



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 meeting will be 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 August 26, 2021, Commission Meeting*: <https://us02web.zoom.us/j/81433101572>

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

WEBINAR ID: 814 3310 1572

*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 publiccomment@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



AUGUST 26, 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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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.

ORDER OF BUSINESS

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

(Sign language interpreters, communication access real-time transcription, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. Due to difficulties in securing Sign Language Interpreters, five or more business days' notice is strongly recommended.)

CALL TO ORDER (OPEN SESSION) - 2:00 P.M.

ROLL CALL

Loveridge, Bowman, Hagman, Gouw, President Wapner

PLEDGE OF ALLEGIANCE

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.
- 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

REPORT ON CLOSED SESSION

General Legal Counsel

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 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

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

4. APPROVAL OF MEETING STIPENDS

That the Ontario International Airport Authority Commission approve 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

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

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

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

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

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

That the Ontario International Airport Authority (OIAA) Commissioners adopt 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.

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

That the Ontario International Airport Authority (OIAA) Commission adopt 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.

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

That the Ontario International Airport Authority (OIAA) Commission authorize 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

That the Ontario International Airport Authority (OIAA) Commission authorize 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

That the Ontario International Airport Authority (OIAA) Commission adopt 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.

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

That the Ontario International Airport Authority (OIAA) Commission authorize 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

That the Ontario International Airport Authority (OIAA) Commission authorize 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

That the Ontario International Airport Authority (OIAA) Commission receive and file 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

That the Ontario International Airport Authority (OIAA) Commission receive and file Financial Statements for the year ending June 30, 2021.

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

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

MANAGEMENT REPORT

Chief Executive Officer Thorpe

COMMISSION MATTERS

President Wapner

Vice President Loveridge

Secretary Bowman

Commissioner Hagman

Commissioner Gouw

ADJOURNMENT



DATE: **AUGUST 26, 2021**

CLOSED SESSION REPORT

OIAA// (GC 54956.8, 54957, 54957.6)

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.
- 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

No Reportable Action

Continue

Approved

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Disposition: _____

Reported by:

General Legal Counsel / Chief Executive Officer



DATE: AUGUST 26, 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
10	RMS Enterprises, LLC	<ul style="list-style-type: none">• None
11	Fruition Growth, LLC	<ul style="list-style-type: none">• None

STAFF MEMBER PRESENTING: Natalie Gonzaga, Board Clerk

Department: Clerk's Office

Submitted to OIAA: August 26, 2021

ONTARIO INTERNATIONAL AIRPORT AUTHORITY
REGULAR COMMISSION MEETING
MINUTES
July 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), 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, July 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 2:03 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 P. Sullivan, and Board Clerk Natalie Gonzaga.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Wapner.

Closed session was moved to the beginning of the meeting.

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 2:05 p.m. with all Commissioners in attendance.

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

The Ontario International Airport Authority Commission regular meeting was reconvened in public session at 2:36 p.m.

REPORT ON CLOSED SESSION

President Wapner 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.

Amir Zabeti provided an email comment regarding a noise complaint.

Patricia Tarin provided an email comment regarding airplane noise.

Louise Lennon provided an email comment regarding aircraft noise.

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

Cyndi Watson provided an email comment regarding noisy flights over house.

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.

President Wapner and Secretary Bowman announced a conflict for Item No. 10, and abstained from the vote.

PUBLIC COMMENT

Bill Perez provided a live comment regarding Item No. 10, expressed appreciation on behalf of 29 local construction unions, regarding the community workforce agreement.

James Elrod, representative of Southwest Regional Council of Carpenters, provided a live public comment regarding Item No. 10, expressing appreciation regarding the proposed community workforce agreement.

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. 2-10, including Resolution No. 2021-12, with President Wapner and Secretary Bowman abstaining from Item No. 10 – Community Workforce Agreement.

2. APPROVAL OF MINUTES

Approved minutes for the Ontario International Airport Authority special meeting on June 15, 2021 and regular meeting on June 24, 2021 and approved the same as on file with the Secretary/Assistant Secretary.

3. BILLS/PAYROLL

Approved Bills June 1 through June 30, 2021 and Payroll June 1 through June 30, 2021.

4. APPROVAL OF MEETING STIPENDS

The Ontario International Airport Authority Commission approved 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

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.

2021-12 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

The Ontario International Airport Authority (OIAA) Commission authorized 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

The Ontario International Airport Authority (OIAA) Commission authorized 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

The Ontario International Airport Authority (OIAA) Commission authorized 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

The Ontario International Airport Authority (OIAA) Commission authorized 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.

Vice President Loveridge requested a brief discussion on this item to clarify the evaluation process to renew consulting services. CEO Thorpe provided a report on the CMAG, LLC contract. President Wapner

informed Vice President Loveridge that the Finance and Audit Committee can start looking at criteria for this evaluation process.

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

The Ontario International Airport Authority (OIAA) Commission authorized 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

The Ontario International Airport Authority (OIAA) Commission authorized 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.

CEO Thorpe provided a brief presentation on this item.

MOTION: Moved by Secretary Bowman, seconded by Vice President Loveridge, and carried by a roll call vote of 5-0-0 to approve the amendments to ONTFUEL Facility Use Agreement and Right-of-Way License Agreement for the Fuel Farm.

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

The Ontario International Airport Authority (OIAA) Commission authorized 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).

CEO Thorpe provided a brief presentation on this item. Discussion ensued between Commissioners and Staff.

MOTION: Moved by Commissioner Gouw, seconded by Commissioner Hagman, and carried by a roll call vote of 5-0-0 to approve the JDDA Concession Management, Inc. concession agreement.

MANAGEMENT REPORT

Chief Executive Officer Thorpe provided updates on passenger and cargo traffic and new service routes for June 2021.

COMMISSIONER MATTERS

Commissioner Gouw expressed her appreciation for the Hawaiian Airlines ONT route she recently flew.

Commissioner Hagman expressed appreciation for growth and staff, and is looking forward to new flight announcements.

Vice President Loveridge expressed appreciation for Hawaiian Airlines flying out of ONT.

Secretary Bowman had no comments.

President Wapner had no comments.

ADJOURNMENT

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 3:03 p.m.

RESPECTFULLY SUBMITTED:

NATALIE GONZAGA, BOARD CLERK

APPROVED:

ALAN D. WAPNER, PRESIDENT
ONTARIO INTERNATIONAL AIRPORT AUTHORITY

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
SPECIAL COMMISSION MEETING
MINUTES
AUGUST 13, 2021
(not official until approved)**

A special meeting of the Ontario International Airport Authority was held on Friday, August 13, 2021, at 1923 E. Avion Street, Room 100, Ontario, California.

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

CALL TO ORDER

President Wapner called the Ontario International Airport Authority Commission meeting to order at 9:07 a.m.

ROLL CALL

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

ABSENT: Commissioners: None

Also present were: Chief Executive Officer Mark A. Thorpe, General Counsel Lori Ballance (virtual participation), Assistant General Counsel Kevin P. Sullivan, Board Clerk Natalie Gonzaga, OIAA Consultant Greg Devereaux, and Bryan Gruber, LSL, LLP.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Wapner.

CLOSED SESSION PUBLIC COMMENT

There were no public comments.

CLOSED SESSION

President Wapner recessed the special meeting of the Ontario International Airport Authority to Closed Session at 9:09 a.m. with all Commissioners in attendance.

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

The Ontario International Airport Authority Commission special meeting was reconvened in public session at 10:46 a.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 10:47 a.m.

RESPECTFULLY SUBMITTED:

NATALIE GONZAGA, BOARD CLERK

APPROVED:

ALAN D. WAPNER, PRESIDENT
ONTARIO INTERNATIONAL AIRPORT AUTHORITY

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 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 July 2021, President Wapner attended nine (9) 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: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: 
Mark Thorpe

ITEM NO. 04

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. |

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 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: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: 
Mark Thorpe

ITEM NO. 05

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 July 22, 2021, the OIAA Commission adopted Resolution No 2021-12 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 July 22, 2021 the OIAA approved Resolution No. 2021-12, 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 26th day of August 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 August 26, 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 August 26, 2021.

SECRETARY/ASSISTANT SECRETARY

(SEAL)

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

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

RELEVANT STRATEGIC OBJECTIVE: Develop Airport-Related Businesses.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission adopt a Resolution approving the Airport Concessions Disadvantaged Business Enterprise (ACDBE) percentage goals for fiscal years 2021 through 2023.

FISCAL IMPACT SUMMARY: None.

BACKGROUND: The OIAA approved the updated ACDBE base program and policy statement at the March 2021 Commission Meeting. The policy statement was used as a basis for establishing the ACDBE goal, in accordance with Federal Regulation 49 CFR Part 23.

In accordance with 49 CFR Part 23, the OIAA maintains its ACDBE Goal for fiscal years 2021 through 2023 for Airport Concessions Contracts with OIAA. In accordance with Airport Sponsor Assurances for Federally Funded Airport Improvement Program (AIP), OIAA assures compliance with Federal Regulation 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions. Compliance with this program requires periodic updates to the base program and periodic goal computation on a triennium (3-year) basis.

An ACDBE Program is required by the FAA in order to receive federal funding and ensures that businesses registered as an ACDBE concessionaire have an equal opportunity to receive and participate in Department of Transportation (DOT) assisted contracts at ONT. An ACDBE program adopted by an

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

Department: Commercial

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: 
Mark Thorpe

ITEM NO. 06

airport is a commitment to the Federal government that the OIAA will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 23 on the basis of race, color, sex, or national origin. If the OIAA does not comply with this part, it will be subject to formal enforcement action under §26.105 or appropriate program sanctions, such as the suspension or termination of Federal funds, or refusal to approve projects, grants or contracts until deficiencies are remedied. Program sanctions may include actions consistent with 49 U.S.C. §§ 47106(d), 47111(d), and 47122.

In accordance with 49 CFR Part 23, the OIAA, as part of its ACDBE program, is required to establish two separate overall ACDBE goals; one for car rentals and another for concessions other than car rentals. The overall goals cover a three-year period and the OIAA will review the goals annually to make sure the goals continue to fit the sponsor's circumstances. The OIAA will report any significant overall goal adjustments to the FAA. These goals define the ACDBE participation the OIAA will strive to achieve every fiscal year that it accepts Federal funding. The proposed OIAA overall ACDBE goal for adoption is 13.9%, to be accomplished through 6.0% race-conscious (RC) and 7.9% race-neutral (RN) for the three-year federal fiscal year (FY) period between FY 2021 – 2023. The proposed OIAA ACDBE goal for car rentals for adoption is 6.41%, to be accomplished through 3.5% RC and 2.91% RN for the three-year federal fiscal year (FY) period between FY 2021 – 2023. The Airport Concessions Disadvantaged Business Enterprise Liaison Officer (ACDBELO) is responsible for implementing all aspects of the ACDBE program and ensuring that the OIAA complies with all provision of 49 CFR Part 23. The ACDBELO must have direct, independent access to the Chief Executive Officer of the OIAA, concerning ACDBE program matters.

PROCUREMENT: N/A.

CEQA COMPLIANCE AND LAND USE APPROVALS: The ACDBE Program is not a “project” under CEQA and does not require environmental review.

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: Attachment A: Resolution; Attachment B: OIAA 49 CFR Part 23 Attachments 4 & 5

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This Agenda Report has been reviewed by OIAA General Counsel.

RESOLUTION NO. _____

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.

