

ONTARIO INTERNATIONAL AIRPORT AUTHORITY

COMMISSION AGENDA – REGULAR MEETING



SEPTEMBER 24, 2019 AT 3:00 P.M.

Ontario International Airport Administration Offices
1923 E. Avion Street, Room 100, Ontario, CA 91761

ALAN D. WAPNER
President

RONALD O. LOVERIDGE
Vice President

JIM W. BOWMAN
Secretary

CURT HAGMAN
Commissioner

JULIA GOUW
Commissioner

MARK A. THORPE
Chief Executive Officer

LORI D. BALLANCE
General Counsel

JOHN M. SCHUBERT
Treasurer

WELCOME TO THE MEETING OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY

- All documents for public review are on file at the Ontario International Airport Administration Offices located at 1923 E. Avion Street, Ontario, CA 91761.
- Anyone wishing to speak during public comment or on an 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 State Law, remarks during public comment are to be limited to subjects within the Authority's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of the board room will not be permitted. All those wishing to speak, including Commissioners and Staff, need to be recognized by the Authority President before speaking.

ORDER OF BUSINESS

The Authority meeting begins at 3:00 p.m. with Closed Session comment and Closed Session, immediately followed by Public Comment and the Regular Meeting.

(Sign Language Interpreters, Communication Access Real-Time Transcription, Assistive Listening Devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. Due to difficulties in securing Sign Language Interpreters, five or more business days notice is strongly recommended.)

CALL TO ORDER (OPEN SESSION) - 3:00 P.M.**ROLL CALL**

Loveridge, Bowman, Hagman, Gou, President Wapner

PLEDGE OF ALLEGIANCE**INVOCATION**

Pastor Joshua Arana, Sunrise Church, Ontario

CLOSED SESSION PUBLIC COMMENT

The Closed Session Public Comment portion of the 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.

CLOSED SESSION

- GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Chief Executive Officer

REPORT ON CLOSED SESSION

General Legal Counsel

PUBLIC COMMENT

Public Comment: The open meeting Public Comment portion of the Commission meeting is limited to a maximum of 3 minutes for each speaker. Additional opportunities for further Public Comment will be given during and at the end of the meeting. Under provisions of the Brown Act, the Commission is prohibited from taking action on oral requests.

AGENDA REVIEW/ANNOUNCEMENTS

The Chief Executive Officer will go over all updated materials and correspondence received after the Agenda was distributed to ensure Commissioners have received them.

1. INFORMATION RELATIVE TO POSSIBLE CONFLICT OF INTEREST

Note: Agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interests and financial interests. Commission Member abstentions shall be stated under this item for recordation on the appropriate item.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Commission votes on them, unless a member of the Commission requests a specific item be removed from the Consent Calendar for a separate vote.

Each member of the public wishing to address the Authority on items listed on the Consent Calendar will be given a total of 3 minutes.

2. APPROVAL OF MINUTES

Minutes for the meetings of the Ontario International Airport Authority special meeting on July 31, 2019 and the cancelled meeting on August 27, 2019, and approving the same as on file with the Secretary/Assistant Secretary.

3. BILLS/PAYROLL

Bills July 1, 2019 through August 31, 2019 and Payroll July 1, 2019 through August 31, 2019.

4. APPROVAL OF MEETING STIPENDS

That the Ontario International Airport Authority Commission approve meeting stipends for President Wapner for the month of July and August and Commissioner Hagman for the month July.

5. APPROVAL OF THE SECOND AND FINAL ONE-YEAR EXTENSION WITH AMPCO SYSTEM PARKING, INC. DBA ABM PARKING SERVICES, INC. TO CONTINUE TRANSPORTATION SERVICES FOR THE ONTARIO INTERNATIONAL AIRPORT CONSOLIDATED RENTAL CAR FACILITY

That the Ontario International Airport Authority (OIAA) Board of Commissioners authorize the Chief Executive Officer (CEO) to exercise the second and final one-year extension to the AMPCO System Parking, Inc., dba ABM Parking Services, Inc. (ABM) Agreement for an amount not to exceed \$2,500,000.00. A Customer Facility Charge (CFC) is charged to every car rental customer. This revenue is used to pay for the costs associated with the Agreement (ConRAC transportation services) and is allocated in the OIAA FY 2019-20 budget.

6. APPROVAL OF THE FIRST AMENDMENT TO THE CONCESSION LEASE AGREEMENT WITH DELAWARE NORTH COMPANIES TRAVEL HOSPITALITY SERVICES, INC. TO MODIFY THE ASSIGNED AREAS AT ONTARIO INTERNATIONAL AIRPORT

That the Ontario International Airport Authority (OIAA) Board of Commissioners approve the First Amendment (Amendment) to the Concession Lease Agreement (Agreement) with Delaware North Companies Travel Hospitality Services, Inc. (Delaware North) to modify the assigned areas in the Agreement, adding Space 2190 and removing the Temporary Assigned Space formerly known as "Plane Box Grab & Go." Delaware North shall immediately begin paying Rent on and after the date of Substantial Completion of the newly Assigned Area (Space 2190), as set forth in Article 4 of the Agreement. In the event that Delaware North fails to open for business on and after Substantial Completion, the OIAA shall collect the greater 1/360th of a Minimum Annual Guarantee per day for Space 2190 or the current daily lease rate applicable to a terminal concession location until Delaware North opens Space 2190 for business.

7. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND ATLAS AIR, INC.

That the Ontario International Airport Authority authorize the Chief Executive Officer to execute a Lease Agreement between the Ontario International Airport Authority and Atlas Air, Inc. The annual revenue of the initial term (from the Commencement Date through June 30, 2020) is approximately \$78,000. This rent is calculated based on the FY2020 rates which are also subject to annual Consumer Price Index Adjustment on July 1 of each calendar year. The OIAA also reserves the right to adjust the rent to reflect the fair market value as reasonably determined by OIAA. Thereafter, Rent will be adjusted annually to the Consumer Price Index.

8. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND AIR TRANSPORT INTERNATIONAL, INC.

That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer to execute a Lease Agreement between the Ontario International Airport Authority and Air Transport International, Inc. The annual revenue of the initial term (from the Commencement Date through June 30, 2020) is approximately \$67,256. This rent is calculated based on the FY2020 rates which are also subject to annual Consumer Price Index Adjustment on July 1 of each calendar year. The OIAA also reserves the right to adjust the rent to reflect the fair market value as reasonably determined by OIAA. Thereafter, Rent will be adjusted annually to the Consumer Price Index.

9. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND ABX AIR, INC.

That the Ontario International Airport Authority ("OIAA") authorize the Chief Executive Officer ("CEO") to execute a Lease Agreement ("Lease") between the Ontario International Airport Authority (OIAA) and ABX Air, Inc. ("ABX" or "Tenant"). The annual revenue of the initial term (from the Commencement Date through June 30, 2020) is approximately \$53,500. This rent is calculated based on the FY2020 rates which are also subject to annual Consumer Price Index ("CPI") Adjustment on July 1 of each calendar year. The OIAA also reserves the right to adjust the rent to reflect the fair market value as reasonably determined by OIAA ("FMV Rent Adjustment"). Thereafter, Rent will be adjusted annually to the Consumer Price Index.

10. APPROVAL OF THE FIRST AMENDMENT OF THE LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND FEDERAL EXPRESS CORPORATION

That the Ontario International Airport Authority (OIAA) Commission approve the first amendment to the Lease Agreement between the OIAA and Federal Express Corporation (FedEx). The First Amendment Agreement will not impact the OIAA financially at the present moment.

11. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE AN EASEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND SOUTHERN CALIFORNIA EDISON

That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute an easement between the Ontario International Airport Authority and Southern California Edison required for the installation of electric vehicle charging stations for Parking Concepts, Inc. (PCI). All charges associated with this project are being funded by the tenant, PCI.

12. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE AN EASEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND SOUTHERN CALIFORNIA GAS COMPANY

That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute an easement between the Ontario International Airport Authority and Southern California Gas Company, required for enabling the FedEx project. The easement is being prepared by an OIAA consultant, Mead & Hunt based on engineering drawings prepared by the project designer, Walsh Group, as part of the FedEx project. The OIAA and its counsel will review and provide comments to Mead & Hunt as part of standard procedures for an OIAA project, therefore, there will not be any fiscal impact.

13. ADOPT A RESOLUTION TO REJECT ALL BIDS FOR THE RUNWAY 26R TOUCHDOWN ZONE LIGHTS PROJECT AND AUTHORIZE THE RE-ADVERTISEMENT OF A NOTICE INVITING BIDS FOR THE PROJECT

That the Ontario International Airport Authority (OIAA) reject all bids received for the Runway 26R Touchdown Zone Lights and authorize staff to re-advertise a new Request for Proposals for the Project.

RESOLUTION NO. _____

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY TO REJECT ALL BIDS FOR THE 26R TOUCHDOWN ZONE LIGHTS PROJECT AND AUTHORIZE STAFF TO RE-ADVERTISEMENT A NOTICE INVITING BIDS FOR THE PROJECT

14. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND SOUTHWEST AIRLINES

That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute a lease agreement between the Ontario International Airport Authority and Southwest Airlines.

15. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND MAJESTIC TERMINAL SERVICES (OIAA-19-001)

That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute a Lease Agreement (Lease) between the Ontario International Airport Authority (OIAA) and Majestic Terminal Services (MTS).

ADMINISTRATIVE DISCUSSION/ACTION/REPORT**16. APPROVAL OF REVISED EMPLOYMENT AGREEMENT FOR ONTARIO INTERNATIONAL AIRPORT AUTHORITY CHIEF EXECUTIVE OFFICER MARK A. THORPE**

That the Ontario International Airport Authority (OIAA) Commission approve a revised employment agreement with Mark A. Thorpe to serve as the Chief Executive Officer of the Ontario International Airport Authority. Appropriations for the ongoing salary and associated benefits costs have been included in the Authority's baseline operating budget and the Adopted Budget for Fiscal year 2019-2020. Funding for future years' costs will be included in the respective operating budgets for those periods.

17. A DISCUSSION AND POSSIBLE ACTION REGARDING THE REPLACEMENT OF ESCALATORS IN PASSENGER TERMINALS

For the Ontario International Airport Authority (OIAA) to discuss and possibly take action regarding the replacement of escalators in the passenger terminals.

MANAGEMENT REPORT

Chief Executive Officer Thorpe

COMMISSION MATTERS

President Wapner
Vice President Loveridge
Secretary Bowman
Commissioner Hagman
Commissioner Gouw

ADJOURNMENT



DATE: SEPTMEBER 24, 2019

CLOSED SESSION REPORT

OIAA// (GC 54956.9(c))

Page 1 of 1

ROLL CALL: Gouw __, Bowman __, Hagman __, Loveridge __, President Wapner __.

STAFF: CEO __, General Counsel __

- **GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: Chief Executive Officer

No Reportable Action

Continue

Approved

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Disposition: _____

Reported by:

General Legal Counsel / Chief Executive Officer

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: SEPTEMBER 24, 2019

SECTION: MINUTE ACTION

SUBJECT: RELATIVE TO POSSIBLE CONFLICT OF INTEREST

RECOMMENDED ACTION(S): Note: agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

BACKGROUND: In accordance with California Government Code 84308, members of the Ontario International Airport Authority may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve (12) months and from an entity or individual if the member knows or has reason to know that the participant has a financial interest, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

Item No	Principals & Agents	Subcontractors
Item No. 05	ABM Parking Services	<ul style="list-style-type: none">• None
Item No. 06	Delaware North Companies Travel Hospitality Services, Inc.	<ul style="list-style-type: none">• None
Item No. 07	Atlas Air, Inc	<ul style="list-style-type: none">• None
Item No. 08	Airport Transport International, Inc	<ul style="list-style-type: none">• None
Item No. 09	ABX Air, Inc	<ul style="list-style-type: none">• None
Item No. 10	Federal Express Corporation	<ul style="list-style-type: none">• None

STAFF MEMBER PRESENTING: Board Clerk, Claudia Y. Isbell

Department: Clerk's Office Submitted to OIAA: September 24, 2019

Item No. 01

Item No. 13	Griffith Co.	<ul style="list-style-type: none">• Celcrete• Hydrosprout• RMA• Austin Enterprises• Payco Specialties
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**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
SPECIAL COMMISSION MEETING
MINUTES
JULY 31, 2019
(Not Official Until Approved)**

A special meeting of the Ontario International Airport Authority was held on Wednesday, July 31, 2019, at 1923 E. Avion Street, Room 100, Ontario, California.

Notice of said meeting was duly given in the time and manner prescribed by law.

CALL TO ORDER

President Wapner called the Ontario International Airport Authority Commission meeting to order at 11:30 a.m.

ROLL CALL

PRESENT: Commissioners: Julia Gouw, Curt Hagman, Jim W. Bowman, and Alan D. Wapner.

