

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY

## COMMISSION AGENDA – REGULAR MEETING



**MARCH 24, 2022 AT 2:00 P.M.**

Ontario International Airport Authority Regular Meeting

1923 East Avion Street, Room 100, Ontario, CA 91761

**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

- All documents for public review are on file at the Ontario International Airport Administration Offices located at 1923 E. Avion Street, Ontario, CA 91761.
- Anyone wishing to speak during public comment or on an item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment, beginning or before an agenda item is taken up. The Secretary/Assistant Secretary will not accept blue slips after that time.
- You may submit public comments by e-mail to [publiccomment@flyontario.com](mailto:publiccomment@flyontario.com) no later than 12:00 p.m. the day of the meeting. Please identify the Agenda item you wish to address in your comments. All e-mail comments will be included in the meeting record.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1-minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with State Law, remarks during public comment are to be limited to subjects within the Authority's jurisdiction. Remarks on other agenda items will be limited to those items.

Remarks from those seated or standing in the back of the board room will not be permitted. All those wishing to speak, including Commissioners and Staff, need to be recognized by the Authority President before speaking.

## 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

## 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.

## 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 § 54956.9(d)(2): CONFERENCE WITH LEGAL COUNSEL— Potential Litigation (1 matter)
- GC § 54956.9(d)(1): CONFERENCE WITH LEGAL COUNSEL— Existing Litigation
- GC § 54957: PUBLIC EMPLOYMENT  
Title: Chief Executive Officer

### REPORT ON CLOSED SESSION

General Legal Counsel

## 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 February 24, 2022 and approving the same as on file with the Secretary/Assistant Secretary.

### 3. BILLS/PAYROLL

Bills February 1 through February 28, 2022 and Payroll February 1 through February 28, 2022.

### 4. APPROVAL OF MEETING STIPENDS

That the Ontario International Airport Authority Commission approve meeting stipends for President Wapner for the month of February, 2022.

### 5. ADOPTION OF A RESOLUTION MAKING FINDINGS AND DETERMINATIONS UNDER ASSEMBLY BILL NO. 361 TO CONTINUE AUTHORIZATION OF VIRTUAL MEETINGS OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY FOR A PERIOD OF 30 DAYS

That the Ontario International Airport Authority (OIAA) Commission adopt a Resolution making findings and determinations under Assembly Bill 361 (AB 361) to authorize staff to continue to conduct virtual-only Commission and Committee meetings, in response to COVID-19.

RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE COMMISSION AND ALL COMMITTEES IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR A PERIOD OF THIRTY DAYS

**6. AUTHORIZE THE CHIEF EXECUTIVE OFFICER'S OFFICE TO EXECUTE AN AMENDMENT OF THE RENTAL CAR CONCESSION AND LEASE AGREEMENTS**

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO), or his designee, to negotiate a one (1) year amendment (with two (2) one-year options at the sole discretion of the OIAA) to the existing Concession and Lease agreement(s) with the Rental Car Concessionaires.

**7. AUTHORIZE THE CHIEF EXECUTIVE OFFICER'S OFFICE TO EXECUTE A SECOND AMENDMENT TO PROSEGUR SERVICES GROUP, INC., CONTRACT**

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO), or their designee, to amend the existing Prosegur Services Group, Inc., Contract No. SCONT-000325, by increasing the annual authority by \$350,000, for an overall annual spend authority of up to \$1,200,000 to approve an added scope to encompass CBP Federal Inspection Station and TSA Screening Checkpoint Exit Lane coverage, and to provide mobile security response on a 24/7 basis. Funding is available in current fiscal year budget and additional funding for subsequent years will be requested through the annual budget process.

**ADMINISTRATIVE REPORTS/DISCUSSION/ACTION**

**8. APPROVE THE HIRING OF MR. ATIF ELKADI AS OIAA CHIEF EXECUTIVE OFFICER, AND AUTHORIZE THE PRESIDENT OF THE COMMISSION TO EXECUTE AN EMPLOYMENT AGREEMENT WITH MR. ELKADI FOR THE OIAA CHIEF EXECUTIVE OFFICER POSITION**

**9. AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A NON-EXCLUSIVE LEASE AND LICENSE AGREEMENT WITH ALCLEAR, LLC**

That the Ontario International Airport Authority Board of Commissioners (OIAA Board) authorize the Chief Executive Officer (CEO) or their designee to execute a Non-Exclusive Lease and License Agreement to allow Alclear, LLC, to provide biometric verification lanes, enrollment stations and related queuing solutions as a registered traveler service.

**10. AUTHORIZATION TO CONTRACT WITH AMADEUS AIRPORT IT AMERICAS, INC., FOR A COMMON USE PASSENGER PROCESSING SYSTEM**

That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer or their designee to negotiate and execute a contract with Amadeus Airport IT Americas, Inc., to utilize their flight, baggage, and gate information system at Ontario International Airport and other locations that provide flight information; to also design, implement, install, and maintain a Common Use Passenger Processing System (CUPPS) in Terminal 2.