WHEREAS, the Ontario International Airport Authority (the "Authority") was established under a Joint Exercise of Powers Agreement between the City of Ontario and the County of San Bernardino (the "Joint Powers Agreement") pursuant to the Joint Exercise of Powers Act of the State of California (the "Joint Powers Act"), for the purpose of operating, maintaining, managing, developing, and marketing the Ontario International Airport (the "Airport"); and

WHEREAS, The Ontario International Airport (OIAA) owner of Ontario International Airport (ONT) will receive Federal financial assistance from the Department of Transportation (the cumulative total value of which exceeds \$250,000), during any one or more of the reporting fiscal years (FY 2021-2023), and as a condition of receiving this assistance, the OIAA has signed airport grant assurances that it will comply with 49 CFR part 23;

WHEREAS, it is the policy of the OIAA to ensure nondiscrimination in the award and administration of opportunities for concessions by airports receiving USDOT financial assistance.

WHEREAS, the OIAA will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or impairing accomplishment of the objectives of the ACDBE program with respect to individuals of a particular race, color, sex, or national origin.

WHEREAS, as a condition of eligibility for FAA financial assistance, OIAA submits its ACDBE program and overall goals as 13.90%, to be accomplished through 6.00% RC and 7.90% RN to FAA according to 23.45(a).

NOW, THEREFORE, BE IT RESOLVED, that the Ontario International Airport Authority (OIAA) adopts an Airport Concession Disadvantaged Business Enterprise Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR 23.

SECTION 1. That the Commission hereby approves an overall ACDBE goal of 13.9% covering FY 2021-2023

SECTION 2. That the Commission hereby approves an overall goal for car rentals of 6.4% covering FY 2021-2023

SECTION 3. That the Commission authorizes, empower, and direct the Chief Executive Officer and ACDBE Liaison Officer (ACDBELO), on behalf of the Authority, to implement all aspects of the ACDBE program.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

SECTION 5. The Commission Clerk of the Ontario International Airport Authority shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting this 26th day of August 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. _____ was duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held August 26, 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. _____ duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held August 26, 2021.

SECRETARY/ASSISTANT SECRETARY

(SEAL)

Attachment 4

Section 23.45: Overall Goal Calculation for Concessions Other Than Car Rentals

Amount of Other Than Car Rental Concessions: Anticipate gross revenue in excess of \$200,000.

Name of Recipient: Ontario International Airport Authority (ONT)

Goal Period: FY-2021-2022-2023 – October 1, 2020 through September 30, 2023

Overall Three-Year Goal:

13.90%, to be accomplished through 6.00% RC and 7.90% RN

Market Area:

The City of Ontario, California (population 185,010 (2019 est)) is located in the southwestern corner of San Bernardino County. The City is considered part of the greater Los Angeles Area and the Ontario International Airport is considered one of the busiest airports in the United States based on carried cargo. The County demographics show steady growth due in part to the, industry, local universities, and businesses. The airport is San Bernardino County in California. The area is multicultural with significant populations of African American, Asian, Hispanic or Latino, Native American, Pacific Islander, and White. OIAA has determined the pool of ACDBE Businesses for Non-Car Rental Concessions that have the greatest potential to provide service to the Ontario International Airport are primarily located in San Bernardino County, Los Angeles County, Orange County, and Riverside County. Some services (eg, suppliers) are less sensitive to location and will therefore be considered even if based outside of the 4-county market area.

Base of Goal

To calculate the base of the goal Ontario International Airport Authority considered the previous 3 years of gross concession receipts and the projected potential concession revenue (gross receipts) three years into the future including upcoming new opportunities.

Gross Receipts for Previous 3 Years - Non-Car Rental Concessions

Fiscal Year	Concessions Revenue (Excluding Car Rental)
2018	\$15,773,889
2019	\$11,307,613

2020*	\$7,287,990
Total	\$34,369,492.00
Average	\$ 11,456,497.33

**Significant reduction Due to COVID 19 Pandemic*

The Ontario International Airport Authority estimates that revenues to existing non-car rental concessions will likely increase by a modest 1% over the next three years due to market and anticipated passenger forecasts using ONT. However, due to the decreased traffic as a result of the COVID 19 pandemic, the Ontario International Airport saw a significant decrease in passenger travel hence revenues were down in FFY 2020. A 1% growth is anticipated for 2021 through 2023.

To calculate the base of the goal for non-car rental concessions:

(2020) \$7,287,990

(2021) \$7,287,990 + 1% (\$72,879.90) = \$7,360,869.90

(2022) \$7,360,869.90 + 1% (\$73,608.70) = \$7,434,478.60

(2023) \$7,434,478.60 + 1% (\$74,344.78) = \$7,508,823.39

\$7,360,869.90 + \$7,434,478.60 + \$7,508,823.39 = **\$22,304,172** is the Ontario International Airport's base of the goal for non-car rental concessions.

The non-car rental businesses operating at the Ontario International Airport and offering service to the public includes businesses in Terminal 2 and Terminal 4. The contracts for these concessions are expected to extend over the period of this triennium.

Methodology used to Calculate Overall Goal

Goods and Services

The Ontario International Airport Authority anticipates the goal can be met by including the purchase from ACDBEs of goods and services used in businesses conducted at the airport. We, and the businesses at the airport, shall make good faith efforts to explore all available options to achieve, to the maximum extent practicable, compliance with the goal through direct ownership arrangements, including joint ventures and franchises. The dollar value from purchases of goods and services from ACDBEs may be added to the numerator, and the dollar value from purchases of goods and services from all firms (ACDBEs and non-ACDBEs) may be added to the denominator.

Step 1: 23.51(c)

We determined the base figure for the relative availability of ACDBEs other than car rentals. The base figure was calculated as follows:

Numerator: Ready, willing, and able non-car rental ACDBEs in the market area

Denominator: All ready, willing and able non-car rental concession firms in the market area

NAICS	Type of Concession	Total ACDBE's	Total All Firms
311811	Retail Bakeries	3	401
424130	Restaurant Suppl.	3	439
423840	Janitorial Supplies	2	66
445291	Baked Goods	2	175
445292	Confections	4	130
446120	Cosmetics Beauty	3	728
446199	Health, Personal	1	415
448110	Men's Clothing	4	303
448120	Women's Clothing	4	690
448190	Other Clothing	2	521
448310	Jewelry	5	383
448320	Luggage, Leather	2	63
451212	Newsstands	32	201
452990	General Merch.	6	569
453110	Florists	2	493
453220 & 310	Gifts & Office Supplies	58	225
454210	Vending	6	100
519130	Internet Services	4	113
522320	Financial Transactions, Processing	1	261
541613	Marketing Cons.	25	323
541810, 541850	Advertising	12	257
541890	Other Advertising	8	335
561720	Janitorial Services	11	323
722310	Food Service	31	252
722320	Caterers	7	649
722211	Food & Beverage	34	871

722410	Drinking Places (alcohol)	16	668
722511	Full-Service Restaurants	42	1423
722515	Snack & Beverage	35	423
812113	Nail Salons	7	377
Total		372	12217

The Total Base Goal for Step 1 is therefore calculated by

$$\frac{\text{Total Number of ACDBE}}{\text{Total All Firms}}$$

$$372 / 12217 = 3.04\% \text{ for Step 1.}$$

The data source or demonstrable evidence used to derive the **numerator** was:

The State of California Uniform Certification Program ACDBE Directory:

<https://ucp.dot.ca.gov>

The data sources or demonstrable evidence used to derive the **denominator** were:

US Census Bureau:

<https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

Blue Book for California:

<http://www.thebluebook.com>

Yellow Pages Directory:

<https://www.yellowpages.com>

When we divided the numerator by the denominator, we arrived at the Step 1 base figure for our overall goal for non-car rental concessions of: 3.04%

Step 2: 23.51(d)

After calculating a base figure of the relative availability of ACDBEs, OIAA examined evidence to determine what adjustment was needed to the Step 1 base figure in order to arrive at the overall goal.

Past History Participation

Historical DBE accomplishments for non-car rental concessions at the Ontario International Airport are as follows:

FY	DBE Goals			Accomplishments		
	RC	RN	Total	RC	RN	Total
FY 15	13.20%	0.00%	13.20%	23.62%	10.84%	34.45%
FY 16	13.20%	0.00%	13.20%	27.74%	11.59%	36.34%
FY 17	17.50%	6.00%	11.50%	2.21%	0.00%	2.21%
FY 18	17.50%	6.00%	11.50%	11.63%	6.00%	17.63%
FY 19	17.50%	6.00%	11.50%	11.70%	13.06%	24.76%

**Source Data FAA Civil Rights Connect*

Considering the DBE participation and arranging this historical data of DBE accomplishments from low to high, (2.21%, 17.63%, 24.76%, 34.45%, 36.34%,) we arrive at a central tendency or median accomplishment of 24.76%. To arrive at an adjusted DBE goal, we added our Step 1 base figure (3.04%) with our Step 2 adjustment figure (24.76%) and then averaged the total arriving at an overall adjusted goal of 13.90%.

The Ontario International Airport Authority will use race-conscious measures (e.g., sets contract goals) to obtain the RC portion of the goal. We believe this adjusted overall goal of 6.00% will accurately reflect DBE participation that can be achieved for the types of comparable project work being awarded during this three-year overall goal period.

There are no applicable disparity studies for the local market area or recent legal case information available to show any evidence of barriers to entry or competitiveness of ACDBEs.

PUBLIC PARTICIPATION

Consultation: Section 23.43.

As per section Part 23.43 establishing the upcoming ACDBE goals for Federal Fiscal Years (FFY) 2021/2022/2023, a public/consultation meeting was held on May 18, 2021 at 10AM at Ontario International Airport (ONT) 1923 East Avion Drive, Ontario, CA 91761 for the purpose of discussing potential opportunities for ACDBE participation in upcoming projects, gain input, and to answer questions. A Public Notice of the meeting was issued that invited all interested parties including (but not limited to) minority, women's and general contractor groups, community organizations, and other officials or organizations who may have interest or information pertinent to the implementation of the Owner's ACDBE Program. It was noted, the meeting was not mandatory for ACDBE participation on projects at the Ontario International Airport Authority (ONT).

The Public Notice included that questions regarding the meeting or program be directed to:

ACDBELO-Elisa Grey- Commercial Manager

Ontario International Airport Authority

1923 E. Avion Street

Ontario, CA

909.544.5427 (Direct Line)

Grey, Elisa <egrey@flyontario.com>

No comments were received.

Breakout of Estimated Race-Neutral & Race Conscious Participation
Section 23.51

The Ontario International Airport Authority will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating ACDBE participation. The Ontario International Airport Authority uses the following race-neutral measures.

1. *Locating and identifying ACDBEs and other small businesses who may be interested in participating as concessionaires under 49 CFR Part 23;*
2. *Notifying ACDBEs of concession opportunities and encouraging them to compete, when appropriate;*
3. *Providing technical assistance to ACDBEs in overcoming limitations, such as inability to obtain bonding or financing;*
4. *Providing information concerning the availability of ACDBE firms to competitors to assist them in obtaining ACDBE participation; and*
5. *Establishing a business development program (see 49 CFR Part 26.35); technical assistance program or taking other steps to foster ACDBE participation in concessions.*

OIAA estimates that, in meeting our overall goal of 13.90%, we will obtain 7.90% from race-neutral participation and 6.00% through race-conscious measures.

1. *To the extent OIAA has met ACDBE goals in the past uniform reporting.*
2. *Proactively working with Concession vendors to increase awareness and encourage extension of race-neutral business assistance efforts;*
3. *Information obtained through consultation with stakeholders;*

The following is a summary of the basis of

If we project that race-neutral measures, standing alone, are not sufficient to meet an overall goal, we will use the following race-conscious measures to meet the overall goal:

1. We will establish concession-specific goals for particular concession opportunities in our contract agreements with Airport Concessionaires.

The Ontario International Airport Authority has a history of ACDBE participation through the use of ACDBE goals or a conscious effort to obtain ACDBE participation as well as a consistent RN ACDBE participation non-car rental concessions. Therefore, OIAA is splitting the ACDBE Goal of 13.90% between 6.00% to race-conscious participation and 7.90% race-neutral participation to match recent history of achievements.