ABSENT: Commissioners: Ronald O. Loveridge (excused).

Also present were: Chief Executive Officer Mark A. Thorpe, General Counsel Lori D. Ballance and Assistant Secretary Claudia Y. Isbell.

President Wapner announced that the closed session will be moved to the end of the agenda.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Hagman.

INVOCATION

The invocation was led by Don Rucker, Senior Pastor, Ontario First Church of the Nazarene.

PUBLIC COMMENT

Sandra Hubert, spoke on airplane noise concerns.

Lillie Bayless, spoke on airplane noise concerns.

Jess Fonseca, spoke on airplane noise concerns.

Veronica Nunez, spoke on airplane noise concerns.

Richard Sherman, spoke on airplane noise concerns.

Peter Tucker, spoke on airplane noise concerns and submitted handouts for the record.

AGENDA REVIEW/ANNOUNCEMENT

There were no announcements.

1. INFORMATION RELATIVE TO POSSIBLE CONFLICT OF INTEREST

Note: agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interests and financial interests. Commission Member abstentions shall be stated under this item for recordation on the appropriate item.

Commissioner Hagman announced his conflict with Item No. 08 and voiced his abstention regarding the item.

CONSENT CALENDAR

MOTION: Moved by Commissioner Gouw, seconded by Secretary Bowman and carried by a vote of 4-0-1, to approve the consent calendar, including Resolution 2019-05, with Vice President Loveridge absent and Commissioner Hagman abstaining from Item No. 08.

2. APPROVAL OF MINUTES

Minutes for the special meeting on June 24, 2019, cancelled meeting on June 25, 2019, special meeting on July 2, 2019, and cancelled meeting on July 23, 2019 of the Ontario International Airport Authority and approving same as on file with the Secretary/Assistant Secretary.

3. BILLS/PAYROLL

Bills June 1, 2019 through June 30, 2019 and Payroll June 1, 2019 through June 30, 2019.

4. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE AN EASEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND THE ONTARIO MUNICIPAL UTILITIES COMPANY AS PART OF THE MTS & SWA CARGO RELOCATION PROJECT

That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute an easement between the Ontario International Airport Authority and Ontario Municipal Utilities Company, City of Ontario, as part of the MTS & SWA Cargo Relocation project. The easement is being prepared by an OIAA consultant, Mead & Hunt based on engineering drawings prepared by the project designer, OIAA consultant TY Lin International, as part of the MTS & SWA Cargo Relocation project. The OIAA and its

counsel will review and provide comments to Mead & Hunt as part of standard procedures for an OIAA project, therefore, there will not be any fiscal impact.

5. APPROVAL OF THE SECOND CONTRACT AMENDMENT TO HELIX ENVIRONMENTAL PLANNING, INC., FOR PREPARATION OF ENVIRONMENTAL DOCUMENTATION FOR ONTARIO INTERNATIONAL AIRPORT

That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to amend the existing Helix Environmental Planning, Inc., Contract No. SCONT-000045, to include the proposed term of contract as three-years with two, one-year extensions, for an authority amount of \$174,029 over the first and second contract year; \$150,000 for the third contract year; and, authorize the CEO to exercise the two, one-year extensions at \$150,000 annually, for an overall contract amount not to exceed \$624,029 over the five-year term of contract.

6. A RESOLUTION ADOPTING A 415(M) PLAN AND DESIGNATION OF ELIGIBLE EMPLOYEE

That the Ontario International Airport Authority (OIAA) adopt the Ontario International Airport Authority Excess Benefit Plan.

RESOLUTION NO. 2019-05 A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION ADOPTING THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY EXCESS BENEFIT PLAN

7. AUTHORIZE APPROVAL TO RENEW THE MICROSOFT ENTERPRISE AGREEMENT FOR OFFICE 365

That the Ontario International Airport Authority authorize the renewal of the Microsoft Enterprise Agreement for a term of three years with Software One. The total cost for the three-year agreement is \$182,350.00 billed in 3 yearly installments of \$60,783.88. The cost includes Office 365 and Software Assurance for all Ontario International Airport Authority Enterprise Microsoft Products.

8. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND MAJESTIC TERMINAL SERVICES (OIAA-19-001)

That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute a Lease Agreement (Lease) between the Ontario International Airport Authority (OIAA) and Majestic Terminal Services (MTS). The anticipated annual revenue from an initial five-year term is expected to be approximately \$1.1 million. This rent will be calculated based on the FY2019 rates, and on and after July 1, 2020, OIAA will have the right to adjust MTS's rent to reflect a fair market value as reasonably determined by OIAA. Thereafter, rent will be adjusted annually to the CPI.

ADMINISTRATIVE DISCUSSION/ACTION/REPORT

9. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A CONTRACT WITH @YOURGATE LLC TO OPERATE AN ON-DEMAND DELIVERY AND SCHEDULED PICKUP SERVICE

That the Ontario International Airport Authority Board of Commissioners (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute a contract with AtYourGate LLC (AtYourGate) to operate an on-demand delivery and scheduled pickup service that delivers food, beverages, retail and passenger services in Passenger Terminals at Ontario International Airport (ONT). Upon execution of this agreement, AtYourGate shall pay the Ontario International Airport Authority a seven percent (7%) Concession Fee of its monthly Gross Receipts and monthly rent of \$1,007 with annual CPI increase for office/storage space rented in the Passenger Terminals to support its operations.

Chief Executive Officer Thorpe gave an overview of the agenda item.

MOTION: Moved by Commissioner Hagman, seconded by Commissioner Gouw and carried by a vote of 4-0-1, with Vice President Loveridge absent.

MANAGEMENT REPORT

Chief Executive Officer Thorpe gave an update on cargo and passenger numbers for the month of June 2019 and introduced the four new customer experience team staff who will be staffing both terminals 24 hours a day.

COMMISSIONER MATTERS

Commissioner Gouw had no comments.

Commissioner Hagman had no comments.

Secretary Bowman had no comments.

President Wapner thanked CEO Thorpe and staff for their great performance.

CLOSED SESSION

Receiving no request to speak, President Wapner recessed the special meeting of the Ontario International Airport Authority to Closed Session at 11:51 a.m. with all Commissioners in attendance, with the exception of Vice President Loveridge who was absent (excused).

- GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Chief Executive Officer
- GC 54956.9, CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
One (1) potential Case

The Ontario International Airport Authority Commission special meeting was reconvened in public session at 12:45 p.m.

CLOSED SESSION REPORT

President Wapner announced there was no reportable action.