**MANAGEMENT REPORT**

Executive Office

**COMMISSION MATTERS**

President Wapner

Vice President Loveridge

Secretary Bowman

Commissioner Hagman

Commissioner Gouw

**ADJOURNMENT**



**DATE:** MARCH 24, 2022

**CLOSED SESSION REPORT**

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

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

- GC § 54956.9(d)(2): CONFERENCE WITH LEGAL COUNSEL— Potential Litigation (1 matter)

No Reportable Action	Continue	Approved
//	//	//

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

- GC § 54956.9(d)(1): CONFERENCE WITH LEGAL COUNSEL— Existing Litigation

No Reportable Action	Continue	Approved
//	//	//

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

- GC § 54957: PUBLIC EMPLOYMENT  
Title: Chief Executive Officer

No Reportable Action	Continue	Approved
//	//	//

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

Reported by:

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



**DATE:** MARCH 24, 2022

**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
06	Rental Car Concessionaires; Enterprise, Avis, and Hertz.	None
07	Prosegur	None
08	Amadeus Airport IT Americans, Inc.	None
10	Alclear, LLC	None

**STAFF MEMBER PRESENTING:** Atif Elkadi, Deputy Chief Executive Officer

Department: Clerk's Office

Submitted to OIAA: March 24, 2022

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY  
REGULAR COMMISSION MEETING  
MINUTES  
FEBRUARY 24, 2022  
(not official until approved)**

A regular meeting of the Ontario International Airport Authority was held on Thursday, February 24, 2022, 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 2:00 p.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 Deputy Chief Executive Officer Atif Elkadi, Assistant General Counsel Kevin Sullivan, and Board Clerk Natalie Gonzaga.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by President Wapner.

**MOMENT OF SILENCE**

A moment of silence was held in remembrance of fallen Huntington Beach Police Officer Nicholas Vella.

**CLOSED SESSION PUBLIC COMMENT**

There were no closed session public comments.

**CLOSED SESSION**

President Wapner recessed the regular meeting of the Ontario International Airport Authority to Closed Session at 2:02 p.m. Assistant General Counsel Sullivan announced the closed session items.

- GC § 54956.9(d)(1): CONFERENCE WITH LEGAL COUNSEL— Existing Litigation

- GC § 54956.9(d)(2) and (e)(3): CONFERENCE WITH LEGAL COUNSEL— Government Claims (3 matters)
- GC § 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: Deputy Chief Executive Officer

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 [publiccomment@flyontario.com](mailto:publiccomment@flyontario.com) or in-person during the meeting. All email public comments are provided to the Commissioners prior to the Commission meeting and saved to the meeting record.

*Richard Sherman* provided an email comment regarding the 2022 budget report.

### **AGENDA REVIEW/ANNOUNCEMENT**

No announcements were made.

#### **1. CONFLICT OF INTEREST**

No conflicts were announced.

### **CONSENT CALENDAR**

**MOTION:** Moved by Secretary Bowman, seconded by Commissioner Gouw, and carried by a vote of 5-0-0, to approve consent calendar Items #2-11, including Resolution 2022-03.

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

Approved Minutes for the Ontario International Airport Authority regular meeting on January 27, 2022 and approving the same as on file with the Secretary/Assistant Secretary.

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

Approved Bills January 1 through January 31, 2022 and Payroll January 1 through January 31, 2022.

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

The Ontario International Airport Authority Commission approved meeting stipends for President Wapner for the month of January, 2022.

### **5. ADOPTION OF A RESOLUTION MAKING FINDINGS AND DETERMINATIONS UNDER ASSEMBLY BILL NO. 361 TO CONTINUE AUTHORIZATION OF VIRTUAL MEETINGS OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY FOR A PERIOD OF 30 DAYS**

The Ontario International Airport Authority (OIAA) Commission adopted a Resolution making findings and determinations under Assembly Bill 361 (AB 361) to authorize staff to continue to conduct virtual-only Commission and Committee meetings, in response to COVID-19.

**RESOLUTION NO. 2022-03** A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE COMMISSION AND ALL COMMITTEES IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR A PERIOD OF THIRTY DAYS

### **6. INVESTMENT REPORT FOR THE SIX MONTHS ENDED DECEMBER 31, 2021**

The Ontario International Airport Authority (OIAA) Commission received and filed the Investment Report for the six months ended December 31, 2021.