In order to ensure that our ACDBE program will be narrowly tailored to overcome the effects of discrimination, if we use concession specific goals we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual

ACDBE participation (see 26.51(f)) and we will track and report race-neutral and race conscious participation separately. For reporting purposes, race-neutral ACDBE participation includes, but is not necessarily limited to, the following: ACDBE participation through a prime contract that an ACDBE obtains through customary competitive procurement procedures; ACDBE participation through a subcontract on a prime contract that does not carry ACDBE goal; ACDBE participation on a prime contract exceeding a concession specific goal; and ACDBE participation through a subcontract from a prime contractor that did not consider a firm's ACDBE status in making the award.

We will maintain data separately on ACDBE achievements in those contracts with and without concession specific goals, respectively.

Attachment 5

Section 23.45: Overall Goal Calculation for Car Rentals

Amount of Car Rental Concessions: Anticipate gross revenue in excess of \$200,000.

Name of Recipient: Ontario International Airport Authority

Goal Period: FY-2021-2022-2023 – October 1, 2019 through September 30, 2023

Overall Three-Year Goal:

6.41%, *to be accomplished through 3.50% RC and 2.91% RN*

The City of Ontario, California (population 185,010 (2019 est)) is located in the southwestern corner of San Bernardino County. The City is considered part of the greater Los Angeles Area and the Ontario International Airport is considered one of the busiest airports in the United States based on carried cargo. The County demographics show steady growth due in part to the, industry, local universities, and businesses. The airport is San Bernardino County in California. The area is multicultural with significant populations of African American, Asian, Hispanic or Latino, Native American, Pacific Islander, and White. OIAA has determined the pool of ACDBE Businesses for Non-Car Rental Concessions that have the greatest potential to provide service to the Ontario International Airport are primarily located in San Bernardino County, Los Angeles County, Orange County, and Riverside County. Some services (eg, suppliers) are less sensitive to location and will therefore be considered even if based outside of the 4-county market area.

Base of Car Rental Goal

To calculate the base of the goal Ontario International Airport considered the previous 3 years of car rental expenditures/purchases and the projected potential expenditures/purchases three years into the future including upcoming new opportunities.

Expenditures for Previous 3 Years - Car Rental

Fiscal Year	Car Rental Expenditures/Purchases	% Growth
2018	\$11,901,135	1.2%
2019	\$12,280,291	3.2%
2020	\$10,117,761	-17.6%*

*Impacts of the COVID 19 pandemic in 2020.

The Ontario International Airport estimates that expenditures/purchases to existing car rental concessions will likely increase by 2.2% annually due to market and anticipated passenger forecasts using ONT. However, due to the decreased traffic as a result of the COVID 19 pandemic, the Ontario international Airport saw a significant decrease in passenger travel hence revenues were down in FFY 2020. A 2.2% annual growth is anticipated going forward.

To calculate the base of the goal for car rental concessions:

(2020) \$10,117,761

(2021) \$10,117,761 + 2.2% (\$222,590.74) = \$10,340,351.74

(2022) \$10,340,351.74 + 2.2% (\$227,487.74) = \$10,567,839.48

(2023) \$10,567,839.48 + 2.2% (\$232,492.47) = \$10,800,331.95

\$10,340,351.74 + \$10,567,839.48 + \$10,800,331.95 = **\$31,708,523.17** is the Ontario International Airport's base of the goal for expenditures/purchases for car rental concessions.

The car rental businesses operating at the Ontario International Airport and offering service to the public includes Avis, Budget, Payless, Thrifty, Hertz, Fox Enterprise and National. The contracts for these concessions are expected to extend over the period of this triennium.

Methodology used to Calculate Overall Goal

Goods and Services

We can meet the percentage goal by including the purchase from ACDBEs of goods and services used in businesses conducted at the airport. The dollar value from purchases of goods and services from ACDBEs may be added to the numerator, and the dollar value from purchases of goods and services from all firms (ACDBEs and non-ACDBEs) may be added to the denominator.

Step 1: 23.51(c)

We determined the Step 1 base figure for the relative availability of ACDBEs car rentals good and services. The base figure was calculated as follows:

Numerator: Ready, willing, and able car rental goods and services ACDBEs in the market area

Denominator: All ready, willing and able goods and services car rental concession firms in the market area

NAICS	Type of Concession	Total ACDBE's	Total All Firms
332519 & 561622	Hardware Keys & Locks	5	397
423120	Auto Supplies & Parts	3	693
423130	Tire & Tube Wholesalers	5	481
423840	Janitorial Supplies	2	66
441310	Auto Accessories	4	865
485999	Transit & Ground Transportation	9	237
524210	Commercial Insurance Agencies	2	56
532111 & 532112	Car Rental / Lease	2	231
811192	Vehicle Repair, Wash & Detailing	5	444
Total		37	3470

The Total Base Goal for Step 1 is therefore calculated by

$$\frac{\text{Total Number of ACDBE}}{\text{Total All Firms}}$$

$$37 / 3470 = 1.07\% \text{ for Step 1.}$$

The data source or demonstrable evidence used to derive the **numerator** was:

The State of California Uniform Certification Program ACDBE Directory:

<https://ucp.dot.ca.gov>

The data sources or demonstrable evidence used to derive the **denominator** were:

US Census Bureau:

<https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

Blue Book for California:

<http://www.thebluebook.com>

Yellow Pages Directory:

<https://www.yellowpages.com>

When we divided the numerator by the denominator we arrived at the Step 1 base figure for our overall goal for car rental concessions of: 1.07%.

Step 2: 23.51(d)

After calculating a base figure of the relative availability of ACDBEs, we examined evidence to determine what adjustment was needed to the Step 1 base figure in order to arrive at the overall goal.

Past History Participation

Historical DBE accomplishments for car rental concessions at the Ontario International Airport are as follows:

FY	DBE Goals			Accomplishments		
	RC	RN	Total	RC	RN	Total
FY 15	3.50%	0.00%	3.50%	11.75%	0.00%	11.75%
FY 16	3.50%	0.00%	3.50%	5.63%	0.00%	5.63%
FY 17	3.50%	0.00%	3.50%	14.62%	0.00%	14.62%
FY 18	3.50%	0.00%	3.50%	7.51%	0.00%	7.51%
FY 19	3.50%	0.00%	3.50%	26.44%	0.00%	26.44%

**Source Data FAA Civil Rights Connect*

Considering the RC participation and arranging this historical data of RC DBE accomplishments from low to high, (5.63%, 7.51%, 11.75%, 14.62%, 26.44%) we arrive at a central tendency or median accomplishment of 11.75%. To arrive at an adjusted RC goal, we added our Step 1 base figure (1.07%) with our Step 2 adjustment figure (11.75%) and then averaged the total arriving at an overall adjusted goal of 6.41%.

The Ontario International Airport Authority will use race-conscious measures (e.g., sets contract goals) to obtain the RC portion of the goal. We believe this adjusted overall goal of 6.41% will accurately reflect DBE participation that can be achieved for the types of comparable project work being awarded during this three-year overall goal period.

PUBLIC PARTICIPATION

Consultation: Section 23.43.

As per section Part 23.43 establishing the upcoming ACDBE goals for Federal Fiscal Years (FFY) 2021/2022/2023, a public/consultation meeting was held on May 18, 2021 at 10AM at Ontario International Airport (ONT) 1923 East Avion Drive, Ontario, CA 91761 for the purpose of discussing potential opportunities for ACDBE participation in upcoming projects, gain input, and to answer questions. A Public Notice of the meeting was issued that invited all interested parties including (but not limited to) minority, women's and general contractor groups, community organizations, and other officials or organizations who may have interest or information pertinent to the implementation of the Owner's ACDBE Program. It was noted, the meeting was not mandatory for ACDBE participation on projects at the Ontario International Airport (ONT).

The Public Notice included that questions regarding the meeting or program be directed to:

ACDBELO- Elisa Grey- Director of Commercial Real Estate

Ontario International Airport Authority

1923 E. Avion Street

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909.544.5427 (Direct Line)

Grey, Elisa <egrey@flyontario.com>

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5. *Establishing a business development program (see 49 CFR Part 26.35); technical assistance program or taking other steps to foster ACDBE participation in concessions.*

OIAA estimates that, in meeting our overall car rental goal of 6.41%, we will obtain 2.91% from race-neutral participation and 3.50% through race-conscious measures.

4. *To the extent OIAA has met ACDBE goals in the past uniform reporting.*
5. *Proactively working with Concession vendors to increase awareness and encourage extension of race-neutral business assistance efforts;*
6. *Information obtained through consultation with stakeholders;*

The following is a summary of the basis of

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In order to ensure that our ACDBE program will be narrowly tailored to overcome the effects of discrimination, if we use concession specific goals we will adjust the estimated

breakout of race-neutral and race-conscious participation as needed to reflect actual ACDBE participation (see 26.51(f)) and we will track and report race-neutral and race-conscious participation separately. For reporting purposes, race-neutral ACDBE participation includes, but is not necessarily limited to, the following: ACDBE participation through a prime contract that an ACDBE obtains through customary competitive procurement procedures; ACDBE participation through a subcontract on a prime contract that does not carry ACDBE goal; ACDBE participation on a prime contract exceeding a concession specific goal; and ACDBE participation through a subcontract from a prime contractor that did not consider a firm's ACDBE status in making the award.

We will maintain data separately on ACDBE achievements in those contracts with and without concession specific goals, respectively.

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

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

RELEVANT STRATEGIC OBJECTIVE: Develop Airport-Related Businesses.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission adopt a Resolution approving the Disadvantaged Business Enterprise (DBE) percentage goals for the fiscal years 2020 through 2022.

FISCAL IMPACT SUMMARY: None.

BACKGROUND: In March 2021 the OIAA Commission authorized the Chief Executive Officer to approve the Airport Disadvantaged Business Enterprise (DBE) Program and Policy Statement in accordance with regulations of the United States Department of Transportation (DOT) 49 CFR Part 26. This process included updated the DBE program for the next triennium and establish goals, conduct a consultation meeting, and publicly post the plan and the goals. This process has been completed and now the new set goals must also be approved in accordance with 49 CFR Part 26. The OIAA maintains its DBE Goal for fiscal years 2020, 2021, 2022 for Airport construction contracts with OIAA.

PROCUREMENT: N/A

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

STAFFING IMPACT (# OF POSITIONS): N/A

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

Department: Operations

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: *Mark Thorpe*
Mark Thorpe

ITEM NO. 07

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: Attachment A: Resolution; Attachment B: OIAA 49 CFR Part 26 Goal Comp 2020, 2021, 2022

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 TO AUTHORIZE A DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM IN ACCORDANCE WITH REGULATIONS OF THE U.S. DEPARTMENT OF TRANSPORTATION (DOT), 49 CFR PART 26.

WHEREAS, the Ontario International Airport Authority (the “Authority”) was established under a Joint Exercise of Powers Agreement between the City of Ontario and the County of San Bernardino (the “Joint Powers Agreement”) pursuant to the Joint Exercise of Powers Act of the State of California (the “Joint Powers Act”), for the purpose of operating, maintaining, managing, developing, and marketing the Ontario International Airport (the “Airport”); and

WHEREAS, The Ontario International Authority (OIAA) owner of Ontario International Airport (ONT) will receive Federal financial assistance from the Department of Transportation (the cumulative total value of which exceeds \$250,000), during any one or more of the reporting fiscal years (FY 2020 – 2022), and as a condition of receiving this assistance, the OIAA has signed an assurance that it will comply with 49 CFR Part 26; and

WHEREAS, it is the policy of the OIAA to ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT–assisted contracts; and

WHEREAS, The OIAA will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby approves and authorizes The Ontario International Authority (OIAA) owner of Ontario International Airport (ONT) to establish a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26.

