# ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION AGENDA REGULAR MEETING

AUGUST 22, 2017 AT 3:00 P.M. Ontario International Airport Administration Offices 1923 E. Avion Street, Room 100, Ontario, CA 91761

Alan D. Wapner President

**Ronald O. Loveridge** Vice President

Jim W. Bowman Commissioner

Curt Hagman Commissioner

Vacant Secretary



Mark A. Thorpe Interim Chief Executive Officer

Lori D. Ballance General Counsel

Jeff P. Reynolds Treasurer

#### Welcome to the Regular 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 a 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.
- 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 chambers 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 Authority meeting begins Public Comment at 3:00 p.m. immediately followed by the Regular Meeting.

(EQUIPMENT FOR THE HEARING IMPAIRED IS AVAILABLE UPON REQUEST AT THE REGULAR MEETING.)

CALL TO ORDER (OPEN SESSION)

# ROLL CALL

Loveridge, Bowman, Hagman, President Wapner

PLEDGE OF ALLEGIANCE

# PUBLIC COMMENTS

The Public Comment portion of the Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, the Commission is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Commission, fill out one of the blue slips at the rear of the chambers and give it to the Secretary/Assistant Secretary.

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.

**POSSIBLE CONFLICT OF INTEREST ISSUES** This item is prepared for review by Ontario International Airport Authority Commissioners.

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.

1923 E. AVION STREET, ONTARIO, CA 91761 - www.flvontario.com

3:00 p.m.

2

3:00 p.m.

# 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 Authority on items listed on the Consent Calendar will be given a total of 3 minutes.

## 2. APPROVAL OF MINUTES

Minutes for the regular adjourned meeting of the Ontario International Airport Authority on July 26, 2017, approving same as on file with the Secretary/Assistant Secretary.

## 3. BILLS/PAYROLL

Bills July 1, 2017 through July 31, 2017 and Payroll July 1, 2017 through July 31, 2017.

#### 4. APPROVAL OF MEETING STIPENDS

That the Ontario International Airport Authority Commission approve meeting stipends for President Wapner and Commissioner Hagman.

#### 5. AUTHORIZE THE INTERIM CHIEF EXECUTIVE OFFICER TO SIGN A MEMORANDUM OF AGREEMENT (MOA) WITH U.S. CUSTOMS AND BORDER PROTECTION (USCBP), FOR ONTARIO INTERNATIONAL AIRPORT (ONT) TO BECOME A USER FEE AIRPORT (UFA) UNDER USCBP'S UFA PROGRAM, AND TO ASSESS A FEE FROM ARRIVING INTERNATIONAL PASSENGERS TO RECOVER THE COSTS RELATED TO THE PROGRAM

That the Ontario International Airport Authority Commission authorize the Interim Chief Executive Officer to sign a MOA with USCBP for ONT to become a User Fee Airport by the end of 2017 and assess a \$10 fee from each arriving international passenger which should result in approximately \$830,000, to recover costs associated with the UFA program.

#### 6. A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY (OIAA) SETTING RATES FOR COMMERCIAL FILMING ACTIVITY AT ONTARIO INTERNATIONAL AIRPORT (ONT)

That the Ontario International Airport Authority Commission adopt Resolution No. \_\_\_\_\_ setting rates for commercial filming activity at the Ontario International Airport.

#### RESOLUTION NO.

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY SETTING RATES FOR COMMERCIAL FILMING ACTIVITY AT ONTARIO INTERNATIONAL AIRPORT

#### 7. AUTHORIZE THE INTERIM CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A NON-EXCLUSIVE CONCESSION LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY (OIAA) AND HG ONT RETAILERS JV FOR NEWS AND GIFT CONCESSIONS AT ONTARIO INTERNATIONAL AIRPORT (ONT)

That the Ontario International Airport Authority Commission authorize the Interim CEO to negotiate and sign an 8-year fixed term News and Gift Concession Lease Agreement between Ontario International Airport Authority and HG ONT Retailers JV (Concessionaire) for news and gift concessions in Terminals 2 and 4 at ONT.

