



## **SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC PARTICIPATION AT ONTARIO INTERNATIONAL AIRPORT AUTHORITY MEETINGS**

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the Ontario International Airport Authority (OIAA) board meetings are being conducted via Zoom and teleconference. Members of the public may utilize alternative measures established by OIAA to view the board meetings and/or to address the President and Commissioners. Please see instructions listed below.

**Link to watch the September 24, 2020 Board Meeting\*:** <https://us02web.zoom.us/j/83725254636>

**To dial in, call either:** +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799

**WEBINAR ID:** 837 2525 4636

\*Zoom requires you to enter a response for name and email. To remain anonymous, you may use Attendee and attendee@flyontario.com to bypass this Zoom feature.

### **ANY MEMBERS OF THE PUBLIC WISHING TO PROVIDE PUBLIC COMMENT MAY DO SO AS FOLLOWS:**

**E-MAIL:** You may submit public comments by e-mail to [clerk@flyontario.com](mailto:clerk@flyontario.com) no later than 12:00 p.m. the day of the meeting. Please identify the Agenda item you wish to address in your comments. All e-mail comments will be included in the record.

**TELEPHONE:** You may call (909) 414-1718 between 1:40 p.m to 2:00 p.m. the day of the meeting to speak live during the public comment portion of the meeting. You will be asked to identify the Agenda item you wish to address and be placed on hold until the public comment portion of the meeting. Comments are limited to 3 minutes.

**VOICEMAIL:** You may record public comments at (909) 544-5307 no later than 12:00 p.m. the day of the meeting. Please identify the Agenda item you wish to address in your comments. Recorded comments are limited to 3 minutes. All voicemail comments will be included in the record.

**MAIL:** You may mail in public comments to the OIAA Clerk's Office at 1923 E. Avion St., Ontario, CA 91761. Comments by mail must be received no later than 12:00 p.m. the day of the meeting. Postmarks are not accepted.

Any members of the public who require special assistance or a reasonable accommodation to participate telephonically in the meeting of the OIAA Commission may contact Natalie Gonzaga at 909-544-5307 or [clerk@flyontario.com](mailto:clerk@flyontario.com).

The Ontario International Airport Authority Board of Commissioners and staff thank you for your continued patience and corporation during these unprecedented times. If you have any questions related to participation in the Board Meeting please call (909) 544-5307.

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY

## COMMISSION AGENDA – REGULAR MEETING



**SEPTEMBER 24, 2020 AT 2:00 P.M.**

Ontario International Airport Regular Meeting

**MEETING WILL BE HELD VIA LIVE STREAM AND TELECONFERENCE**

**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

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#### **ANY MEMBERS OF THE PUBLIC WISHING TO PROVIDE PUBLIC COMMENT MAY DO SO AS FOLLOWS:**

**E-MAIL:** You may submit public comments by e-mail to clerk@flyontario.com no later than 12:00 p.m. the day of the meeting. Please identify the Agenda item you wish to address in your comments. All e-mail comments will be included in the record.

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**VOICEMAIL:** You may record public comments at (909) 544-5307 no later than 12:00 p.m. the day of the meeting. Please identify the Agenda item you wish to address in your comments. Recorded comments are limited to 3 minutes. All voicemail comments will be included in the record.

**MAIL:** You may mail in public comments to the OIAA Clerk's Office at 1923 E. Avion St., Ontario, CA 91761. Comments by mail must be received no later than 12:00 p.m. the day of the meeting. Postmarks are not accepted.

Any members of the public who require special assistance or a reasonable accommodation to participate telephonically in the meeting of the OIAA Commission may contact Natalie Gonzaga at 909-544-5307 or clerk@flyontario.com.

## ORDER OF BUSINESS

The Authority meeting begins at 2:00 p.m. with 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) - 2:00 P.M.

### ROLL CALL

Loveridge, Bowman, Hagman, Gouw, President Wapner

### PLEDGE OF ALLEGIANCE

## PUBLIC COMMENT

Public Comment: The open meeting Public Comment portion of the Commission meeting is limited to a maximum of 3 minutes for each Public Comment. 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 meeting of the Ontario International Airport Authority regular meeting on August 27, 2020 and approving the same as on file with the Secretary/Assistant Secretary.

### 3. BILLS/PAYROLL

Bills August 1, 2020 through August 31, 2020 and Payroll August 1, 2020 through August 31, 2020.

### 4. APPROVAL OF MEETING STIPENDS

That the Ontario International Airport Authority Commission approve meeting stipends for President Wapner and Commissioner Hagman for the month of August, 2020.

### 5. A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY ELECTING THE AUTHORITY'S ASSISTANT SECRETARY

That the Ontario International Airport Authority Commission approve a Resolution electing Natalie Gonzaga as Assistant Secretary for the Ontario International Airport Authority.