SECTION 1. That the Commission hereby approves an overall DBE base goal of 8.18% covering the three-year federal fiscal year period between FY 2020 – 2022.

SECTION 2. That the Commission authorize, empower, and direct the Chief Executive Officer and DBE Liaison Officer (DBELO), on behalf of the Authority, to implement all aspects of the DBE program.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

SECTION 5. The Commission Clerk of the Ontario International Airport Authority shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting this 26th day of August 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. _____ was duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held August 26, 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. _____ duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held August 26, 2021.

SECRETARY/ASSISTANT SECRETARY

(SEAL)

DEPARTMENT OF TRANSPORTATION
DBE PROGRAM – 49 CFR PART 26
3-Year Goal Computation
FFY 2020/2021/2022



Ontario International Airport (ONT)

Prepared for
Ontario International Airport Authority (OIAA)
Ontario, CA

Prepared by
**Mead
& Hunt**

July 5, 2021

Preface

The Ontario International Airport Authority (OIAA) is the owner and operator of the Ontario International Airport (ONT). The OIAA controls, operates, and manages all airport operations. It establishes policy in order to ensure that quality aviation related services are provided to the region. The OIAA has established the following Disadvantaged Business Enterprise (DBE) program for the Ontario International Airport in accordance with Code of Federal Regulations (CFR) of the U. S. Department of Transportation (DOT), 49 CFR Part 26. All reference to Subparts and Section numbers throughout this DBE policy (i.e. Subpart A, 26.1, 26.3, etc.) are to the 49 CFR Part 26 regulations.

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Attachments

Attachment 5	Overall DBE Three Year Goal Methodology	1-7
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ATTACHMENT 5

Section 26.45: Overall DBE Three-Year Goal Methodology

Name of Recipient: The Ontario International Airport Authority is the owner of Ontario International Airport (ONT).

Goal Period: October 1, 2019 through September 30, 2022

DOT-Assisted Airport Contract Amount:	FY-2020-1	\$	0
	FY-2022-1	\$	8,059,000
	<u>FY-2023-1</u>	<u>\$</u>	<u>21,608,000</u>
	Total		\$29,667,000

Overall Three-Year Goal: 8.18%, to be accomplished through 6.18% RC and 2.00% RN

Total dollar amount to be expended on DBE's: \$ 2,426,760.60

The Number and Types of Contracts with federal funding participation the Ontario International Airport anticipates awarding is as follows:

Federal Contracts Fiscal Year 2020

1. No Project – Defer Entitlements to FFY 2021

Federal Contracts Fiscal Year 2021

1. Rehabilitate Runway 8R-26L and Connector Taxiways - Design

Federal Contracts Fiscal Year 2022

1. Rehabilitate Runway 8R-26L and Connector Taxiways – Phase I

Market Area: The City of Ontario California (population 185,010 (2019 est)) is located in the southwestern part of San Bernardino County California and 35 miles east of downtown Los Angeles. The Ontario International Airport (ONT) is classified as a Medium Hub facility with approximately 2.7 Million enplaned passengers per year. According to the 2010 US Census, the racial makeup of Ontario was 83,683 (51.0%) White (18.2% Non-Hispanic White),^[6] 10,561 (6.4%) African American, 1,686 (1.0%) Native American, 8,453 (5.2%) Asian, 514 (0.3%) Pacific Islander, 51,373 (31.3%) from other races, and 7,654 (4.7%) from two or more races. Hispanic or Latino of any race were 113,085 persons (69.0%). The Community is the third largest populous municipalities in San Bernardino County. The County demographics show steady growth due to industry, local retail and businesses. The airport is in Caltrans Department of Transportation District 8. The Caltrans districts are typically determined by the level of transportation related activities in the district as well as the level of management needed to administer the projects. Similarly, the pool of construction contractors available to perform the work are typically located in the same district. For this reason, District 8 was chosen as the primary representative market area based on reasonable proximity to Ontario International Airport and ability to perform work at the Airport on the upcoming projects. Due to the airport proximity to Districts 7 and 12 the market area will also include some of those districts area as well. Thus the market area includes San Bernardino, Riverside, Los Angeles, and Orange counties.

Step 1. 26.45(c) Analysis: Actual relative availability of DBE's

Step 1 examines the number of actual DBE's compared to number of businesses available to perform the work on the Airport's upcoming projects. This is achieved by identifying the work items using the North American Industry Classification System (NAICS) and relating them to the State of California Unified Certification Program Directory and the U.S. Census Bureau Data.

The work involving the use of federal transportation dollars was examined for potential DBE work items in market area. The following tables identify the work items and associated DBE's and businesses in these counties that could potentially be used for the Airport projects.

FY 2020 ONT Project 1 – No Project – Defer Funds to FFY 2021

NAICS	Type of Work	Total DBE's	Total Market Area Businesses	Relative Availability of DBEs
Total		0	0	0.00%

FY 2021 ONT Project 1 – Rehabilitate Runway 8R-26L and Connector Taxiways: Design

NAICS	Type of Work	Total DBE's	Total Market Area Businesses	Relative Availability of DBEs
541370	Topographic Survey Services	20	239	5.32%
541380	Testing Lab	13	487	1.71%
541620	Environmental Consulting (Airports)	200	722	27.70%
561439	Business Service Center (Reproductions)	14	520	2.74%
Total		247	1968	12.55%

FY 2022 ONT Project 1 – Rehabilitate Runway 8R-26L and Connector Taxiways: Phase 1

NAICS	Type of Work	Total DBE's	Total Market Area Businesses	Relative Availability of DBEs
212321	Sand and Gravel	2	48	8.33%
237110	Storm Sewer Line Construction	11	157	7.01%
237310	Airport Runway Construction	34	134	25.37%
237310	Painted Traffic Striping and Marking	9	75	12.00%
238110	Poured Concrete	75	368	20.38%
238910	Demolition/Excavation/Site Preparation	134	505	26.53%
238990	Construction Site Cleanup	167	1235	13.52%
423320	Construction Materials	18	43	41.86%
484110	Trucking	13	2229	5.68%
541370	Construction Survey	2	89	2.25%
561439	Business Service Center (Reproductions)	14	520	11.67%
561730	Landscaping/Erosion Control	15	2155	6.98%
561990	Traffic Control	11	152	7.24%
Total		505	7710	6.55%

In order to attain the DBE goal, the percentage should take into account the relative weight of the anticipated projects. The following tables reflect the relative weight of the work items for each anticipated project. Based on the relative weight of projects in previous tables, the following tables establish the relative weight, per project, per federal funding participation:

Relative Weight Computation

Project Description	Federal Share	Relative Weight ¹	Relative Availability of DBE (By Project)
FY2020 Project 1 – No Project Defer Funds	\$ -	0%	0.00%
FY2021 Project 1 – Rehab Rwy 8R-26L Des.	\$ 8,059,000.00	27%	12.55%
FY2022 Project 1 – Rehab Rwy 8R-26L Ph 1	\$ 21,608,000.00	73%	6.55%
SUM TOTALS	\$ 29,667,000.00	100%	

Note: ¹ Expressed as a percentage of total participation FY 2020-2022

3 Year Weighted Average

Project Description	Relative Availability of DBE	Relative Weight ¹	Weighted Average
FY2020 Project 1 – No Project Defer Funds	0.00%	0%	0.00%
FY2021 Project 1 – Rehab Rwy 8R-26L Des.	12.55%	27%	3.41%
FY2022 Project 1 – Rehab Rwy 8R-26L Ph 1	6.55%	73%	4.77%
SUM TOTALS		100%	8.18%

Note: ¹ Expressed as a percentage of total federal participation

The overall base figure is therefore established at 8.18%. Further analysis was done to see if any other adjustment to the base figure percentage of 8.18% is warranted.

Step 2. 26.45(d): Analysis: Adjustments to Step 1 base figure.

After calculating the overall base figure of the relative availability of DBEs, evidence was examined to determine what adjustment (if any) was needed to the base figure in order to arrive at the overall goal.

Past History Participation

Historical DBE accomplishments for the comparable work items at the Ontario International Airport range are as follows:

FY	DBE Goals			Accomplishments			Type of work
	RC	RN	Total	RC	RN	Total	
FY 16	0.00%	4.15%	4.15%	0.00%	0.00%	0.00%	LAWA Transfer
FY 17*	13.00%	0.00%	13.00%	0.00%	0.00%	0.00%	No Project/Grant
FY 18	13.00%	0.00%	13.00%	6.56%	0.00%	6.56%	Constr. Twy & Apron
FY 19	13.00%	0.00%	13.00%	7.72%	0.00%	7.72%	Install Lighting Rwy 08L26R
FY 20*	13.00%	0.00%	13.00%	0.00%	0.00%	0.00%	No Project/Grant

*No AIP Grant Awarded

On November 1, 2016, ownership of the Ontario International Airport transferred from Los Angeles World Airports (LAWA) to the Ontario International Airport Authority (OIAA). The general guidance for making an adjustment in Step 2 recommends making an adjustment if there is at least 3-5 years of data available in order to make an adjustment. Since there were no projects or data to report in 3 of the last 5 years OIAA determined there was not sufficient historical DBE data to reference to make an adjustment to the Step 1 base figure. therefore, the OIAA is adopting its Step 1 base figure as its overall goal for this three-year goal period.

Comparative Goal Analysis

The proposed goal calculated in Step 1 was also compared against the current triennium goal at several nearby Part 139 Airports in the Region. The established goals for the FY 2020/2021/2022 period are:

<i>Airport</i>	<i>Race Conscious</i>	<i>Race Neutral</i>	<i>Total Goal</i>
Los Angeles (LAX)	7.88%	2.00%	9.88%
John Wayne (SNA)	0.00%	4.70%	4.70%
San Diego (SAN)	0.00%	9.00%	9.00%
San Luis Obispo (SBD)	0.00%	3.57%	3.57%
Palm Springs (PSP)	0.00%	6.00%	6.00%

Disparity Studies

While there is no disparity study specifically tailored to Ontario International Airport, there are other disparity studies that considered the markets areas in proximity to the Ontario International Airport. The most recent study is the ***Caltrans 2021 Disparity Study*** conducted by **BBC Research and Consulting**. The second relevant study that was examined is the ***2015 Disadvantaged Business Enterprise Disparity Study for the John Wayne Airport*** conducted by **MGT of America, Inc.** Both studies identified a disparity in DBE contracting. The results of these studies combined with a consistent shortfall in meeting the DBE goal on recent projects, OIAA will use a combination of contract goals for the FY 2020/2021/2022 triennium similar to the combination used at nearby Los Angeles World Airport. This is also consistent with 49CFR Part 26.51.

Adjustment summary

Therefore, the total adjusted overall goal for the Ontario International Airport Authority for FY 2020/2021/2022 period is 8.18%.

Breakout of Estimated “Race and Gender Neutral” (RN) and “Race and Gender Conscious” (RC) Participation. 26.51(b) (1-9)

The Ontario International Airport Authority will meet the maximum feasible portion of its overall goal by using RN means of facilitating DBE participation.

In order to meet DBE participation goals on its DOT/FAA-assisted airport projects the following RN methods will be used:

- (1) Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under 49 CFR Part 26 Paragraph 26.39.
- (2) Providing technical assistance and other services;
- (3) Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., requesting the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors.
- (4) Provide information on the Airport website with contact information for the DBE directory.
- (5) When requested, conduct debriefing sessions to explain why certain bids were unsuccessful.

Ontario International Airport Authority estimates that in meeting its overall goal for the Ontario International Airport, it will obtain 2.00% from RN participation and 6.18% through RC measures.

