

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
REGULAR COMMISSION MEETING
MINUTES
August 26, 2021**

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), 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, August 26, 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 Elkadi, 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 Commissioner Hagman.

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 2:03 p.m. with all Commissioners in attendance.

- GC section 54956.8: REAL PROPERTY NEGOTIATIONS (portions of Airport); OIAA General Counsel's office as negotiator.
- GC § 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION; Title: Chief Executive Officer

- GC § 54957.6, CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representative: General Counsel or Outside Counsel; Unrepresented employee: Chief Executive Officer

The Ontario International Airport Authority Commission regular meeting was reconvened in public session at 3:14 p.m.

REPORT ON CLOSED SESSION

General Counsel 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 publiccomment@flyontario.com, live via telephone at (909) 414-1718, via telephone recording comments at (909) 544-5307, or by mail.

Angela Liu provided an email comment regarding late night airplane noise.

Ana Verdugo provided an email comment regarding noise.

Sophia Fuentes provided an email comment regarding all day and night jet noise.

Richard Sherman provided an email comment regarding constant late night jet noise.

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 Commissioner Hagman, seconded by Commissioner Gouw, and carried by a roll call vote of 5-0-0, to approve the consent calendar Items No. 2-15, including Resolution No. 2021-13, 2021-14, 2021-15, 2021-16, 2021-17, and 2021-18.

2. APPROVAL OF MINUTES

Approved minutes for the Ontario International Airport Authority regular meeting on July 22, 2021 and special meeting on August 13, 2021 and approving the same as on file with the Secretary/Assistant Secretary.

3. BILLS/PAYROLL

Approved Bills July 1 through July 31, 2021 and Payroll July 1 through July 31, 2021.

4. APPROVAL OF MEETING STIPENDS

The Ontario International Airport Authority Commission approved meeting stipends for President Wapner for the month of July 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 (OIAA or Authority) Commission 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 COVID-19 and compliance with health authorities' applicable guidance regarding responding to COVID-19.

2021-13 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. ADOPTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY 49 CFR PART 23 AIRPORT CONCESSIONS DISADVANTAGED BUSINESS ENTERPRISE GOAL FOR FISCAL YEARS 2021, 2022, 2023

The Ontario International Airport Authority (OIAA) Commission adopted a Resolution approving the Airport Concessions Disadvantaged Business Enterprise (ACDBE) percentage goals for fiscal years 2021 through 2023.

2021-14 A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY TO AUTHORIZE AN AIRPORT CONCESSION DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) PROGRAM IN ACCORDANCE WITH REGULATIONS OF THE U.S. DEPARTMENT OF TRANSPORTATION (DOT), 49 CFR PART 23

7. ADOPTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY 49 CFR PART 26 DISADVANTAGED BUSINESS ENTERPRISE GOAL FOR FISCAL YEARS 2020, 2021, 2022

The Ontario International Airport Authority (OIAA) Commission adopted a Resolution approving the Disadvantaged Business Enterprise (DBE) percentage goals for the fiscal years 2020 through 2022.

2021-15 A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY TO AUTHORIZE A DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM IN ACCORDANCE WITH REGULATIONS OF THE U.S. DEPARTMENT OF TRANSPORTATION (DOT), 49 CFR PART 26

8. A RESOLUTION TO APPROVE THE STANDARD ADVERTISING TEMPLATE FORM AGREEMENT AT ONTARIO INTERNATIONAL AIRPORT

The Ontario International Airport Authority (OIAA) Commission adopted a resolution to approve the standard form template for Advertising Agreements at Ontario International Airport (ONT), and authorize the Chief Executive Officer (CEO), or their designee, to negotiation and execute the standard advertising template, which is generally entered into between OIAA and any client that seeks to engage in advertising, sponsorship, and/or special events at ONT.