### **7. APPROVAL OF A NON-EXCLUSIVE LICENSE AGREEMENT WITH THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY FOR THE CONSTRUCTION OF IMPROVEMENTS AT THE CURRENT BUS SHELTERS LOCATED AT TERMINAL 2 AND TERMINAL 4 AT ONTARIO INTERNATIONAL AIRPORT**

The Ontario International Airport Authority (OIAA) authorized the Chief Executive Officer (CEO), or his designee, to execute a non-exclusive license agreement (NELA) with San Bernardino County Transportation Authority (SBCTA), for the construction of improvements at the current bus shelters located at Terminal 2 and Terminal 4 at Ontario International Airport (ONT), specifically related to the added West Valley Connector (WVC) project which will service ONT.

### **8. APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY**

The Ontario International Airport Authority (OIAA) Commission authorized the Chief Executive Officer (CEO), or his designee, to negotiate a Memorandum of Understanding (MOU) between the City of Ontario and the Ontario International Airport Authority (OIAA).

**9. APPROVAL OF A CONTRACT WITH FULL SWING GOLF, INC., LICENSE AGREEMENT AND ACQUISITION OF TWO GOLF SIMULATORS**

The Ontario International Airport Authority (OIAA) Commission authorized the Chief Executive Officer (CEO), or his designee, to negotiate a contract and license agreement with Full Swing Golf, Inc. for acquisition and license of two TopGolf Pro Series P308-A Simulators, for an amount not to exceed \$135,000.

**10. APPROVAL OF AN AGREEMENT WITH PREFERRED MODULAR STRUCTURES, INC. TO BUILD, SHIP AND INSTALL AN ADA COMPLIANT MODULAR SHOWER TRAILER IN THE ADMINISTRATION BUILDING HANGAR FOR EMPLOYEE USE**

The Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO), or his designee, to execute a contract with Preferred Modular Structures, Inc. (PMSI), in an amount not to exceed \$228,462, to build, ship and install a modular shower trailer in the Administration Offices building hangar, for employee use.

**11. FISCAL YEAR 2021-2022 QUARTERLY FINANCIAL STATEMENTS FOR SIX MONTHS ENDED DECEMBER 31, 2021**

The Ontario International Airport Authority (OIAA) Commission received and filed Financial Statements for the six months ended December 31, 2021.

**ADMINISTRATIVE DISCUSSION/ACTION/REPORT**

**12. APPROVAL OF A TEN-YEAR EXTENSION TO THE EXISTING CONCESSION AGREEMENT WITH HUDSON GROUP, FOR NEW HUDSON EVOLVE STORES REPLACING AUTHORS BOOK STORE IN TERMINAL 2 AND ENLARGING CALI MARKET IN TERMINAL 4 AT ONTARIO INTERNATIONAL AIRPORT**

The Ontario International Airport Authority (OIAA) authorized the Chief Executive Officer (CEO), or his designee, to execute a ten-year extension to the concession agreement with one five-year option to extend the term at the discretion of the CEO with Board approval, with HG ONT Retailers JV (Hudson Group) to manage and operate a multi brand concession in Terminal 2 and Terminal 4 at Ontario International Airport (ONT). The concessionaire is responsible for all capital investment and will pay the OIAA concession fees ranging from 15% to 19% of gross sales based on financial tiers identified within the agreement and minimum annual guarantee of 80% of the previous year's Percentage Rent. Hudson will invest \$2.49m in the initial phase for the

construction of the two new outlets with a mid-term refurbishment investment of \$68.14 per square foot, when completed by July 31, 2030.

Deputy CEO Elkadi provided a presentation on this item.

**MOTION:** Moved by Vice President Loveridge, seconded by Secretary Bowman, and carried by a vote of 5-0-0, to approve the amendment to the Hudson Group concession agreement.

### **13. APPROVAL OF FISCAL YEAR 2021-2022 PROPOSED OPERATING BUDGET AMENDMENTS AND THE UPDATED AIRPORT SYSTEM RATES AND CHARGES**

The Ontario International Airport Authority (OIAA) Commission approved the amended Operating Budget for Fiscal Year 2021-2022, including adoption of a resolution to approve the airport system rates and charges to update the landing fee and terminal rental rates. The proposed budget changes will result in a net reduction to the operating budget of \$1.2M (53.2%). Landing fee rates will decrease by 8.3% from \$1.71 per thousand pounds of MGW to \$1.60. Terminal rental rates will decrease by 19.5% from \$99.38 per annual square foot to \$80.00.

#### **RESOLUTION NO. 2022-04 A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION APPROVING THE UPDATED AIRPORT SYSTEM RATES AND CHARGES FOR FISCAL YEAR 2021-2022**

Deputy CEO Elkadi announced for the record a minor clerical adjustment to Attachment A, proposed operating amendments, and provided a presentation on this item. Commissioners asked questions about the budget and landing fees, discussion ensued. President Wapner confirmed this item was approved by the Finance & Audit Committee.