Ontario International Airport Authority will adjust the estimated breakout of RN and RC DBE participation as needed to reflect actual DBE participation (see Section 26.51(f)) and track and report RN and RC participation separately. For reporting purposes, RN DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract obtained through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal, DBE participation on a prime contract exceeding a contract goal and DBE participation through a subcontract from a prime contractor that did not consider a firm’s DBE status in making the award.

PUBLIC PARTICIPATION

Consultation: Section 26.45(g)(1).

In establishing the overall goal, Ontario International Airport Authority provided for consultation and publication. Public Notice was issued for the Consultation Meeting and the meeting was conducted on May 5, 2021 at 10AM. The meeting was open to all interested organizations which were expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and Ontario International Airport Company efforts to establish a level playing field for the participation of DBEs. The Consultation Meeting was conducted at Ontario International Airport included a scheduled opportunity for direct, interactive exchange (e.g., a face-to-face meeting, video conference, or teleconference) with as many interested stakeholders as possible focused on obtaining information relevant to the Ontario International Airport goal setting process, and occurred before we submitted our goal methodology to the operating administration for

review pursuant to 49 CFR Part 26 paragraph 26.45(f). The program and FY 2020/2021/2022 goal computation were submitted to the operating administration and uploaded to FAA Civil Rights System on **July 7, 2021**. As of the date of this report we have not received any comments requesting changes to the program or goal.

Following the Consultation Meeting, the Ontario International Airport Authority published a notice in the Airport Website (<http://www.flyontario.com>) of the proposed overall goal, informing the public that the proposed goal and its rationale were available for inspection during normal business hours at the Ontario International Airport, 1923 East Avion Street Ontario, California 91761 for 30 days following the date of the notice, and informed the public that Ontario International Airport and FAA would accept comments on the goals for 30 days from the date of the notice.

Public Notice was issued on **July 7, 2021** that the DBE Program and FY 2020/2021/2022 goal computation were available for review and comment. No comments were received therefore Ontario International Airport Authority has fully implemented the three-year goal.

The Ontario International Airport Authority has uploaded the Disadvantaged Business Enterprise Program for federal fiscal years 2020/2021/2022 to the FAA Civil Rights System which concludes the planning process.

EXAMPLE PUBLIC NOTICE

The Ontario International Airport Authority hereby announces its fiscal years 2020 through 2022 goal of 8.18% for Disadvantaged Business Enterprise (DBE) airport construction Contracts. The proposed goals and rationale are available for inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday at the Ontario International Airport, 1923 East Avion Street Ontario, California 91761 for 30 days from the date of this publication.

Comments on the DBE goal will be accepted for 30 days from the date of this publication and can be sent to the following:

c/o OIAA Management Analyst
Aaron Flake
Ontario International Airport
1923 East Avion Street
Ontario, CA 91761
909/544-5429
Aaron Flake <aflake@flyontario.com>

OR

Shaun A. Bouy
DBE/ACDBE Compliance Specialist
Federal Aviation Administration
U.S. Department of Transportation
777 S. Aviation Blvd, Suite 150
El Segundo, CA 90245
Shaun.A.Bouy@faa.gov
Phone: 267-702-5190

Contract Goals

The Ontario International Airport Authority will use contract goals to meet any portion of the overall goal that the recipient does not project being able to meet using RN means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of the recipient's overall goal that is not projected to be met through the use of RN means.

The Ontario International Airport Authority will establish contract goals only on those FAA/DOT-assisted airport contracts that have subcontracting possibilities. It need not establish a contract goal on every such contract, and the size of the contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work and availability of DBE's to perform the particular type of work).

We will express our contract goals as a percentage of the Federal share of a FAA/DOT-assisted airport contract.

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

SUBJECT: A RESOLUTION TO APPROVE THE STANDARD ADVERTISING TEMPLATE FORM AGREEMENT AT ONTARIO INTERNATIONAL AIRPORT

RELEVANT STRATEGIC OBJECTIVE: Develop Airport-Related Businesses.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commissioners adopt 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 negotiate 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.

FISCAL IMPACT SUMMARY: The client entering into this agreement with the OIAA agrees to compensate OIAA for display space used. Rates are dependent on the type of display space and location. Digital displays averages approximately \$4,500 a month; static displays averages approximately \$10,000 a month. The typical average agreement generates an average of \$5,000 a month, for six months.

BACKGROUND: In March 2021, the in-terminal advertising services were brought in-house. OIAA did not have a standard advertising agreement and therefore an template agreement was drafted to memorialize the partnership between OIAA and a direct client that seeks to engage in advertising, sponsorship, and/or special events at ONT.

Staff is requesting the CEO, or their designee, to have authorization to negotiate and execute the general standard advertising agreement as each agreement may vary slightly depending on the type of partnership the client seeks to engage with OIAA at ONT.

PROCUREMENT: N/A.

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

Department: Commercial

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: 

Mark Thorpe

ITEM NO. 08

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 Environment 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: N/A

SCHEDULE: N/A

ATTACHMENTS: Attachment A: Resolution; Attachment B: Agreement Template

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. ____

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

WHEREAS, on the Ontario International Airport Authority (“OIAA”) provides overall direction for the management, operations, development, and marketing of Ontario International Airport (“ONT”); and

WHEREAS, the OIAA has been managing in-terminal advertising in-house effective March 5th, 2021; and

WHEREAS, the OIAA enters into Advertising Agreements with direct partners or companies to memorialize and document the terms and conditions related to the partnership; and

WHEREAS, to ensure consistency with the general terms and conditions in the Advertising Agreement, staff is requesting the Board to approve this standard form template.

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

SECTION 1. The Authority hereby adopts the Advertising Agreement, as shown and reflected in Exhibit A to this Resolution.

SECTION 2. The Chief Executive Officer of the Authority or their designee, are hereby authorized, empowered, and directed, for and in the name of and on behalf of the Authority, to take any and all actions necessary to execute any and all Advertising Agreements, under the rates set for the appropriate type of display space at the time.

SECTION 3. All actions heretofore taken by any officer or agent of the Authority in connection with or related to the matters set forth in this Resolution are hereby approved, confirmed, and ratified.

SECTION 4. This Resolution shall take effect immediately.

PASSED, APPROVED, AND ADOPTED at a regular Meeting this 26th day of August 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 August 26, 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 August 26, 2021.

SECRETARY/ASSISTANT SECRETARY

(SEAL)

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

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

RELEVANT STRATEGIC OBJECTIVE: Develop Airport Related Business; Develop and Grow Non-Airline Revenue Sources; Maintain Financial Accountability and Stability to Support Airport Operations

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission adopt a resolution to approve the new Federal Inspection Services (FIS) Use Fees for Fiscal Year 2021-2022 at Ontario International Airport (ONT).

FISCAL IMPACT SUMMARY: 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.

BACKGROUND: Prior to FY 2019-20, the FIS Use Fees were set at \$200 per four-hour use of the FIS with an additional \$50 per hour thereafter. On July 1, 2019, the OIAA increased the FIS Use Fee to \$10.00 per deplaning passenger, to allow the OIAA to recover a portion of the expenses it pays to USCBP staffing fees.

Since March 2020, international traffic at ONT has decreased greatly due to the COVID-19 pandemic. However, the OIAA has continued to pay full costs to USCBP under the User-Fee

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

Department: Commercial

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: 

Mark Thorpe

ITEM NO. 09

Agreement to continue to allow uninterrupted service for our international airline partners. OIAA has also reviewed security staffing needs for the FIS, which were previously provided by airline staffing and now transitioned that to the responsibility of the OIAA to eliminate duplicate staffing provided by airlines with overlapping arrival schedules at the FIS.

This change has slightly increased the overall operational costs at the FIS, and with the decreased international traffic, the OIAA reviewed the current FIS Use Fees by conducting an updated financial analysis. Based on the results of the analysis, staff is recommending the increase of \$1.00 to the FIS Use Fees, which will be reviewed again as a part of the annual budget process for Fiscal Year 2022-23 airport rates and charges.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: The proposed change in the rate structure 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: DRAFT Resolution approving updated FY 2021-22 rates and charges

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 COMMISSION APPROVING THE UPDATED
AIRPORT SYSTEM RATES AND CHARGES FOR FISCAL YEAR
2021-22

WHEREAS, the Ontario International Airport Authority (“the Authority” or “OIAA”) was established under a Joint Exercise of Powers Agreement between the City of Ontario and the County of San Bernardino (the “Joint Powers Agreement”) pursuant to the purpose of operating, maintaining, developing, and marketing the Ontario International Airport (the “Airport”); and

WHEREAS, the Authority Commission previously adopted Resolution No. 2021-10, approving the Annual Budget and Airport System Rates and Charges for FY 2021-22, effective July 1, 2021, at a public meeting held on June 15th, 2021; and

WHEREAS, the Authority reviewed the current Federal Inspection Services (FIS) Use Fees due to the change in operational costs and conducted an updated financial analysis; and

WHEREAS, based on the updated analysis, the Authority staff recommends approval of an increase to the FIS Use Fees for the remaining of Fiscal Year 2021-22 in accordance with the provisions of the Joint Powers Agreement; and

WHEREAS, the Authority Commission has reviewed the proposed updated Airport System Rates and Charges FIS Use Fees for Fiscal Year 2021-22, and has held a public meeting relative to its adoption.

NOW, THEREFORE, be it resolved as follows:

SECTION 1. The Authority hereby approves the updated Airport System Rates and Charges, effective September 1st, 2021 (Exhibit B).

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

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

PASSED, APPROVED, AND ADOPTED at a Regular Meeting this 26th day of August, 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 August 26, 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 August 26, 2021

SECRETARY/ASSISTANT SECRETARY

(SEAL)

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
AIRPORT SYSTEM RATES AND CHARGES FY2021-2022
EXHIBIT B**



Type	Unit	Signatory	Non-Signatory
Landing Fees:			
Aircraft over 25,000 pounds	Per 1,000 lbs. MGLW	\$ 1.71	\$ 2.14
Aircraft over 12,500 pounds up to 25,000 pounds	Per Landing	\$ 59.00	\$ 74.00
Aircraft less than 12,500 pounds	Per Landing	\$ 31.00	\$ 38.00
Terminal Rental Rates:			
Terminal Space (Annual)	PSFPY	\$ 99.38	\$ 124.23
Terminal Use Fees (Gate Use Charges):			
Non-Preferential Gate Use Fee	Per Operation	\$ 280.00	\$ 280.00
Jet Bridge Utility Fee on Non-Preferential Gate	Per Operation	\$ 189.00	\$ 189.00
Joint Use Fees:			
Joint Use Fee	Per Deplaned Passenger	Based on Joint Use Formula	
FIS Use Fees:			
FIS Use Fee	Per Deplaned Passenger	\$ 11.00	\$ 11.00
Ramp and Apron Charges			
Each 15-minute period or fraction thereof after airline has been given notice by the airport that the aircraft leave the area	Per 15 Minute Period	\$ 100.00	\$ 100.00
Each 10-minute period or fraction thereof when aircraft is double-parked or in a position other than a regular gate position and the airline has been given notice to leave the area	Per 10 Minute Period	\$ 100.00	\$ 100.00
Each 15-minute period or fraction thereof in excess of 30 minutes for the cleanup of fuel spills	Per 15 Minute Period	\$ 100.00	\$ 100.00
Aircraft Parking Charges*			
Parking Rate Per Airplane (Diversion) - For each 24-hr period after the first three hours the plane is on the ground. Any fraction thereof shall be a full 24-hr period.	Per 1,000 lbs. MGLW	\$ 0.40	\$ 0.40
Parking Rate Per Airplane (Non-Diversion) - For each 24-hr period the plane is on the ground. Any fraction thereof shall be a full 24-hr period.	Per 1,000 lbs. MGLW	\$ 0.40	\$ 0.40
Ground Support Equipment Fee			
For every wide-body passenger aircraft operation diverted to ONT. This will go to a special fund to recover the cost of the AVIRAMPs.	Per Use Per Equipment	\$ 450.00	\$ 450.00
Passenger Facility Charge - (PFC)			
Passenger Facility Charge - (before \$0.11 administrative fee)	Per Enplaned Passenger	\$ 4.50	\$ 4.50

