



STOCKTON PORT DISTRICT

Board of Port Commissioners

May 4, 2020

Pursuant to notice duly given, the regular meeting of the Board of Commissioners of the Stockton Port District was held on May 4, 2020, in Room 18 of the Port of Stockton Administration Building located at 2201 West Washington Street in Stockton, California.

COMMISSIONERS PRESENT: R. Jay Allen, Vice Chairman
Anthony Barkett
* Elizabeth (Liz) Blanchard
Gary Christopherson, Chairman
Michael Patrick Duffy
Stephen Griffen
William R. Trezza

COMMISSIONERS ABSENT: None

COMMISSIONERS EXCUSED: None

OTHERS PRESENT: Richard Aschieris, Port Director
Katie Miller, Director of Human Resources and
Administrative Services
Steven A. Herum, Port Counsel
Melanie Rodriguez, Secretary to the Board

* Commissioner Blanchard joined the meeting telephonically at 3:33 p.m. during Committee Reports.

A quorum being present, the meeting was called to order by Chairman Gary Christopherson at 3:30 p.m. Chairman Christopherson presided and Melanie Rodriguez, Secretary to the Board, 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 all Consent Calendar items of business under one vote.

Commissioner Griffen moved, to adopt the following resolutions:

MINUTES OF APRIL 6, 2020 SPECIAL MEETING

Resolution #8170: RESOLVED, that the minutes of the SPECIAL meeting of the Board of Commissioners of the Stockton Port District held on the 6th day of April 2020, as the same are endorsed on Page No. 025 to Page No. 027, inclusive, of Minutes Book No. 62, be and they are hereby approved, as corrected.

MINUTES OF APRIL 6, 2020 REGULAR MEETING

Resolution #8171: RESOLVED, that the minutes of the REGULAR meeting of the Board of Commissioners of the Stockton Port District held on the 6th day of April 2020, as the same are endorsed on Page No. 028 to Page No. 039, inclusive, of Minutes Book No. 62, be and they are hereby approved, as corrected.

APPROVAL OF THE INDEPENDENT EVALUATION OF THE PORT OF STOCKTON UTILITY WILDFIRE MITIGATION PLAN AND DIRECTION FOR THE PORT DIRECTOR TO SUBMIT THE PREVIOUSLY APPROVED UTILITY WILDFIRE MITIGATION PLAN ALONG WITH THE INDEPENDENT EVALUATION REPORT TO THE CALIFORNIA WILDFIRE SAFETY ADVISORY BOARD PRIOR TO JULY 1, 2020

Resolution #8172: WHEREAS, the Stockton Port District is a public corporation created for municipal purposes under Section 6290 of the California Harbors and Navigation Code; and

WHEREAS, the Port is generally subject to the legislative and regulatory requirements applicable to local publicly owned electric utilities (POU); and

WHEREAS, Senate Bill (SB) 1028 (stats. 2016), adding California Public Utilities Code, Section 8387, requires each POU to construct, maintain and operate its electrical lines and equipment in a manner that will minimize the risk of wildfire posed by those electrical lines and equipment; and

WHEREAS, SB 901 (stats. 2018), amending California Public Utilities Code Section 8387, requires all POU's to prepare a Utility Wildfire Mitigation Plan before January 1, 2020, and annually thereafter; and

WHEREAS, the Board of Commissioners of the Port of Stockton approved the Stockton Port District's Utility Wildfire Mitigation Plan at their regularly scheduled meeting of December 2, 2019; and

WHEREAS, California Public Utilities Code Section 8387(c) requires each POU to have a qualified independent evaluator review its Wildfire Mitigation Plan to assess the comprehensiveness of its plan and to issue a report that is made available on the POU's website and presented at a public meeting; and

WHEREAS, the Fire Marshall is a qualified independent evaluator and has prepared a report titled, "Independent Evaluation of the Port of Stockton Utility Wildfire Mitigation Plan," which determined that the Stockton Port District's Utility Wildfire Mitigation Plan meets the requirements of California Public Utilities Code Section 8387; now, therefore be it

RESOLVED that the Board of Port Commissioners, pursuant to California Public Utilities Code Section 8387, accepts and approves the Independent Evaluation of the Port of Stockton Utility Wildfire Mitigation Plan, dated April 15, 2020.

**AUTHORIZATION TO PURCHASE A GENERAC MAGNUM
MOBILE DIESEL GENERATOR**

Resolution #8173: RESOLVED, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to purchase a Generac Magnum Mobile Diesel Generator from Generac Mobile Products using \$54,899.42 from the Federal Emergency Management Agency (FEMA) Grant 2016-PU-00450 and \$18,299.81 from the Port of Stockton General Fund for a total for \$73,199.23; and

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

Resolutions #8170, #8171, #8172 and #8173 were passed by the following vote:

COMMISSIONERS IN FAVOR:	Allen, Barkett, Christopherson, Duffy, Griffen, Trezza
COMMISSIONERS AGAINST:	None
COMMISSIONERS ABSTAINING:	None
COMMISSIONERS ABSENT:	None

COMMISSIONERS EXCUSED: Blanchard

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

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

COMMITTEE REPORTS

Ad Hoc Committee – Port Director’s Annual Performance Review

Vice Chairman Allen reported that the Ad Hoc Committee for the Port Director’s Annual Performance Review has begun the review process. The completion date has been moved to September of this year.