A RESOLUTION OF THE ONTARIO INTERNATIONAL  
AIRPORT AUTHORITY ELECTING THE AUTHORITY'S  
ASSISTANT SECRETARY

### 6. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO ENTER INTO A 12 MONTH EXTENSION TO THE AGREEMENT WITH CBRE AS THE REAL ESTATE BROKER TO REPRESENT THE AUTHORITY IN TAKING THE APPROXIMATELY 200 ACRES OF AUTHORITY OWNED NON-AERONAUTICAL PROPERTY EAST OF HAVEN TO MARKET FOR POSSIBLE LONG-TERM LEASE

That the Ontario Airport Authority Commission authorize the CEO to extend the agreement with CBRE to represent the Authority in the listing and marketing of approximately 200 acres of Authority owned non-aeronautical property east of Haven Avenue for long-term lease and to manage a competitive selection process in order to assist staff in making a

recommendation to the Commission for the selection of a lessee of such property by 12 months. No negative impact on ONT finances, as any compensation of the broker will be by the lessee as part of the transaction.

**7. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXTEND THE EXISTING MONTH-TO-MONTH CONTRACT WITH DIVERSE FACILITY SOLUTIONS FOR JANITORIAL SERVICES AT THE CONSOLIDATED RENTAL CAR FACILITY**

That the Ontario International Airport Authority Commission authorize the Chief Executive Officer (CEO) to extend the existing month-to-month contract with Diverse Facility Solutions (DFS) for janitorial services at the Consolidated Rental Car (CONRAC) Facility through March 24, 2021, for a monthly expenditure not to exceed \$17,385.75 and an overall contract amount not to exceed \$520,000.00. Funds for this contract are available in the Fiscal Year 2020/21 budget. Funding for subsequent years, if applicable, will be requested through the annual budget process.

**ADMINISTRATIVE DISCUSSION/ACTION/REPORT**

**8. A RESOLUTION DECLARING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY IN CONNECTION WITH PREPARATIONS THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY IS MAKING, AND ACTIONS IT IS TAKING, IN RESPONSE TO NOVEL CORONAVIRUS (COVID-19), AND COMPLIANCE WITH HEALTH AUTHORITIES' APPLICABLE GUIDANCE REGARDING RESPONDING TO COVID-19**

That the Ontario International Airport Authority approve a resolution declaring the continued existence of a local emergency in connection with preparations the Authority is making, and actions it is taking, in response to the outbreak of the novel coronavirus (COVID-19), and compliance with health authorities' applicable guidance regarding responding to COVID-19.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY DECLARING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY IN CONNECTION WITH PREPARATIONS THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY IS MAKING, AND ACTIONS IT IS TAKING, IN RESPONSE TO NOVEL CORONAVIRUS (COVID-19), AND COMPLIANCE WITH HEALTH AUTHORITIES' APPLICABLE GUIDANCE REGARDING RESPONDING TO COVID-19

**MANAGEMENT REPORT**

Chief Executive Officer Thorpe

## COMMISSION MATTERS

President Wapner

Vice President Loveridge

Secretary Bowman

Commissioner Hagman

Commissioner Gouw

## ADJOURNMENT



**DATE:** SEPTEMBER 24, 2020

**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. 06	CBRE	<ul style="list-style-type: none"><li>• None</li></ul>
Item No. 07	Diverse Facility Solutions	<ul style="list-style-type: none"><li>• None</li></ul>

**STAFF MEMBER PRESENTING:** Board Clerk, Claudia Y. Isbell

Department: Clerk's Office

Submitted to OIAA: September 24, 2020

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY  
REGULAR COMMISSION MEETING  
MINUTES  
AUGUST 27, 2020  
(Not Official Until Approved)**

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the Ontario International Airport Authority (OIAA) board meetings were conducted via live stream and teleconference. Members of the public utilized alternative measures established by OIAA to view the board meeting and/or to address the President and Commissioners for the regular meeting held on Thursday, August 27, 2020.

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 2:01 p.m.

**ROLL CALL**

PRESENT VIA ZOOM CONFERENCE: Commissioners: Julia Gouw, Curt Hagman, Jim W. Bowman, Ronald O. Loveridge, and Alan D. Wapner

ABSENT: Commissioners: None

Also present via Zoom conference were: Chief Executive Officer Mark A. Thorpe, General Counsel Lori Ballance and Document Management Specialist Natalie Gonzaga.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chief Financial Officer John Schubert.

**PUBLIC COMMENT**

Members of the public wishing to provide public comment for the items on the agenda were able to do so via email comments to [clerk@flyontario.com](mailto:clerk@flyontario.com), live via telephone at (909) 414-1718, via telephone recording comments at (909) 544-5442, or by mail.

Richard Sherman, provided an email comment expressing concerns on airplane noise.

Betty Anderson, provided an email comment expressing concerns on airplane noise.



## **AGENDA REVIEW/ANNOUNCEMENT**

No announcements were made.

### **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.

No conflicts were announced.

