



## **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 May 27, 2021, Commission Meeting\*:** <https://us02web.zoom.us/j/83358938852>

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

**WEBINAR ID:** 833 5893 8852

\*Zoom may require 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 the day of the meeting no later than 12:00 p.m. Please identify the Agenda item you wish to address in your comments. All e-mail comments will be included in the meeting record.

**TELEPHONE:** You may call (909) 414-1718 the day of the meeting between 1:45 p.m. to 2:00 p.m. 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 the day of the meeting no later than 12:00 p.m. 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 meeting 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 the day of the meeting no later than 12:00 p.m. 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.

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 Commission Meeting, please call (909) 544-5307.

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY

## COMMISSION AGENDA – REGULAR MEETING



**MAY 27, 2021, AT 2:00 P.M.**

Ontario International Airport Authority 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 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 regular Commission meeting begins at 2:00 p.m. with Public Comment and the Regular Meeting, followed by Closed Session Public Comment and Closed Session.

(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 COMMENTS

The 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

Agenda item contractors, subcontractors and agents 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 Commission on items listed on the Consent Calendar will be given a total of 3 minutes.

### 2. APPROVAL OF MINUTES

Minutes for the regular meeting of the Ontario International Airport Authority on April 22, 2021 and approving the same as on file with the Secretary/Assistant Secretary.

### 3. BILLS/PAYROLL

Bills April 1 through April 30, 2021 and Payroll April 1 through April 30, 2021.

### 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 April, 2021.

### 5. 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 (OIAA or Authority) Commission 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.

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

**6. APPROVAL OF UPDATES TO THE NON-EXCLUSIVE LICENSE AGREEMENT LANGUAGE THAT ADDRESSES GROUND SUPPORT EQUIPMENT USERS ADHERENCES TO THE EMISSIONS GOALS SET FORTH IN THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT MEMORANDUM OF UNDERSTANDING**

That the Ontario International Airport Authority (OIAA) Commission approve the addition of specific air quality emission language in future executed Non-Exclusive License Agreements (NELA) for Ground Support Equipment (GSE) users at Ontario International Airport (ONT), to be in compliance with the emissions goals set forth in the Memorandum of Understanding (MOU) with South Coast Air Quality Management District (SCAQMD).

**7. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH OSBORNE BIOLOGICAL CONSULTING FOR THE YEAR 2021 FOCUSED SURVEY FOR THE DELHI SANDS FLOWER-LOVING FLY**

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to execute a professional services agreement with Osborne Biological Consulting (Osborne) for a third year 2021 focused biological survey for the presence or absence of Delhi Sands Flower-loving Fly on portions of the Ontario International Airport (ONT) property. Upon approval of this agreement, Osborne will conduct the survey between July 1 and September 20, 2021, for a total not to exceed amount of \$145,138.79. Funds for this agreement will be included in the FY 2021-22 budget.

**8. APPROVAL OF AN AGREEMENT WITH CLIMATEC, LLC FOR THE REPLACEMENT OF THE HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) SYSTEM AND LIGHTING MODIFICATIONS AT FIRE STATION 10**

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to enter into an agreement with Climatec, LLC for HVAC replacement units and lighting modifications at Fire Station 10, under the same pricing, terms, and conditions as the City of Ontario's Contract/RFP PUBWRKS18-001-Energy Efficiency, in an amount not to exceed \$470,000. Funding for this agreement will be requested in the FY 2021-22 budget for a cost of \$470,000, plus a 10% contingency in the amount of \$47,000 for this project. Funding for subsequent projects will be requested on an as-needed basis.

**9. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH FUSE ADVANCEMENT, LLC FOR CONTINUED CONSULTING SERVICES TO SUPPORT THE MANAGEMENT OF SALES, ADVERTISING, AND SPONSORSHIP AT ONTARIO INTERNATIONAL AIRPORT**

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to execute a professional services agreement with FUSE Advancement, LLC, for consulting services for one year in an amount not to exceed \$240,500 (compiled with a base compensation of \$185,000 and a maximum incentive program of 30% of base compensation contingent upon meeting gross revenue sales budgets), and authorize the CEO to exercise four, one-year extensions, for an overall contract amount not to exceed \$1,202,500 (compiled of \$925,000 base compensation and a maximum incentive program of 30% of the base compensation

contingent upon meeting gross revenue sales budgets over five years, if all options are exercised), plus authorized reimbursable expenses. Funding for this agreement is available in the Fiscal Year 2020-21 budget. Funding for subsequent years will be requested through the annual budget process.

## ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

### 10. FISCAL YEAR 2020-2021 QUARTERLY FINANCIAL STATEMENTS FOR THE NINE MONTHS ENDING MARCH 31, 2021

That the Ontario International Airport Authority (OIAA) Commission receive and file Financial Statements for the nine months ending March 31, 2021.

### 11. INVESTMENT REPORT FOR THE QUARTER ENDING MARCH 31, 2021

That the Ontario International Airport Authority (OIAA) Commission receive and file the Investment Report for the quarter ending March 31, 2021.

### 12. DISCUSSION REGARDING THE SERIES 2021 OIAA BOND ISSUANCE

For the Ontario International Airport Authority (OIAA) Commission to discuss the Series 2021 OIAA Bond Issuance.

### 13. DISCUSSION REGARDING THE AIRPORT LAYOUT PLAN (ALP) UPDATE

For the Ontario International Airport Authority (OIAA) Commission to discuss the recent 2021 Federal Aviation Administration (FAA) approved Airport Layout Plan (ALP).

## MANAGEMENT REPORT

Chief Executive Officer Thorpe

## COMMISSION MATTERS

President Wapner

Vice President Loveridge

Secretary Bowman

Commissioner Hagman

Commissioner Gouw

## CLOSED SESSION PUBLIC COMMENT

The Closed Session Public Comment portion of the Commission 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

### CLOSED SESSION

- GC § 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION
- GC § 54956.9(d): CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Potential litigation (1 case)

### REPORT ON CLOSED SESSION

General Legal Counsel

## ADJOURNMENT



**DATE:** MAY 27, 2021  
**SECTION:** MINUTE ACTION  
**SUBJECT:** RELATIVE TO POSSIBLE CONFLICT OF INTEREST

**RECOMMENDED ACTION(S):** Agenda items and contractors/subcontractors 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
7	Osborne Biological Consulting	<ul style="list-style-type: none"><li>• David K. Faulkner</li><li>• Eric Renfro</li><li>• Rick Rogers</li></ul>
8	Climatec, LLC	<ul style="list-style-type: none"><li>• Western Allied Mechanical</li><li>• US Energy</li></ul>
9	Fuse Advancement, LLC	<ul style="list-style-type: none"><li>• None</li></ul>

**STAFF MEMBER PRESENTING:** Board Clerk, Natalie Gonzaga

Department: Clerk's Office Submitted to OIAA: May 27, 2021



**ONTARIO INTERNATIONAL AIRPORT AUTHORITY**  
**REGULAR COMMISSION MEETING**  
**MINUTES**  
**APRIL 22, 2021**  
***(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) Commission meetings were conducted via live stream and teleconference. Members of the public utilized alternative measures established by OIAA to view the Commission meeting and/or to address the President and Commissioners for the regular meeting held on Thursday, April 22, 2021.

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 2:05 p.m.

**ROLL CALL**

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

ABSENT: Commissioners: None

Also present via Zoom webinar were: Chief Executive Officer Mark A. Thorpe, General Counsel Lori Ballance, Assistant General Counsel Kevin Sullivan, and Board Clerk Natalie Gonzaga.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Deputy Chief Executive Officer Atif Elkadi.

**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) 544-5307 or by mail.

Richard Sherman provided an email comment regarding continuing loud late-night flights.

Vickie Cooper provided an email comment regarding airport noise.

Public comments were provided to all Commissioners and entered into the meeting record.

## **AGENDA REVIEW/ANNOUNCEMENT**

None.

### **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 Secretary Bowman, seconded by Commissioner Gouw, and carried by a roll call vote of 5-0-0, to approve the consent calendar Items No. 2-6, including Resolution No. 2021-08.

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

Approved minutes for the regular meeting of the Ontario International Airport Authority on March 25, 2021, and approved the same as on file with the Secretary/Assistant Secretary.

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

Approved bills March 1 through March 31, 2021, and Payroll March 1 through March 31, 2021.

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

The Ontario International Airport Authority Commission approved meeting stipends for President Wapner for the month of March, 2021.

### **5. 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. 2021-08** 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 provided updates on passenger and cargo traffic for March 2021, the recent Airport Layout Plan (ALP) approval, the recent series 2021 OIAA bond issuance closing, and new partnerships at ONT.

Commissioners requested the ALP and bond issuance closing be added to the next agenda for a discussion.