**MOTION:** Moved by Commissioner Hagman, seconded by Commissioner Gouw, and carried by a vote of 5-0-0, to approve the FY 2021-2022 operating budget amendments, including adoption of Resolution No. 2022-04 updating the Airport System Rates and Charges.

### **14. APPROVAL OF FISCAL YEAR 2021-2022 PROPOSED CAPITAL BUDGET AMENDMENTS**

The Ontario International Airport Authority (OIAA) Commission approved the amended Capital Budget for Fiscal Year 2021-2022. The proposed change in the FY 2022 Capital Budget will increase the Capital Budget by \$31.5M.

Deputy CEO Elkadi provided a presentation on this item, providing detail regarding project changes, and answered Commissioner questions.

**MOTION:** Moved by Secretary Bowman, seconded by Commissioner Gouw, and carried by a vote of 5-0-0, to approve the FY 2021-2022 capital budget amendments.

## **MANAGEMENT REPORT**

There was no management report.

## **SPECIAL CEREMONIES**

A Certificate of Appreciation was presented in recognition of Board Clerk Natalie Gonzaga's service to the Ontario International Airport.

## **COMMISSIONER MATTERS**

Commissioner Gouw had no further comments.

Commissioner Hagman encouraged everyone to continue going in the right direction and continue improving.

Vice President Loveridge requested twice a year reports from our Lobbyists at future meetings in-person or by Zoom.

Secretary Bowman thanked staff for their work.

President Wapner announced the passing of his father-in-law, Alejo Vasquez, who had a great history at the airport, and requested Commissioner's approval to adjourn the meeting in his memory.

## **ADJOURNMENT**

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 2:53 p.m. in memory of Alejo Vasquez.

RESPECTFULLY SUBMITTED:

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NATALIE GONZAGA, BOARD CLERK

APPROVED:

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ALAN D. WAPNER, PRESIDENT



**DATE:** MARCH 24, 2022

**SECTION:** CONSENT CALENDAR

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

**RELEVANT STRATEGIC OBJECTIVE:** Invest in ONT; Plan for the Future; Master the Basics.

**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 February 2022, President Wapner attended seven (7) additional Authority-related business functions. Full Commission approval is needed to approve payment of these additional stipends.

**STAFF MEMBER PRESENTING:** Atif J. Elkadi, Deputy Chief Executive Officer

Department: Clerk’s Office

Submitted to OIAA: March 24, 2022

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

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

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

Chief Executive Officer Approval:  \_\_\_\_\_

**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

**COMMITTEE RECOMMENDATION:** N/A

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



DATE: MARCH 24, 2022

SECTION: CONSENT CALENDAR

SUBJECT: ADOPTION OF A RESOLUTION MAKING FINDINGS AND DETERMINATIONS UNDER ASSEMBLY BILL NO. 361 TO CONTINUE AUTHORIZATION OF VIRTUAL MEETINGS OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY FOR A PERIOD OF 30 DAYS

RELEVANT STRATEGIC OBJECTIVE: Invest in ONT.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission adopt a Resolution making findings and determinations under Assembly Bill 361 (AB 361) to authorize staff to continue to conduct virtual-only Commission and Committee meetings, in response to COVID-19.

BACKGROUND: Governor Newsom declared a state of emergency for California due to the COVID-19 virus on March 4, 2020. On March 12, 2020, the Governor issued Executive Orders relaxing some provisions of the Brown Act meeting requirements to allow remote meetings without legislative body members physically present at the meeting location. The OIAA Commission began conducting meetings virtually on March 26, 2020. The Executive Orders expired September 30, 2021, and the OIAA Commission resumed in-person meetings on October 28, 2021.

The Governor signed Assembly Bill 361 on September 17, 2021, allowing local agency legislative bodies to continue to hold meetings remotely through December 31, 2023, provided local agencies comply with specified requirements. The purpose of Assembly Bill 361 is to improve public access to local agency meetings during the COVID-19 pandemic by allowing broader remote meeting options.

As of December 20, 2021, the Center for Disease Control and Prevention has stated the Omicron variant is expected to result in a rapid increase in infections in the United States. As of December 31, 2021, the

STAFF MEMBER PRESENTING: Atif Elkadi, Deputy Chief Executive Officer

Department: Administration

Submitted to OIAA: March 24, 2022

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

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

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

Chief Executive Officer Approval: 

California Department of Public Health has evidenced emergency conditions related to the Omicron variant, including ongoing COVID-19 cases, hospitalizations, and deaths.

A legislative body member may hold a meeting remotely without needing to comply with the teleconferencing requirements of the Brown Act if:

1. Either a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing.

And

2. The legislative body makes the following findings by majority vote within the last 30 days (vote may occur at that meeting): (A) The legislative body has reconsidered the circumstances of the state of emergency. (B) Any of the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person. (ii) State or local officials continue to impose or recommend measures to promote social distancing.
3. The legislative body continues to make the determinations in Item 2 every 30 days thereafter the initial determination.