#### 8. AUTHORIZE THE INTERIM CHIEF EXECUTIVE OFFICER (CEO) TO PURCHASE TWO MOBILE PASSENGER BOARDING RAMPS FOR \$346,960, TO PROVIDE WIDE-BODY AIRCRAFT GROUND SUPPORT CAPABILITY AT THE U.S. CUSTOMS AND BORDER PROTECTION (USCBP) FEDERAL INSPECTION STATION (FIS) AT ONTARIO INTERNATIONAL AIRPORT (ONT)

That the Ontario International Airport Authority (OIAA) Commission authorizes the Interim Chief Executive Officer to purchase two mobile passenger boarding ramps for \$346,960, and assess a ground support equipment fee on every wide-body aircraft operation diverted to ONT during the next three years to recover the cost of the ramps.

#### 9. APPROVAL OF A CONTRACT WITH HELIX ENVIRONMENTAL PLANNING, INC. FOR PREPARATION OF ENVIRONMENTAL DOCUMENTATION FOR ONTARIO INTERNATIONAL AIRPORT

That the Ontario International Airport Authority Commission authorize the Interim Chief Executive Officer to execute a contract with Helix Environmental Planning, Inc. in the amount of \$124,482 to prepare environmental documentation that conforms to the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) for the demolition of existing facilities located in the Northwest Quadrant of Ontario International Airport.

#### 10. APPROVAL OF OFFICIAL ONTARIO INTERNATIONAL AIRPORT BRAND AND LOGO AND ONTARIO INTERNATIONAL AIRPORT AUTHORITY SEAL

That the Ontario International Airport Authority Commission consider and adopt a Resolution No. \_\_\_\_\_ regarding a brand and airport logo for Ontario International Airport and official Ontario International Airport Authority seal.

#### RESOLUTION NO.

A RESOLUTION OF ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION REGARDING THE OFFICIAL ONTARIO INTERNATIONAL AIRPORT BRAND STRATEGY, LOGO, AND AN ONTARIO INTERNATIONAL AIRPORT AUTHORITY SEAL **STAFF MATTERS** 

Interim Chief Executive Officer Thorpe

# **COMMISSION MATTERS**

President Wapner Vice President Loveridge Commissioner Bowman Commissioner Hagman

# ADJOURNMENT

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY August 22, 2017

# SECTION: MINUTE ACTION

#### SUBJECT: RELATIVE TO POSSIBLE CONFLICT OF INTEREST

**RECOMMENDED ACTION(S):** Note agenda items and contractors/subcontractors, which 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
Item No. 10	Helix Environmental Planning, Inc.	<ul> <li>Ninyo &amp; Moore Geosciences and Environmental Sciences Consultants</li> <li>Iteris, Inc.</li> <li>C&amp;S Engineers, Inc.</li> </ul>

#### EXHIBITS AND ATTACHMENTS

Attachment A – Conflict of Interest Form for Commissioners

#### STAFF MEMBER PRESENTING: Claudia Y. Isbell, Commission Clerk

Prepared by: Department:	Claudia Y. Isbell	Submitted to OIAA: General Counsel	August 22, 2017
Department.	OIAA	Review:     Approved:     Continued to:	Au gust 22,2017_
Interim Chief Executive Officer Approval:	Mark & Those	Denied:	
			Item No. 01

# **Conflict of Interest Form**

**Purpose**: If you have a Conflict of Interest pursuant to Gov't. Code sec. 84308 or sec. 87100 *et seq.*, that precludes you from participating in discussion of or voting on an item on the Agenda, or if you wish to avoid the appearance of a conflict of interest by abstaining on an item on the Agenda, please complete this form.

**Instructions**: If the item is on the Consent Calendar: 1) state the reason for your abstention, 2) prior to the vote complete and provide this form to the Commission Clerk, and 3) you may remain in the meeting room. If the item is on the Discussion Calendar: 1) state the reason for your abstention, 2) prior to discussion of the item complete and provide this form to the Clerk of the Board, and 3) leave the meeting room.