### **COMMISSIONER MATTERS**

Commissioner Gouw had no comments.

Vice President Loveridge had no comments.

Commissioner Hagman asked CEO Thorpe for an update related to the international consensus on vaccines for travel.

Secretary Bowman thanked staff and CEO Thorpe for a job well done.

President Wapner expressed appreciation for staff.

### **SPECIAL CEREMONIES**

President Wapner announced the meeting will be adjourned in memory of those who lost their lives in the tragedy that occurred at the FedEx Ground facility in Indianapolis on April 15, 2021.

### **CLOSED SESSION PUBLIC COMMENT**

There was no closed session public comment.

## **CLOSED SESSION**

President Wapner recessed the regular meeting of the Ontario International Airport Authority to closed session at 2:22 p.m. with all Commissioners in attendance.

- GC § 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION

The Ontario International Airport Authority Commission regular meeting was reconvened in public session at 2:33 p.m.

## **REPORT ON CLOSED SESSION**

President Wapner announced there was no reportable action.

## **ADJOURNMENT**

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 2:34 p.m. in memory of those who lost their lives in the tragedy that occurred at the FedEx Ground facility in Indianapolis on April 15, 2021.

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: MAY 27, 2021

SECTION: CONSENT CALENDAR

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

RELEVANT STRATEGIC OBJECTIVE: Develop Airport-Related Businesses.

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

FISCAL IMPACT AND SOURCE OF FUNDS: OIAA operating revenue.

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 April 2021, President Wapner attended nine (9) 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.

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

Department: Clerk’s Office

Submitted to OIAA: May 27, 2021

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

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

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

Chief Executive Officer Approval: Mark A. Thorpe

**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).)

**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: MAY 27, 2021

SECTION: CONSENT CALENDAR

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 OBJECTIVE: Safety and Security: Provide Customer Friendly Facilities and Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA or Authority) Commission 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: May 27, 2021

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, 2020, 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, 2020, WHO publicly characterized COVID-19 as a pandemic. On March 13, 2020, 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 January 15, 2021 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

**PRIOR COMMISSION ACTION:** On April 22, 2021, the OIAA Commission adopted Resolution No. 2021-08 approving and declaring the continued existence of a local emergency.

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

**IMPACT ON OPERATIONS:** 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.

*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.

## RESOLUTION NO. 2021-\_\_

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 January 15, 2021, 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 April 22, 2021 the OIAA approved Resolution No. 2021-08, 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 27<sup>th</sup> day of May 2021.

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ALAN D. WAPNER  
OIAA PRESIDENT

ATTEST:

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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. 2021-\_\_ was duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held on May 27, 2021 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. 2021-\_\_ duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held May 27, 2021.

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

(SEAL)



**DATE:** MAY 27, 2021

**SECTION:** CONSENT CALENDAR

**SUBJECT:** APPROVAL OF UPDATES TO THE NON-EXCLUSIVE LICENSE AGREEMENT LANGUAGE THAT ADDRESSES GROUND SUPPORT EQUIPMENT USERS ADHERENCES TO THE EMISSIONS GOALS SET FORTH IN THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT MEMORANDUM OF UNDERSTANDING

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

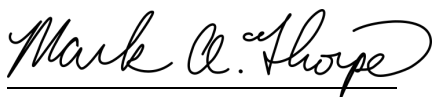
**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) Commission approve the addition of specific air quality emission language in future executed Non-Exclusive License Agreements (NELA) for Ground Support Equipment (GSE) users at Ontario International Airport (ONT), to be in compliance with the emissions goals set forth in the Memorandum of Understanding (MOU) with South Coast Air Quality Management District (SCAQMD).

**FISCAL IMPACT SUMMARY:** N/A.

**BACKGROUND:** In December of 2019, the OIAA entered into a MOU with SCAQMD to quantify the emission reduction benefits in the Basin through the implementation of airport strategies developed under the Air Quality Investment Program (AQIP) and outlined within the MOU. Specifically, within the MOU, GSE has been targeted as an AQIP measure for which the SCAQMD will use to quantify emission reductions. The NELA is the primary mechanism obtained by ONT GSE users, and the new language included in the NELA specifically addresses the OIAA’s commitment to ensuring all licensees comply with the applicable provisions of the Federal Clean Air Act, and attending regulations, the California Clean Air Act, California State Implementation Plan (SIP), Rules & Regulations of SCAQMD, and Air Quality Management Plan (AQMP) by the SCAQMD, as they pertain to Licensee and Licensee’s operations.

