



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

In accordance with the Governor's Executive Orders N-25-20 and N-29-20 for the State of California, 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 participation instructions below.

Link to watch the July 22, 2021, Commission Meeting*: <https://us02web.zoom.us/j/88955060143>

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

WEBINAR ID: 889 5506 0143

*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



JULY 22, 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 Ontario International Airport Authority special meeting on June 15, 2021 and regular meeting on June 24, 2021 and approving the same as on file with the Secretary/Assistant Secretary.

3. BILLS/PAYROLL

Bills June 1 through June 30, 2021 and Payroll June 1 through June 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 June 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. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO CONTINUE HOLDOVER STATUS OF RENTAL CAR CONCESSION AND LEASE AGREEMENTS

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to continue negotiations with rental car concessionaires culminating with new concession/lease agreements by March 1, 2022.

7. APPROVAL OF AN AUTHORITY INCREASE TO OIAA CONTRACT NO. SCONT-000149 WITH GRIFFITH COMPANY FOR THE NORTHWEST QUADRANT DEMOLITION PROJECT AT ONTARIO INTERNATIONAL AIRPORT

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to increase the authority amount by an amount not to exceed \$11,100 for the existing OIAA Contract No. SCONT-000149 with Griffith Company for the Northwest Quadrant Demolition Project for an overall contract amount not-to-exceed \$4,316,975.

8. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH DIGITAL319, LLC FOR DIGITAL MEDIA CONSULTING SERVICES 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 Digital319, LLC for digital media consulting services, for one-year in an amount not to exceed \$150,000; and, authorize the CEO to exercise two, one-year extensions, for an overall contract amount not to exceed \$450,000. Funding for this agreement is approved in the Fiscal Year 2021-22 budget. Funding for subsequent years will be requested through the annual budget process.

9. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH CMAG, LLC FOR MANAGEMENT CONSULTING SERVICES 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 Consulting Marketing & Advertising Group, LLC (CMAG), for management consulting services, for one-year in an amount not to exceed \$240,000, and authorize the CEO to exercise four, one-year extensions, for an overall contract amount not to exceed \$1,200,000. Funding for this agreement is approved in the Fiscal Year 2021-22 budget. Funding for subsequent years will be requested through the annual budget process.

10. APPROVAL OF A COMMUNITY WORKFORCE AGREEMENT WITH THE TRADES COUNCIL AND UNIONS

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to execute an up to ten-year (10) term Community Workforce Agreement (Agreement) with the San Bernardino – Riverside Counties Building and Construction Trades Council (Trades Council”), and the Signatory Craft Councils and Local Unions (Collectively, the “Union” or “Unions”).

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

11. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO AMEND THE EXISTING TERMS AND CONDITIONS OF THE ONTFUEL CORPORATION, INC. FACILITY USE AGREEMENT AND RIGHT-OF-WAY LICENSE AGREEMENT FOR THE FUEL FARM

That the Ontario International Airport Authority (OIAA) Commissioners authorize the Chief Executive Officer (CEO) to amend the terms and conditions of the current Facility Use Agreement (FUA) and Right-of-Way License Agreement with ONTFUEL Corporation, Inc. (ONTFUEL) for the fuel farm, to allow for a longer term 5-year lease.

12. APPROVAL OF A CONCESSION AGREEMENT WITH JDDA CONCESSION MANAGEMENT, INC. FOR A CHICK-FIL-A RESTAURANT IN TERMINAL 4 AT ONTARIO INTERNATIONAL AIRPORT

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to execute a ten-year term concession agreement with JDDA Concession Management, Inc. to manage and operate a Chick-fil-A restaurant concession in Terminal 4 at Ontario International Airport (ONT).

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 section 54956.8: REAL PROPERTY NEGOTIATIONS (portions of Airport); OIAA General Counsel's office as negotiator.