The Commission adopted Resolution 2022-03 on February 24, 2022, making findings to hold remote meetings in accordance with AB 361, and may continue to extend the authorization in additional thirty (30) day increments for the duration of the declared emergency, or until the Commission decides to return to in-person meetings, or otherwise complies with the regular remote meeting requirements of the Brown Act.

If the Commission does not continue to adopt the Resolution to make the findings required for remote participation per Assembly Bill 361, the Brown Act rules regarding teleconferencing would apply for remote participation. Under the Brown Act rules, the Commission may hold remote meetings provided the meeting meets the following criteria:

- A majority of the Commission members participate in the meeting from locations within the jurisdiction boundaries.
- The meeting notice and agenda identify the teleconference locations, including full address and room number.
- The meeting agendas are posted at each teleconference location at least 72 hours before a regular meeting.
- The public has access to each teleconference location, including hotel room or residence, and each location has the technology, such as a speakerphone, to allow the public to participate in the meeting.
- The agenda must provide the opportunity for the public to address the legislative body directly at each teleconference location.
- The legislative body conducts all votes by roll call.

The adoption of the proposed Resolution would continue to authorize Commission and its Committee meetings to be conducted virtually through April 23, 2022. In order to comply with Assembly Bill 361, the attached Resolution needs to be renewed within 30-day intervals in order to allow for continued virtual meetings. The adoption of the Resolution will also apply to Commission Standing Committees, thus authorizing the Committees to meet virtually as well.

If adopted to continue virtual meetings, it is anticipated that staff will return with another Resolution on April 28, 2022, to re-evaluate at that time and determine if future meetings will be held virtually or in-person.

**FISCAL IMPACT SUMMARY:** N/A

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

**PRIOR COMMISSION ACTION:** N/A

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

**IMPACT ON OPERATIONS:** N/A

**EXHIBITS & ATTACHMENTS:** Attachment A – Proposed Resolution

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This Agenda Report has been reviewed by OIAA General Counsel.

## RESOLUTION NO. 2022-\_\_

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY AUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE COMMISSION AND ALL COMMITTEES IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR A PERIOD OF THIRTY DAYS

**WHEREAS**, COVID-19 (also known as the “Coronavirus Disease”) is a respiratory disease that has spread across the globe, with thousands of confirmed cases in California, including San Bernardino County; and

**WHEREAS**, social distancing measures decrease the chance of spread of COVID-19; and

**WHEREAS**, the Ontario International Airport Authority (OIAA) is committed to preserving and nurturing public access and participation in meetings of the Commission; and

**WHEREAS**, all meetings of OIAA’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Commission’s legislative bodies conduct their business; and

**WHEREAS**, the Brown Act, Government Code section 54953(e), authorizes remote teleconference meetings by a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625; and

**WHEREAS**, on March 4, 2020, the Governor proclaimed a state of emergency, which covers the entire state; and

**WHEREAS**, Government Code Section 54953(e)(3)(A-B) added by AB 361 provides an alternative to having public meetings in accordance with Government Code Section 54953(b)(3) when the OIAA has reconsidered the circumstances of the COVID-19 state of emergency and that the following circumstances exist:

1. The state of emergency as a result of COVID-19 continues to directly impact the ability of the members of the Commission to meet safely in person; or
2. State or local officials continue to recommend measures to promote social distancing.

**WHEREAS**, Government Code Section 54953(e) *et seq.* further requires that state or local officials have imposed or recommended measures to promote social distancing or the legislative body finds that meeting in person would present an imminent risk to the health or safety of attendees; and

**WHEREAS**, as of December 20, 2021, the Center for Disease Control and Prevention has stated the Omicron variant is expected to result in a rapid increase in infections in the United States; and

**WHEREAS**, such conditions under Government Code Section 54953(e)(3)(A-B) now exist in the general area surrounding the Ontario Airport in that:

- (i) State officials recommend social distancing measures (CalOSHA (December 16, 2021) COVID-19 Prevention Emergency Temporary Standards What Employers Need to Know About the December 16 Standards) and
- (ii) Emergency conditions evidenced by COVID-19 and its variants create ongoing COVID-19 cases, hospitalizations, and deaths and meeting in person would present imminent risk to health or safety of attendees (California Department of Public Health (December 31, 2021) State Officials Announce Latest COVID-19 Facts); and

**WHEREAS**, the OIAA affirms that it will allow for observation and participation by Commissioners and the public via Zoom in an effort to protect the constitutional and statutory rights of all attendees; and

**WHEREAS**, the OIAA approved Resolution 2022-03 at their regular meeting on February 24, 2022, authorizing virtual meetings of the Commission and Committee meetings in accordance with AB 361; and

**WHEREAS**, Government Code Section 54953 (e)(3) requires that the OIAA review the need and make findings for continuing the teleconferencing procedures as authorized by AB 361 at least once every thirty days.