#### I. Board Member Information

1. Dourd member mitermation		
Board Member Name	City/County Name	Meeting Date
II. Campaign Contributions		
1. I have a disqualifying campaign contribut	tion of over \$250 from _	,
and therefore I am abstaining from participat	tion on Agenda Item	(Identify the name of the company and/or individual), Subject:
2. I have a disqualifying campaign contribut	tion of over \$250 from _	(Identify the name of the company and/or individual)
and therefore I am abstaining from participat	tion on Agenda Item	(Identify the name of the company and/or individual) , Subject:
3. I have a disqualifying campaign contribut	tion of over \$250 from _	(Identify the name of the company and/or individual)
and therefore I am abstaining from participat	tion on Agenda Item	(Identify the name of the company and/or individual) , Subject:
4. I have a disqualifying campaign contribut	tion of over \$250 from _	(Identify the name of the company and/or individual)
and therefore I am abstaining from participat	tion on Agenda Item	, Subject:
III. Financial Interest		
1. I have a financial interest of	,	from/in
and therefore I am abstaining from participat	tion on Agenda Item	, Subject:
2. I have a financial interest of	, i i i i i i i i i i i i i i i i i i i	from/in
and therefore I am abstaining from participat	tion on Agenda Item	, Subject:
IV. Other		
1. I do not have a legal conflict of interest b abstaining from participating in Agenda Iten		
2. I do not have a legal conflict of interest b abstaining from participating in Agenda Iten		earance of a conflict of interest by
V. Signature		
Board Member Signature:	Date:	
Please remember to state the reason for your abstention Board prior to consideration of the agenda item(s).	on into the public record and t	urn in the completed form to the Clerk of the

#### ONTARIO INTERNATIONAL AIRPORT AUTHORITY REGULAR ADJOURNED COMMISSION MEETING MINUTES WEDNESDAY, JULY 26, 2017 (Not Official Until Approved)

A regular adjourned meeting of the Ontario International Airport Authority was held on Wednesday, July 26, 2017, 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

Commission President Wapner called the Ontario International Airport Authority Commission meeting to order at 3:04 p.m.

#### ROLL CALL

PRESENT: Commissioners: Jim W. Bowman, Curt Hagman, Ronald O. Loveridge and Alan D. Wapner ABSENT: Commissioners: None

Also present were: Interim Chief Executive Officer Mark A. Thorpe, General Counsel Lori D. Ballance, and Commission Clerk/Assistant Secretary Claudia Y. Isbell.

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Robert De Casas.

#### PUBLIC COMMENTS

*Therese Andrews,* Director of Travelers Aid, provided an update on Travelers Aid activities at Ontario International Airport.

Gary Gileno, spoke on his concerns regarding smart cites.

#### CONSENT CALENDAR

**ITEMS PULLED:** Vice President Loveridge pulled Item Nos. 6 and 7 for separate discussion.

**MOTION:** Moved by Commissioner Bowman, seconded by Commissioner Hagman and carried by unanimous vote to approve the Consent Calendar as presented except for Item Nos. 6 and 7.

#### 1. APPROVAL OF MINUTES

Minutes for the regular meeting of the Ontario International Airport Authority on May 23, 2017 and the special meetings of June 12, 2017, June 17, 2017, and July 5, 2017 approving same as on file with the Secretary/Assistant Secretary.

#### 2. BILLS/PAYROLL

Bills June 1, 2017 through June 30, 2017 and Payroll June 1, 2017 through June 30, 2017.

#### 3. APPROVAL OF MEETING STIPENDS

The OIAA Commission approved meeting stipends for Commissioner Hagman.

# 4. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE COMMISSION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY, ESTABLISHING A CONFLICT OF INTEREST CODE.

The Ontario International Airport Authority Commission adopted Ordinance No. 0001 establishing a Conflict of Interest Code as required by the Political Reform Act (Government Code Section 81000, et seq). Introduction and first reading took place at a regular meeting on May 23, 2017.

**ORDINANCE NO. 0001** AN ORDINANCE OF THE COMMISSION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY, APPROVING A CONFLICT OF INTEREST CODE AND MAKING FINDINGS IN SUPPORT THEREOF.

#### 5. RATIFYING THE USA-TAIWAN PROMOTION OF EXCHANGE BETWEEN AIRPORT CITIES AND OPERATORS JOINT STATEMENT OF JULY 6, 2017

The Ontario International Airport Authority (OIAA) ratified the USA-Taiwan Promotion of Exchange between the Airports Cities and Operators Joint Statement that was executed at a signing ceremony that took place on Thursday, July 6, 2017.