REPORT ON CLOSED SESSION

General Legal Counsel

ADJOURNMENT

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: JULY 22, 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
07	Griffith	<ul style="list-style-type: none">• SECC Corp• Guida Surveying Inc.• In-Line Concrete Cutting & Coring• Matrix Environmental• Fence Corp.
08	Digital319, LLC	<ul style="list-style-type: none">• None
09	Consulting Marketing & Advertising Group, LLC	<ul style="list-style-type: none">• None
10	San Bernardino – Riverside Counties Building and Construction Trades	<ul style="list-style-type: none">• None

STAFF MEMBER PRESENTING: Natalie Gonzaga, Board Clerk

Department: Clerk's Office

Submitted to OIAA: July 22, 2021

ITEM NO. 01

10	Signatory Craft Councils and Local Unions	<ul style="list-style-type: none">• None
11	ONTFUEL Corporation, Inc.	<ul style="list-style-type: none">• Aircraft Services International, Inc.
12	JDDA Concession Management Inc.	<ul style="list-style-type: none">• None

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
SPECIAL COMMISSION MEETING
MINUTES
JUNE 15, 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) 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 special meeting held on Tuesday, June 15, 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 10:03 a.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 were: Chief Executive Officer Mark A. Thorpe, General Counsel Lori Ballance, Assistant General Counsel Kevin P. Sullivan and Board Clerk Natalie Gonzaga.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice President Loveridge.

CLOSED SESSION 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, live via telephone at (909) 414-1718, via telephone recording comments at (909) 544-5307, or by mail.

There were no public comments.

(Not official until approved)

CLOSED SESSION

President Wapner recessed the special meeting of the Ontario International Airport Authority to Closed Session at 10:06 a.m. with all Commissioners virtually in attendance.

- GC § 54956.89(b): CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Potential litigation (1 case)
- GC § 54956.8: REAL PROPERTY NEGOTIATIONS (portions of the Airport); General Counsel's office as negotiator.

The Ontario International Airport Authority Commission special meeting was reconvened in public session at 11:30 a.m.

REPORT ON CLOSED SESSION

Assistant General Counsel Sullivan announced there was no reportable action.

AGENDA REVIEW/ANNOUNCEMENT

There were no announcements made.

PUBLIC COMMENT

Members of the public wishing to provide public comment for the items on the special meeting agenda were able to do so via email comments to clerk@flyontario.com, live via telephone at (909) 414-1718, via telephone recording comments at (909) 544-5307, or by mail.

There were no public comments.

ADMINISTRATIVE DISCUSSION/ACTION/REPORT

1. REVIEW AND ADOPTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY'S FISCAL YEAR 2021-22 OPERATING BUDGET AND APPROVAL OF THE AIRPORT SYSTEM RATES AND CHARGES FOR FISCAL YEAR 2021-22

The Ontario International Airport Authority (OIAA) Commission approved a resolution approving and adopting the Operating Budget for Fiscal Year 2021-22 and the Schedule of Airport System Rates and Charges for Fiscal Year 2021-22.

(Not official until approved)

RESOLUTION NO. 2021-10: A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION APPROVING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2021-22

Chief Financial Officer Schubert provided a presentation of the proposed FY 2021-22 operating budget. President Wapner asked to postpone the Chief Innovation Officer and Government Relations Manager positions, and requested staff bring these positions back to request approval at the mid-year budget adjustment in January 2022.

Commission Gouw suggested staff provide a budget for hiring a third party to audit the IT programs and cybersecurity. Staff will bring this back to the Commission for approval.

Commissioner Hagman asked about rates and charges in comparison to other airports and in light of recovery from the pandemic.

MOTION: Moved by Secretary Bowman, seconded by Commissioner Hagman, and carried by a roll call vote of 5-0-0 to adopt Resolution 2021-10 approving the Operating Budget for Fiscal Year 2021-22, with the removal of the Chief Innovation Officer and Government Relations Manager positions from the operating budget.

COMMISSIONER MATTERS

Commissioner Gouw had no additional comments.

Vice President inquired about in-person meetings.

Commissioner Hagman requested at a future meeting to receive an update on the future vision of the airport.

President Wapner requested we schedule "Future of the Airport" Workshop Special Meeting in September and stated the meetings in September will be back to in-person.

Secretary Bowman had no comments.

ADJOURNMENT

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 12:05 p.m.

RESPECTFULLY SUBMITTED:

NATALIE GONZAGA, BOARD CLERK

APPROVED:

ALAN D. WAPNER, PRESIDENT
ONTARIO INTERNATIONAL AIRPORT AUTHORITY

ONTARIO INTERNATIONAL AIRPORT AUTHORITY
REGULAR COMMISSION MEETING
MINUTES
June 24, 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, June 24, 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 2:01 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: Deputy Chief Executive Officer Atif J. Elkadi, General Counsel Lori Ballance, and Board Clerk Natalie Gonzaga.

PLEDGE OF ALLEGIANCE

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

CLOSED SESSION PUBLIC COMMENT

There were no public comments for closed session.