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

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Department:	<u>Commercial</u>	Submitted to OIAA:	<u>May 27, 2021</u>
Chief Executive Officer Approval:		Approved:	_____
		Continued to:	_____
		Denied:	_____

ITEM NO. 06

**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:** Attachment A: NELA Template

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





**DATE:** MAY 27, 2021

**SECTION:** CONSENT CALENDAR

**SUBJECT:** APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH OSBORNE BIOLOGICAL CONSULTING FOR THE YEAR 2021 FOCUSED SURVEY FOR THE DELHI SANDS FLOWER-LOVING FLY

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

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to execute a professional services agreement with Osborne Biological Consulting (Osborne) for a third year 2021 focused biological survey for the presence or absence of Delhi Sands Flower-loving Fly on portions of the Ontario International Airport (ONT) property.

**FISCAL IMPACT SUMMARY:** Upon approval of this agreement, Osborne will conduct the survey between July 1 and September 20, 2021, for a total not to exceed amount of \$145,138.79. Funds for this agreement will be included in the FY 2021-22 budget.

**BACKGROUND:** The Delhi Sands Flower-loving Fly (DSF), is a federally endangered species. The purpose of Osborne’s work is to conduct a habitat suitability assessment, which is a process needed to support future commercial development on ONT owned land. According to the U.S. Fish & Wildlife Services (USFWS), surveys of DSF must occur between July 1 and September 20 each calendar year because this is the “flight season” of DSF adults and will maximize the validity of any presence/absence determination.

Osborne preformed a two-year round of biological assessments/surveys of this property in 2019 and 2020 respectively. Absent active development taking place within the survey areas, it is

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

Department: Operations

Submitted to OIAA: May 27, 2021

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

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

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

Chief Executive Officer Approval: Mark A. Thorpe

ITEM NO. 07

required that subsequent surveys be conducted until development or ground disturbance methods are enacted.

Osborne will photograph the survey area to document existing site conditions. Notes will be taken on various elements, such as vegetation, soil types, existing development, etc. A report of the surveys will be generated and will incorporate findings of the relevant habitat evaluations (made in 2019) of the site(s). Following recovery permit conditions, reports will be filed with the USFWS Carlsbad field office no later than 45 days after the last date of field survey.

**PROCUREMENT:** Competitive purchasing is preferred in most situations. However, OIAA's purchasing policies allow for non-competitive purchasing in special circumstances, such as this one because time is of the essence. Non-competitive work also can be purchased if services are unique and competitive proposals would be impractical or undesirable.

As mentioned, the annual "flight season" for the DSF is extremely short. It starts approximately one month from this meeting and lasts about 11 weeks in total. If this window is missed, the OIAA will be required to wait another calendar year before conducting and completing the survey. This delay could prevent OIAA from proceeding with planned commercial development objectives, which could negatively affect strategic plans for future revenue generation.

Further, Osborne preformed the first and second-year biological assessment/survey of this property in 2019 and 2020 respectively. Therefore, the knowledge gained by Osborne is unique to this vendor and the nature of the subject of the professional services agreement is such that competitive proposals would not produce an advantage and the advertisement for competitive bid would be undesirable.

**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:** Attachment A: Professional Service Agreement between OIAA and Osborne Biological Consulting.

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*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: MAY 27, 2021

SECTION: CONSENT CALANDAR

SUBJECT: APPROVAL OF AN AGREEMENT WITH CLIMATEC LLC FOR THE REPLACEMENT OF THE HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) SYSTEM AND LIGHTING MODIFICATIONS AT FIRE STATION 10

RELEVANT STRATEGIC OBJECTIVE: Reduce Airline Costs.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to enter into an agreement with Climatec, LLC for HVAC replacement units and lighting modifications at Fire Station 10 under the same pricing, terms, and conditions as the City of Ontario’s Contract/RFP PUBWRKS18-001-Energy Efficiency, in an amount not to exceed \$470,000.

FISCAL IMPACT SUMMARY: Funding for this agreement will be requested in the FY 2021-22 Budget for a cost of \$470,000, plus a 10% contingency in the amount of \$47,000 for this project. Funding for subsequent projects will be requested on an as-needed basis.