**NOW, THEREFORE, THE COMMISSION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2.** The OIAA finds that the state of emergency conditions related to COVID-19 as set forth in the Governor's Proclamation of a State of Emergency referenced above are on-going.

**Section 3.** The OIAA further finds that state officials recommend social

distancing measures because conditions causing imminent risk to attendees as described above exist.

**Section 4.** The OIAA recognizes and affirms the existence and conditions of a state of emergency as proclaimed by the Governor, and affirms, authorizes, and proclaims the existence of a local emergency throughout the general area surrounding the Ontario Airport.

**Section 5.** The OIAA finds that the state of emergency as a result of COVID-19 continues to directly impact the ability of members of the Commission to meet safely in person and such fact creates an imminent health risk to such members.

**Section 6.** The OIAA authorizes the Commission and its Committees to conduct their meetings without compliance with Government Code section 54953(b)(3), and to instead comply with the remote meeting requirements as authorized by Government Code section 54953(e) *et seq.*

**Section 7.** The Chief Executive Officer, or his designee, and the Board Clerk of Ontario International Airport Authority are authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

**Section 8.** This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) February 26, 2022, or such time the Commission adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Ontario International Airport Authority may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

**PASSED, APPROVED, AND ADOPTED** at a regular meeting this 24<sup>th</sup> day of March 2022.

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ALAN D. WAPNER  
OIAA PRESIDENT

ATTEST:

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SECRETARY/ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

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LORI D. BALLANCE  
GENERAL COUNSEL

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

I, Jim Bowman, Secretary of the Ontario International Airport Authority, DO HEREBY CERTIFY that foregoing Resolution No. 2022-\_\_ was duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held on March 24, 2022 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. 2022-\_\_ duly passed and adopted by the Commission of the Ontario International Airport Authority at their regular meeting held March 24, 2022.

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

(SEAL)



DATE: MARCH 24, 2022
SECTION: CONSENT CALENDAR
SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER'S OFFICE TO EXECUTE AN AMENDMENT OF THE RENTAL CAR CONCESSION AND LEASE AGREEMENTS

RELEVANT STRATEGIC OBJECTIVE: Invest in ONT; Master the Basics.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO), or his designee, to negotiate a one (1) year amendment (with two (2) one-year options at the sole discretion of the OIAA) to the existing Concession and Lease agreement(s) with the Rental Car Concessionaires.

FISCAL IMPACT SUMMARY: This amendment will ensure that ONT will continue to receive car rental concessionaire revenue through April 2023.

BACKGROUND: All existing concession and lease agreements with the car rental concessionaires are in holdover status since agreement expiration in February 2019. In July 2021, the Commercial Team resumed negotiations with Enterprise, Avis, and Hertz (also representing their family brands) with the intent to finalize a new short-term agreement. While those negotiation have gone well, the Commercial Department (in collaboration with the Finance and Planning departments) have identified potential for additional revenue collection through increase of MAG, CFC collection, increase lease rate as well as a potential redistribution of occupied space of each rental car concessionaire.

The rental car amendments and any future extensions (provided at the sole discretion of the OIAA) will allow the Ground Transportation Team within the Commercial Department to devise a new Rental Car Concession program that will operate using sound business principles and practices as well as maximizing

STAFF MEMBER PRESENTING: Atif Elkadi, Deputy Chief Executive Officer

Department: Commercial

Submitted to OIAA: March 24, 2022

Approved:

Continued to:

Denied:

Chief Executive Officer Approval: [Signature]

overall business performance at ONT. All of which are consistent with the OIAA's Strategic Goals and Objectives to Invest in ONT and Master the Basics.

**PROCUREMENT:** During the amendment term, the Ground Transportation staff will establish a new rental car concession program that will identify future non-aeronautical revenue growth.

**CEQA COMPLIANCE AND LAND USE APPROVALS:** The issuance or approval of leases, agreements, renewals, amendments, or extension thereof, granting use of an existing facility at a public airport, involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA). In addition, to the extent any alteration of the 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:** N/A

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This Agenda Report has been reviewed by OIAA General Counsel.



DATE: MARCH 24, 2022

SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER’S OFFICE TO EXECUTE A SECOND AMENDMENT TO PROSEGUR SERVICES GROUP, INC. CONTRACT

RELEVANT STRATEGIC OBJECTIVE: Invest in ONT

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer (CEO), or their designee, to amend the existing Prosegur Services Group Inc., Contract No. SCONT-000325, by increasing the annual authority by \$350,000. This will provide an overall annual spend authority of up to \$1,200,000. This increased amount provides an added scope to encompass the Federal Inspection Station (FIS), TSA Screening Checkpoint Exit Lane coverage, provide mobile security response on a 24/7 basis, and a 10 percent contract rate increase beginning March 27,2022. Also, authorize the CEO or designee to exercise the remaining four (4) one-year extensions of up to \$1,200,000, for an overall not to exceed spending authority of \$5,650,000 over the five-year term of the contract, if all options are exercised.

