of 78. Jose owned his own janitorial business for 32 years until he retired. He was known for his strong work ethic, kindness, generosity and integrity. Family was at the center of his life and his greatest source of pride and he made sure they always felt supported and loved. Jose enjoyed gardening and planting fruits and vegetables. Jose is survived by his loving wife of 50 years Gloria, children Jose, Jr., Ricardo, Daniel and Alex and 4 grandchildren.

On behalf of the Commissioners, Port Director and staff, sincere sympathy and condolences are extended to the family of Jose Talamantes, Sr.

There being no further business to discuss, the meeting was adjourned at 5:30 p.m. by Chairman Atwater.

Melanie Rodriguez
Secretary to the Board

Chairman David Atwater