2021-16 A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY TO APPROVE THE STANDARD FORM ADVERTISING AGREEMENT FOR ONTARIO INTERNATIONAL AIRPORT

9. A RESOLUTION TO APPROVE AN UPDATE TO THE AIRPORT SYSTEM RATES AND CHARGES AT ONTARIO INTERNATIONAL AIRPORT FOR FISCAL YEAR 2021-2022

The Ontario International Airport Authority (OIAA) Commission adopted a resolution to approve the new Federal Inspection Services (FIS) Use Fees at Ontario International Airport (ONT). Upon OIAA Commission approval, the new FIS Use Fees will increase from \$10.00 per deplaned passenger to \$11.00 per deplaned passenger. This cost is used to recover a portion of the operational costs at the Federal Inspection Services (FIS) facility, specifically costs incurred for United States Customs

and Border Patrol (USCBP) staffing under the User-Fee Agreement and security staffing for the building in the public area.

2021-17 A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION APPROVING THE UPDATED AIRPORT SYSTEM RATES AND CHARGES FOR FISCAL YEAR 2021-22

10. APPROVAL OF A CONTRACT WITH RMS ENTERPRISES, LLC FOR A FOOD AND BEVERAGE OUTLET AT ONTARIO INTERNATIONAL AIRPORT

The Ontario International Airport Authority (OIAA) Commission authorized the Chief Executive Officer (CEO), or their designee, to execute a contract with RMS Enterprises, LLC (RMS) to build a restaurant in Terminal 4, Space 2040 to provide food and beverage services at Ontario International Airport (ONT). Upon the Rent Commencement Date of this agreement, RMS shall pay the OIAA a seventeen percent (17%) Concession Fee of its monthly Gross Receipts. Annual rent of \$124.23 per square foot shall be paid monthly upon occupancy for any office or storage space rented in the Terminals, as may be required to support their operations. RMS projects first year sales at \$750,000 with 17% concession fees to OIAA of \$127,500.

11. APPROVAL OF THE FIRST AMENDMENT TO CONTRACT AGREEMENT SCONT-000324 BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND FRUITION GROWTH, LLC dba FRUITION FOR DIGITAL MEDIA SERVICES INCLUDING HOSTING, CONTENT MANAGEMENT SYSTEM UPGRADE (DRUPAL 9) AND WEBSITE REBUILD

The Ontario International Airport Authority (OIAA) Commission authorized the Chief Executive Officer (CEO), or their designee, to execute a professional services agreement increase with Fruition Growth, LLC for a one-year term in an amount not to exceed \$700,000 (increase of \$350,000), and authorize the CEO to exercise two, one-year extension options at \$500,000 (increase of \$150,000) annually, for an overall amount not to exceed \$1,700,000 over the three-year term of contract for the digital web services at Ontario International Airport (ONT). Funding for this contract is approved under the Fiscal Year 2021-2022 budget. Funding for subsequent years will be requested through the annual budget process.

12. A RESOLUTION TO ACCEPT GRANT OFFERS FROM THE FEDERAL AVIATION ADMINISTRATION AND TRANSPORTATION SECURITY ADMINISTRATION FOR THE ONTARIO INTERNATIONAL AIRPORT

The Ontario International Airport Authority (OIAA) Commission adopted a resolution to authorize the Chief Executive Officer (CEO), or their designee, to execute necessary documentation to accept grant offers from the Federal Aviation Administration (FAA) and Transportation Security Administration (TSA) for eligible projects that the OIAA Commission has previously approved.

2021-18 A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY TO AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE NECESSARY DOCUMENTATION TO ACCEPT GRANT OFFERS FROM THE FEDERAL AVIATION ADMINISTRATION AND TRANSPORTATION SECURITY ADMINISTRATION

13. APPROVAL TO ACCEPT 'OTHER TRANSACTION' AGREEMENT FUNDS FROM THE TRANSPORTATION SECURITY ADMINISTRATION FOR THE RECAPITALIZATION PROJECT CONSTRUCTION AT ONTARIO INTERNATIONAL AIRPORT

The Ontario International Airport Authority (OIAA) Commission authorized the Chief Executive Officer (CEO), or their designee, to execute all documents necessary to accept 'Other Transaction' Agreement (OTA) funds from the Transportation Security Administration (TSA) in an amount not to exceed \$5,071,176 for the TSA recapitalization construction project at Ontario International Airport (ONT). The OIAA, through the Aviation and Transportation Security Act, is eligible to receive 100 percent of the eligible amount of the recapitalization construction project which is estimated to be \$5,071,176 through TSA's OTA program. This amount will cover included costs for project construction, construction contingency, construction administration (CA) services, OIAA staff project and construction management (PM-CM) services.