BACKGROUND: The HVAC system controlling the climate conditions inside Fire Station 10 is approximately 30 years of age and is inefficient and unreliable. The existing HVAC is a closed system, meaning outside ventilation is not available, and parts within the system are obsolete and difficult to obtain. During peak summer usage, the HVAC system can fail and cause the air quality and living conditions within the building to become unacceptable, which is a violation of OSHA requirements in providing safe climate conditions within a public facility. A replacement system has been identified and incorporates newer technology that uses less energy to operate. The installation of a new energy-efficient system will provide credit towards the airport’s carbon footprint. Staff researched and obtained multiple quotes from other heating/air conditioning

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

Department: Operations

Submitted to OIAA: May 27, 2021

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

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

Chief Executive Officer Approval: Mark A. Thorpe

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

suppliers; however, the cost was extremely high compared to Climatec's offer for both HVAC and lighting modifications. Therefore, based on the proposal submitted by Climatec for energy-efficient projects throughout the City of Ontario and the critical need to provide safe living conditions for firefighters per OSHA requirements, staff recommends the award of contract to Climatec LLC under the same pricing, terms, and conditions as the City of Ontario's Contract/RFP PUBWRKS18-001-Energy Efficiency.

**PROCUREMENT:** The City of Ontario's Contract/RFP PUBWRKS18-001 offers pre-negotiated "best price items" for other California agencies to procure energy-efficient products by a Cooperative Purchasing Agreement, which represents a streamlined procurement approach that complies with government procurement statutes for competitive bidding.

**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.

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

**IMPACT ON OPERATIONS:** No OIAA impact on operations. No impact on ARFF operations with minimal impact on living conditions within the fire station during installation of the new HVAC System.

**SCHEDULE:** The project will commence upon board approval with a targeted start date of July 1, 2021. The project timeline is estimated at 60-90 days with payment due in FY 2021-22.

**ATTACHMENTS:** Attachment A: Letter of Agreement between the OIAA and Climatec LLC.

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



**DATE:** MAY 27, 2021

**SECTION:** CONSENT CALENDAR

**SUBJECT:** APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH FUSE ADVANCEMENT, LLC FOR CONTINUED CONSULTING SERVICES TO SUPPORT THE MANAGEMENT OF SALES, ADVERTISING, AND SPONSORSHIP AT ONTARIO INTERNATIONAL AIRPORT

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

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to execute a professional services agreement with FUSE Advancement, LLC, for consulting services for one year in an amount not to exceed \$240,500 (compiled with a base compensation of \$185,000 and a maximum incentive program of 30% of base compensation contingent upon meeting gross revenue sales budgets), and authorize the CEO to exercise four, one-year extensions, for an overall contract amount not to exceed \$1,202,500 (compiled of \$925,000 base compensation and a maximum incentive program of 30% of the base compensation contingent upon meeting gross revenue sales budgets over five years, if all options are exercised), plus authorized reimbursable expenses.

**FISCAL IMPACT SUMMARY:** Funding for this agreement is available in the Fiscal Year 2020-21 budget. Funding for subsequent years will be requested through the annual budget process.

**BACKGROUND:** In March 2021, the OIAA took over the management of all airport advertising and sponsorship from LAMAR Airport Advertising and appointed FUSE Advancement, LLC, on a 20-hour a week contract to manage all aspects of the sales and management of advertising and sponsorship. Since March 2021 to date, FUSE Advancement, LLC, has generated \$350,000 worth of advertising & sponsorship sales despite the impact of COVID 19 on advertising budgets. (Note: LAMAR Airport

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

Department: Commercial

Submitted to OIAA: May 27, 2021

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

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

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

Chief Executive Officer Approval: Mark A. Thorpe

ITEM NO. 09

Advertising did not generate one incremental dollar sales during the period April 2020 to February 2021).

OIAA executives now wish to secure FUSE Advancement, LLC for consulting services on a full-time basis to optimize the sales of advertising and sponsorship at Ontario International Airport (ONT). Therefore, a new agreement is necessary to provide uninterrupted upper-level professional consulting support services through 2021, and allow for annual extension options at the sole discretion of the CEO through 2026, as outlined in the professional services agreement provided in its entirety as Attachment A. This agreement is relevant to the OIAA 2013 Strategic Business Plan goal of Develop Airport-Related Businesses “indoor and outdoor advertising, theming, and naming rights will be aggressively marketed and artfully placed to maximize revenue opportunities without creating visual clutter” (Page 3, Section 2.0).

