

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY

## COMMISSION AGENDA – SPECIAL MEETING



**JANUARY 26, 2023, AT 2:15 P.M.**

(This meeting will be called to order at 2:15 p.m. or after the 2:00 p.m. Regular Meeting is adjourned; if after 2:15 p.m.)

Ontario International Airport Authority Administration Offices  
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

**ATIF ELKADI**  
Chief Executive Officer

**LORI D. BALLANCE**  
General Counsel

**JOHN M. SCHUBERT**  
Treasurer

**NORMA I. ALLEY, MMC**  
Board Clerk/Assistant Secretary

### WELCOME TO A 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.
- In accordance with State Law, public comment remarks will be limited to items on the agenda only.
- Anyone wishing to speak on an agenda item, will be required to fill out a Request to Address Card (blue slip). Blue slips must be turned in prior to 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 4:00 p.m. the day before 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 their time is up and no further comments will be permitted. Speakers are then to return to their seats.
- 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.
- 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. Any members of the public who require special assistance or a reasonable accommodation to participate may contact the Board Clerk at (909) 544-5307 or [clerk@flyontario.com](mailto:clerk@flyontario.com).

## CALL TO ORDER (OPEN SESSION)

### ROLL CALL

Loveridge, Bowman, Hagman, Gouw, President Wapner

### PLEDGE OF ALLEGIANCE

## 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.

## CLOSED SESSION

### PUBLIC COMMENT ON CLOSED SESSION

#### CLOSED SESSION

- CONFERENCE WITH REAL PROPERTY NEGOTIATORS (GOV §54956.8.)  
Property: ONT Terminals  
Agency negotiator: OIAA General Counsel's office  
Under negotiation: Potential Lease with SSP America

### REPORT ON CLOSED SESSION

General Legal Counsel

## ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

### 2. RESOLUTION APPROVING A SERVICE EMPLOYEE RETENTION PROGRAM

Adopt a resolution approving a service employee retention program.

RESOLUTION NO. 2023-04

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY  
ADOPTING AND APPROVING A SERVICE EMPLOYEE RETENTION PROGRAM  
AT THE ONTARIO INTERNATIONAL AIRPORT

### 3. CONCESSION AGREEMENT WITH SSP AMERICA FOR FOOD AND BEVERAGE OUTLETS

Authorize the Chief Executive Officer (CEO) to execute a Food & Beverage (F&B) concession agreement with SSP America to re-brand and build restaurants in Terminals 2 & 4 to provide food and beverage services at Ontario International Airport (ONT) for a term of 20 years with one 5-year option to extend the term.

**(CONTINUED FROM 12/19/2022 AND 1/19/2023)**

## ADJOURNMENT

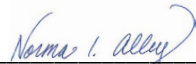
### AFFIDAVIT OF POSTING

I, Norma I. Alley, MMC, Board Clerk of the Ontario International Airport Authority (OIAA), do hereby declare under penalty of perjury that the foregoing agenda has been posted at the administrative office and on the OIAA website in compliance to the Brown Act.

Date Posted: January 25, 2023

Time posted: 2:00 P.M.

Signature: \_\_\_\_\_

  
Norma I. Alley, MMC

Ontario International Airport Authority Board Clerk





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

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Originator Name: Norma I. Alley, MMC

Originating Dept.: Executive

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Director Review: N/A

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Chief Review:



CEO Approval:



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This Agenda Report has been reviewed by OIAA General Counsel.

The Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein, which are not attached or posted online, may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Board. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday, although these hours and review procedures may be modified. In that case, the documents may be requested by email at [clerk@flyontario.com](mailto:clerk@flyontario.com).

**BOARD DISPOSITION:**  Approved  Denied  Continued to \_\_\_\_\_





















## **Service Employee Retention Program**

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### 6. Severability

- A. If any severable provision or provisions of this Program, or any application thereof, is held invalid, such invalidity shall not affect other provisions or applications of the Program that can be given effect notwithstanding such invalidity.





**MEETING DATE:** DECEMBER 19, 2022 (CONTINUED)  
JANUARY 19, 2023 (CONTINUED)  
JANUARY 26, 2023

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

**SUBJECT:** CONCESSION AGREEMENT WITH SSP AMERICA FOR FOOD AND BEVERAGE OUTLETS

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

**RECOMMENDED ACTION(S):** Authorize the Chief Executive Officer (CEO) to execute a Food & Beverage (F&B) concession agreement with SSP America to re-brand and build restaurants in Terminals 2 & 4 to provide food and beverage services at Ontario International Airport (ONT) for a term of 20 years with one 5-year option to extend the term.

**FISCAL IMPACT SUMMARY:** There will be a positive impact to the income to OIAA over the term with short term impact during the transition and a measured impact during the mid-term refurbishment and potential rebranding at that time. Upon the Rent Commencement Date of this agreement, SSP shall pay the OIAA a twelve percent (12%) Concession Fee for food & beverage and sixteen percent (16%) for alcohol sales 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. SSP projects first year \$14,620,000 sales, more than \$475,000,000 in sales over the initial term with more than \$66,000,000 income to OIAA within the initial 20 year term. Please note that the COVID pandemic experienced since 2020 has resulted in changes to the non-aeronautical concession industry, such that if the operation of concessionaire's business at the Airport is affected by shortages, disruptions of the supply chain, or staffing at levels resulting in materially decreased gross revenues for a period of sixty (60) or more consecutive days, then the obligation to open the leased premises for business shall be excused, until such shortage or disruption ceases.

**BACKGROUND:** ONT is a medium hub airport and is a major air-cargo facility in Southern California, with more than 750,000 tons being carried to and from the airport each year. 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. reflects the attractiveness of OIAA in the industry, while including local business in providing such highly-sought-after amenities for the continued growth and productivity of the OIAA concession business.

**PROCUREMENT:** RFP #220011 Operation, Maintenance, and Management of Food and Beverage Outlets and or Retail Outlets at Terminal 2 & Terminal 4 at Ontario International Airport was issued on Friday, January 28, on

Planet Bids with more than ten firms attending the pre-proposal meeting and the OIAA receiving two (2) qualified proposals. The RFP team reviewed, graded and interviewed both firms, which presented various options for a variety of Food & Beverage offerings.

**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) under CEQA Guidelines section 15301. In addition, to the extent any alteration of the facilities occurs, CEQA Guidelines section 15301 also 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

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

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Originator Name: Jeff Laass

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Originating Dept.: Revenue Management

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Director Review: 

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Chief Review: 

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CEO Approval: 

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This Agenda Report has been reviewed by OIAA General Counsel.

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**BOARD DISPOSITION:**  Approved  Denied  Continued to \_\_\_\_\_