FISCAL IMPACT SUMMARY: The increased services will impact the security services budget by up to \$350,000 for the Fiscal Year 2021-22. Funding is available in the current fiscal year budget. Funding for subsequent years will be requested through the annual budget process.

BACKGROUND: In In January 2021, the OIAA approved the security contract with Prosegur Services Group, Inc. for security related functions on and around the airport for \$850,000. In September 2021. the OIAA Board approved an increased scope to include queue monitoring in Terminal 2.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFF MEMBER PRESENTING: Dean Brown, Public Safety Administrator

Department: Public Safety

Submitted to OIAA: March 24, 2022

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

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

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

Chief Executive Officer Approval: 

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

**IMPACT ON OPERATIONS:** N/A

**SCHEDULE:** Prosegur USA are currently performing the increased scope of security responsibilities.

**ATTACHMENTS:** Attachment A – Prosegur Second Amendment

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This Agenda Report has been reviewed by OIAA General Counsel.



DATE: MARCH 24, 2022

SECTION: ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

SUBJECT: AUTHORIZE THE CHIEF EXECUTIVE OFFICER OR THEIR DESIGNEE TO EXECUTE A NON-EXCLUSIVE LEASE AND LICENSE AGREEMENT WITH ALCLEAR, LLC

RELEVANT STRATEGIC OBJECTIVE: Invest in ONT; Plan for the Future.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority Board of Commissioners (OIAA Board) authorize the Chief Executive Officer (CEO) or their designee to execute a Non-Exclusive Lease and License Agreement to allow Alclear, LLC, to provide biometric verification lanes, enrollment stations and related queuing solutions as a registered traveler service.

FISCAL IMPACT SUMMARY: Alclear, LLC, dba CLEAR, will pay License Fees of \$0.75 (seventy-five cents) per Unique Member Verification occurred at the Airport and Rent under the current terminal rental rates (\$100.00 per square foot per year) for 214 sq ft of office space. The total estimated annual revenue to the airport is approximately \$165k for the first year. This Agreement will have a 3-year term with automatic one-year renewal options unless a Party provides 90 days written advance notice of non-renewal.

BACKGROUND: Currently, passengers traveling through commercial airports must go through a two-step security screening process which includes: 1) passenger identity verification via a manual document check, followed by 2) physical screening of the passenger and their personal effects. To improve passenger flow through the security screening process, CLEAR developed a passenger verification technology that was approved by the Department of Homeland Security (DHS) in 2012.

Security and data protection are key foundations of the business model. CLEAR is SAFETY Act Certified by the Department of Homeland Security (DHS) as a Qualified Anti-Terrorism Technology. CLEAR's platform has been designated FISMA-High—the highest government cyber compliance rating available

STAFF MEMBER PRESENTING: Daniel Cappell, Chief Commercial Officer

Department: Commercial

Submitted to OIAA: March 24, 2022

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

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

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

Chief Executive Officer Approval: 

for protecting sensitive data. CLEAR members enroll their biometrics (irises, face and fingerprints) and required documentation, and then verify their identity in dedicated lanes by a scan of their chosen biometric. CLEAR provides secure identity verification in 40 airports throughout the United States and is partners with Delta Air Lines and United Airlines.

CLEAR will have dedicated lanes for their members and 4 kiosks at each terminal (Terminals 2 and 4) at Ontario International Airport; upon verification, the passenger will be escorted by a CLEAR ambassador directly to a physical screening lane. The ambassadors will also be available to assist with any issues passengers may have at the verification kiosks or assist passengers with the signup process for a CLEAR membership at a kiosk. The expanded security screening option of CLEAR is expected to ease capacity constraints, and will improve the speed and security experience for all passengers traveling through Ontario International Airport.

**PROCUREMENT:** N/A

**CEQA COMPLIANCE AND LAND USE APPROVALS:** The agreement is not a "project" within the meaning of Section 15378 of the CEQA Guidelines because there is no potential for a direct or indirect physical change in the environment. As a result, the authorization is not subject to CEQA.

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

**IMPACT ON OPERATIONS:** N/A

**SCHEDULE:** N/A

**ATTACHMENTS:** Attachment A – Non-Exclusive Lease and License Agreement with Alclear, LLC

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This Agenda Report has been reviewed by OIAA General Counsel.