## **CONSENT CALENDAR**

**MOTION:** Moved by Commissioner Hagman, seconded by Secretary Bowman, and carried by a roll call vote of 5-0-0, to approve the consent calendar Items No. 2-6.

### **2. APPROVAL OF MINUTES**

Approved minutes for the meeting of the Ontario International Airport Authority regular meeting on July 23, 2020 and the special meeting on August 5, 2020 and approved the same as on file with the Secretary/Assistant Secretary.

### **3. BILLS/PAYROLL**

Approved bills July 1, 2020 through July 31, 2020 and Payroll July 1, 2020 through July 31, 2020.

### **4. APPROVAL OF MEETING STIPENDS**

The Ontario International Airport Authority Commission approved meeting stipends for President Wapner for the month of July, 2020.

### **5. APPROVAL OF PUBLIC SAFETY ADMINISTRATOR POSITION**

The Ontario International Airport Authority (OIAA) approved the proposed Public Safety Administrator position. Funding for this position is included in the FY 2020-21 Budget. Funding for subsequent years will be requested through the annual budget process.

***(Not Official Until Approved)***

**6. APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY AND ONTARIO INTERNATIONAL AIRPORT AUTHORITY**

Approved the proposed Memorandum of Understanding (MOU) between San Bernardino County Transportation Authority (SBCTA) and Ontario International Airport Authority (OIAA) which memorializes SBCTA's and OIAA's agreement to work in close collaboration regarding development of a proposed project for a possible direct transit connection between the Metrolink San Bernardino Line and Ontario International Airport (ONT).

**ADMINISTRATIVE DISCUSSION/ACTION/REPORT**

**7. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE TWO (2) ON-CALL PLANNING CONTRACTS WITH 1) HNTB CORPORATION AND 2) RICONDO & ASSOCIATES**

The Ontario International Airport Authority (OIAA) authorized the Chief Executive Officer (CEO) to execute contracts with HNTB Corporation and Ricondo & Associates for three years, with two, one-year extensions, for an amount not to exceed \$12,000,000 over the three-year term, and authorize the CEO to exercise two, one-year extensions at \$4,000,000 annually for an amount not to exceed \$20,000,000 for on call, as-needed airport planning and support services. Funds for these contracts were approved in the FY 2020-2021 OIAA operating budget and may be included in the budgets of multiple departments. Funding in excess of what has been approved in the FY 2020-2021 budget, if required, will be reviewed and authorized by the OIAA before it is committed to any task order. Funding for subsequent years will be requested as part of the annual budget process.

CEO Thorpe provided a presentation on the proposed on-call planning contract services. Commissioners approved the contracts with an amendment not limiting each firm to \$2,000,000 per year to ensure competition between the two selected firms, allowing each firm an overall limit of \$4,000,000 per year, with a not to exceed amount for both contracts of \$4,000,000 per year, to be allocated through task orders, with funding approved in the annual budget process.

**MOTION:** Moved by Commissioner Hagman, seconded by Secretary Bowman, and carried by a roll call vote of 5-0-0, to approve the two on-call planning contracts with HNTB and Ricondo & Associates, with an amendment to the contracts allowing each firm a not to exceed amount of \$12,000,000 over the three-year term, and authorize the CEO to exercise two, one-year extensions at \$2,000,000 annually for an amount not to exceed \$20,000,000 for both contracts.

***(Not Official Until Approved)***

**8. A RESOLUTION DECLARING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY IN CONNECTION WITH PREPARATIONS THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY IS MAKING, AND ACTIONS IT IS TAKING, IN RESPONSE TO NOVEL CORONAVIRUS (COVID-19), AND COMPLIANCE WITH HEALTH AUTHORITIES' APPLICABLE GUIDANCE REGARDING RESPONDING TO COVID-19**

The Ontario International Airport Authority approved a resolution declaring the continued existence of a local emergency in connection with preparations the Authority is making, and actions it is taking, in response to the outbreak of the novel coronavirus (COVID-19), and compliance with health authorities' applicable guidance regarding responding to COVID-19.

**RESOLUTION NO. 2020-15** A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY DECLARING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY IN CONNECTION WITH PREPARATIONS THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY IS MAKING, AND ACTIONS IT IS TAKING, IN RESPONSE TO NOVEL CORONAVIRUS (COVID-19), AND COMPLIANCE WITH HEALTH AUTHORITIES' APPLICABLE GUIDANCE REGARDING RESPONDING TO COVID-19

**MOTION:** Moved by Commissioner Hagman, seconded by Commissioner Gouw, and carried by a roll call vote of 5-0-0, to adopt Resolution 2020-15 approving the continued existence of a local emergency.

**MANAGEMENT REPORT**

Chief Executive Officer Thorpe provided updates including new air service, the Fitch Rating report showing ONT as one of two U.S. airports experiencing significant growth in commercial air freight shipments, an update on TSA traffic numbers, the Customer Service Experience Accreditation by Airports Council International earned by ONT, and the upcoming segment featuring ONT on The Travel Detective with Peter Greenburg airing on September 15, 2020 on PBS SoCal.