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
AIRPORT SYSTEM RATES AND CHARGES FY2021-2022
EXHIBIT B**

Type	Unit	Rates / Fees / Charges
Clerk's Office Fees		
Subpoena for Appearance	Per Day	\$ 280.00
Subpoena for Records	Per Subpoena	\$ 15.00
Public Records Request	Per Page	\$ 0.15
Public Records Request	Per USB Drive	\$ 10.00
Badging Fees		
New Badging/Fingerprinting	Each	\$ 70.00
Badge Renewal	Each	\$ 70.00
Lost Badge Replacement	Each	\$ 70.00
Second Lost Badge Replacement	Each	\$ 100.00
Parking Rates		
<i>Lot 2</i>		
Premium Parking Daily / Immediately in front	Per Day	\$ 27.00
General Parking	Per Day	\$ 21.00
<i>Lot 3</i>		
Value Parking	Per Day	\$ 16.00
<i>Lot 4</i>		
Premium Parking Daily / Immediately in front	Per Day	\$ 27.00
General Parking	Per Day	\$ 21.00
<i>Lot 5</i>		
Economy Parking	Per Day	\$ 13.00
<i>Valet</i>		
Valet Parking	Per Day	\$ 28.00
Ground Transportation Permits/Agreements		
TNCs	Per Drop-Off / Pickup	\$ 4.00
Charter Limousines/Sedan	Per Drop-Off / Pickup	\$ 3.00
Charter Buses	Per Drop-Off / Pickup	\$ 3.00
Charter Vans	Per Drop-Off / Pickup	\$ 3.00
Hotel/Motel Courtesy Van Annual Permit	Per Company	\$ 8,449.00
Off-Airport Parking Shuttles	Gross Revenues	12.0%
Taxi Cabs	Per Pick-Up	\$ 3.00
Annual Permits and Licenses		
Motor Vehicle Operating Permit	Annually Per Vehicle	\$ 100.00
Non-Exclusive License Agreement	Annually Per Company	\$ 500.00
Fuel Delivery Permit	Annually Per Company	\$ 1,000.00

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
AIRPORT SYSTEM RATES AND CHARGES FY2021-2022
EXHIBIT B**

Type	Unit	Rates / Fees / Charges
Film-Related Fees		
<i>General Fees</i>		
Holding Fee (Amount goes towards deposit)	Up to 7 Days	\$ 250.00
Cancellation Fee (If cancelled 72 hrs prior to start)	Per Cancellation	\$ 500.00
Tech/Director Scouting Fee (after the first hour)	Per Hour	\$ 100.00
<i>OIAA Facilities and Vehicles</i>		
Facility Use	Per Hour	\$ 375.00
Facility Prep/Strike	Per Hour	\$ 312.00
<i>Production Vehicles</i>		
≥5 Ton Trucks/Trailers	Per Day	\$ 32.00
<5 Ton Trucks/Trailers	Per Day	\$ 19.00
Cast/Crew Personal Auto	Per Day	\$ 24.00
<i>B727 Use</i>		
View	Per Day	\$ 1,000.00
Exterior up to plane	Per Day	\$ 1,750.00
Interior/Exterior on plane	Per Day	\$ 3,900.00
<i>Airport Personnel</i>		
Film Desk Support Staff	Per Hour	\$ 100.00
Security Officer	Per Hour	\$ 50.00
Airport Police Sergeant	Per Hour	\$ 176.00
Law Enforcement Officer (LEO)	Per Hour	\$ 145.00
Electrician	Per Hour	\$ 70.00
Air Conditioning Mechanic	Per Hour	\$ 66.00
Instrument Mechanic	Per Hour	\$ 80.00
Communications Electrician	Per Hour	\$ 83.00
Operations Specialist	Per Hour	\$ 82.00
General Ground and Facility Rental Rates - Minimum**		
Unpaved Areas	PSFPY	\$ 1.65
Paved for Autos/Vehicles	PSFPY	\$ 2.15
Paved for Aircraft	PSFPY	\$ 2.70
General Building/Hangar Rate	PSFPY	\$ 3.55
Seasonal Use	PSFPY	\$ 2.45
Fuel Delivery Fees		
Aviation Gasoline	Per Gallon	\$ 0.05
Turbine Fuel	Per Gallon	\$ 0.05
Lubricants	Per Gallon	\$ 0.15

Additional Clarifications:

- (a) "FIS" – Federal Inspection Services facility, also known as the International Arrivals Terminal where Customs and Border Protection inspect arriving passengers from a foreign country.
- (b) "Joint Use Fee" – The fee charged to an air carrier for Joint Use Space, based on the Joint Use Formula as defined in the Operating Use and Terminal Lease Agreement.
- (c) "Joint Use Formula" – The formula used to prorate eighty percent (80%) of the specified charge for Joint Use Space according to the ratio of the number of each airline's (both Signatory Airlines and Non-Signatory Airlines) deplaning passengers at the Airport during the most recent completed quarter for which such information is available to the total number of deplaning passengers of all airline users of the service or space during that same quarter. The remaining twenty percent (20%) is to be prorated equally among all airline users (both Signatory Airlines and Non-Signatory Airlines) of the space.
- (d) "MGLW" – Maximum Gross Landing Weight; the FAA Certificated Maximum Gross Landing Weight or actual gross landing weight of an Aircraft if no such specification exists. In computing fees prescribed herein, except for Aircraft weighing less than 25,000 pounds, 500 pounds or any larger part of 1,000 pounds shall be counted as if a whole 1,000 pounds, and any smaller part shall be disregarded.
- (e) "Non-Preferential Gate" – A gate that is not preferentially leased by a Signatory Air Carrier.
- (f) "Non-Signatory Air Carrier" – A cargo or passenger carrier that has not entered into the Operating Use and Terminal Lease Agreement with the OIAA.
- (g) "Operation" – Shall be the equivalent of one aircraft turn (one arrival and one departure).
- (h) "Preferential Gate" – A gate that is preferentially leased by a Signatory Air Carrier.
- (i) "PSFPY" – Per Square Foot Per Year.
- (j) "Signatory Air Carrier" – A cargo or passenger carrier that has entered into the Terminal Operating Use and Terminal Lease Agreement with the OIAA.
- (k) "Terminal" – Includes Terminal 1, Terminal 2, and Terminal 4, and the Federal Inspection Services Facility (International Arrivals Terminal).
- (l) **"Aircraft Parking Charges" – Includes all airport-controlled/non-preferential aircraft parking positions at Airport. If a Jet Bridge is used on gates 411-414, then the additional appropriate charges shall incur. If a Preferential Gate is utilized, then additional fees may be levied.
- (m) ***"Ground and Facility Rental Rates" – These are subject to CPI or Fair Market Value adjustments based on the language written in each Facility Use Agreement or Lease.

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

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

RELEVANT STRATEGIC OBJECTIVE: (1) Provide Customer-Friendly Facilities and Services; and (2) Develop and Grow Non-Airline Revenue Sources.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commissioners authorize 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).

FISCAL IMPACT SUMMARY: Upon the Rent Commencement Date of this agreement, RMS shall pay the 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.

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 development of a broad width and breadth of food and beverage outlets in each of its terminals will be an important step to provide such highly-sought-after amenities.

PROCUREMENT: On June 21, 2019, ONT posted RFP1900007 Food and Beverage Concession at ONT, seeking to fill several unoccupied food and beverage premises in Terminals 2 and 4. The

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

Department: Commercial

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: 
Mark Thorpe

ITEM NO. 10

original due date was July 30, 2019; the RFP deadline was extended to August 30, 2019 to allow additional time for concessionaires to prepare and submit their proposals. Over 200 companies were notified via PlanetBids and three (3) companies responded to the RFP for three different spaces, with one space that overlapped.

The proposed term of the proposed concession will be five (5) years from Date of Beneficial Occupancy (DBO) with two (2) one-year extension options that may be negotiated at the discretion of the CEO, subject to approval by the OIAA Board. RMS will help carve the way in bringing Subway a nationally recognized leader in the quick service restaurant industry offering a delicious diverse menu featuring fresh food, value focused pricing and speedy friendly service into ONT. This addition to the restaurants in T4 will help provide a healthier competition among the restaurants expanding on the variety of food offerings at ONT further enhancing passenger experiences at the Airport. Therefore, staff recommends the OIAA Board to authorize the CEO to execute a contract with RMS.

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: N/A

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

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

SUBJECT: 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

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), 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 digital web services at Ontario International Airport (ONT).

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

BACKGROUND: Flyontario.com and all affiliated domains are hosted on content management system Drupal 7 which is approaching end of life in November 2022. The Fruition team will upgrade <https://www.flyontario.com/> from Drupal 7 to Drupal 9. As a first step in this process, Fruition will complete Design Discovery, including a design and full content refresh of the site, considering the results from the UI/UX Analysis and Website SWOT Analysis, as well as Technical Discovery, to help guide the direction of the overall Drupal 9 Upgrade project. The flyontario.com interface has not been refreshed in nearly 5 years.

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

Department: Digital Media

Submitted to OIAA: August 26, 2021

Chief Executive Officer Approval: 

Approved: _____

Continued to: _____

Denied: _____

Mark Thorpe

ITEM NO. 11

PROCUREMENT: N/A. Procurement for SCONT-000324: On November 9, 2020, the OIAA posted a Request for Proposals (RFP #200008) for Digital Media Agency for the Ontario International Airport Authority. On December 18, 2020, two responsive proposals were received and evaluated. The OIAA Evaluation Committee determined that Fruition Growth, LLC is a well-rounded, digital powerhouse that exhausted their proposal with detailed strengths in digital strategy, web development & creative design, and comprehensive analytics. They were extremely sharp in identifying needs and issues among a brand's digital portfolio and creating thorough, data-driven solutions. A common thread in the notes of all Selection Committee members was Fruition's strength in Subject Matter Competence in which they not only provided an insightful peer/competitive analysis but also included short-term and long-term recommendations to improve ONT's digital presence.

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A.

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

IMPACT ON OPERATIONS: N/A.

SCHEDULE: N/A.

ATTACHMENTS: Attachment A: Fruition Growth, LLC First Amendment

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

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

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

RELEVANT STRATEGIC OBJECTIVE: Reduce Airline Costs.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission adopt 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.

FISCAL IMPACT SUMMARY: None.

BACKGROUND: The Federal Aviation Administration (FAA) and the Transportation Security Administration (TSA) provide grants and awards to public agencies for the planning and development of eligible projects at public-use airports. Eligible projects include those improvements related to enhancing airport safety, capacity, security, and environmental concerns. In general, recipients of grants and awards, referred to as "sponsors," can receive funds for most airfield capital improvements or rehabilitation projects and in some specific situations, for terminals, hangars, and nonaviation development. Certain professional services that are necessary for eligible projects (such as planning, surveying, and design) can also be eligible.

Airport sponsors who accept a grant or award offer are also accepting conditions and obligations associated with grant assurances. These include obligations to operate and maintain the airport in a safe and serviceable condition, not grant exclusive rights, mitigate hazards to airspace, and use airport revenue properly.

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

Department: Finance

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: 
Mark Thorpe

ITEM NO. 12

Airport sponsors must submit a grant application package to the FAA or TSA for an award of federal funds. If the FAA or TSA approves the application, the respective federal agency issues a grant or award offer to the airport sponsor. To accept the offer, airport sponsors must ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the grant application and incorporated materials and must agree to comply with all of the grant assurances, terms, and conditions in the offer and in the application.