14. APPROVAL TO ACCEPT GRANT AWARD FROM THE FEDERAL AVIATION ADMINISTRATION OF FUNDS FROM THE AIRPORT IMPROVEMENT PROGRAM FOR THE RUNWAY 8R-26L REHABILITATION AND CONNECTING TAXIWAYS PROGRAM

The Ontario International Airport Authority (OIAA) Commission authorized the Chief Executive Officer (CEO), or their designee, to execute all documents necessary to accept grant-in-aids in an amount not to exceed \$5,005,421 from the Federal Aviation Administration (FAA) provided through the Airport Improvement Program to cover 100 percent of the eligible portion of the Runway 26R Rehabilitation and Connecting Taxiways Program design at Ontario International Airport (ONT). The Ontario International Airport Authority, through the FAA Airport Improvement Program, is eligible to receive 100 percent of the eligible amount for design of Rehabilitate Runway 8R/26L Phase I, Construct Airport Lighting Vault Phase I, Reconstruct Taxiways K, L, P, Q, and S8 Phase I, estimated to cost \$5,005,421. The grant will pay \$5,005,421 which includes engineering, design, construction document and bid package preparation. The associated grant's revenue and expenditure adjustments will be presented in the next Quarterly Budget Report to the Commission.

15. INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2021

The Ontario International Airport Authority (OIAA) Commission received and filed the Investment Report for the quarter ending June 30, 2021.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

16. FISCAL YEAR 2020-2021 FINANCIAL STATEMENTS FOR THE YEAR ENDING JUNE 30, 2021

The Ontario International Airport Authority (OIAA) Commission received and filed Financial Statements for the year ending June 30, 2021.

CFO Schubert provided a presentation on this item. Discussion ensued between Commissioners and Staff.

17. A RESOLUTION TO APPROVE THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY FISCAL YEAR 2022 CAPITAL BUDGET

The Ontario International Airport Authority (OIAA) Commission adopted a resolution to approve the FY 2022 Capital Budget.

2021-19 A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION APPROVING THE CAPITAL BUDGET FOR FISCAL YEAR 2021-2022

CFO Schubert provided a presentation on this item. President Wapner supported the budgeted amount of \$3.3M for the establishment of an Emergency Operations Center with the exception of the funds not being appropriated until a permanent location is determined, and Commissioner Hagman agreed with the recommendation.

MOTION: Moved by President Wapner, seconded by Commissioner Hagman, and carried by a roll call vote of 5-0-0 to approve the FY 2022 Capital Budget, Resolution No. 2021-19, with the exception of not appropriating Emergency Operations Center budgeted amount of \$3.3M, until better options for the location are provided to the board.

MANAGEMENT REPORT

Deputy Chief Executive Officer Elkadi provided updates on passenger and cargo traffic for July 2021.

COMMISSIONER MATTERS

Vice President Loveridge had no comments.

Secretary Bowman had no comments.

Commissioner Hagman had no comments.

Commissioner Gouw had no comments.

President Wapner mentioned that board meetings will stay virtual, on Zoom, in September, and will hopefully resume as in-person meetings in October, 2021.

ADJOURNMENT

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 3:35 p.m.

RESPECTFULLY SUBMITTED:



NATALIE GONZAGA, BOARD CLERK

APPROVED:



ALAN D. WAPNER, PRESIDENT
ONTARIO INTERNATIONAL AIRPORT AUTHORITY