**DATE:** MARCH 24, 2022

**SECTION:** ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

**SUBJECT:** AUTHORIZATION TO CONTRACT WITH AMADEUS AIRPORT IT AMERICAS, INC., FOR A COMMON USE PASSENGER PROCESSING SYSTEM

**RELEVANT STRATEGIC OBJECTIVE:** Invest in ONT; Plan for the Future; Master the Basics.

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) Commission authorize the Chief Executive Officer or their designee to negotiate and execute a contract with Amadeus Airport IT Americas, Inc., to utilize their flight, baggage, and gate information system at Ontario International Airport and other locations that provide flight information; to also design, implement, install, and maintain a Common Use Passenger Processing System (CUPPS) in Terminal 2.

**FISCAL IMPACT SUMMARY:** The proposed contract maximum would be \$6.2M, which is comprised of \$2.6M in capital costs and \$3.6M of operating costs for a five-year period beginning with the operational start-up of the CUPPS system. Capital costs have received Majority-in-Interest (MII) approval and are included in the 2021 Revenue Bonds. Operating costs would be included and charged to airlines in accordance with the Terminal Operating Use and Lease Agreement.

**BACKGROUND:** Passenger airlines that operate at ONT under the current Terminal Use and Operating Lease Agreement (ULA) are assigned exclusive use ticket counters and passenger queuing in terminals 2 and 4. Gate assignments are leased on a preferential basis with limited common use gates available on a per use basis. New entrant carriers, routes and passenger traffic have filled current ticket counters and queuing in Terminal 2. In addition, peak time flights limit the ability to optimize gate usage and flex individual airline needs, which leaves ticket counters and gates vacant. Proprietary airline systems are fixed by location, prohibiting, or significantly limiting alternative airline usage. Information flight, baggage, and ground displays were previously provided on a subscription basis from a different third-party, which expired on December 31, 2021. Those displays are now populated with information

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

Department: Finance

Submitted to OIAA: March 24, 2022

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

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

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

Chief Executive Officer Approval:  \_\_\_\_\_

from a cloud-based system on a subscription basis. This system was implemented as a temporary measure, until CUPPS RFPs could be evaluated. Also, international passenger arrival and departure processing requirements by CBP are changing. CBP will be providing arrival systems for international passengers, currently provided by the Authority and will require airports to provide prescribed biometric exit devices for departing international passengers.

To increase capacity and optimize space utilization the Authority has developed a plan to implement a Common Use Passenger Processing system (CUPPS). CUPPS utilize information technology hardware and software that allows for flexibility during peak times by maximizing and optimizing ticket counter, queuing, and gate utilization. Proprietary airline kiosks and systems are replaced by devices that can be used regardless of the airline. The CUPPS system uses a centralized data base that is populated by flight, passenger, and airline information feeds. This common dataset then feeds all common use system equipment, including kiosks, boarding flight/baggage/ground information displays.

The system allows airlines to maintain branding regardless of ticket position or gate assignment as information displays are adjusted on a real-time basis using current assignments. It reduces queuing time for passengers as it increases the number of automated check-in kiosks available for an airline, which are currently restricted by the number of their proprietary check-in machines. The CUPPS system provides a dynamic gate assignment based on flight activity, including the numbers of flights, delayed arrivals, or departures as well as weekly and seasonal changes. In addition, it increases the quality of gate information and airline branding with real-time displays. The CUPPS system will provide CBP approved Bio-metric exit devices and systems for departing passengers. The CUPPS system provides all required peripheral devices, e.g., printers, monitors, and readers.

In addition, the system will provide an integrated interface for future emerging technologies that allow will allow for end-to-end automation of the passenger check-in and boarding activities.

**STAFFING IMPACT (# OF POSITIONS):** Substantive technical support and maintenance are included in the proposed contract. However, basic support will be needed for replacing paper, ink and level one troubleshooting and tasks, e.g., gathering and reporting information to Amadeus and performing recommended actions, e.g., as rebooting machines or loading updates and fixes. These services will be provided by City of Ontario Information Technology staff under the Authority's municipal services agreement and/or by OIAA terminal operations staff. These additional requirements will be funded from approved annual operating budgets beginning with the fiscal year ending June 30, 2023.

**PROCUREMENT:** The Authority issued an RFP for Common Use System devices, software, and services. The Authority received three qualified proposals. Management is recommending that Authority accept the Amadeus proposal. Proposed terms provide for the acquisition of devices, software, and services for the Amadeus CUPPS system on an as needed basis as well as maintenance support and ongoing subscription costs. The Authority is negotiating final terms of a contract with Amadeus that would provide required equipment, software, and services, to be ordered on individual purchase orders to meet project and operational needs of the system as it is configured in its final form.

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

**IMPACT ON OPERATIONS:** The CUPPS system increases flight and passenger processing capacity and efficiency.

**SCHEDULE:** N/A

**ATTACHMENTS:** Attachment A – Professional Services Agreement with Amadeus Airport IT Americas, Inc.

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This Agenda Report has been reviewed by OIAA General Counsel.