CLOSED SESSION

President Wapner recessed the regular meeting of the Ontario International Airport Authority to closed session at 2:04 p.m. with all Commissioners in attendance.

- **GC 54957(a) DISCUSSION OF PUBLIC SAFETY MEASURES**
Consultation with: (Chief Executive Officer and General Counsel)

(Not official until approved)

The Ontario International Airport Authority Commission regular meeting was reconvened in public session at 2:40 p.m.

REPORT ON CLOSED SESSION

General Counsel Lori Ballance announced there was no reportable action.

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, live via telephone at (909) 414-1718, via telephone recording comments at (909) 544-5307, or by mail.

Richard Sherman provided an email comment on late night jet noise.

Daniel Carapia provided an email comment regarding plane noise in Chino.

Lynn Korytowski provided an email comment regarding airplane noise in the middle of the night.

Richard Caney provided a voicemail comment regarding low flying planes in Ontario.

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

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 Secretary Bowman, seconded by Commissioner Gouw, and carried by a roll call vote of 5-0-0, to approve the consent calendar Items No. 2-10, including Resolution No. 2021-11.

2. APPROVAL OF MINUTES

Approved minutes for the regular meeting of the Ontario International Airport Authority on May 27, 2021 and approved the same as on file with the Secretary/Assistant Secretary.

3. BILLS/PAYROLL

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

4. APPROVAL OF MEETING STIPENDS

The Ontario International Airport Authority Commission approved meeting stipends for President Wapner for the month of May 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. 2021-11 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. ACCEPTANCE OF GRANT AWARD FROM THE CALIFORNIA ENERGY COMMISSION

The Ontario International Airport Authority (OIAA) Commission authorized the Chief Executive Officer to enter into an agreement with the California Energy Commission (CEC) to accept grant

(Not official until approved)

funding of up to \$200,000 to create a blueprint for accelerating the adoption and deployment of medium and heavy-duty zero emission vehicle infrastructure equipment on and around Ontario International Airport (ONT). No fiscal impact. The grant will cover 100% of the consultant fees for the creation of the blueprint with no matching funds required from the OIAA.

7. ACCEPTANCE OF GRANT AWARDS FROM THE FEDERAL AVIATION ADMINISTRATION FROM THE AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM

The Ontario International Airport Authority (OIAA) Commission authorized the Chief Executive Officer (CEO) to execute all documents necessary to accept the Federal Aviation Administration (FAA) Airport Coronavirus Relief Grant Program (“ACRGP” or “Grant”) (1) No. 3 06 0175-048-2021 in an amount not to exceed \$8,199,781 and (2) Concessions Relief Addendum No. 3-06-0175-049-2021 in an amount not to exceed \$583,196. Through the ACRGP, the OIAA is eligible to receive \$8,782,977 for eligible airport expenses.

8. APPROVE THE SELECTION OF AND AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE THREE (3) NON-AIP ON-CALL ARCHITECTURAL, ENGINEERING & SUPPORT SERVICES CONTRACTS WITH MEAD & HUNT, INC., HNTB CORPORATION AND JACOBS ENGINEERING GROUP, INC.

The Ontario International Airport Authority (OIAA) Commission approved the selection of and authorized the Chief Executive Officer (CEO) to negotiate and execute contracts with Mead & Hunt, Inc., HNTB Corporation and Jacobs Engineering Group, Inc., for on-call architectural, engineering and support services, for an annual amount not to exceed \$6,000,000 each over the three-year contract term, and authorize the CEO to exercise two, one-year extensions at \$6,000,000 annually for an overall contract amount not to exceed \$30,000,000 over the five-year term. Funds for this contract have been approved in the FY 2021-2022 OIAA operating budget and included in the respective department budgets. Funding for subsequent years will be requested as part of the annual budget process.

9. APPROVE THE RUNWAY 26R INSTRUMENT LANDING SYSTEM UPGRADE PROJECT AT THE ONTARIO INTERNATIONAL AIRPORT AND DESIGN SERVICES; CONTRACT WITH NEW BEDFORD PANORAMEX AND A REIMBURSABLE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION

The Ontario International Airport Authority (OIAA) Commission (1) approved the Runway 26R Instrument Landing System (ILS) Upgrade Project to upgrade the runway to Category (CAT) IIIB, the highest safety approach level; (2) authorized the Chief Executive Officer (CEO) to execute a Task Order with Mead & Hunt in the amount of \$241,000 to accomplish the design services; (3) authorized the CEO to execute a contract with New Bedford Panoramex (NBP) in the not-to-exceed

(Not official until approved)

amount of \$2,700,000 for manufacture of the Approach Lighting System with Sequence Flashing Lights (ALSF-2); and (4) authorized the CEO to execute the Federal Aviation Administration (FAA) Reimbursable Agreement in the amount of \$164,310.38. A future Commission action will be required to authorize the remaining project budget in a construction contract and second FAA Reimbursable Agreement to activate the system.