**COMMISSIONER MATTERS**

Secretary Bowman had no comments.

Commissioner Hagman congratulated the team on keeping up with current changes and re-emphasized the importance of marketing efforts due to new flights and changes, as a result of COVID.

Commissioner Gouw asked CEO Thorpe to provide the PBS "The Travel Detective with Peter Greenburg" episode featuring ONT once available.

Vice President Loveridge had no comments.

***(Not Official Until Approved)***

President Wapner expressed appreciation for staff working on marketing efforts to prepare for when passenger traffic increases.

**ADJOURNMENT**

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 2:27 p.m.

RESPECTFULLY SUBMITTED:

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NATALIE GONZAGA, BOARD CLERK  
ONTARIO INTERNATIONAL AIRPORT AUTHORITY

APPROVED:

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ALAN D. WAPNER, PRESIDENT  
ONTARIO INTERNATIONAL AIRPORT AUTHORITY



**DATE:** SEPTEMBER 24, 2020

**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 August 2020, President Wapner attended fourteen (14) additional Authority-related business functions, and Commissioner Hagman attended one (1) additional Authority-related business function. Full Commission approval is needed to approve payment of these additional stipends.

**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

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

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Department:	<u>Clerk’s Office</u>	Submitted to OIAA:	<u>September 24, 2020</u>
		Approved:	_____
		Continued to:	_____
Chief Executive Officer Approval:		Denied:	_____

ITEM NO. 04

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, although these hours and review procedures may be modified due to COVID-19 precautions. In that case, the documents may be requested by email at [clerk@flyontario.com](mailto:clerk@flyontario.com).*

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



**DATE:** SEPTEMBER 24, 2020

**SECTION:** CONSENT CALENDAR

**SUBJECT:** A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY ELECTING THE AUTHORITY'S ASSISTANT SECRETARY

**RELEVANT STRATEGIC OBJECTIVES:** Reduce Airline Costs.

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) Commission approve a Resolution electing Natalie Gonzaga as Assistant Secretary for the Ontario International Airport Authority.

**FISCAL IMPACT SUMMARY:** No financial impact.

**BACKGROUND:** In accordance with Section 3(E)(1) of the JPA, the Commission must select a Secretary as an officer of the OIAA and may elect an Assistant Secretary to assist the Secretary in the performance of the Secretary's duties, to certify copies of official documents of the Authority and to perform such other duties specified by the Commission.

On August 31, 2020, Natalie Gonzaga was promoted to the Board Clerk position at OIAA. Staff recommends the Commission approve a Resolution electing Natalie Gonzaga as the Assistant Secretary to assist the Secretary in the performance of the Secretary's duties, to certify copies of official documents of the Authority and to perform such other duties specified by the Commission.

**CEQA COMPLIANCE AND LAND USE APPROVALS:** N/A

**ATTACHMENTS:** Attachment A: Resolution electing the Authority's Assistant Secretary

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

Department: Administration

Submitted to OIAA: September 24, 2020

Approved: \_\_\_\_\_

Continued to: \_\_\_\_\_

Denied: \_\_\_\_\_

Chief Executive Officer Approval: Mark A. Thorpe

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This Agenda Report has been reviewed by OIAA General Counsel.



## RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT  
AUTHORITY ELECTING THE AUTHORITY'S ASSISTANT  
SECRETARY

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

WHEREAS, Section 3(E)(1) of the JPA provides the Secretary of the Commission with the authority to elect an Assistant Secretary to assist the Secretary in the performance of the Secretary's duties, to certify copies of the official documents of the Authority and to perform such other duties specified by the Commission; and

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND RESOLVED by the Ontario International Airport Authority Commission, as follows:

SECTION 1. The Ontario International Airport Authority Commission, in accordance with the terms and provisions of the Joint Exercise of Powers Agreement, hereby elects Natalie Gonzaga as the Assistant Secretary to the Ontario International Airport Authority Commission.

SECTION 2. Effective Date. This Resolution will take effect immediately upon its adoption.

SECTION 3. Certification. The 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 at a Special Meeting this 24<sup>th</sup> day of September 2020.

\_\_\_\_\_  
ALAN D. WAPNER, OIAA PRESIDENT

ATTEST:

\_\_\_\_\_  
SECRETARY/ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
LORI D. BALLANCE, GENERAL COUNSEL

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

I, Natalie Gonzaga, Board Clerk of the Ontario International Airport Authority, DO HEREBY CERTIFY that foregoing Resolution No. 2020-\_\_\_\_ was duly passed and adopted by the Commission of the Ontario International Airport Authority at their Regular Meeting held September 24, 2020 by the following roll call vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

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SECRETARY/ASSISTANT SECRETARY

(SEAL)

The foregoing is the original of Resolution No. 2020-\_\_\_\_ duly passed and adopted by the Commission of the Ontario International Airport Authority at their Regular Meeting held September 24, 2020.

