

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
COMMISSION AGENDA – OCTOBER 15, 2012**

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**ONTARIO INTERNATIONAL AIRPORT
AUTHORITY
COMMISSION AGENDA
October 15, 2012**

Jim W. Bowman
Commissioner

Lucy Dunn
Commissioner

Ronald O. Loveridge
Commissioner

Gary Ovitt
Commissioner

Alan D. Wapner
Commissioner

WELCOME to a meeting of the Ontario International Airport Authority.

- Commission meetings are held at the City of Ontario Council Chambers located at 303 East B Street, Ontario, CA 91764 or at other such places as the Commission shall designate.
- All documents for public review are on file at the Authority Secretary's offices located within City of Ontario facilities at 303 East B Street, Ontario, CA 91764.
- Anyone wishing to speak during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Secretary/Assistant Secretary will not accept blue slips after that time.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with California Law, remarks during public comment are to be limited to subjects within Commission's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Commissioners and Staff need to be recognized by the Commission President before speaking.

ORDER OF BUSINESS: The Special Commission meeting begins with Closed Session and Closed Session Comment at 10:00 a.m., immediately followed by the Regular Meeting.

(EQUIPMENT FOR THE HEARING IMPAIRED IS AVAILABLE IN THE CITY OF ONTARIO'S RECORDS MANAGEMENT OFFICE)

CALL TO ORDER (OPEN SESSION)

10:00 a.m.

ROLL CALL

Bowman, Dunn, Loveridge, Ovitt, Wapner

CLOSED SESSION PUBLIC COMMENT The Closed Session Public Comment portion of the Council/Housing Authority meeting is limited to a maximum of 3 minutes for each speaker and comments will be limited to matters appearing on the Closed Session. Additional opportunities for further Public Comment will be given during and at the end of the meeting.

CLOSED SESSION

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Ontario International Airport, 2900 East Airport Drive, Ontario; Authority Negotiator: Executive Director or designee; Negotiating parties: Los Angeles Mayor or his designee; Under negotiation: Price and terms of payment.

In attendance: Bowman, Dunn, Loveridge, Ovitt, Wapner

PLEDGE OF ALLEGIANCE

REPORT ON CLOSED SESSION

PUBLIC COMMENTS

The Public Comment portion of the Commission meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, the Commission is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Commission, fill out one of the blue slips at the rear of the chambers and give it to the Secretary/Assistant Secretary.

DISCUSSION/ACTION ITEMS

Each member of the public wishing to address the Commission on items listed below will be given a total of 3 minutes.

1. ELECTION OF OFFICERS

The Commissioners shall elect from amongst its members a President, Vice-President, and Secretary.

2. APPOINTMENTS AND DESIGNATIONS

The Commission shall adopt a resolution appointing and designating the following staff members:

- (A) Interim Executive Director of the Authority – Chris Hughes;
- (B) Interim General Counsel of the Authority – Best Best & Krieger;
- (C) Assistant Secretary of the Authority – Ontario City Clerk/Records Management Department; and
- (D) Treasurer of the Authority – City of Ontario Administrative Services/Finance Director.

RESOLUTION NO. OIAA 12-001

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION, APPOINTING AND DESIGNATING THE AUTHORITY'S INTERIM EXECUTIVE DIRECTOR, INTERIM GENERAL COUNSEL, ASSISTANT SECRETARY, AND TREASURER.

3. DETERMINATION OF MEETINGS

The Commission shall determine the date, time, and location for the regular Authority meetings, and direct staff to prepare a resolution for consideration at the next meeting.

4. BYLAWS, POLICIES, AND PROCEDURES SUBCOMMITTEE

The Commission shall create and make appointments to the Bylaws, Policies, and Procedures Subcommittee and direct it to develop bylaws, policies, and procedures for the overall operation of the Authority and procedural guidelines for the Commission.

5. BUSINESS PLAN SUBCOMMITTEE

The Commission shall create and make appointments to the Business Plan Subcommittee.