#### ITEMS PULLED FROM CONSENT

#### 6. APPROVE A CONSULTATION AGREEMENT WITH WOODLAWN CONSULTING, LLC FOR CONSULTING SERVICES RELATING TO LAND DEVELOPMENT AND OTHER RELATED PROCEEDINGS OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY

The Ontario International Airport Authority approved a Consultation Agreement with Woodlawn Consulting, LLC for consulting services relating to land development and staff management, strategy development, and commercial activities of the Ontario International Airport Authority.

#### Ontario International Airport Authority Commission Regular Adjourned Meeting Wednesday, July 26, 2017 Page 3 of 7

Vice President Loveridge asked for a staff report regarding the item.

Commissioner Hagman inquired if approval would cause an increase in the budget.

Interim Chief Executive Officer Thorpe provided a brief report on the agreement and added there would be no increase to the budget as the use of this consultant would be in lieu of hiring full-time staff.

**MOTION:** Moved by Commissioner Bowman, seconded by President Wapner and carried by a vote 3-1, with Vice President Loveridge opposed, to approve an agreement with Woodlawn Consulting, LLC.

	Yes	No	Abstain
President Wapner	Х		
Vice President Loveridge		Х	
Commissioner Bowman	Х		
Commissioner Hagman	Х		

#### 7. APPROVE A CONSULTATION AGREEMENT WITH WORTHINGTON PARTNERS, LLC FOR CONSULTING SERVICES RELATING TO THE GENERAL ADMINISTRATION OF ONTARIO INTERNATIONAL AIRPORT AUTHORITY

The Ontario International Airport Authority approved a Consultation Agreement with Worthington Partners, LLC for consulting services relating to the general administration of Ontario International Airport Authority.

Vice President Loveridge asked for a staff report regarding the item.

Interim Chief Executive Officer Thorpe provided a brief report on the agreement and added there would be no increase to the budget as the use of this consultant would be in lieu of hiring full-time staff.

**MOTION:** Moved by Commissioner Hagman, seconded by Commissioner Bowman and carried by a vote 3-1, with Vice President Loveridge opposed, to approve an agreement with Worthington Partners, LLC.

	Yes	No	Abstain
President Wapner	Х		
Vice President Loveridge		Х	
Commissioner Bowman	Х		
Commissioner Hagman	Х		

## ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

#### 8. AUTHORIZE APPROVAL OF THE CEO TO NEGOTIATE AND EXECUTE A SIX-MONTH CONTRACT BETWEEN MEAD & HUNT AND THE OIAA FOR MONTH-TO-MONTH ENGINEERING, ARCHITECTURAL, SURVEY, AND CONSTRUCTION INSPECTION SUPPORT SERVICES AT THE ONTARIO INTERNATIONAL AIRPORT

The Ontario International Airport Authority authorized the CEO to negotiate and sign a contract with Mead & Hunt for as-needed engineering, architectural, survey, and construction inspection support services at the airport for a six (6) month period, for a not-to-exceed monthly amount of (up to) \$60,000 until OIAA staff is able to procure similar services from one or more firms via a Request for Qualifications process.

Interim Chief Executive Officer Thorpe provided a staff report regarding the item.

Commissioner Hagman asked if this agreement would preclude another vendor from working on a different project.

Interim Chief Executive Officer Thorpe stated approval of this agreement would not preclude other vendors from working on separate projects.

President Wapner asked who the subcontractors are to determine if any members of the Commission have a conflict.

Interim Chief Executive Officer Thorpe noted Psomas and C&S Engineers as the two sub-contractors.

President Wapner asked General Counsel Ballance to clarify if he has a conflict of interest with C&S Engineers.

General Counsel Ballance stated President Wapner did not have a conflict of interest.

**MOTION:** Moved by Commissioner Hagman, seconded by Vice President Loveridge and carried by unanimous vote to authorize the CEO to execute an agreement with Mead & Hunt.

#### 9. APPROVE AND AUTHORIZE EXECUTION OF SECOND AMENDMENT TO LEASE ONT 7994 BETWEEN ONTARIO INTERNATIONAL AIRPORT AUTHORITY AND GUARDIAN AIR SERVICES, LLC AT ONTARIO INTERNATIONAL AIRPORT

The Ontario International Airport Authority Commission approved and authorized execution of the second amendment to Lease ONT 7994 between Ontario International Airport Authority and Guardian Air Services, LLC at Ontario International Airport.

Interim Chief Executive Officer Thorpe gave a staff report on the item.