In order to have the ability to accept the FAA and TSA grant awards by the mandated deadlines, we are requesting approval for the Chief Executive Officer (CEO) and their designee be authorized to execute grant awards and other transaction agreements (OTAs) for all FAA and TSA projects that the OIAA Commission has previously approved.

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: Attachment A: Proposed Resolution

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 TO AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE NECESSARY DOCUMENTATION TO ACCEPT GRANT OFFERS FROM THE FEDERAL AVIATION ADMINISTRATION AND TRANSPORTATION SECURITY ADMINISTRATION

WHEREAS, the Ontario International Airport Authority (“OIAA”) was established for the purpose of operating, maintaining, managing, and developing the Ontario International Airport (“ONT” or “Airport”), which provides essential services and infrastructure for public commercial travel and general commerce;

WHEREAS, the Federal Aviation Administration (FAA) and the Transportation Security Administration (TSA) provide grants and awards to public agencies for the planning and development of eligible projects at public-use airports. Eligible projects include those improvements related to enhancing airport safety, capacity, security, and environmental concerns. In general, recipients of grants and awards, referred to as “sponsors,” can receive funds for most airfield capital improvements or rehabilitation projects and in some specific situations, for terminals, hangars, and nonaviation development. Certain professional services that are necessary for eligible projects (such as planning, surveying, and design) can also be eligible;

WHEREAS, Airport sponsors who accept a grant or award offer are also accepting conditions and obligations associated with grant assurances. These include obligations to operate and maintain the airport in a safe and serviceable condition, not grant exclusive rights, mitigate hazards to airspace, and use airport revenue properly;

WHEREAS, Airport sponsors must submit a grant application package to the FAA or TSA for an award of federal funds. If the FAA or TSA approves the application, the respective federal agency issues a grant or award offer to the airport sponsor. To accept the offer, airport sponsors must ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the grant application and incorporated materials, and must agree to comply with all of the grant assurances, terms, and conditions in the offer and in the application.

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

SECTION 1. The OIAA Chief Executive Officer (CEO) and their designee are hereby authorized to execute grant awards and other transaction agreements (OTAs) for all FAA and TSA projects that the OIAA Commission has previously approved.

SECTION 2. All actions heretofore taken by any officer or agent of the OIAA in connection with or related to the matters set forth in this Resolution are hereby approved, confirmed, and ratified.

SECTION 3. This Resolution shall take effect immediately.

PASSED, APPROVED, AND ADOPTED at a regular meeting this 26th day of August 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 August 26, 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 August 26, 2021.

SECRETARY/ASSISTANT SECRETARY

(SEAL)

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

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

RELEVANT STRATEGIC OBJECTIVES: Improve Airport Operational Safety, Security, and Efficiency.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize 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).

FISCAL IMPACT SUMMARY: 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.

BACKGROUND: Congress authorizes the TSA to provide grant money to airports to help make infrastructure improvements for security purposes. TSA utilizes OTAs as funding instruments to reimburse airport sponsors for eligible aviation-related projects that participate in the Aviation and Transportation Security Act Program. OIAA staff submitted bid documents, CA services fee proposal, PM-CM services fee proposal and construction contingency (5%) to TSA to cover 100 percent of the total construction project costs utilizing TSA's OTA funds. TSA has approved the total construction costs and it is now prepared to execute the OTA upon the OIAA's authorization of the CEO to do so. Upon full

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

Department: Program Management

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: *Mark Thorpe*

ITEM NO. 13

execution of the necessary documentation, TSA will finalize the OTA funding, which will then enable the OIAA to start the construction of the recapitalization project at ONT.

CEQA COMPLIANCE AND LAND USE APPROVALS: Approval of this funding mechanism 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. To the extent any alteration of facilities occurs as a result of approval, 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): Not applicable.

IMPACT ON OPERATIONS: None.

EXHIBITS & ATTACHMENTS: Attachment A – TSA 'Other Transaction' Agreement.

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



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

SUBJECT: 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

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), 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).

FISCAL IMPACT SUMMARY: 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.

The proposed grant number and associated projects are as follows:

3-06-0175-050-2021 – Rehabilitate Runway 8R/26L Phase I, Design only, Construct Airport Lighting Vault Phase I, Design only, Reconstruct Taxiways K, L, P, Q, and S8 – Phase I, Design only.

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

Department: Program Management

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: *[Signature]*
Mark Thorpe

ITEM NO. 14

BACKGROUND: The FAA provides grants-in-aid to airports that participate in the Airport Improvement Program and provides 80.59 percent of funds for eligible portions of projects. OIAA staff submitted a grant request to FAA to cover 80.59 percent of the project's design costs with AIP entitlement grant money available to OIAA. However, the FAA made this grant offer at 100 percent! The grant application was approved by FAA and this grant offer will be executed by FAA but first requires that the CEO has authority to accept and execute the grant to receive funds from FAA. This OIAA Commission action will authorize the CEO to accept and execute said grant and enable the FAA to finalize the grant process.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: The Runway 8R-26L rehabilitation project, which has not yet been approved, is the subject of on-going CEQA review. Such CEQA review will need to be completed and certified before the project can be approved.

STAFFING IMPACT (# OF POSITIONS): Not applicable.

IMPACT ON OPERATIONS: None.

SCHEDULE: N/A.

ATTACHMENTS: Grant Offer

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

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: CONSENT CALENDAR

SUBJECT: INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 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 June 30, 2021.

FISCAL IMPACT SUMMARY: As of June 30, 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 \$32,705,583, an increase of \$74,418 from the FMV at March 31, 2021 and a decrease in FMV for the year ending June 30, 2021 of \$(162,053). Interest earned on the LAIF investment for the quarter and year ending June 30, 2021 totaled \$26,705 and \$183,100, respectively. No additional investments in or distributions from LAIF funds were made during the year ending June 30, 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: August 26, 2021

Chief Executive
Officer Approval: *Mark Thorpe*

Approved: _____

Continued to: _____

Denied: _____

ITEM NO. 15

The OIAA's investment portfolio at June 30, 2021 and for the year then ended, consists of a single investment in the California Treasury Local Agency Investment Fund.

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

ONTARIO INTERNATIONAL AIRPORT AUTHORITY FOR THE YEAR ENDING JUNE 30, 2021					
Description	Quarter Ending				Balance, Year Ending June 30, 2021
	09/30/2020	12/31/2020	03/31/2021	06/30/2021	
FMV end of quarter	\$ 32,685,836	\$ 32,547,099	\$ 32,631,165	\$ 32,705,583	\$ 32,705,583
Interest receivable	\$ 69,123	\$ 51,578	\$ 35,694	\$ 26,705	\$ 26,705
Interest earned	\$ 69,123	\$ 51,578	\$ 35,694	\$ 26,705	\$ 183,100
Unrealized Gain (Loss)	\$ (25,404)	\$ (207,861)	\$ 32,488	\$ 38,723	\$ (162,053)

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

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

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: ADMINISTRATIVE REPORT/DISCUSSION/ACTION

SUBJECT: FISCAL YEAR 2020-2021 FINANCIAL STATEMENTS FOR THE YEAR ENDING JUNE 30, 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 year ending June 30, 2021.

FISCAL IMPACT SUMMARY: The OIAA's increase in net position exceeded the budget by \$20.4M, driven largely by higher-than-expected cargo and passenger carrier activity. This activity resulted in a favorable operating revenue budget variance of \$15.8M (22.1%). In addition, the operating expense budget reflects a favorable variance of \$4.6M (7.6%) as a result of conservative expenditure policies and a lag in reestablishing service levels in the terminal to match increased 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 Financial Officer, John M. Schubert

Department: Finance

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive Officer Approval: 

Mark Phaspe

ITEM NO. 16

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 year ending June 30, 2021 totaled 1.4M, which exceeded the budgeted amount by 200K (16.0%), however were 749K (34.5%) lower than same period for the previous year.

Landed weights (in thousand-pound units) for the year ending June 30, 2021 totaled 7.4M, which exceeded the budgeted amount of 6.6M by approximately 771K (11.6%), however, was 208K (2.7%) lower than last year. The unfavorable variances against the budget were 669K (14.2%) for cargo and 102K (5.3%) for passenger carriers. In addition, cargo landed weights increased by 477K (9.8%) for the same period in the prior fiscal year.

Financial Results for Year Ending June 30, 2021

Operating Revenues: Operating revenues exceed budget by \$15.8M (22.1%) with favorable variances in all aeronautical and nonaeronautical revenues, except facility rents and operating grant revenues.

Aeronautical revenues exceeded budget by \$8.7M (24.5%), 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 \$1.2M (9.9%). Land rent exceeded the budget by \$6.8M (122.7%), which was driven by the new Federal Express facility and rent recoveries. Airline fees exceeded the budget by \$739K (49.6%), 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 \$7.1M (19.7%), which was driven by higher than planned passenger carrier activities. Non-terminal rents were lower than budget by \$125K (5.2%). Total concession revenue of \$23.3M exceeded budget by \$5.5M (30.1%). Concession revenue favorable variances included parking \$3.5M (34.8%), rental cars \$1.8M (37.2%), gift and news \$213K (30.1%). Food and Beverage revenues were unfavorable to budget by \$74K (8.4%) and other concessions were relatively flat against the budget.

Operating Expenses: Total operating expenses of \$56.8M are favorable to the budget by \$4.6 (7.6%). There were favorable variances in all operating expense categories, except personnel and other operating expenses. Personnel expenses for FYE 2021 are relatively flat. Favorable operating expense variances include public safety \$1.4M (8.3%), contractual services \$2.4M (9.3%), materials and supplies \$463K (22.4%) and utilities and administration \$664K (9.8%). Other operating expenses were greater than budget by 175K (4.6%).

Nonoperating Revenues and Expenses: Net non-operating revenues were lower than the budget by \$1.4M (25.9%), which was primarily a result of unfavorable variances in investment income of \$756K

(95.6%), passenger facility charges \$59K (1.2%) and bond issuance costs of \$1.1M, which were partially offset by higher-than-expected customer facility charge revenues of \$292K and gains on disposal of assets of \$140K, and lower interest costs of \$115. Lower investment income was associated with unrealized losses of \$162K 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. Bond issuance costs relate to the 2021 Revenue Bonds issue and are not budgeted.

Capital Contributions: Capital contributions of \$1.3M represents amounts from federal grants and other transaction agreements to fund capital expenditures and are recognized in the period that the expenditures are incurred. Capital contributions are not budgeted as timing of capital expenditures cannot be reasonably estimated.

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 year ending June 30, 2021.

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

ONTARIO INTERNATIONAL AIRPORT AUTHORITY



DATE: AUGUST 26, 2021

SECTION: ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

SUBJECT: A RESOLUTION TO APPROVE THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY FISCAL YEAR 2022 CAPITAL BUDGET

RELEVANT STRATEGIC OBJECTIVE: Reduce Airline Costs; Develop Airport-Related Businesses; Expand Air Service; Provide Customer Friendly Facilities and Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission adopt a resolution to approve the FY 2022 Capital Budget.

FISCAL IMPACT SUMMARY: The total cost of the FY 2022 Capital Budget is \$14,649,000.

BACKGROUND: The Ontario International Airport is a commercial service airport, and its capital requirements are substantial with a continuous need to maintain, acquire and construct infrastructure, facilities, equipment, and technology. Capital requirements are driven by several factors including safety and security, operational needs, customer demands and expectations, air service and commercial development. These factors are impacted by Board of Commissioners goals and objectives, FAA and other governmental laws, regulations and policies, and the Airline Use and Lease Agreement (ULA).

The Capital Budget is comprised of Projects that are developed individually and within the scope of a comprehensive near and long-term Capital Improvement Plan (CIP). They require significant financial resources that must be balanced through airline and tenant rates and charges, business development and financing.