ADJOURNMENT

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 12:45 p.m.

RESPECTFULLY SUBMITTED:

CLAUDIA Y. ISBELL, CLERK OF THE BOARD

APPROVED:

ALAN D. WAPNER, PRESIDENT
ONTARIO INTERNATIONAL AIRPORT AUTHORITY

ONTARIO INTERNATIONAL AIRPORT AUTHORITY
MINUTES
Tuesday, August 27, 2019
(Not Official Until Approved)

The Regular Meeting scheduled for Tuesday, August 27, 2019 was cancelled due to a lack of available quorum.

Respectfully submitted:

CLAUDIA Y. ISBELL, CLERK OF THE BOARD

ALAN D. WAPNER, PRESIDENT
ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION APPROVAL OF STIPENDS AS REQUIRED BY AUTHORITY BYLAWS

RELEVANT STRATEGIC OBJECTIVE: Development of Airport-Related Business.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority Commission approve additional stipends per Article IV, Section 6 of the Authority’s Bylaws.

BACKGROUND: Article IV, Section 6 of the Authority’s Bylaws states as follows:

“No salary: Reimbursement for Expenses; Stipends. The members of the Commission shall receive no salary but shall be reimbursed for necessary expenses (including mileage in accordance with standard IRS mileage reimbursement rates) incurred in the performance of their duties. Additionally, Commissioners will receive a stipend in the amount of one hundred fifty dollars (\$150.00) for attendance at each Commission meeting, standing committee meeting, ad hoc committee meeting, and any Authority-related business function. A maximum of six (6) stipends are permitted per month. An additional two (2) stipends are permitted with prior approval of the President. More than eight (8) stipends per month will require approval by the full Commission.”

During the month of July 2019, President Wapner attended two (2) additional Authority-related business functions and Commissioner Hagman attended five (5) additional Authority-related business functions. During the month of August 2019, President Wapner attended two (2) additional Authority-related business functions. Full Commission approval is needed to approve payment of these additional stipends.

STAFF MEMBER PRESENTING: Chief Executive Officer, Mark A. Thorpe

Department: Clerk’s Office Submitted to OIAA: September 24, 2019

Chief Executive Officer Approval:

Mark A. Thorpe

Approved: _____
Continued to: _____
Denied: _____

CEQA COMPLIANCE: Exclusion from the definition of “project”: The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. (CEQA Guidelines §15378(b)(4).)

FISCAL IMPACT AND SOURCE OF FUNDS: OIAA operating revenue.

PRIOR COMMISSION ACTION: On December 8, 2016, the OIAA Commission adopted Resolution No. 2016-14 approving and adopting the OIAA Bylaws.

STAFFING IMPACT (# OF POSITIONS):

N/A

IMPACT ON OPERATIONS:

N/A

ATTACHMENTS:

N/A

The Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday

This Agenda Report has been reviewed by OIAA General Counsel.

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXERCISE THE SECOND AND FINAL ONE-YEAR EXTENSION WITH AMPCO SYSTEM PARKING, INC. DBA ABM PARKING SERVICES, INC. TO CONTINUE TRANSPORTATION SERVICES FOR THE ONTARIO INTERNATIONAL AIRPORT CONSOLIDATED RENTAL CAR FACILITY.

RELEVANT STRATEGIC OBJECTIVE: Provide Customer-Friendly Facilities and Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Board of Commissioners authorize the Chief Executive Officer (CEO) to exercise the second and final one-year extension to the AMPCO System Parking, Inc., dba ABM Parking Services, Inc. (ABM) Agreement for an amount not to exceed \$2,500,000.00.

FISCAL IMPACT SUMMARY: A Customer Facility Charge (CFC) is charged to every car rental customer. This revenue is used to pay for the costs associated with the Agreement (ConRAC transportation services) and is allocated in the OIAA FY 2019-20 budget.

BACKGROUND: On or around September 14th, 2013, Los Angeles World Airports (LAWA) entered into a 5-year Agreement with ABM to provide transportation services to Ontario International Airport (ONT) passengers from the ONT Terminals to the Consolidated Rental Car Facility (ConRac) and USO Facility. The Agreement was assigned and novated to the OIAA on or around November 1, 2016, and the initial term expired on September 13th, 2018. Section 1.2 of the Operating Agreement allows the CEO to extend the Term for up to two (2) consecutive twelve (12) month periods. On August 28th, 2018, the OIAA Board authorized the CEO to exercise the first of two (2) extensions. This action will allow the CEO to exercise the second/final, twelve (12) month period, month to

STAFF MEMBER PRESENTING: Chief Executive Officer, Mark A. Thorpe

Department: Commercial

Submitted to OIAA: September 24, 2019

Chief Executive Officer Approval:

Approved: _____

Continued to: _____

Denied: _____

month, while OIAA staff prepares/finalizes a successor Request for Proposal (RFP) for transportation services.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: The proposed agreement is not a "project" within the meaning of Section 15378 of the CEQA Guidelines because there is no potential for a direct or indirect physical change in the environment. As a result, the authorization is not subject to CEQA.

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: Letter of Extension.

The Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday

This Agenda Report has been reviewed by OIAA General Counsel.



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: APPROVAL OF THE FIRST AMENDMENT TO THE CONCESSION LEASE AGREEMENT WITH DELAWARE NORTH COMPANIES TRAVEL HOSPITALITY SERVICES, INC. TO MODIFY THE ASSIGNED AREAS AT ONTARIO INTERNATIONAL AIRPORT.

RELEVANT STRATEGIC OBJECTIVE: Provide Customer-Friendly Facilities and Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority Board of Commissioners (OIAA Board) approve the First Amendment (Amendment) to the Concession Lease Agreement (Agreement) with Delaware North Companies Travel Hospitality Services, Inc. (Delaware North) to modify the assigned areas in the Agreement, adding Space 2190 and removing the Temporary Assigned Space formerly known as "Plane Box Grab & Go."

FISCAL IMPACT SUMMARY: Delaware North shall immediately begin paying Rent on and after the date of Substantial Completion of the newly Assigned Area (Space 2190), as set forth in Article 4 of the Agreement. In the event that Delaware North fails to open for business on and after Substantial Completion, the OIAA shall collect the greater 1/360th of a Minimum Annual Guarantee per day for Space 2190 or the current daily lease rate applicable to a terminal concession location until Delaware North opens Space 2190 for business.