**MOTION:** Moved by Commissioner Hagman, seconded by Commissioner Bowman and carried by unanimous vote to approve and authorize execution of the second amendment with Guardian Air Services, LLC.

#### 10. AUTHORIZE APPROVAL OF THE CEO TO NEGOTIATE AND EXECUTE TWO CONTRACTS FOR AIRPORT MEDIA AND ADVERTISING CONCESSION SERVICES AT THE ONTARIO INTERNATIONAL AIRPORT

The Ontario International Airport Authority (OIAA) authorized the CEO to negotiate and sign the following two contracts: (1) an airport advertising agreement (for interminal, outdoor, and airport parking advertising programs at Terminals 2 and 4) with Lamar Alliance Airport Advertising Company; and (2) a sign location lease (for outdoor static and digital billboard sign locations) with The Lamar Companies.

Interim Chief Executive Officer Thorpe gave a staff report regarding the item.

Shauna Forsythe, Director of Business Development with Lamar, gave a brief presentation on what Lamar Companies has planned for the Ontario International Airport.

**MOTION:** Moved by Vice President Loveridge, seconded by Commissioner Bowman and carried by unanimous vote to authorize the CEO to negotiate and sign agreements with The Lamar Companies.

#### 11. ACCEPTANCE OF A GRANT AWARD FROM THE FEDERAL AVIATION ADMINISTRATION OF FUNDS FROM THE AIRPORT IMPROVEMENT PROGRAM

The Ontario International Airport Authority (OIAA) authorized the Chief Executive Officer to execute all documents necessary to accept a grant-in-aid in an amount not to exceed \$8.5 million from the Federal Aviation Administration (FAA) provided through the Airport Improvement Program to cover 80.59 percent of the eligible portion of the Taxiway S&W Intersection Repair Project.

#### Ontario International Airport Authority Commission Regular Adjourned Meeting Wednesday, July 26, 2017 Page 6 of 7

Interim Chief Executive Officer Thorpe gave a staff report regarding the item.

Public Comment: *Stephen Rogers,* spoke on his concerns regarding non-discrimination.

**MOTION:** Moved by Commissioner Hagman, seconded by Commissioner Bowman and carried by unanimous vote to authorize the CEO to execute all documents necessary to accept a grant-in-aid from the Federal Aviation Administration.

## STAFF MATTERS

Interim Chief Executive Officer Thorpe indicated there were no updates.

#### **COMMISSIONER MATTERS**

There were no Commissioner matters.

#### **CLOSED SESSION**

The Ontario International Airport Authority Commission meeting was recessed to closed session at 3:49 p.m. with all members present.

- GC 54956.9(d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *Three (3) cases.*
- GC 54954.5(d) and 54956.95, CONFERENCE WITH LEGAL COUNSEL, LIABILITY CLAIM Claimant: (Kelly Fredericks); Agency claimed against: (OIAA)
- GC 54957, PUBLIC EMPLOYMENT Title: Interim Chief Executive Officer

The Ontario International Airport Authority Commission meeting was reconvened in public session at 4:20 p.m.

#### **CLOSED SESSION REPORT**

General Legal Counsel Ballance announced there was no reportable action.

#### ADJOURNMENT

#### Ontario International Airport Authority Commission Regular Adjourned Meeting Wednesday, July 26, 2017 Page 7 of 7

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 4:20 p.m.

Respectfully submitted:

CLAUDIA Y. ISBELL, CLERK OF THE BOARD

APPROVED:

ALAN D. WAPNER, PRESIDENT ONTARIO INTERNATIONAL AIRPORT AUTHORITY

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY Agenda Report

SECTION: CONSENT CALENDAR

August 22, 2017

#### SUBJECT: OIAA COMMISSION APPROVAL OF STIPENDS AS REQUIRED BY AUTHORITY BYLAWS

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority Commission approve additional stipends per Article IV, Section 6 of the Authority's Bylaws.

#### **BACKGROUND:**

Article IV, Section 6 of the Authority's Bylaws states as follows:

"<u>No salary: Reimbursement for Expenses: Stipends</u>. 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 2017, OIAA Commissioner Hagman attended nine (9) additional Authority-related business functions. President Wapner attended three (3) additional Authority-related business functions. Full Commission approval is needed to approve payment of stipends.