6. JPA FILING REQUIREMENTS, PREPARATION OF A CONFLICT OF INTEREST CODE, AND FPPC FORM 700 FILING REQUIREMENTS

Receive a report from the Interim General Counsel regarding filings with the Secretary of State, preparation of a Conflict of Interest Code, and Form 700 filing requirements.

COMMISSIONER MATTERS

STAFF MATTERS

ADJOURNMENT

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
CLOSED SESSION REPORT**

October 15, 2012

ROLL CALL: Bowman____Dunn____Loveridge____Ovitt____Wapner____
STAFF: Executive Director _____ General Counsel_____

In attendance: Bowman____Dunn____Loveridge____Ovitt____Wapner_____

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Ontario International Airport, 2900 East Airport Drive, Ontario; Authority Negotiator: Executive Director or his designee; Negotiating parties: Los Angeles Mayor or his designee; Under negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

Reported by: _____
General Counsel / Executive Director

**ONTARIO INTERNATIONAL
AIRPORT AUTHORITY**

Agenda Report
October 15, 2012

**SECTION:
DISCUSSION/ACTION ITEMS**

SUBJECT: ELECTION OF OFFICERS

RECOMMENDATION: That the Commissioners shall elect from amongst its members a President, Vice-President, and Secretary.

FISCAL IMPACT: None.

BACKGROUND: In accordance with provisions of the Joint Exercise of Powers Agreement establishing the Ontario International Airport Authority, Section 3(E)(1), the Commission must elect at the first meeting of the Commission a President, Vice President and Secretary as officers of the Authority.

Typically, the President serves as the "presiding officer" at all meetings and performs other duties as may be assigned by the Commission. The presiding officer runs the meetings by maintaining order and keeping discussion on point with what is on the agenda. A Vice President typically performs the same duties as the President, when the President is absent. The Secretary keeps, or causes to be kept, the minutes and other documents of the Authority; and performs other duties as assigned by the Commission.

STAFF MEMBER PRESENTING: Chris Hughes

Prepared by: Chris Hughes
Department: Administration

Approved: _____
Continued to: _____
Denied: _____

Exec. Director
Approval:  _____

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**ONTARIO INTERNATIONAL
AIRPORT AUTHORITY**

Agenda Report
October 15, 2012

**SECTION:
DISCUSSION/ACTION ITEMS**

SUBJECT: APPOINTMENTS AND DESIGNATIONS

RECOMMENDATION: That the Commission adopt a resolution appointing and designating the following staff members:

- (A) Interim Executive Director of the Authority – Chris Hughes;
- (B) Interim General Counsel of the Authority – Best Best & Krieger;
- (C) Assistant Secretary of the Authority – Ontario City Clerk/Records Management Department; and
- (D) Treasurer of the Authority – City of Ontario Administrative Services/Finance Director.

FISCAL IMPACT: None.

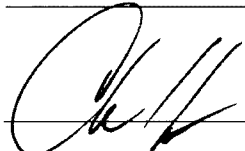
BACKGROUND: In accordance with provisions of the Joint Exercise of Powers Agreement establishing the Ontario International Airport Authority, Section 3(E)(1), (2), and (4), the Commission may provide for the employment or engagement of professional staff to assist in the overall operation of the Authority; may appoint an Assistant Secretary; and shall appoint a Treasurer.

The Interim Executive Director and Interim General Counsel shall serve at the pleasure of the Commission providing professional managerial and legal counsel for the day-to-day operations of the Authority during the infancy and development of the Authority. For continuity in operations during the infancy of the Authority, it is recommended that Chris Hughes be appointed Interim Executive Director and the law firm of Best Best & Krieger be designated Interim General Counsel. The Assistant Secretary shall assist the Secretary in the preparation of minutes and keeping of records of the Authority; and it is recommended that staff of the Ontario City Clerk/Records Management Department assume this role. The Treasurer shall perform those fiscal duties and responsibilities as outlined in the Joint Exercise of Powers Agreement, or other duties such duties as specified by the Commission. It is recommended that the City of Ontario Administrative Services/Finance Director be designated as the Authority Treasurer.