10. AWARD OF CONTRACT TO PENWAL INDUSTRIES, INC., FOR DESIGN/BUILD SERVICES IN TERMINALS 2 AND 4 AT ONTARIO INTERNATIONAL AIRPORT

The Ontario International Airport Authority (OIAA) Commission authorized the Chief Executive Officer (CEO) to execute a two-year agreement with Penwal Industries, Inc., in an amount not to exceed \$1,879,611, for the award of contract for the design/build omni-channel retail store, pop-up outlets, and enhanced Traveler's Aid, inclusive of design, materials, and construction, at Ontario International Airport (ONT). The project cost of \$1,879,611, plus a 10% contingency in the amount of \$187,961, is approved in the OIAA Fiscal Year 2021-22 operating budget. Funding for subsequent years will be requested through the annual budget process.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

11. REVIEW AND DISCUSSION REGARDING THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AD HOC COMMITTEES

For the Ontario International Airport Authority (OIAA) Commission to review and discuss the current OIAA ad hoc committees.

President Wapner recommended the establishment of standing committees in place of ad hoc committees. Commissioners expressed interest in establishing a regular meeting frequency for committee meetings. With all Commissioners in agreement, the OIAA Commission approved establishing the following standing committees under the Brown Act:

Public Safety: Jim Bowman (Chair), Curt Hagman (Member)

Planning & Development: Ron Loveridge (Chair), Julia Gouw (Member)

Air Service Development: Julia Gouw (Chair), Alan Wapner (Member)

Commercial: Julia Gouw (Chair), Jim Bowman (Member)

Finance & Audit: Alan Wapner (Chair), Ron Loveridge (Member)

Legislative: Alan Wapner (Chair), Curt Hagman (Member)

Emerging Technology: Curt Hagman (Chair), Julia Gouw (Member)

MOTION: Moved by Commissioner Hagman, seconded by Secretary Bowman, and carried by a roll call vote of 5-0-0 to approve the OIAA standing committees listed above.

MANAGEMENT REPORT

Deputy Chief Executive Officer Elkadi provided updates on passenger and cargo traffic and new and resumed service routes.

COMMISSIONER MATTERS

Commissioner Gouw had no comments.

Vice President Loveridge had no comments.

Secretary Bowman had no comments.

Commissioner Hagman mentioned the strong return of tourism resulting in a good future outlook for travel.

President Wapner had no comments.

ADJOURNMENT

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 2:49 p.m.

RESPECTFULLY SUBMITTED:

NATALIE GONZAGA, BOARD CLERK
ONTARIO INTERNATIONAL AIRPORT AUTHORITY

APPROVED:

ALAN D. WAPNER, PRESIDENT
ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: JULY 22, 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 June 2021, President Wapner attended fourteen (14) additional Authority-related business functions and Commissioner Hagman attended two (2) additional Authority-related business functions. Full Commission approval is needed to approve payment of these additional stipends.

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

Department: Clerk’s Office

Submitted to OIAA: July 22, 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.

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



DATE: JULY 22, 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: July 22, 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 June 26, 2021, the OIAA Commission adopted Resolution No 2021-11 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.

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 June 24, 2021 the OIAA approved Resolution No. 2021-11, 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 22nd day of July 2021.

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, 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 July 22, 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 July 22, 2021.

SECRETARY/ASSISTANT SECRETARY

(SEAL)



DATE: JULY 22, 2021

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO CONTINUE HOLDOVER STATUS OF RENTAL CAR CONCESSION AND LEASE AGREEMENTS

RELEVANT STRATEGIC OBJECTIVE: Develop and Grow Non-Airline Revenue Sources.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to continue negotiations with rental car concessionaires culminating with new concession/lease agreements by March 1, 2022.

FISCAL IMPACT SUMMARY: This extension will ensure that ONT will continue to receive car rental concessionaire revenue through February 28, 2022.