BACKGROUND: On or around April 27, 2017, the OIAA Board approved and authorized the execution of the Agreement between the OIAA and Delaware North to continue to operate food and beverage concessions, as well as to make a six-million dollar initial investment for the complete rebranding and refurbishment of concessions to improve the customer experience at Ontario International Airport (ONT).

STAFF MEMBER PRESENTING: Chief Executive Officer, Mark A. Thorpe

Department: Commercial

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval:

Delaware North is the current food and beverage concessionaire operator at ONT and currently operates three F&B outlets in Terminal 2, and five F&B outlets in Terminal 4. In March of 2019, the OIAA and Delaware North discussed the number of closed and/or vacant premises in Terminal 2 and Terminal 4, highlighting the need for more width and breadth of food and beverage offerings to cater to all passenger needs. Delaware North advised that a letter of intent was signed with a new F&B operator and the OIAA agreed that the new restaurant would be placed in Space 2190.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: The proposed agreement is not a "project" within the meaning of Section 15378 of the CEQA Guidelines because there is no potential for a direct or indirect physical change in the environment. As a result, the authorization is not subject to CEQA.

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: First Amendment to Concession Lease Agreement

The Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday

This Agenda Report has been reviewed by OIAA General Counsel.



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND ATLAS AIR, INC.

RELEVANT STRATEGIC OBJECTIVES: Improve Airport Business and Property, and Improve Operational Efficiencies.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer ("CEO") to execute a Lease Agreement between the Ontario International Airport Authority (OIAA) and Atlas Air, Inc. (Atlas).

FISCAL IMPACT SUMMARY: The annual revenue of the initial term (from the Commencement Date through June 30, 2020) is approximately \$78,000. This rent is calculated based on the FY2020 rates which are also subject to annual Consumer Price Index ("CPI") Adjustment on July 1 of each calendar year. The OIAA also reserves the right to adjust the rent to reflect the fair market value as reasonably determined by OIAA ("FMV Rent Adjustment"). Thereafter, Rent will be adjusted annually to the Consumer Price Index.

BACKGROUND: Atlas currently operates a high-volume of cargo flights for its cargo customer. In order to receive benefits as a Signatory Cargo Carrier, Atlas must execute the following documents: 1) Operating Use and Terminal Lease Agreement ("ULA"), and 2) Lease Agreement with the OIAA; the ULA has already been signed and executed between both parties. The Lease fulfills the requirement of a Signatory Carrier leasing space from the airport by leasing office space in the Ontario International Airport Cargo Office Buildings and an assigned preferential aircraft parking position, as cargo carriers do not lease any terminal space from the OIAA.

STAFF MEMBER PRESENTING: Mark A. Thorpe, Chief Executive Officer

Department: Lease Management

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval:

SUMMARY OF LEASE TERMS:

Term. The term of the Lease will be five (5) years from the Commencement Date. The OIAA has an early termination right upon 180 days prior written notice to the Tenant.

Rent. OIAA will receive an initial base ground and facility rentals based on the current rental rates established by OIAA for similarly situated tenants at the Airport. The Lease contains a provision that OIAA may convert the rental to a fair market rate rent during the Term, as would be consistent with similarly situated tenants at the Airport. Rent is subject to annual CPI adjustment increase.

CEQA COMPLIANCE AND LAND USE APPROVALS: The issuance or approval of leases, agreements, renewals, amendments, or extension thereof, granting use of an existing facility at a public airport, involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA). In addition, to the extent any alteration of facilities occurs, CEQA Guidelines section 15301 provides an exemption for minor alterations to existing structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

IMPACT ON OPERATIONS: Upon the Commencement Date of the Lease, Atlas' current occupancy under a Facility Use Agreement of certain airport facilities will terminate. Under the Lease, Atlas shall have preferential use of an aircraft parking position as assigned by the OIAA and shown in Exhibit "B" of the Lease.

EXHIBITS & ATTACHMENTS: Lease Agreement by and between Ontario International Airport Authority and Atlas Air, Inc.

The Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday

This Agenda Report has been reviewed by OIAA General Counsel.



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND AIR TRANSPORT INTERNATIONAL, INC.

RELEVANT STRATEGIC OBJECTIVES: Improve Airport Business and Property, and Improve Operational Efficiencies.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to execute a Lease Agreement between the Ontario International Airport Authority (OIAA) and Air Transport International, Inc. (ATI).

FISCAL IMPACT SUMMARY: The annual revenue of the initial term (from the Commencement Date through June 30, 2020) is approximately \$67,256. This rent is calculated based on the FY2020 rates which are also subject to annual Consumer Price Index ("CPI") Adjustment on July 1 of each calendar year. The OIAA also reserves the right to adjust the rent to reflect the fair market value as reasonably determined by OIAA ("FMV Rent Adjustment"). Thereafter, Rent will be adjusted annually to the Consumer Price Index.

BACKGROUND: ATI currently operates a high-volume of cargo flights for its cargo customer. In order to receive benefits as a Signatory Cargo Carrier, ATI must execute the following documents: 1) Operating Use and Terminal Lease Agreement ("ULA"), and 2) Lease Agreement with the OIAA; the ULA has already been signed and executed between both parties. The Lease fulfills the requirement of a Signatory Carrier leasing space from the airport by leasing office space in the Ontario International Airport Cargo Office

STAFF MEMBER PRESENTING: Mark A. Thorpe, Chief Executive Officer

Department: Lease Management

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval:

Item No. 08

Buildings and an assigned preferential aircraft parking position, as cargo carriers do not lease any terminal space from the OIAA.

SUMMARY OF LEASE TERMS:

Term. The term of the Lease will be five (5) years from the Commencement Date. The OIAA has an early termination right upon 180 days prior written notice to the Tenant.

Rent. OIAA will receive an initial base ground and facility rentals based on the current rental rates established by OIAA for similarly situated tenants at the Airport. The Lease contains a provision that OIAA may convert the rental to a fair market rate rent during the Term, as would be consistent with similarly situated tenants at the Airport. Rent is subject to annual CPI adjustment increase.

CEQA COMPLIANCE AND LAND USE APPROVALS: The issuance or approval of leases, agreements, renewals, amendments, or extension thereof, granting use of an existing facility at a public airport, involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA). In addition, to the extent any alteration of facilities occurs, CEQA Guidelines section 15301 provides an exemption for minor alterations to existing structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

IMPACT ON OPERATIONS: Upon the Commencement Date of the Lease, ATI's current occupancy under a Facility Use Agreement of certain airport facilities will terminate. Under the Lease, ATI shall have preferential use of an aircraft parking position as assigned by the OIAA and shown in Exhibit "B" of the Lease.