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SECRETARY/ASSISTANT SECRETARY

(SEAL)



**DATE:** SEPTEMBER 24, 2020

**SECTION:** CONSENT CALENDAR

**SUBJECT:** AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO ENTER INTO A 12 MONTH EXTENSION TO THE AGREEMENT WITH CBRE AS THE REAL ESTATE BROKER TO REPRESENT THE AUTHORITY IN TAKING THE APPROXIMATELY 200 ACRES OF AUTHORITY OWNED NON-AERONAUTICAL PROPERTY EAST OF HAVEN TO MARKET FOR POSSIBLE LONG-TERM LEASE

**RELEVANT STRATEGIC OBJECTIVE:** Develop Airport-Related Businesses.

**RECOMMENDED ACTION(S):** That the Ontario Airport Authority (“OIAA” or “Authority”) Commission authorize the CEO to extend the agreement with CBRE to represent the Authority in the listing and marketing of approximately 200 acres of Authority owned non-aeronautical property east of Haven Avenue for long-term lease and to manage a competitive selection process in order to assist staff in making a recommendation to the Commission for the selection of a lessee of such property by 12 months.

**FISCAL IMPACT SUMMARY:** No negative impact on ONT finances, as any compensation of the broker will be by the lessee as part of the transaction.

**BACKGROUND:** The “Boot Property” is generally bounded by Airport Drive to the north, Jurupa Street to the south, Haven Avenue to the west, and Doubleday Avenue to the east and consists of twenty-four (24) separate parcels totaling approximately 200.5 acres within the boundaries of the Ontario International Airport (“ONT” or “Airport”). The Boot Property is further split between “buildable” parcels totaling approximately 147.5 acres, and “yard space” parcels totaling approximately 53 acres that are directly under the final approach to Airport Runways 26L and 26R.

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

Department: Administration

Submitted to OIAA: September 24, 2020

Approved: \_\_\_\_\_

Continued to: \_\_\_\_\_

Denied: \_\_\_\_\_

Chief Executive Officer Approval: Mark A. Thorpe

OIAA Staff has determined that the Boot Property currently is not being utilized, and is not needed in the future, for any aeronautical purposes.

The Authority acquired the Boot Property in the transfer of ONT from the City of Los Angeles in November 2016. OIAA Staff informs that (1) the City of Los Angeles had acquired the Boot Property in stages from January 1998 to June 1999 using airport revenues, (2) no Airport Improvement Program (“AIP”) grant funds were used for the purchase of the Boot Property, and (3) no part of the Boot Property was acquired by a Federal deed.

Taking the property to market was delayed in order to complete environmental reviews and comply with FAA regulations, including the two-year study for the Delhi Sand Fly completed recently on September 15, 2020, and the Airport Layout Plan (ALP) update. During this time CBRE has continued to work with airport and city staff, create and update marketing materials and coordinate the gathering of development requirements and information that will help the airport achieve the highest price possible from the property. As soon as the FAA approves of the ALP and makes a section 163 determination, CBRE will be able to take the “Boot Property” to market within days (See Attachment A).

OIAA Staff has also determined that all existing aeronautical land uses of ONT property are located west of South Haven Avenue, which divides the Airport from north to south. The Boot Property parcels are all east of South Haven Avenue. South Haven Avenue is an eight-lane, principal arterial, divided highway that directly connects to Interstate 10 at an interchange north of the Airport and to Interstate 60 south of the Airport. South Haven Avenue cannot be closed or relocated. While land on both sides of South Haven Avenue is relatively level, the land to the east (where the Boot Property is located) has a slightly higher elevation, and there is an embankment along much of the east side of South Haven Avenue while the land to the west side is approximately twelve (12) feet lower than the road elevation with a retaining wall and embankment along much of the west side.

OIAA Staff determined that Airport land uses abutting to the west side of South Haven Avenue cannot be feasibly connected to the Boot Property for aircraft access east of South Haven Avenue. The central portion of Airport land along South Haven Avenue is in the Federal Aviation Administration (“FAA”) Runway Protection Zones (“RPZs”) for Runways 26L and 26R. The area along the west side of the South Haven Avenue north of the RPZs is currently occupied by the Airport rental car facility (a non-aeronautical use). The parcel along the west side of South Haven Avenue south of the RPZs has an east-west, stub taxiway that is dedicated to through-the-fence access to a privately-owned, exclusive-use aircraft parking ramp for United Parcel Service (“UPS”) aircraft.

Multiple parties have expressed interest to the OIAA about buying or leasing the Boot Property.

**PROCUREMENT:** The CEO established the review committee approved at the March 23, 2018 special OIAA meeting. That committee was made up of Greg Devereaux, Consultant to the Authority, Mary Jane Olhasso, Assistant Executive Officer of the San Bernardino County, Terry Thompson, Director of Real Property for San Bernardino County, and John Andrews, Economic Development Director for the City of Ontario. The committee solicited proposals from 6 well qualified firms and interviews

were held with 5 of those firms, as one firm was unable to participate due to the unavailability of personnel. The committee unanimously decided to recommend CBRE to the Commission.