BACKGROUND: The Commercial Division started the negotiation process with the car rental concessionaires, however, as a result of the effects of the COVID-19 pandemic, and to receive final cure payments from Hertz Corporation (as a part of their bankruptcy settlement), and at the request of the rental car concessionaires, negotiations were suspended through June 2021. All existing concession and lease agreements remain in holdover tenancy status since agreement expiration in February 2019. In July 2021, the Commercial Team has resumed negotiations with Enterprise, Avis and Hertz (also representing their family brands) with the intent to finalize a new 5-year agreement on or before March 1, 2022. Once negotiations have completed, the Commercial Division will present the negotiated terms back to the OIAA Commission for final approval.

Holdover Tenancy for an additional eight (8) months will allow the Commercial Division staff to finalize negotiations with the rental car concessionaires to align concession and lease agreements by family groups and ensure the OIAA is creating opportunities to increase revenues through

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

Department: Commercial

Submitted to OIAA: July 22, 2021

Approved: _____

Continued to: _____

Chief Executive Officer Approval: *Mark A. Thorpe*

Denied: _____

ITEM NO. 06

graduated rates over the life of the new negotiated agreements/leases. To that end, the extension will provide time to resume and develop a long-term strategy and framework for rental car operations at ONT.

PROCUREMENT: During Holdover Tenancy Status staff is evaluating and producing a Rental Car Business Plan for future non-airline revenue growth.

CEQA COMPLIANCE AND LAND USE APPROVALS: The proposed action is Categorically Exempt from the provisions of CEQA pursuant to Section 15301, because it provides for the exemption of existing facilities. Operations, repair, maintenance, permitting, leasing, licensing, or minor alteration of 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: N/A

SCHEDULE: N/A

ATTACHMENTS: N/A

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

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: JULY 22, 2021

SECTION: CONSENT CALENDAR

SUBJECT: APPROVAL OF AN AUTHORITY INCREASE TO OIAA CONTRACT NO. SCONT-000149 WITH GRIFFITH COMPANY FOR THE NORTHWEST QUADRANT DEMOLITION PROJECT AT ONTARIO INTERNATIONAL AIRPORT

RELEVANT STRATEGIC OBJECTIVE: Provide Customer Friendly Facilities and Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to increase the authority amount by an amount not to exceed \$11,100 for the existing OIAA Contract No. SCONT-000149 with Griffith Company for the Northwest Quadrant Demolition project for an overall contract amount not-to-exceed \$4,316,975.

FISCAL IMPACT SUMMARY: Funding for this project was approved under Capital Improvement Projects in the Fiscal Year 2018-19 budget and was included in the current Fiscal Year 2021-22 budget.

BACKGROUND: The Northwest Quadrant Demolition was an enabling project for the FedEx cargo development, as outlined in the long-term lease between the OIAA and FedEx approved by the OIAA Commission June 27, 2018. Pursuant to that agreement the OIAA was responsible for demolition of the approximate fifty-one acres and leaving the site in a rough graded condition for the FedEx development. The Ontario International Airport Authority (OIAA) awarded a contract to Griffith Company in the amount of \$2,965,875 at the October 23, 2018, Commission meeting. Due to this enabling project's impact on the existing airport tenants, SWA Cargo and Majestic Terminal Services (Amazon), operating from the existing four hangars, the original demolition schedule and scope had to be modified. The Contract amount was increased at the December 17, 2020, Commission meeting with an amount of \$1,340,000, total contract amount \$4,305,875, to compensate for the additional scope to enable the

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

Department: Program Management

Submitted to OIAA: July 22, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: Mark A. Thorpe

ITEM NO. 07

FedEx cargo development. In September 2020, Griffith company was directed to relocate the four Hangars' rubble crushed material from its location by the AOA fence to the north end of the airport away from the runway for security reasons and dust control measures. The project schedule was not impacted, however, an adjustment in compensation in the amount of \$11,100 for that work is required to be paid to Griffith company; hence this request for an increase of \$11,100 to the total and final contract amount.

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.

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



DATE: JULY 22, 2021

SECTION: CONSENT CALENDAR

SUBJECT: APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH DIGITAL319, LLC FOR DIGITAL MEDIA CONSULTING SERVICES AT ONTARIO INTERNATIONAL AIRPORT

RELEVANT STRATEGIC OBJECTIVE: Develop Airport Related Business, Expand Air Service & Provide Customer Friendly Facilities and Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to execute a professional services agreement with Digital319, LLC for digital media consulting services, for one-year in an amount not to exceed \$150,000; and, authorize the CEO to exercise two, one-year extensions, for an overall contract amount not to exceed \$450,000.