San Joaquin Council of Governments

Commissioner Barkett attended the SJCOG April Zoom meeting.

Ad Hoc Committee – Port’s Strategic Plan

The Ad Hoc Committee for the Port’s Strategic Plan will be comprised of Vice Chairman Allen and Commissioners Duffy and Trezza.

Ad Hoc Committee – Budget

The Ad Hoc Committee for the Port’s Budget process will be comprised of Commissioners Barkett, Griffen and Trezza. The committee will plan on meeting on June 1, 2020 in-lieu of the Commission Meeting.

PORT DIRECTOR'S COMMENTS

Port Director Aschieris provided an executive summary of recent Port activities.

- Since the last Commission meeting, the following short-term leases have been executed:

Lessee: MT Railcars
Location: West Complex, Building 713, 40,000 square feet
Term: Up to 1 year

Lessee: Jacobi Carbons
Location: West Complex, Building 1004, 80,000 square feet and 38,768 square feet of paved land west of Building 1004
Term: 3 years

Lessee: Contractors Cargo Company
Location: West Complex, 1111 Humphreys Drive, 4 acres

Term: Up to 1 year

- Current calendar year-to-date shipping reflects 78 ships. Shipping activity for the same period in 2019 reported 89 ships. Since the last Commission meeting, 22 ships have called at the Port.
- Current calendar year-to-date tonnage totaled 1,370,159 metric tons. Tonnage for the same period in 2019 totaled 1,666,712 metric tons. Since the last Commission meeting, 334,853 metric tons of cement/slag from Vietnam and Mexico, food grade oils from Malaysia, sulfuric acid from Japan, fertilizer from Chile, Norway, Belgium, Trinidad and Russia, molasses from Nicaragua, El Salvador and Guatemala, steel from Japan, Taiwan and Korea, bulk organic grains from Turkey and dry bulk to Japan have been handled.
- The Port Director provided an update on how COVID-19 is affecting the Port.

COMMISSION COMMENTS

Commissioner Griffen thanked Commissioner Trezza for volunteering to participate in the Ad Hoc Committee for the Port Director's Annual Performance Review. He also shared the efforts being made to keep the longshore labor safe during the COVID-19 crisis.

Commissioner Blanchard shared that she had received calls related to social distancing during the Commission meetings.

Chairman Christopherson shared that business at the Port is down in number of ships and tonnage, but not as much as would be expected. This is due to the Port being a bulk cargo port and the real estate revenue. It is unknown how the declining economy and shipping will affect the Port in the future. Chairman Christopherson thanked the Port Director and Port staff for their work on the Strategic Plan and also thanked the Commissioners for serving on the various ad hoc committees.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

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

CLOSED SESSION PURSUANT TO GOVERNMENT CODE §54957.6:
CONFERENCE WITH LABOR NEGOTIATOR: RECEIVE REPORT FROM, GIVE
INSTRUCTIONS TO AND CONFER WITH PORT NEGOTIATOR RICHARD
ASCHIERIS REGARDING TENTATIVE AGREEMENT WITH THE
INTERNATIONAL LONGSHORE AND WAREHOUSE UNION (ILWU) LOCAL 6

Commissioner Griffen recused himself from discussion and participation of the Closed Session.

At 3:53 p.m., Chairman Christopherson announced that, in accordance with the Ralph M. Brown Act, that an executive session would be conducted by the Board of Commissioners pursuant to Government Code §54957.6. The general public, Commissioner Griffen and other Port staff were excused from the meeting, and the closed session commenced at 3:55 p.m. Port Director Aschieris, Director of Human Resources and Administrative Services Miller and Attorney Herum remained for the executive session.

At 4:02 p.m., Chairman Christopherson re-opened the meeting in public session and Commissioner Griffen rejoined. Chairman Christopherson reported that the Port Commission conferred with legal counsel, gave direction and took no formal, reportable actions during the closed session.

CONSIDERATION AND POSSIBLE APPROVAL OF MEMORANDUM OF AGREEMENT BETWEEN THE INTERNATIONAL LONGSHORE AND WAREHOUSE UNION (ILWU) LOCAL 6 AND THE STOCKTON PORT DISTRICT

Commissioner Griffen recused himself from discussion, participation and voting on the ILWU Local 6 Memorandum of Agreement extension.