EXHIBITS & ATTACHMENTS: Lease Agreement by and between Ontario International Airport Authority and Air Transport International, Inc.

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This Agenda Report has been reviewed by OIAA General Counsel.



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND ABX AIR, INC.

RELEVANT STRATEGIC OBJECTIVES: Improve Airport Business and Property, and Improve Operational Efficiencies.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer ("CEO") to execute a Lease Agreement between the Ontario International Airport Authority (OIAA) and ABX Air, Inc. (ABX).

FISCAL IMPACT SUMMARY: The annual revenue of the initial term (from the Commencement Date through June 30, 2020) is approximately \$53,500. This rent is calculated based on the FY2020 rates which are also subject to annual Consumer Price Index ("CPI") Adjustment on July 1 of each calendar year. The OIAA also reserves the right to adjust the rent to reflect the fair market value as reasonably determined by OIAA ("FMV Rent Adjustment"). Thereafter, Rent will be adjusted annually to the Consumer Price Index.

BACKGROUND: ABX currently operates a high-volume of cargo flights for its cargo customer. In order to receive benefits as a Signatory Cargo Carrier, ABX must execute the following documents: 1) Operating Use and Terminal Lease Agreement ("ULA"), and 2) Lease Agreement with the OIAA; the ULA has already been signed and executed between both parties. The Lease fulfills the requirement of a Signatory Carrier leasing space from the airport by leasing land (preferential aircraft parking position) at Ontario International Airport.

STAFF MEMBER PRESENTING: Mark A. Thorpe, Chief Executive Officer

Department: Lease Management

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval:

Item No. 09

SUMMARY OF LEASE TERMS:

Term. The term of the Lease will be five (5) years from the Commencement Date. The OIAA has an early termination right upon 180 days prior written notice to the Tenant.

Rent. OIAA will receive an initial base ground and facility rentals based on the current rental rates established by OIAA for similarly situated tenants at the Airport. The Lease contains a provision that OIAA may convert the rental to a fair market rate rent during the Term, as would be consistent with similarly situated tenants at the Airport. Rent is subject to annual CPI adjustment increase.

CEQA COMPLIANCE AND LAND USE APPROVALS: The issuance or approval of leases, agreements, renewals, amendments, or extension thereof, granting use of an existing facility at a public airport, involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA). In addition, to the extent any alteration of facilities occurs, CEQA Guidelines section 15301 provides an exemption for minor alterations to existing structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

IMPACT ON OPERATIONS: Upon the Commencement Date of the Lease, ABX's current occupancy under a Facility Use Agreement of certain airport facilities will terminate. Under the Lease, ABX shall have preferential use of an aircraft parking position as assigned by the OIAA and shown in Exhibit "B" of the Lease.

EXHIBITS & ATTACHMENTS: Lease Agreement by and between Ontario International Airport Authority and ABX Air, Inc.

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This Agenda Report has been reviewed by OIAA General Counsel.]



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: APPROVAL OF THE FIRST AMENDMENT OF THE LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND FEDERAL EXPRESS CORPORATION

RELEVANT STRATEGIC OBJECTIVE: Improve Airport Business and Property, and Improve Operational Efficiencies.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission approve the first amendment to the Lease Agreement between the OIAA and Federal Express Corporation (FedEx).

FISCAL IMPACT SUMMARY: The First Amendment Agreement will not impact the OIAA financially at the present moment.

BACKGROUND: FedEx has been a long-time tenant at ONT for the past 31 years, and currently operates cargo and express mail facilities at ONT under two leases - a facility lease (ONT-8787A) and an Airline Use and Lease Agreement (ONT-7903). The current facilities include cargo buildings, former aircraft hangars, temporary trailers, aircraft parking aprons, cargo truck docks and parking, parking lots, and other amenities.

At the regular meeting on June 26, 2018, the OIAA approved FedEx's new Lease, approved an agreement with FedEx to increase operational efficiencies at ONT and consolidate FedEx's existing cargo operations to the new location. Staff recommends the proposed First Amendment to the Lease Agreement to define

STAFF MEMBER PRESENTING: Chief Executive Officer, Mark A. Thorpe

Department: Administration

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval:

and replace language in sections 2.11, 2.11(b), 3.01, and 3.09(a) through 3.09(b) of the existing Lease. In summary, the First Amendment makes the following changes:

- Readjusts the obligation to fund, construct, and maintain certain taxilane improvements to FedEx instead of to the Authority;
- Allows the Authority to recapture FedEx's taxilane improvements if they are ever needed for common use, provided that FedEx is paid the remaining unamortized construction costs at that time;
- Requires a taxilane connector to be built by September 30, 2020 (target date), if the Authority achieves an ability to proceed with that portion of the project;
- Provides a method for the Authority to purchase portions of FedEx's improvements and make them available for common use, if FedEx does not exercise certain lease option rights for additional land at the airport;
- Allocates costs for relocating/removing modular buildings constructed on certain parcels within FedEx's option areas; and
- Updates and revises the Lease exhibits for the premises, FedEx's concept plan, and the Authority's taxilane connector.

Staff recommends these changes to the Lease so that the Lease provides a more orderly process to complete the cargo consolidation project at the airport.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: In accordance with CEQA Guidelines §§15162 and 15164, on June 26, 2018, the OIAA already considered, approved, adopted and certified an Addendum to the Pacific Gateway Cargo Center (PGCC) Final Environmental Impact Report for the Ontario International Airport Cargo Facility Consolidation and Improvement Program (Project), and considered, approved, and adopted a Mitigation Monitoring and Reporting Program (MMRP). These prior approvals included all work described above.

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: First Amendment to Lease ONT-18-001 Between the Ontario International Airport Authority and Federal Express Corporation at Ontario International Airport

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This Agenda Report has been reviewed by OIAA General Counsel.]



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE AN EASEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND SOUTHERN CALIFORNIA EDISON

RELEVANT STRATEGIC OBJECTIVE: Develop Airport Related Business.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute an easement between the Ontario International Airport Authority and Southern California Edison required for the installation of electric vehicle charging stations for Parking Concepts, Inc. (PCI).

FISCAL IMPACT SUMMARY: Not applicable. All charges associated with this project are being funded by the tenant, PCI.