#### FISCAL IMPACT AND SOURCE OF FUNDS:

OIAA operating revenue.

#### STAFF MEMBER PRESENTING: Claudia Y. Isbell, Commission Clerk

Prepared by:	Claudia Y. Isbell	Submitted to OIAA:	August 22, 2017
Department:	)	General Counsel	
*		Review:	August 22, 2017
	OIAA	Approved:	
		Continued to:	
Interim Chief	.1 0		
Executive	Illa la Or all	Denied:	
Officer Approval:	Mulle a. Moyle		
	/		
			Item No. 04

## PRIOR COMMISSION ACTION:

On December 8, 2016, the OIAA Commission adopted Resolution No. 2016-14 approving and adopting the OIAA Bylaws.

## **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).)

## **STAFFING IMPACT (# OF POSITIONS):**

N/A

## **IMPACT ON OPERATIONS:**

N/A

# **EXHIBITS AND 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

This Agenda Report has been reviewed by OIAA General Counsel.

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY Agenda Report August 22, 2017

# SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE INTERIM CHIEF EXECUTIVE OFFICER TO SIGN A MEMORANDUM OF AGREEMENT (MOA) WITH U.S. CUSTOMS AND BORDER PROTECTION (USCBP), FOR ONTARIO INTERNATIONAL AIRPORT (ONT) TO BECOME A USER FEE AIRPORT (UFA) UNDER USCBP'S UFA PROGRAM, AND TO ASSESS A FEE FROM ARRIVING INTERNATIONAL PASSENGERS TO RECOVER THE COSTS RELATED TO THE PROGRAM.

**RELEVANT STRATEGIC OBJECTIVE(S):** (1) expand air service; and (2) provide customer-friendly services and facilities.

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) Commission authorize the Interim Chief Executive Officer to sign a MOA with USCBP for ONT to become a User Fee Airport by the end of 2017, and assess a \$10 fee from each arriving international passenger which should result in approximately \$830,000, to recover costs associated with the UFA program.

#### FISCAL IMPACT SUMMARY:

The approval of this action will not immediately trigger any expenses to the OIAA. However, once ONT becomes a User Fee Airport in the USCBP program, the OIAA will be required to pay approximately \$1.4 million in USCBP staffing costs and an estimated \$700,000 in improvements to the USCBP Federal Inspection Station (FIS) at the airport during the first 12 months; and approximately \$1.2 million in USCBP staffing costs (not including cost-of-living allowances and other permissible increases) each subsequent 12 months.

Most of the annual costs of the UFA program would be recovered through a \$10 fee assessed upon arriving international passengers at ONT, while the remaining cost of the program would require use of funds from the OIAA's FY 2018 budget, or any other budget adopted, continued, or approved by the OIAA Commission.

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

Prepared by:	Mark A. Thorpe	Submitted to OIAA:	August 22, 2017
Department:		General Counsel	
		Review:	August 22, 2017
	OIAA	Approved:	
		Continued to:	
Interim Chief		Denied:	
Executive Officer Approva	1. Marle C. Shar	·	
	with the they		Item No. 05

#### BACKGROUND

Since 1990, USCBP has provided immigration and customs services for arriving international flights at the ONT FIS. These services were provided by USCBP's Port of Los Angeles, under a verbal agreement with Los Angeles World Airports (LAWA) to provide overtime staffing at ONT, without cost to the Airport.

However, under this verbal agreement, USCBP limited its staffing of the ONT FIS to a four-hour operational window during the late evening. Over the decades, this limited service window has been a challenge to the Airport's efforts to develop international air service at ONT.

Shortly after the transfer of ownership and operational control of ONT from the City of Los Angeles to the OIAA, the Port Director of the Los Angeles Customs Port (USCBP Port Director) met with the OIAA management team in Ontario to inform the Airport that the verbal agreement between LAWA and USCBP had been rescinded, and that the OIAA would have to enter USCBP's UFA program for ONT to continue to have USCBP officers provide customs and immigration services at the Airport's FIS. The USCBP Port Director informed the OIAA management team that if ONT did not become a User Fee Airport, it would lose all USCBP staffing at the Airport's FIS, even though ONT has long-qualified as a Port of Entry airport, which should obviate the need for the OIAA to pay for USCBP services at ONT.