Commissioner Trezza moved to adopt the following resolution:

Resolution #8174: WHEREAS, the spread of the COVID-19 virus has been declared a global pandemic; and

WHEREAS, the President of the United States has declared a national emergency and the Governor of California has declared a state of emergency for the State of California; and

WHEREAS, the Governor of California has issued a shelter-in-place order for the State of California; and

WHEREAS, the Center for Disease Control has called for limiting in-person events and social distancing; and

WHEREAS, the economic impact of the COVID-19 pandemic on the Port is unknown at this time; and

WHEREAS, in compliance with the Meyers-Milias Brown Act, the Stockton Port District and the ILWU Local 6, having met and conferred in good faith, having freely exchanged information, opinion and proposals, having endeavored to reach agreement on all matters relating to the employment conditions and employer-employee relations; now, therefore be it

RESOLVED, that the Stockton Port District Board of Commissioners hereby formally agrees to extend the *2015-2020 Memorandum of Agreement Between Stockton Port District and International Longshore and Warehouse Union Local, 6*, by four months from July 1, 2020 until October 30, 2020; 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 #8174 was passed by the following vote:

COMMISSIONERS IN FAVOR:	Allen, Barkett, Christopherson, Duffy, Trezza
COMMISSIONERS AGAINST:	None
COMMISSIONERS ABSTAINING:	Griffen
COMMISSIONERS ABSENT:	None
COMMISSIONERS EXCUSED:	Blanchard

ADJOURNMENT

On behalf of the Stockton Port District Board of Commissioners, it was announced by Chairman Christopherson that today's Commission meeting would be adjourned in memory of Robert Frances Hermesky, Jr., Gilberte (Jill) Marie Azpeitia, Richard Alton and Retired Port Police Chief Bob Davis Wingo.

Mr. Hermesky passed away on April 17, 2020 at the age of 65. He was born in Reno, Nevada on July 16, 1954. Bob worked in the plumbing trade for 42 years, he retired from Ray L. Hellwig Plumbing and Heating in 2019. He enjoyed flat track and NASCAR racing, Yamaha motorcycles, cooking and cruises to exotic locations. He was a devoted father and grandfather who cherished his family. He is survived by his loving wife of 22 years, Elise, children Justin (Angela), Channa (Patrick), stepchildren Jeff (Kara), Lisette (Sean) and 9 grandchildren.

Mrs. Azpeitia passed away on April 20, 2020 at the age of 86. She was born on February 5, 1934 in St. Jean Pied de Port, France. In 1939 her family immigrated to the United States. Jill and her late husband Mike were the proprietors of her family's business the Country Market until it was sold in 1972. She then became the Secretary for the Plain View Water District until her retirement in 1997. Her most treasured moments were spent with family vacationing in Santa Cruz. She is survived by her loving daughters, Jeannine (Alan) and Elise, son Dominique (Patti), 6 grandchildren and 3 great-grandchildren.

Mr. Alton passed away on April 22, 2020 at the age of 74. He was born in Yakima, Washington on June 30, 1945. Mr. Alton began his long career in banking with Wells Fargo (23 years). His career spanned 37 years and 3 states, retiring in Surprise, Arizona. Richard then began a new career in public service by running and being elected twice to the Surprise, Arizona City Council with one year as a Vice-Mayor. He returned to Stockton in 2015. He enjoyed spending time with family and friends, working in his yard, traveling and watching football. He is survived by his loving wife, Carol, daughters Katie (Mike), Becky (Brian), Teresa, Cara (Brandon), stepchildren Katie and Dan, 14 grandchildren and 1 great-grandchild.

Retired Port Police Chief Bob Davis Wingo passed away on April 22, 2020 at the age of 83. He was born and raised and lived his entire life in Stockton, California. Bob worked for the Port as the Chief of Police from January 22, 1990 until his retirement on October 17, 2003. Prior to the Port Bob worked for the Stockton Police Department for 31 years. Bob started as a Patrolman on December 1, 1958. He was promoted to Sergeant in 1967. In 1985, he was promoted to Lieutenant. Bob retired from the Stockton Police Department in 1990. Bob was involved in numerous organizations including Rotary and the Grandfather Club. His greatest joy was spending time with his family and friends. Bob was preceded in death by his loving wife, Joan, and is survived by his children Ron (Stephanie), Mike (Michelle), Mindy (Mike), Kristy, many grandchildren and great-grandchildren.

On behalf of the Commissioners, Port Director and staff, sincere sympathy and condolences were extended to the families of Robert Frances Hermesky, Jr., Gilberte (Jill) Marie Azpeitia, Richard Alton and Bob Davis Wingo.

There being no further business to discuss, the meeting was adjourned at 4:05 p.m. by Chairman Christopherson.

Melanie Rodriguez
Secretary to the Board

Chairman Gary Christopherson