BACKGROUND: Currently, the existing PCI shuttle is being charged at an offsite electric vehicle charging station. This is inconvenient as it results in a time impact for shuttle charging. PCI is currently in the process of acquiring 4 new electric shuttles. Once the easement is prepared for onsite electric vehicle charging stations, it will be critical to execute and record the easement as soon as possible thereafter, so that the tenant can obtain the permit and schedule the construction of the charging stations located west of the PCI office. This will allow all of PCI's shuttles to recharge onsite, thereby facilitating expedited passenger drop off and pick-up between Parking Lot 5 and the terminals.

PROCUREMENT: N/A

STAFF MEMBER PRESENTING: Mark A. Thorpe, Chief Executive Officer

Department: Engineering

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: 

CEQA COMPLIANCE AND LAND USE APPROVALS: The issuance of an easement to Southern California Edison to provide power to new charging stations is Categorically Exempt (Class 1) from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301.

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: This action will have no impact to operations.

SCHEDULE: It is anticipated that the OIAA consultant, Mead & Hunt, have easement documents for review and signature by the CEO.

EXHIBITS & ATTACHMENTS: None.

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This Agenda Report has not been reviewed by OIAA General Counsel. ||



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE AN EASEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND THE SOUTHERN CALIFORNIA GAS COMPANY AS PART OF THE FEDEX PROJECT

RELEVANT STRATEGIC OBJECTIVE: Develop Airport Related Business.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute an easement between the Ontario International Airport Authority and Southern California Gas Company as part of the FedEx project.

FISCAL IMPACT SUMMARY: The easement is being prepared by an OIAA consultant, Mead & Hunt, based on engineering drawings prepared by the project designer team Kimley-Horn and Associates, as part of the FedEx project. The OIAA and its counsel will review and provide comments to Mead & Hunt as part of standard procedures for an OIAA project, therefore, there will not be any fiscal impact.

BACKGROUND: The easement with Southern California Gas Co. will allow rights to access the natural gas line by the Southern California Gas Co. This is enabling the FedEx project to continue moving forward as scheduled.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: The issuance of an easement to Southern California Gas Co. to provide access to the gas line.

STAFF MEMBER PRESENTING: Mark A. Thorpe, Chief Executive Officer

Department: Engineering

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: Mark A. Thorpe

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: This action will have no impact to operations.

SCHEDULE: It is anticipated that the OIAA consultant, Mead & Hunt, have easement documents for review and signature by mid-October, 2019. The project's contractor, Walsh Group, will construct the new gas line. Final construction of the FedEx project is dependent upon the access to the gas line located as shown in the attached Exhibit A.

EXHIBITS & ATTACHMENTS: Drawing showing the location of the natural gas line.

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This Agenda Report has not been reviewed by OIAA General Counsel.



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: ADOPT A RESOLUTION TO REJECT ALL BIDS FOR THE RUNWAY 26R TOUCHDOWN ZONE LIGHTS PROJECT AND AUTHORIZE THE RE-ADVERTISEMENT OF A NOTICE INVITING BIDS FOR THE PROJECT

RELEVANT STRATEGIC OBJECTIVE: Obtain Competitive Pricing From Qualified Firms.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) reject all bids received for the Runway 26R Touchdown Zone Lights (Project) and authorize staff to re-advertise a new Request for Proposals for the Project.

FISCAL IMPACT SUMMARY: None at this time.

BACKGROUND: On August 23, 2019, the OIAA receive four bids for the Runway 26R Touchdown Zone Lights Project (ONT Project #201808022). Velluntini Corporation dba Royal Electric Company was the apparent low bidder. The next lowest bid was from Kobo Utility Construction Corporation. A third bid was received from Aldridge Electric, Inc., and a fourth from Stronghold Engineering, Inc. The bid from the apparent lowest bidder and second lowest bidder respectively, contained material deficiencies making each submission non-responsive. The third and fourth bidders were considerably higher in comparison to the first and second low bids. As a result, staff recommends that the OIAA reject all bids and re-advertise the Project.

CEQA COMPLIANCE AND LAND USE APPROVALS: The proposed purchase decision is not a "project" under CEQA and does not require environmental review.

EXHIBITS & ATTACHMENTS: A resolution rejecting all bids and authorizing re-advertisement.

STAFF MEMBER PRESENTING: Mark A. Thorpe, Chief Executive Officer

Department: Administration

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: *Mark A. Thorpe*

Item No. 13

The Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday

This Agenda Report has been reviewed by OIAA General Counsel.

RESOLUTION NO. _____

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT
AUTHORITY TO REJECT ALL BIDS FOR THE 26R TOUCHDOWN
ZONE LIGHTS PROJECT AND AUTHORIZE STAFF TO RE-
ADVERTISE A NOTICE INVITING BIDS FOR THE PROJECT

WHEREAS, the Ontario International Airport Authority (the “OIAA” or “Authority”) was established for the purpose of operating, maintaining, managing, and developing, the Ontario International Airport (the “Airport”); and

WHEREAS, the OIAA published a Notice Inviting Bids for the 26R Touchdown Zone Lights (ONT Project # 201808022) (the “Project”) requesting bid proposals from qualified firms to replace 30 rows of six touchdown zone lights on runway 26R;

WHEREAS, on August 23, 2019, four bids were received from prospective bidders;

WHEREAS, the initial apparent lowest bidder and second lowest bidder respectively, contained material deficiencies making each submission non-responsive;

WHEREAS, the third and fourth bidders were considerably higher in comparison to the first and second low bids;

WHEREAS, OIAA staff recommends that all bids presented be rejected and the Project be re-advertised to solicit new competitive pricing. The lowest bid was non-responsive, and the remaining bids were unreasonable as there is insufficient budget authority to award a contract; and

WHEREAS, California Public Contract Code sections 20166 and/or 22038 allow a public agency to reject any and all bids presented. Notice of OIAA’s intent to reject all bids was sent by mail to all bidders at least two business days prior to this meeting;

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

SECTION 1: The Ontario International Airport Authority Commission rejects all bids and authorizes OIAA staff to re-advertise the Project to solicit new competitive bids.

SECTION 2: This Resolution shall take effect immediately upon its adoption.

SECTION 3: The Commission Clerk of the Ontario International Airport Authority shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 24th day of September 2019.

ALAN D. WAPNER, OIAA PRESIDENT

ATTEST:

CLAUDIA Y. ISBELL, ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

LORI D. BALLANCE
GENERAL COUNSEL

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

I, Claudia Y. Isbell, Commission Clerk of the Ontario International Airport Authority, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Commission of the Ontario International Airport Authority at their special meeting held September 24, 2019 by the following roll call vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

CLAUDIA Y. ISBELL, ASSISTANT SECRETARY

(SEAL)

The foregoing is the original of Resolution No. _____ duly passed and adopted by the Commission of the Ontario International Airport Authority at their special meeting held September 24, 2019.