STAFF MEMBER PRESENTING: Chris Hughes

Prepared by: Chris Hughes
Department: Administration

Approved: _____
Continued to: _____
Denied: _____

Exec. Director
Approval:  _____

10/15/12

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RESOLUTION NO. _____

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION, APPOINTING AND DESIGNATING THE AUTHORITY'S INTERIM EXECUTIVE DIRECTOR, INTERIM GENERAL COUNSEL, ASSISTANT SECRETARY, AND TREASURER.

WHEREAS, the Ontario International Airport Authority (the "Authority") was formed through the Joint Exercise of Power Agreement by and between the City of Ontario (the "City") and the County of San Bernardino (the "County"); and

WHEREAS, the Joint Powers Agreement requires and/or allows the appointment, employment, or engagement of professional staff to assist in the overall operation of the Authority; the appointment of an Assistant Secretary; and appointment of a Treasurer.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the Ontario International Airport Authority as follows:

SECTION 1. The Commission, in accordance with the Joint Powers Agreement, hereby determines that Chris Hughes shall serve as Interim Executive Director of the Ontario International Airport Authority.

SECTION 2. The Commission, in accordance with the Joint Powers Agreement, hereby determines that the law firm of Best Best & Krieger shall serve as Interim General Counsel of the Ontario International Airport Authority.

SECTION 3. The Commission, in accordance with the Joint Powers Agreement, hereby determines that staff of the Ontario City Clerk/Records Management Department shall serve as the Assistant Secretary of the Ontario International Airport Authority.

SECTION 4. The Commission, in accordance with the Joint Powers Agreement, hereby determines that the City of Ontario Administrative Services/Finance Director serve as the Treasurer of the Ontario International Airport Authority.

SECTION 5. Effective Date. This Resolution will take effect immediately upon its adoption.

SECTION 6. Certification. The Secretary/Assistant Secretary shall certify as to the adoption of this Resolution and forward copies of this Resolution to the Ontario City Clerk and the Clerk of the Board, County of San Bernardino.

PASSED, APPROVED, AND ADOPTED this ____ day of October 2012.

OIAA PRESIDENT

ATTEST:

SECRETARY/ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
INTERIM GENERAL COUNSEL

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, _____, Assistant Secretary of the Ontario International Airport Authority, DO HEREBY CERTIFY that foregoing Resolution No. 2012-_____ was duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held October 15, 2012 by the following roll call vote, to wit:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:

SECRETARY/ASSISTANT SECRETARY

(SEAL)

The foregoing is the original of Resolution No. 2012-_____ duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held October 15, 2012.

SECRETARY/ASSISTANT SECRETARY

(SEAL)

**ONTARIO INTERNATIONAL
AIRPORT AUTHORITY**

Agenda Report
October 15, 2012

**SECTION:
DISCUSSION/ACTION ITEMS**

SUBJECT: DETERMINATION OF MEETINGS

RECOMMENDATION: That the Commissioners consider and determine the date, time, and location for the regular Authority meetings, and direct staff to prepare a resolution for adoption at the next meeting.

FISCAL IMPACT: None.

BACKGROUND: In accordance with provisions of the Joint Powers of Authority establishing the Ontario International Airport Authority, Section 3(D)(1), the Commission must fix by resolution the hour and place at which regular meetings shall be held. The Commission shall provide for its regular, adjourned regular, and special meetings; provided, however, that at least one regular meeting shall be held each year. The meetings of the Commission must comply with the Ralph M. Brown Act. Upon determination by the Commission, staff will prepare a resolution for Commission adoption at the next meeting.

STAFF MEMBER PRESENTING: Chris Hughes

Prepared by: Chris Hughes
Department: Administration

Approved: _____
Continued to: _____
Denied: _____

Exec. Director
Approval:  _____

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**ONTARIO INTERNATIONAL
AIRPORT AUTHORITY**

Agenda Report
October 15, 2012

**SECTION:
DISCUSSION/ACTION ITEMS**

SUBJECT: BYLAWS, POLICIES, AND PROCEDURES SUBCOMMITTEE

RECOMMENDATION: That the Commission create and make appointments to the Bylaws, Policies, and Procedures Subcommittee and direct it to develop bylaws, policies, and procedures for the overall operation of the Authority and procedural guidelines for the Commission.