**CEQA COMPLIANCE AND LAND USE APPROVALS:** The proposed action is not a project under the California Environmental Quality Act (CEQA). Even if the action was deemed to be a project under CEQA, it would be exempt from environmental review pursuant to CEQA Guidelines Section 15312 because the action relates to the possible long-term lease of surplus Authority property.

**STAFFING IMPACT (# OF POSITIONS):** N/A

**IMPACT ON OPERATIONS:** Improvement of facilities through projects funded by income from the lease revenue.

**SCHEDULE:** The broker will continue to work with staff to begin marketing the property. The staff will return to the Commission for the Commission's approval of a potential lessee and/or transaction.

**ATTACHMENTS:** Attachment A: CBRE Letter of Exclusive Listing Agreement Extension

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



DATE: SEPTEMBER 24, 2020

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXTEND THE EXISTING MONTH-TO-MONTH CONTRACT WITH DIVERSE FACILITY SOLUTIONS FOR JANITORIAL SERVICES AT THE CONSOLIDATED RENTAL CAR FACILITY

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

RECOMMENDED ACTION(S): That the Ontario International Airport Authority Commission authorize the Chief Executive Officer (CEO) to extend the existing month-to-month contract with Diverse Facility Solutions (DFS) for janitorial services at the Consolidated Rental Car (CONRAC) Facility through March 24, 2021, for a monthly expenditure not to exceed \$17,385.75 and an overall contract amount not to exceed \$520,000.00.

FISCAL IMPACT SUMMARY: Funds for this contract are available in the Fiscal Year 2020/21 budget. Funding for subsequent years, if applicable, will be requested through the annual budget process.

BACKGROUND: After review of contracts and agreements by the OIAA, it was determined that the CONRAC was not currently included in the ongoing janitorial service contract by and between the OIAA and ONT-TEC. As such, the services are provided under Contract SCONT-00031, through June 30, 2020. It was the intent of the Commercial Team to include these services in the Maintenance & Operation (M&O) charges to the Rent-a-Car (RAC) members as a part of new concession/lease agreement execution. As a result of the global pandemic and the requested relief by the RAC members, concession/lease agreement negotiations have been delayed and the DFS contract remains on a month-to-month basis.

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

Department: Commercial

Submitted to OIAA: September 24, 2020

Approved: \_\_\_\_\_

Continued to: \_\_\_\_\_

Denied: \_\_\_\_\_

Chief Executive Officer Approval: *Mark A. Thorpe*

ITEM NO. 07

The Commercial Department is currently preparing draft concession/lease agreements for the RAC members which will include options for the RACs to 1) negotiate their own janitorial services contract or 2) continue using DFS with the OIAA being reimbursed for any/all incurred janitorial expense at the CONRAC. To that end, staff is requesting an additional nine-month extension, through March 24, 2020, to the month-to-month janitorial services to allow for sufficient preparation and time to continue negotiation with the RACs and execute new Concession/Lease Agreements to trigger M&O expense recapture.

**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:** N/A

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



DATE: SEPTEMBER 24, 2020

SECTION: ADMINISTRATIVE DISCUSSION/ACTION/REPORT

SUBJECT: A RESOLUTION DECLARING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY IN CONNECTION WITH PREPARATIONS THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY IS MAKING, AND ACTIONS IT IS TAKING, IN RESPONSE TO NOVEL CORONAVIRUS (COVID-19), AND COMPLIANCE WITH HEALTH AUTHORITIES' APPLICABLE GUIDANCE REGARDING RESPONDING TO COVID-19

RELEVANT STRATEGIC OBJECTIVES: Safety and Security: Provide Customer Friendly Facilities and Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA or Authority) approve a resolution declaring the continued existence of a local emergency in connection with preparations the Authority is making, and actions it is taking, in response to the outbreak of COVID-19, and compliance with health authorities' applicable guidance regarding responding to COVID-19.

FISCAL IMPACT SUMMARY: Possible appropriations and corresponding expenditures for equipment, materials, supplies, labor services and other items needed to address or respond to a declared local emergency will be accounted for and reported to and by the Authority.

BACKGROUND: Ontario International Airport (ONT) provides essential services and infrastructure for public commercial travel and general commerce. As part of the Aviation segment of the Transportation Systems Sector, ONT is an element of national critical infrastructure recognized by the Department of Homeland Security. The nation's transportation system is required to quickly, safely, and securely move people and goods through the country and overseas.

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

Department: Administration

Submitted to OIAA: September 24, 2020

Approved: \_\_\_\_\_

Continued to: \_\_\_\_\_

Denied: \_\_\_\_\_

Chief Executive Officer Approval: Mark A. Thorpe



## **Local Emergency**

Pursuant to Government Code sections 8550 *et seq.* and 8630 *et seq.*, the Authority can determine to declare the existence of a local emergency under applicable circumstances threatening the lives, property or welfare of ONT passengers, employees and operators.