FISCAL IMPACT SUMMARY: Funding for this agreement is approved in the Fiscal Year 2021-22 budget. Funding for subsequent years will be requested through the annual budget process.

BACKGROUND: Digital319, LLC desires to provide consulting professional services to support management, operations, and development specific to the airport. The proposed agreement is to provide the OIAA with digital media professional support services through 2022, and allow for annual extension options at the sole discretion of the CEO through 2024, as outlined in the professional services agreement, provided in its entirety as Attachment A.

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, Digital319 has demonstrated their unique qualifications and has proven expertise in

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

Department: Administration

Submitted to OIAA: July 22, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: *Mark A. Thorpe*

ITEM NO. 08

the airport digital media needs of ONT. The internal/external knowledge of Digital319 related to the development of ONT digital media 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: JULY 22, 2021

SECTION: CONSENT CALENDAR

SUBJECT: APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH CMAG, LLC FOR MANAGEMENT CONSULTING SERVICES AT ONTARIO INTERNATIONAL AIRPORT

RELEVANT STRATEGIC OBJECTIVE: Develop Airport Related Business, Expand Air Service; Provide Customer Friendly Facilities and Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to execute a professional services agreement with Consulting Marketing & Advertising Group, LLC (CMAG), for management consulting services, for one-year in an amount not to exceed \$240,000, and authorize the CEO to exercise four, one-year extensions, for an overall contract amount not to exceed \$1,200,000.

FISCAL IMPACT SUMMARY: Funding for this agreement is approved in the Fiscal Year 2021-22 budget. Funding for subsequent years will be requested through the annual budget process.

BACKGROUND: CMAG desires to provide consulting professional services to support management, operations, and development specific to the OIAA. An agreement is necessary to provide uninterrupted management level professional support services through 2022, and allow for annual extension options at the sole discretion of the CEO, through 2026, as outlined in the proposed professional services agreement, provided in its entirety as Attachment A.

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, CMAG has demonstrated their unique qualifications and has proven expertise in the

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

Department: Administration

Submitted to OIAA: July 22, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: Mark A. Thorpe

ITEM NO. 09

airport administration and operation needs of ONT, airport tenants, traveling public, facilities, and leaseholds. The internal/external knowledge gained by CMAG related to ONT 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

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.

This Agenda Report has been reviewed by OIAA General Counsel.



DATE: JULY 22, 2021

SECTION: CONSENT CALENDAR

SUBJECT: APPROVAL OF A COMMUNITY WORKFORCE AGREEMENT WITH THE TRADES COUNCIL AND UNIONS

RELEVANT STRATEGIC OBJECTIVE: Development of Airport-Related Business.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to execute an up to ten-year (10) term Community Workforce Agreement (Agreement) with the San Bernardino – Riverside Counties Building and Construction Trades Council (Trades Council”), and the Signatory Craft Councils and Local Unions (Collectively, the “Union” or “Unions”).

FISCAL IMPACT SUMMARY: Pursuant to its terms, the Agreement applies to contracts (and related subcontracts) entered into by the OIAA for major demolition, rehabilitation, replacement and construction projects at Ontario International Airport (ONT), which exceed \$400,000, and which are advertised for bid after the effective date of the Agreement (“Project” or “Projects”). All employees on Projects covered by the Agreement shall be classified in accordance with the work performed and paid by the OIAA’s Contractors the hourly wage rates for those classifications in compliance with the applicable prevailing wage rate determination established pursuant to applicable law. The OIAA’s Contractors are also required to pay contributions to established employee benefit funds and to be bound by applicable trust agreement(s) for benefit of its employees.

BACKGROUND: The Agreement establishes the labor relations policies and procedures to be used for major demolition, rehabilitation, replacement, and construction Projects at ONT and such other construction projects and related construction work as the OIAA determines is appropriate for coverage

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

Department: Administration

Submitted to OIAA: July 22, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: *Mark A. Thorpe*

ITEM NO. 10

under the Agreement. Specifically, subject to exclusions and exceptions set forth in the Agreement, the Agreement applies to Project work performed pursuant to a construction contract entered into by OIAA that exceeds \$400,000 and all subcontracts arising from these prime contracts, performed by those Contractor(s) of whatever tier that have contracts awarded for such work.