**PROCUREMENT:** OIAA’s procurement policies allow for non-competitive purchasing if specialized services are unique and competitive proposals would be impractical or undesirable. As determined by OIAA management, FUSE Advancement, LLC has demonstrated their unique qualifications and has proven expertise in delivering incremental new sales and sponsorship revenue for the OIAA. Previous experience of managing the USC advertising and sponsorship program for over ten years has ensured that the network of contacts FUSE Advancement, LLC has developed over the years is unique to this consultant and the nature of the contract is such that competitive proposals would not produce an advantage and the advertisement for competitive bids would be undesirable. In this case, staff recommends award of contract based on sole source, provided in Attachment B.

**CEQA COMPLIANCE AND LAND USE APPROVALS:** The proposed Consultation Agreement with Consultant is not a “project” within the meaning of Section 15378 of the CEQA Guidelines because there is no potential for Consultant’s consulting work to result in a direct or indirect physical change in the environment. As a result, the activity is not subject to CEQA.

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

**IMPACT ON OPERATIONS:** N/A

**SCHEDULE:** N/A

**ATTACHMENTS:** Attachment A – Proposed Professional Services Agreement

Attachment B - Sole Source Procurement Justification Form

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This Agenda Report has been reviewed by OIAA General Counsel.



DATE: MAY 27, 2021

SECTION: ADMINISTRATIVE REPORT/DISCUSSION/ACTION

SUBJECT: FISCAL YEAR 2020-2021 QUARTERLY FINANCIAL STATEMENTS FOR NINE MONTHS ENDING MARCH 31, 2021

RELEVANT STRATEGIC OBJECTIVE: Reduce Airline Costs; Maintain Financial Accountability and Stability to Support Airport Operations.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission receive and file Financial Statements for the nine months ending March 31, 2021.

FISCAL IMPACT SUMMARY: The OIAA’s increase in net position exceeded the budget by \$16.7M, driven largely by higher than expected cargo and passenger carrier activity. This activity resulted in an operating revenue budget favorable variance of \$11.7M (21.3%). In addition, the operating expense budget reflects a favorable variance of \$6.6M (14.2%) as a result of conservative expenditure policies and service levels in the terminals corresponding with passenger activity levels.

BACKGROUND: Aviation Activity and Financial Statements: In August 2020, and as amended in February 2021, the OIAA Board of Commissioners adopted budgets that were based on substantial decreases in aviation activity and related operating revenues resulting from the COVID-19 pandemic. CARES Act funding from the Federal Aviation Administration (FAA) was utilized to reduce operating deficits, while actually lowering landing fee and terminal rental rates to cargo and passenger air carriers operating at Ontario International Airport (ONT). As passenger carrier activity has increased, OIAA has started to resume pre-pandemic service levels, which includes filling vacant staff positions, increasing public safety resources and resuming pre-pandemic initiatives, albeit still at reduced levels. The attached financial statements reflect these industry and economic conditions, as well as the OIAA’s efforts to respond to those conditions.

STAFF MEMBER PRESENTING: Chief Executive Officer, John M. Schubert

Department: Finance

Submitted to OIAA: May 27, 2021

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

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

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

Chief Executive Officer Approval: *Mark A. Hoopes*



**Aviation Activity:** Aviation activity is measured predominately as a function of commercial enplanements and landed weights as these activities act as direct and indirect drivers of most operating revenues for the Airport.

Enplanements are a measurement exclusive to passenger carriers, and directly and indirectly impact all concession revenues. Enplanements for the nine months ending March 31, 2021 totaled 873K, which exceeded the budgeted amount of 131K (17.7%), however, was 1.024M (57.4%) lower than same period for the previous year.

Landed weights (in thousand-pound units) for the nine months ending March 31, 2021 totaled 5.5M, which exceeded the budgeted amount of 4.9M by approximately 547K (11.0%), however, was 562K (9.3%) lower than the same period the previous year. The variances against the budget was 414K (11.3%) for cargo and 133K (10.3%) for passenger carriers. In addition, cargo landed weights increased by 457K (12.6%) for the same period in the prior fiscal year.

### **Financial Results for the Nine Months Ending March 31, 2021**

**Operating Revenues:** Operating revenues exceed budget by \$11.7M (21.3%) with favorable variances in all aeronautical and nonaeronautical revenues, except facility rents and operating grant revenues.