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

Department: Finance

Submitted to OIAA: August 26, 2021

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval: As for
Mark Thorpe

ITEM NO. 17

The Ontario International Airport Authority utilizes a Project Development process. Annually OIAA staff submit Project Requests. These projects undergo a high-level review and approval process. Projects that successfully complete this process are incorporated into the OIAA Capital Improvement Plan. The CIP does not authorize the expenditure of funds on Projects.

Authorization to incur expenditures is completed through the development and Board approval of a Capital Budget. Projects are budgeted in the fiscal year in which expenditures on those Projects are first expected to be incurred, although Project expenditures may span several fiscal years. Expenditures on these Projects are subject to OIAA purchasing policies, which may include competitive bidding for products and services necessary to complete the project as well as Board approval of contracts awarded. In addition to Board authorization and OIAA policies airport projects are subject to certain limitations as part of the Airline Use and Lease (ULA) agreement between the OIAA and signatory airlines.

Projects that exceed the dollar limit thresholds in the ULA, net of grants and passenger facility charges and as adjusted by CPI annually, require approval by a majority of signatory airlines that are party to the ULA, which are referred to as Majority-In-Interest (MII) Projects. For FY 2022 those MII limits are \$461,420 per Project and \$1,845,680 for all Projects below the MII maximum.

In accordance with the ULA certain Projects are exempt from these requirements, including assets destroyed through fire, natural disaster or accidental destruction, assets that require repair or replacement to maintain continuity of operations and are of an emergency nature and those Projects or improvements that ensure compliance with a rule, regulation, or order of any federal, state or other governmental body.

Capital project costs are financed through passenger facility charges, grants, airport rates and chargers, OIAA reserves and debt. They are recovered through depreciation and debt service corresponding to the life of the asset and or the terms of the underlying debt.

The FY 2022 Capital Project Budget includes 19 projects totaling \$14,649,000. Eight (8) of these Projects require MII approval.

The FY 2022 Capital Budget is anticipated to be financed through a revolving credit facility and OIAA reserves. Project costs are allocated to either the Airside or Terminal cost centers and will be recovered on a residual basis according to the ULA in the form of landing fees and terminal rents.

PROCUREMENT: Project products, professional and construction services will be procured through Requests for Proposals. Contracts will be negotiated with the selected Proposers and brought to the Board of Commissioners for approval.

CEQA COMPLIANCE AND LAND USE APPROVALS: CEQA and land use approval requirements are assessed and completed prior to award of contracts.

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

IMPACT ON OPERATIONS: Varies by Project.

SCHEDULE: Varies by Project.

ATTACHMENTS: Attachment A: Resolution to Approve the OIAA Capital Budget FY 2022.

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 COMMISSION APPROVING THE CAPITAL BUDGET
FOR FISCAL YEAR 2021-2022

WHEREAS, the Ontario International Airport Authority (“the Authority” or “OIAA”) was established under a Joint Exercise of Powers Agreement between the City of Ontario and the County of San Bernardino (the “Joint Powers Agreement”) pursuant to the purpose of operating, maintaining, developing, and marketing the Ontario International Airport (the “Airport”); and

WHEREAS, under the Joint Powers Agreement, Section 10, Funds, the Treasurer of the Authority shall assume the duties described in California Government Code Section 6505.5; and

WHEREAS, the Authority staff, including the Chief Executive Officer (“CEO”) and the Chief Financial Officer (“CFO”) of the Authority, have determined the Authority’s Capital Budget for Fiscal Year 2021-22 in accordance with the provisions of the Joint Powers Agreement; and

WHEREAS, the Authority Commission has reviewed the proposed Capital Budget for Fiscal Year 2021-22, and has held a public meeting relative to its adoption.

NOW, THEREFORE, be it resolved as follows:

SECTION 1. The Authority hereby approves and authorizes the proposed Fiscal Year 2021-22 Capital Budget (Exhibit A).

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

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

PASSED, APPROVED, AND ADOPTED at a Regular Meeting this 26th day of August, 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, Claudia Y. Isbell, 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 August 26, 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 special meeting held August 26, 2021.

SECRETARY/ASSISTANT SECRETARY

(SEAL)

Capital Budget Y 2022

							\$ 461,420	\$ 1,845,680	(1)	
AUA Cost Center	Project #	Project Name	Project Description	Board Strategic Objectives	Project Sponsor	Sum of Original Project Budget	MII Projects	Exempt	Cumulative Annual MII Limit	Notes
Airfield	202206001	Environmental assessment for South Cargo area development	Environmental assessment for South Cargo area development, including Avion Realignment (ACCAR), Cucamonga Channel Bridge and other developments to lease available property. Costs recovered through additional rents.	Expand Air Service	Planning	1,000,000	\$ 1,000,000		\$ -	
	202206022	Solar Light Stands	Purchase five solar light stands for International Terminal Apron.	Provide Customer Friendly Facilities and Services	Operations	125,000			125,000	
	202206023	Airfield Operations Vehicles	3 maintenance trucks (F250 or comparable) with liftgates to replace existing vehicles beyond their service life.	Reduce Airline Costs	Operations	156,000			156,000	
Airfield Total						1,281,000	1,000,000	-	281,000	
Indirect/Alloc	202206007	Safety Management Systems (SMS) Program	This project funds consultant services required to develop a Safety Management Systems program for the Airport in accordance with FAA Order number 8000.369C, which was effective June 24, 2020. This order establishes the Safety Management System (SMS) policy and requirements for the Federal Aviation Administration (FAA).	Reduce Airline Costs	Operations	400,000		400,000	-	
	202206008	Database Infrastructure	Data structure, governance and mapping to develop and maintain dynamic business and operational data to improve efficiency of airport business processes. In addition, it will enhance the customer experience, through comment tracking targeted customer products and services.	Reduce Airline Costs	Planning	250,000			250,000	

ONTARIO INTERNATIONAL AIRPORT AUTHORITY
 FY 2022 PROPOSED CAPITAL PROJECTS BUDGET

Capital Budget Y 2022

							\$ 461,420	\$ 1,845,680	(1)	
AUA Cost Center	Project #	Project Name	Project Description	Board Strategic Objectives	Project Sponsor	Sum of Original Project Budget	MII Projects	Exempt	Cumulative Annual MII Limit	Notes
Indirect/Alloc	202206011	Airport Operations Control Center (AOCC) Reactivation	Reactivation of the former Airport Operations Command Center (AOCC) to serve as the Airport's AOCC and Emergency Operations Center. Scope of the project includes modifications to the existing building, furnishings, Motorola console radio system, Everbridge system upgrade, a video distribution system and other software and equipment that will be identified in design.	Reduce Airline Costs	Operations	3,350,000	3,350,000		-	
	202206017	Lease Management System	Purchase and implementation of a single source Lease Management System (LMS) in accordance with industry best practice to centralize leasing documentation and streamline leasing processes. OIAA currently does not have an LMS and maintains lease management data in multiple off-line electronic documents.	Reduce Airline Costs	Commercial	160,000			160,000	
	202206021	Employee Shower	Purchase and install a pre-fabricated modular shower facility in the employee gym area. This is part of OIAA's efforts to improve its employee health and wellness program, which are proven to reduce personnel costs through absence reduction, insurance costs and employee retention.	Provide Customer Friendly Facilities and Services	Executive	150,000			150,000	
Indirect/Allocated Total						4,310,000	3,350,000	400,000	560,000	

ONTARIO INTERNATIONAL AIRPORT AUTHORITY
 FY 2022 PROPOSED CAPITAL PROJECTS BUDGET

Capital Budget Y 2022

							\$ 461,420	\$ 1,845,680	(1)	
AUA Cost Center	Project #	Project Name	Project Description	Board Strategic Objectives	Project Sponsor	Sum of Original Project Budget	MII Projects	Exempt	Cumulative Annual MII Limit	Notes
Terminal	202206002	Building Automation System	There is only one working front-end computer for the Building Automation System (BAS). While the BAS is functional, it does not alert staff to issues in the building and the hardware and software used is no longer supported. Immediate needs HVAC and water treatment systems.	Provide Customer Friendly Facilities and Services	Operations	400,000			400,000	
	202206003	Baggage System Controls	Baggage system control, HLC and LLC equipment, have become obsolete and are no longer supported, with spare parts becoming increasingly difficult to find and purchase. The risk to the bag system operation is the potential downtime should one of these obsolete components fail to work and no spares are available. The airport should investigate replacing the HLC/LLC systems with "state of the art" components that are readily available within the industry.	Provide Customer Friendly Facilities and Services	Operations	6,645,000			6,645,000	
	202206004	Main Electrical Switchgear Breakers (3)	The main electrical switchgear for the passenger terminals and Rental Car Center has deficiencies that need to be corrected to ensure continuity of operations and reliable electricity delivery to passenger facilities. The most urgent of these is replacing three of the breakers which have been discharging electricity outside of their intended pathways.	Provide Customer Friendly Facilities and Services	Operations	120,000			120,000	

ONTARIO INTERNATIONAL AIRPORT AUTHORITY
FY 2022 PROPOSED CAPITAL PROJECTS BUDGET

Capital Budget Y 2022

							\$ 461,420	\$ 1,845,680	(1)	
AUA Cost Center	Project #	Project Name	Project Description	Board Strategic Objectives	Project Sponsor	Sum of Original Project Budget	MII Projects	Exempt	Cumulative Annual MII Limit	Notes
Terminal	202206006	Airline Space Prep	This allowance will provide for funds required to convert up to 2,000 square feet to warm white shell for new or expanded airline office space. Costs are recovered through additional rents.	Provide Customer Friendly Facilities and Services	Commercial	260,000			260,000	
	202206015	New Waste Receptacles for the Terminals	Purchase and place new commercial-grade, multi-stream waste receptacles for the following areas: Baggage Claim/Ticketing areas of both T2 and T4, the FIS and the Rental Car Center.	Provide Customer Friendly Facilities and Services	Commercial	100,000			100,000	
	202206016	Luggage Carts	Purchase of 200 luggage carts, 6 dispensers, 2 reward only vending units, related hardware. Self-service luggage carts and systems are supplied by a third-party at an annual cost of \$168,000. Capital costs are recovered through cost-reduction and user fees, approximately 24 months.	Reduce Airline Costs	Commercial	325,000			325,000	
	202206018	Advertising Light Boxes	Procurement of two additional lightboxes to add to the airport advertising space inventory. Cost of this project is anticipated to be recovered via incremental revenue within twelve months of installation.	Develop Airport-Related Businesses	Commercial	10,000			10,000	
	202206019	LED Displays for Advertising/Promotional Space	Procurement of up to 6 LED displays to host advertising and promotional content at the airport. Cost of this project is anticipated to be recovered via incremental revenue within twelve months of installation.	Develop Airport-Related Businesses	Commercial	450,000	450,000		-	

ONTARIO INTERNATIONAL AIRPORT AUTHORITY
 FY 2022 PROPOSED CAPITAL PROJECTS BUDGET

Capital Budget Y 2022

							\$ 461,420	\$ 1,845,680	(1)	
AUA Cost Center	Project #	Project Name	Project Description	Board Strategic Objectives	Project Sponsor	Sum of Original Project Budget	MII Projects	Exempt	Cumulative Annual MII Limit	Notes
Terminal	202206020	Remote Security Checkpoint Lane T4	Create a new 2-lane checkpoint on the first floor of T4 in the area originally designed for passenger busing. Provides increased passenger throughput during peak departure times and reduces congestion in ticket queuing and common areas.	Provide Customer Friendly Facilities and Services	Operations	750,000	750,000		-	
Terminal Total						9,060,000	1,200,000	-	7,860,000	
Grand Total						\$14,651,000	\$ 5,550,000	\$ 400,000	\$ 8,701,000	
							\$ 14,651,000			

(1) Capital project limits operating use and lease agreement, individual and cumulative, which require airline approval.