If OIAA enters into the Agreement, it shall be the policy of OIAA for all Project work covered by the Agreement to be contracted exclusively to OIAA Contractors who agree to execute and be bound by the terms of the Agreement, and to require each of its subcontractors to become so bound. The Agreement will be made available to, and will fully apply to, any successful bidder for Project work covered by the Agreement, without regard to whether employees of such bidder are or are not members of any union.

For Projects covered by the Agreement, the Unions will be the primary source of employees performing work on the Projects. In the event that a Contractor has its own core workforce, such Contractor shall follow the procedures outlined in Section 3.7 of the Agreement, which allow the Contractor to employ a maximum of five (5) of its core employees on Project work.

The Agreement capitalizes on the availability of the local work force in the area served by the OIAA. To the extent allowed by law, the Unions will exert their best efforts to refer and/or recruit sufficient numbers of skilled craft area residents for Project work. The Agreement establishes a goal that fifty percent (50%) of all construction labor hours worked on the Projects shall be performed by Area Residents, as defined in the Agreement. In addition, the Agreement continues support for programs designed to develop adequate numbers of competent workers in the construction industry; for Projects under the Agreement, apprentices may comprise up to thirty percent (30%) of each craft's work force at any time. Apprentices shall be registered in Joint Labor Management Apprenticeship Programs approved by the State of California.

For Projects covered by the Agreement, the OIAA Contractors will recognize the Trades Council and the Unions as the sole and exclusive bargaining representative for the employees engaged in Project work. The Agreement includes provisions governing wages and benefits; hours of work, overtime, shifts and holidays; work stoppages and lock-outs; work assignments and jurisdictional disputes; management services; and settlement of grievances and disputes. The Agreement is intended to establish and foster continued close cooperation between management and labor, with the goal of promoting harmonious labor management relations and adequate communications.

The Agreement shall be effective from the date signed by all Parties and shall remain in effect until the first to occur of (a) five (5) years after the OIAA's first award of a Construction Contract or (b) ten (10) years from the date of the Agreement. Any covered Project awarded during the term of the Agreement would continue to be covered by the Agreement, until completion of the Project.

PROCUREMENT: If OIAA enters into the Agreement, the OIAA shall include, directly or by incorporation by reference, the requirements of the Agreement in the advertisement of and/or specifications for each and every contract for Project work to be awarded by the OIAA that is covered by the Agreement.

CEQA COMPLIANCE AND LAND USE APPROVALS: The Agreement is not subject to the requirements of the California Environmental Quality Act (CEQA), because it is not an activity that may cause a direct (or reasonably foreseeable indirect) physical environmental change. (Pub. Resources Code, §21065; 14 Cal. Code Regs., tit. 14, §15378.) Any Projects covered by the Agreement will be subject to CEQA review and compliance.

STAFFING IMPACT (# OF POSITIONS): The Agreement is not expected to require the hiring of additional OIAA personnel. The OIAA shall designate a “CWA Administrator,” either from its own staff or an independent contractor, to serve as the OIAA’s liaison for Contractors and other persons; to monitor compliance with the Agreement; to assist, as the authorized representative of the OIAA, in developing and implementing the programs referenced in the Agreement; and to otherwise administer the Agreement.

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: Attachment A: Proposed Community Workforce Agreement

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

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



DATE: JULY 22, 2021

SECTION: ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO AMEND THE TERMS AND CONDITIONS TO THE FACILITY USE AGREEMENT AND RIGHT-OF-WAY LICENSE AGREEMENT WITH ONTFUEL CORPORATION, INC. FOR THE FUEL FARM

RELEVANT STRATEGIC OBJECTIVE: Develop Airport-Related Business.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Board of Commissioners (Board) authorize the Chief Executive Officer to amend the terms and conditions to the Facility Use Agreement (FUA) and Right-of-Way License Agreement with ONTFUEL Corporation, Inc. (ONTFUEL) for the fuel farm, which was previously approved by the board on April 23, 2020.

FISCAL IMPACT SUMMARY: N/A.

BACKGROUND: Previously, the OIAA had a Lease Agreement with Aircraft Service International, Inc. (Menzies) for the Fuel Farm at ONT. At the annual ONTFUEL meeting in December 2019, the decision was made to move forward with ASI/Menzies as the Operator to maintain, operate and manage the Fuel Farm, and to provide management and administrative service to ONTFUEL related to the Fuel Farm, and that any agreements would be entered into with ONTFUEL instead of ASI/Menzies. On April 23, 2020, the Board authorized the CEO to execute a Facility Use Agreement and Right-of-Way License Agreement with ONTFUEL Corporation, Inc. for the Fuel Farm.