Aeronautical revenues exceeded budget by \$6.6M (25.3%), primarily as result of higher landing fees, land rent and airline fees. Higher than expected landed weights resulted in landing fee revenues exceeding the budget by \$1.1M (12.3%). Land rent exceeded the budget by \$4.9M (118.1%), which was driven by the new Federal Express facility, rent recoveries and seasonal increases. Airline fees exceeded the budget by \$689K (66.4%), which was primarily a function of airlines out of service airplane parking because of the substantially reduced industry passenger traffic.

Nonaeronautical revenues exceeded the budget by \$5.1M (17.6%), which was driven by higher than planned passenger carrier activities. Non-terminal rents exceeded the budget by \$317K (17.5%). Total concession revenue of \$15.1M exceeded budget by \$3.7M (32.6%). Concession revenue favorable variances included parking \$2.4M (39.9%), rental cars \$1.1M (31.8%), gift and news \$101.3K (20.3%), and other concessions \$110.7K (13.1%). Food and beverage were flat against the budget.

**Operating Expenses:** Total operating expenses of \$40M are favorable to the budget by \$6.6M (14.2%). There were favorable variances in all operating expense categories. Personnel expenses for FYE 2021 are relatively flat. Other favorable operating expense variances include public safety \$2.7M (20.8%), contractual services \$2.4M (12.5%), materials and supplies \$751.8K (48.5%), utilities and administration \$321.5K (6.6%) and other operating expenses \$402.6K (14.2%).

**Nonoperating Revenues and Expenses:** Net non-operating revenues were lower than the budget by \$408.5K (8.5%), which was primarily a result of lower investment income of \$625K (105.4%), partially offset by higher than expected customer facility charge revenues of \$292.8K (69.7%).

Lower investment income was associated with unrealized losses from the OIAA's investment in the California Local Agency Investment Fund (LAIF). Unrealized gains and losses are attributable to temporary changes in market conditions, primarily interest rates. The increase in net facility charge revenues was associated with higher than expected passenger activity.

**PROCUREMENT:** N/A

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

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

**IMPACT ON OPERATIONS:** The financial results provide additional resources for the OIAA to respond to increased passenger carrier activity.

**SCHEDULE:** N/A

**ATTACHMENTS:** Attachment A: OIAA Financial Statements for the Nine Months Ending March 31, 2021

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



DATE: MAY 27, 2021

SECTION: ADMINISTRATIVE REPORT/DISCUSSION/ACTION

SUBJECT: INVESTMENT REPORT FOR THE QUARTER ENDING MARCH 31, 2021

RELEVANT STRATEGIC OBJECTIVE: Reduce Airline Costs.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission receive and file the Investment Report for the quarter ending March 31, 2021.

FISCAL IMPACT SUMMARY: As of March 31, 2021, the OIAA’s investment portfolio included a single financial instrument with the Local Agency Investment Fund (LAIF). The fair market value (FMV) of the OIAA’s investment in LAIF was \$ 32,547,099, a decrease of \$138,737 from the FMV at December 31, 2021. Interest earned on the LAIF investment for the nine months ending March 31, 2021 totaled \$153,396. No additional investments in or distributions from LAIF funds were made during the nine months ending March 31, 2021.

BACKGROUND: In October of 2016, the OIAA adopted an investment policy for OIAA’s revenues in conformance with federal, state, and other legal requirements, including California Government Code Section 53600 et seq. The objectives of the OIAA’s investment policy is safety of principal and enhancement of the economic status of the OIAA. The policy sets forth investment objectives, safekeeping of securities, reporting, competitive bidding, authorization for the purchase and sales of investments, allowable types of investments and an annual policy review. In addition, to and in conformity with the adopted Investment Policy, the OIAA adopted a resolution for the investment of inactive funds in the Local Agency Investment Fund.

The Investment Policy requires that reporting include statements as to the OIAA’s compliance with the investment policy, as well as a statement denoting the ability of the OIAA to meet its expenditure requirements for the next six months, or an explanation as to why sufficient money may not be available.

STAFF MEMBER PRESENTING: Chief Financial Officer, John M. Schubert

Department: Finance

Submitted to OIAA: May 27, 2021

Chief Executive Officer Approval: *Mark A. Hoopes*

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

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

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

The OIAA's investment portfolio at March 31, 2021 and for the nine months then ended, consists of a single investment in the California Treasury Local Agency Investment Fund.