CLAUDIA Y. ISBELL, ASSISTANT SECRETARY

(SEAL)



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND SOUTHWEST AIRLINES.

RELEVANT STRATEGIC OBJECTIVES: Improve Airport Business and Property, and Improve Operational Efficiencies.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute a Lease Agreement (Lease) between the Ontario International Airport Authority (OIAA) and Southwest Airlines.

FISCAL IMPACT SUMMARY: The annual revenue of the initial term is still under negotiation.

BACKGROUND: In order to enable the development of the Northwest quadrant of the airport for the new Federal Express air terminal and sort facility, the current facilities occupied by Southwest Airlines Ground Service Equipment (GSE) and Belly Cargo Operation need to be demolished. This Lease will enable Southwest Airlines to continue to operate at ONT for the benefit of the flight operations of its high-volume customer(s). If approved, Southwest Airline’s current facility use agreement will be surrendered under a Surrender Agreement, and will be replaced by the new Lease, increase operational efficiencies at ONT and consolidate Southwest Airlines’ existing operations to the new location.

CEQA COMPLIANCE AND LAND USE APPROVALS: The issuance or approval of leases, agreements, renewals, amendments, or extension thereof, granting use of an existing facility at a public airport, involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA). In addition, to the extent any alteration of facilities occurs, CEQA

STAFF MEMBER PRESENTING: Mark A. Thorpe, Chief Executive Officer

Department: Lease Management

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval:

Guidelines section 15301 provides an exemption for minor alterations to existing structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

IMPACT ON OPERATIONS: Upon the Commencement Date of the Lease, MTS's current occupancy under a Facility Use Agreement of certain airport facilities and land will terminate, and such facilities and land so vacated will be utilized as a component of the FedEx program.

EXHIBITS & ATTACHMENTS: None.

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This Agenda Report has been reviewed by OIAA General Counsel.]



DATE: SEPTEMBER 24, 2019

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND MAJESTIC TERMINAL SERVICES (OIAA919-001).

RELEVANT STRATEGIC OBJECTIVES: Improve Airport Business and Property, and Improve Operational Efficiencies.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to negotiate and execute a Lease Agreement (Lease) between the Ontario International Airport Authority (OIAA) and Majestic Terminal Services (MTS).

FISCAL IMPACT SUMMARY: The annual revenue of the initial term is still under negotiation.

BACKGROUND: In order to enable the development of the Northwest quadrant of the airport for the new Federal Express air terminal and sort facility, the current facilities occupied by MTS need to be demolished. This Lease will enable MTS to continue to operate at ONT for the benefit of the flight operations of its high-volume cargo customer(s). If approved, MTS’s current facility use agreement will be surrendered under a Surrender Agreement, and will be replaced by the new Lease, increase operational efficiencies at ONT and consolidate MTS’s existing cargo support operations to the new location.

CEQA COMPLIANCE AND LAND USE APPROVALS: The issuance or approval of leases, agreements, renewals, amendments, or extension thereof, granting use of an existing facility at a public airport, involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA). In addition, to the extent any alteration of facilities occurs, CEQA

STAFF MEMBER PRESENTING: Mark A. Thorpe, Chief Executive Officer

Department: Lease Management

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval:

Item No. 15

Guidelines section 15301 provides an exemption for minor alterations to existing structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

IMPACT ON OPERATIONS: Upon the Commencement Date of the Lease, MTS's current occupancy under a Facility Use Agreement of certain airport facilities and land will terminate, and such facilities and land so vacated will be utilized as a component of the FedEx program.

EXHIBITS & ATTACHMENTS: None.

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This Agenda Report has been reviewed by OIAA General Counsel.]



DATE: SEPTEMBER 24, 2019

SECTION: ADMINISTRATIVE REPORT/DISCUSSION/ACTION

SUBJECT: APPROVAL OF REVISED EMPLOYMENT AGREEMENT FOR ONTARIO INTERNATIONAL AIRPORT AUTHORITY CHIEF EXECUTIVE OFFICER MARK A. THORPE

RELEVANT STRATEGIC OBJECTIVE: To Develop Specialized Airport Work Force with the Necessary Knowledge, Skills, and Abilities.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission approve a revised employment agreement with Mark A. Thorpe to serve as the Chief Executive Officer of the Ontario International Airport Authority.

FISCAL IMPACT SUMMARY: Appropriations for the ongoing salary and associated benefits costs have been included in the Authority’s baseline operating budget and the Adopted Budget for Fiscal year 2019-2020. Funding for future years’ costs will be included in the respective operating budgets for those periods.

BACKGROUND: On July 31, 2019, the Ontario International Airport Authority Commission have direction to revise the terms and conditions of the employment agreement with Chief Executive Officer Mark A. Thorpe. The subject employment agreements reflect the results of those negotiations.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFF MEMBER PRESENTING: Chief Executive Officer, Mark A. Thorpe

Department: Administration

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval:

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: Attachment A - CEO Employment Agreement, Attachment B - CEO Employment Agreement 1st Amendment, Attachment C - CEO Employment Agreement 2nd Amendment - Draft

The Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday

This Agenda Report has been reviewed by OIAA General Counsel.



DATE: SEPTEMBER 24, 2019

SECTION: ADMINISTRATIVE REPORT/DISCUSSION/ACTION

SUBJECT: A DISCUSSION AND POSSIBLE ACTION REGARDING THE REPLACEMENT OF ESCALATORS IN PASSENGER TERMINALS

RELEVANT STRATEGIC OBJECTIVES: Provide Customer-Friendly Facilities and Services.

RECOMMENDED ACTION(S): For the Ontario International Airport Authority (OIAA) to discuss and possibly take action regarding the replacement of escalators in the passenger terminals.

FISCAL IMPACT SUMMARY: Not applicable.

BACKGROUND: The four escalators in Terminals 2 and 4 were originally installed in 1998. Due to their age and previous lack of regular preventative maintenance, the existing escalators are incapable of providing an acceptable level of service. Upgraded escalators will provide a dramatic decrease in downtime, an ability to shift from reactive, to proactive maintenance, and a significant saving in maintenance cost.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFFING IMPACT (# OF POSITIONS): N/A

STAFF MEMBER PRESENTING: Chief Executive Officer, Mark A. Thorpe

Department: Administration

Submitted to OIAA: September 24, 2019

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: Mark A. Thorpe

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: None.

The Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday

This Agenda Report has been reviewed by OIAA General Counsel.