On December 18, 2020, the OIAA received a letter from ONTFUEL requesting to commence negotiations with OIAA on a new, longer-term lease of the existing Fuel Farm. When ONTFUEL constructed the new fueling facilities in 2019, it obtained financing from Sun Life Insurance Co. The financing was a temporary fix to allow ONTFUEL to complete the new fuel facilities prior to the peak flight operations at ONT in

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

Department: Commercial

Submitted to OIAA: July 22, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: Mark A. Thorpe

2019. ONTFUEL is looking to obtain new long-term financing to pay off the existing financing amount due and payable to Sun Life in October 2022, and a longer term lease is required in order to do so.

The amended Facility Use Agreement and Right-of-Way License Agreements includes changes to reflect a 5-year term agreement ending on December 31, 2026 and appropriate payments based on then-current fiscal year rates. The agreement now also reflects the intentions between the Parties to finalize a new fuel farm agreement during the new Term, which will supersede all terms and conditions in the current Facility Use Agreement and Right-of-Way License agreement.

PROCUREMENT: N/A.

CEQA COMPLIANCE AND LAND USE APPROVALS: The proposed project is Categorically Exempt (Class 1) from the provisions of CEQA pursuant to Section 15301, because it provides for the exemption of existing facilities. Operations, repair, maintenance, permitting, leasing, licensing, or minor alteration of 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: N/A

SCHEDULE: N/A

ATTACHMENTS: ATTACHMENT A – First Amendment to Facility Use Agreement

ATTACHMENT B – First Amendment to Right-of-Way License Agreement

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This Agenda Report has been reviewed by OIAA General Counsel.



DATE: JULY 22, 2021

SECTION: ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

SUBJECT: APPROVAL OF A CONCESSION AGREEMENT WITH JDDA CONCESSION MANAGEMENT, INC. FOR A CHICK-FIL-A RESTAURANT IN TERMINAL 4 AT ONTARIO INTERNATIONAL AIRPORT

RELEVANT STRATEGIC OBJECTIVE: Provide Customer-Friendly Facilities and Services; Develop and Grow Non-Airline Revenue Sources.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO) to execute a ten-year term concession agreement with JDDA Concession Management, Inc. to manage and operate a Chick-fil-A restaurant concession in Terminal 4 at Ontario International Airport (ONT).

FISCAL IMPACT SUMMARY: The concessionaire is responsible for all capital investment and will pay the OIAA a concession fee of 13% of gross sales with no minimum annual guarantee.

BACKGROUND: ONT is a medium hub airport and the OIAA wishes to provide passengers traveling through ONT with a friendly environment that helps reduce the stress of travel, while providing them with a superior travel experience and productivity-enhancing amenities. The OIAA is confident that the introduction of a Chick-fil-A is an important step to provide such highly-sought-after amenities for the continued growth and productivity of the OIAA concession business.

Original discussions with incumbent food and beverage (F&B) provider Delaware North resulted in the submission of a 10% concession fee linked to extending all existing F&B outlets contracts to be aligned with the ten-year term to the Chick-fil-A term. This proposal was not in the OIAA’s optimal benefit, and

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

Department: Commercial

Submitted to OIAA: July 22, 2021

Approved: _____

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Denied: _____

Chief Executive Officer Approval: *Mark A. Thorpe*

subsequent negotiations with a Chick-fil-A nominated ACBDE franchisee proposed a 13% concession fee over a ten-year term with no minimum annual guarantee.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: Chick-fil-A company policy requires all locations to be closed on Sunday. Therefore, the proposed Terminal 4 location will operate 6 days a week and be closed every Sunday.

SCHEDULE: To open no later than May 2022.

ATTACHMENTS: Attachment A: Proposed Concession Agreement

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



DATE: JULY 22, 2021

CLOSED SESSION REPORT

OIAA// (GC 54956.8)

Page 1 of 1

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

STAFF: CEO __, General Counsel __

- GC section 54956.8: REAL PROPERTY NEGOTIATIONS (portions of Airport); OIAA General Counsel's office as negotiator.

No Reportable Action

Continue

Approved

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Disposition: _____

Reported by:

General Legal Counsel / Chief Executive Officer