Significant financial aspects of the portfolios' financial positions and performance are included in the following table:

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY  
FOR THE NINE MONTHS ENDING MARCH 31, 2021**

Description	Quarter Ending			Balance, Nine Months Ending March 31, 2021
	09/30/2020	12/31/2020	03/31/2021	
FMV end of quarter	\$ 32,592,896	\$ 32,685,836	\$ 32,547,099	\$ 32,547,099
Interest receivable	\$ 69,123	\$ 51,578	\$ 35,694	\$ 35,694
Interest earned	\$ 69,123	\$ 51,578	\$ 35,694	\$ 156,396
Unrealized Gain (Loss)	\$ (25,404)	\$ (207,861)	\$ 32,488	\$ (200,776)

**Required Investment Policy Statements:**

- The investments identified above comply in all material respects with the OIAA's Investment Policy.
- The OIAA has the ability to meet its expenditure requirements for the next six months.

**PROCUREMENT:** N/A

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

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

**IMPACT ON OPERATIONS:** N/A

**SCHEDULE:** 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: MAY 27, 2021

SECTION: ADMINISTRATIVE REPORT/DISCUSSION/ACTION

SUBJECT: DISCUSSION REGARDING THE SERIES 2021 OIAA BOND ISSUANCE

RELEVANT STRATEGIC OBJECTIVE: Reduce Airline Costs.

RECOMMENDED ACTION(S): For the Ontario International Airport Authority (OIAA) Commission to discuss the Series 2021 OIAA Bond Issuance.

FISCAL IMPACT SUMMARY: Bonds are \$103M par value, have a 2.97% blended interest rate, and raised \$130M for OIAA to (1) payoff (early) remaining \$23M owed to Los Angeles World Airports (LAWA) to close out the transfer of Ontario International Airport (ONT); (2) retire the \$34M remaining on the 2019 OIAA Bank of America note; and (3) provide additional funding for a wide range of approved OIAA projects.

BACKGROUND: After payment to LAWA and payoff of the remaining balance on the Bank of America note, the remainder of the funds from the Bond issuance will be utilized to complete a wide range of projects at ONT. These projects include taxiway and runway rehabilitation, pavement management, parking lot improvements, terminal lounges, and information technology (IT) infrastructure and planning.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFFING IMPACT (# OF POSITIONS): N/A

STAFF MEMBER PRESENTING: Chief Financial Officer, John M. Schubert

Department: Finance

Submitted to OIAA: May 27, 2021

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

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

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

Chief Executive Officer Approval: Mark A. Thorpe

**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: MAY 27, 2021

SECTION: ADMINISTRATIVE REPORT/DISCUSSION/ACTION

SUBJECT: DISCUSSION REGARDING THE AIRPORT LAYOUT PLAN (ALP) APPROVAL

RELEVANT STRATEGIC OBJECTIVE: Develop Airport-Related Businesses.

RECOMMENDED ACTION(S): For the Ontario International Airport Authority (OIAA) Commission to discuss the recent 2021 Federal Aviation Administration (FAA) approved Airport Layout Plan (ALP).

FISCAL IMPACT SUMMARY: N/A

BACKGROUND: An ALP is a tool used by airports and the FAA to document existing conditions and anticipated future development at an airport. All airports that have received FAA grant funding are required to keep an up-to-date ALP and any proposed development not shown on the ALP is ineligible for Airport Improvement Program Grants. The previous ALP for Ontario International Airport was a three-sheet set approved in March 2018. This recently approved ALP set is a sixteen-sheet set that fully conforms to the most current FAA ALP standards.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

STAFF MEMBER PRESENTING: Director of Planning, Michelle Brantley

Department: Planning

Submitted to OIAA: May 27, 2021

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

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

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

Chief Executive Officer Approval: Mark A. Thorne



**ATTACHMENTS:** Attachment A: ALP Briefing Document

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



**DATE:**           **MAY 27, 2021**

**CLOSED SESSION REPORT**

OIAA// (GC § 54957 and 54956.9(b))

Page 1 of 2

**ROLL CALL:**     Gouw \_\_, Bowman \_\_, Hagman \_\_, Loveridge \_\_, President Wapner \_\_.

**STAFF:**        CEO \_\_, General Counsel \_\_

• **GC § 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

No Reportable Action	Continue	Approved
//	//	//

Disposition: \_\_\_\_\_

• **GC § 54956.9(b): CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Potential litigation (1 case)

No Reportable Action	Continue	Approved
//	//	//

Disposition: \_\_\_\_\_

Reported by:

\_\_\_\_\_  
General Legal Counsel / Chief Executive Officer