California and the nation are responding to the spread of a respiratory illness caused by a novel coronavirus and which has now been detected in more than 200 locations internationally, including in the United States. The virus has been named “SARS-CoV-2” and the disease it causes has been named “coronavirus disease 2019” (COVID-19).

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization (WHO) declared the COVID-19 outbreak a “public health emergency of international concern.” On January 31, U.S. Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19. On March 4, 2020, Governor Newsom declared a statewide emergency related to COVID-19. On March 11, WHO publicly characterized COVID-19 as a pandemic. On March 13, the President of the United States declared the COVID-19 outbreak a national emergency.

On March 14, 2020, the City of Ontario proclaimed a local emergency, and most recently on September 15, 2020, continued the local state of emergency declaration in response to regional COVID-19 diagnoses and to mobilize the City to best serve the Ontario community. Given that ONT is a destination for passengers from across the nation and from some international locations, the potential effects of the spread of COVID-19 is a local emergency at ONT.

The U.S. Centers for Disease Control (CDC), the California Department of Public Health (CDPH), and the San Bernardino County Department of Public Health (SBCDPH) have all issued requirements, recommendations and guidelines for the public, businesses and public agencies regarding addressing the spread of COVID-19. Some of the requirements, recommendations and guidelines, however, do not apply to essential services and infrastructure such as ONT, or to operations related to air travel in general.

## **Available Actions by OIAA Responding to the Local Emergency**

Declaration of a local emergency relating to COVID-19 enables the Authority, including its CEO under delegated power, to issue written orders and regulations necessary to provide for the protection of passengers, employees and operators at ONT, and related property, as affected by such emergency. The orders and/or regulations include those to (1) obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property at ONT and to bind the Authority for the fair value thereof, (2) require emergency services of any OIAA officer or employee, (3) requisition necessary personnel or material of any OIAA departments, and (4) modify or approve contracts as necessary to ensure and protect the life and property of the public, operators, and employees at ONT.

Exercise of local emergency powers by the OIAA CEO or his designees will be timely reported to the Authority, and the Authority must periodically review the need for continuing the local emergency until it terminates the local emergency.

**CEQA COMPLIANCE AND LAND USE APPROVALS: N/A**

**EXHIBITS & ATTACHMENTS:**

Attachment A - Resolution approving and declaring the continued existence of a local emergency in connection with preparations the Authority is making, and actions it is taking, in response to novel coronavirus (COVID-19), and compliance with health authorities' applicable guidance regarding responding to COVID-19.

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This Agenda Report has been reviewed by OIAA General Counsel.

## RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY DECLARING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY IN CONNECTION WITH PREPARATIONS THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY IS MAKING, AND ACTIONS IT IS TAKING, IN RESPONSE TO NOVEL CORONAVIRUS (COVID-19), AND COMPLIANCE WITH HEALTH AUTHORITIES' APPLICABLE GUIDANCE REGARDING RESPONDING TO COVID-19

**WHEREAS**, Ontario International Airport (ONT) provides essential services and infrastructure for public commercial travel and general commerce. As part of the Aviation segment of the Transportation Systems Sector, ONT is an element of national critical infrastructure recognized by the Department of Homeland Security. The nation's transportation system is required to quickly, safely, and securely move people and goods through the country and overseas;

**WHEREAS**, Pursuant to Government Code sections 8550 *et seq.* and 8630 *et seq.*, the Ontario International Airport Authority (OIAA or Authority) can determine to declare the existence of a local emergency under certain circumstances;

**WHEREAS**, California and the nation are responding to the spread of a respiratory illness caused by a novel coronavirus and which has now been detected in more than 200 locations internationally, including in the United States. The virus has been named "SARS-CoV-2" and the disease it causes has been named "coronavirus disease 2019" (COVID-19);

**WHEREAS**, On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization (WHO) declared the COVID-19 outbreak a "public health emergency of international concern." On January 31, U.S. Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19. On March 4, 2020, Governor Newsom declared a statewide emergency related to COVID-19. On March 11, WHO publicly characterized COVID-19 as a pandemic. On March 13, the President of the United States declared the COVID-19 outbreak a national emergency;

**WHEREAS**, On March 14, 2020, the City of Ontario proclaimed a local emergency, and most recently on September 15, 2020, continued the local state of emergency declaration in response to regional COVID-19 diagnoses and to mobilize the City to best serve the Ontario community. Given that ONT is a destination for passengers from across the nation and from some international locations, the potential effects of the spread of COVID-19 is a local emergency at ONT;

**WHEREAS**, The U.S. Centers for Disease Control (CDC), the California Department of Public Health (CDPH), and the San Bernardino County Department of Public Health (SBCDPH) have all issued requirements, recommendations and guidelines for the public, businesses and public agencies regarding addressing the spread of COVID-19. Some of the requirements, recommendations and guidelines, however, do not apply to essential services and infrastructure such as ONT, or to operations related to air travel in general;