FISCAL IMPACT: None.

BACKGROUND: To assist the Commission, staff, and public in understanding the responsibilities and roles of the various operational components of the Authority, bylaws, policies, and procedures must be developed. It is recommended that a Commission subcommittee be established to outline and define the overall operation of the Authority as well as the role of the Commission; and develop Authority bylaws, policies, and procedures for future consideration and adoption by the Commission.

STAFF MEMBER PRESENTING: Chris Hughes

Prepared by: Chris Hughes
Department: Administration

Approved: _____
Continued to: _____
Denied: _____

Exec. Director
Approval:  _____

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**ONTARIO INTERNATIONAL
AIRPORT AUTHORITY**

Agenda Report
October 15, 2012

**SECTION:
DISCUSSION/ACTION ITEMS**

SUBJECT: BUSINESS PLAN SUBCOMMITTEE

RECOMMENDATION: That the Commissioner create and make appointments to the Business Plan Subcommittee and direct it to develop a preliminary business plan for the initial operation and management of the Ontario International Airport.


FISCAL IMPACT: None.

BACKGROUND: The OIAA was formed to operate, maintain, manage, develop, and market the Ontario International Airport. To serve the citizens of Ontario, the Inland Empire, and the economic interests of the airport's service area a business plan must be developed. The business plan must also be submitted to the Federal Aviation Administration (FAA) for consideration of the transfer of operations to the Authority. It is recommended that a Commission subcommittee be established to direct the creation of a business plan which will guide the operation and marketing of ONT and meet with the specifications and requirements established by the FAA. Once the preliminary business plan is completed, it will be presented to the Commission for consideration and adoption.

STAFF MEMBER PRESENTING: Chris Hughes

Prepared by: Chris Hughes
Department: Administration

Approved: _____
Continued to: _____
Denied: _____

Exec. Director
Approval:  _____

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**ONTARIO INTERNATIONAL
AIRPORT AUTHORITY**

Agenda Report
October 15, 2012

**SECTION:
DISCUSSION/ACTION ITEMS**

SUBJECT: JPA FILING REQUIREMENTS, PREPARATION OF A CONFLICT OF INTEREST CODE, AND FPPC FORM 700 FILING REQUIREMENTS

RECOMMENDATION: That the Commission receive a report from staff related to required filings with the Secretary of State, preparation of a Conflict of Interest Code, and Form 700 filing requirements.

FISCAL IMPACT: None.

BACKGROUND: Government Code section 6503.5 requires, upon the approval of a joint powers agreement, that a Notice of a Joint Powers Agreement form be filed with the Secretary of State. A copy of the full text of the joint powers agreement must also be submitted to the State Controller's Office. Government Code section 53051 requires the periodic filing of a Statement of Facts Roster of Public Agencies Filing that sets forth the names and addresses of the officers and members of public agencies.


The Political Reform Act of 1974 requires that public agencies, including joint powers authorities, prepare and file with the designated filing authority, a conflict of interest code. Staff is in the process of preparing a conflict of interest code for the OIAA and will agendize it for Commission consideration upon its completion. Officers of a newly established public agency, including this JPA, must file a Form 700 Statement of Economic Interests within thirty (30) days of assuming office, whether or not the Authority has adopted a conflict of interest code. A sample Form 700 and the FPPC's Reference Pamphlet are attached for the Commission's reference.

The Authority is a public agency subject to the Ralph M. Brown Act, the California Public Records Act, the Political Reform Act of 1974 and the filing requirements discussed herein. The Assistant Secretary to the Board will provide future updates on the status of the Authority's filings.

STAFF MEMBER PRESENTING: John Brown

Prepared by: Chris Hughes
Department: Administration

Approved: _____
Continued to: _____
Denied: _____

Exec. Director
Approval:  _____

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