**WHEREAS**, Declaration of a local emergency enables the Authority, including its CEO under delegated power, to issue written orders and regulations necessary to provide for the protection of ONT passengers, employees, and operators, related property, and OIAA finances as affected by such emergency. The orders and/or regulations include those to (1) obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property at ONT and to bind the Authority for the fair value thereof, (2) require emergency services of any OIAA officer or employee, (3) requisition necessary personnel or material of any OIAA departments, and (4) modify or approve contracts as necessary to ensure and protect the life and property of the public, operators, and employees at ONT;

**WHEREAS**, The August 21, 2012 Joint Exercise of Powers Agreement (JPA) between the City of Ontario (City) and the County of San Bernardino (County) that created the Authority stated that the Authority shall have and possess all powers common to the City and County, as well as other powers granted under California law. Both the City and County have provisions in their Municipal Codes allowing for the exercise of emergency powers and authorities;

**WHEREAS**, The JPA also states that, in exercising its powers for the operation, management and administration of ONT, the Authority shall exercise such powers as are restricted and applicable to the City. Accordingly, the Authority's actions and powers available under a declaration of a local emergency shall be consistent with, or shall not exceed, those powers allowed to be exercised by the City during a declared local emergency;

**WHEREAS**, on August 27, 2020 the OIAA approved Resolution No. 2020-015, declaring the continued existence of a local emergency.

**NOW, THEREFORE BE IT RESOLVED** by the Ontario International Airport Authority does hereby declare a continued local state of emergency at ONT regarding the COVID-19 outbreak, and the need to prevent and address the effects of the spread of COVID-19 at ONT; and

**BE IT FURTHER RESOLVED**, under this continued declaration of a local emergency at ONT by the Authority, the OIAA Chief Executive Officer (CEO) is empowered to:

- (1) Promulgate written orders and regulations necessary to provide for the protection of passengers, employees and operators at ONT, and related

- property, as affected by such emergency, including orders or regulations imposing hours of operation within the boundaries of ONT where necessary to preserve the public order and safety; provided, however, such rules and regulations shall be widely publicized and noticed and shall be confirmed at the earliest practicable time by the Authority Commission; and
- (2) Promulgate written orders and regulations relating to the requirements, recommendations and guidelines issued by the CDC, CDPH and SBCDPH that are applicable to essential services and infrastructure such as ONT, or to operations related to air travel in general, regarding preventing and addressing the spread of COVID-19;
  - (3) Make any expenditure in connection with emergency activities, including mutual aid activities, which shall be deemed conclusively to be for the direct protection and benefit of the passengers, airlines, and business partners and property of the OIAA. When necessary to address the effects of the declared emergency, the CEO or his designee may enact conditional changes in procurement processes, spending and signature authority limits, approval authorities, and allocation of Airport resources during the time of the declared emergency in order to support the OIAA required response activities; and
  - (4) Require emergency services of any OIAA officer or employee; and
  - (5) requisition necessary personnel or material of any OIAA departments; and
  - (6) Execute all ordinary powers; all special powers conferred by this Resolution; and all other powers conferred by statute, agreement approved by the Authority Commission, or by any other lawful authority; and
  - (7) Approve and modify contracts as necessary to provide for the protection of passengers, employees and operators at ONT, related property, and OIAA finances as affected by such emergency, including ad-hoc revenue agreements with a one (1) year term or less; and
  - (8) Represent the Authority in all dealings with public or private agencies on matters pertaining to this declared local emergency; and

**BE IT FURTHER RESOLVED**, In the absence of the OIAA CEO, the OIAA Deputy Chief Executive Officer is empowered to take on the emergency powers of the OIAA CEO authorized and described in this Resolution. The OIAA CEO shall be deemed absent where he is unavailable to participate in meetings or otherwise is unable to perform his duties during an emergency.

**BE IT FURTHER RESOLVED**, The Authority Commission shall review the need for continuing this declaration of a continued local emergency at least once every 30 days until the Commission terminates this local emergency declaration.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting this 24<sup>th</sup> day of September 2020.

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ALAN D. WAPNER  
OIAA PRESIDENT

ATTEST:

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NATALIE GONZAGA  
SECRETARY/ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

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LORI D. BALLANCE  
GENERAL COUNSEL

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

I, Natalie Gonzaga, Assistant Secretary of the Ontario International Airport Authority, DO  
HEREBY CERTIFY that foregoing Resolution No. 2020-\_\_\_\_\_ was duly passed and  
adopted by the Commission of the Ontario International Airport Authority at their regular  
meeting held on September 24, 2020 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. 2020-\_\_\_\_\_ duly passed and adopted  
by the Commission of the Ontario International Airport Authority at their regular meeting  
held September 24, 2020.

\_\_\_\_\_  
SECRETARY/ASSISTANT SECRETARY

(SEAL)