Under the UFA program, the OIAA will be required to cover the salary, benefits and other costs of USCBP officers assigned to work at the ONT FIS, as well as improvements to the ONT FIS necessary to have the facility meet USCBP's updated design specifications and operational standards. The OIAA estimates that the first 12 months of ONT's participation in the UFA will cost the OIAA approximately \$2.3 million, and \$1.4 million during each subsequent 12-month period.

Even though USCBP will require the OIAA to pay for USCBP staffing at ONT, the Airport will benefit from increased staffing that will increase the Airports customs and immigration service window from four hours to eight hours, with the possibility of adding USCBP staffing as needed to accommodate possible future international traffic growth at the Airport. Thus, ONT's entrance into the UFA program will remove the decades-old obstacle to international traffic growth at ONT; the limited USCBP service window.

Upon memorialization of the MOA with USCBP by the Interim CEO, the process of the Airport becoming a User Fee Airport will commence, and is expected to be completed by the end of 2017. This will incur costs to the OIAA, but will also make the OIAA more marketable as an international gateway immediately.

#### PROCUREMENT

N/A

#### FISCAL IMPACT AND SOURCE OF FUNDS

The approval of this action will not immediately trigger any expenses to the OIAA. However, once ONT becomes a User Fee Airport in the USCBP program, the OIAA will be required to pay staffing and FIS modernization costs totaling approximately \$2.3 million during the first 12 months; and approximately \$1.4 million in USCBP staffing costs (not including cost-of-living allowances and other permissible increases) each subsequent 12 months.

A portion of the annual cost of the UFA program would be recovered through a \$10 fee assessed upon deplaning international passengers at ONT, while the remaining cost of the program would be covered by funds from the OIAA's FY 2018 budget, or any other budget adopted, continued, or approved by the OIAA Commission.

#### **CEQA COMPLIANCE**

The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301 because the project consists of increased USCBP staffing at the ONT FIS facility, like existing services already provided at the Airport and is therefore not subject to review under CEQA. In addition, to the extent any alteration of the Airport's FIS facility occurs as part of ONT's participation in the UFA program, 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**

This proposed action will not have an immediate impact on operations at the Airport. However, ONT's entrance into the UFA program will have a positive operational impact on the Airport, by expanding the daily operational window at the ONT FIS, increasing the efficiency of the FIS facility, and improving USCBP's capability of handling arriving scheduled and diverted international commercial flights.

#### SCHEDULE

N/A

#### EXHIBITS AND ATTACHMENTS

Attachment A – USCBP UFA program MOA with the OIAA

This 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.

This Agenda Report has been reviewed by General Counsel.

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY Agenda Report August 22, 2017

# SECTION: CONSENT CALENDAR

## SUBJECT: A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY (OIAA) SETTING RATES FOR COMMERCIAL FILMING ACTIVITY AT ONTARIO INTERNATIONAL AIRPORT (ONT)

**RELEVANT STRATEGIC OBJECTIVE(S):** (1) develop airport-related business

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) Commission approve Resolution No. \_\_\_\_\_ adopting rates for commercial filming activity at ONT.

## FISCAL IMPACT AND SOURCE OF FUNDS:

Due to the variability in the level of commercial filming activity from year to year, is it difficult to predict with any degree of confidence the overall revenue impact of this revised policy. However, this revised policy will ensure that the OIAA will recover all costs related to commercial filming activity on its property.

#### **BACKGROUND:**

ONT is a popular Southern California location for the commercial filming industry. This industry is vital to the local and regional economy. The fees that are currently charged to entities filming at ONT were established more than 8 years ago by the Los Angeles Board of Airport Commissioners (LABOAC). The cost-recovery elements of the fee structure established by the LABOAC were based upon the staffing and operating model under which Los Angeles World Airports (LAWA) managed ONT at that time, and up until the November 1, 2016 transfer of ownership and control of ONT to the OIAA.

Current OIAA commercial filming rates at the Ontario International Airport (ONT) were set by Resolution No. 22979 adopted by the Los Angeles Board of Airport Commissioners at a special meeting held on July 21, 2009. The OIAA assumed these rates upon completion of the November 1, 2016 transfer process

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

Prepared by:	Mark A. Thorpe	Submitted to OIAA:	August 22, 2017
Department:		General Counsel	
-		Review:	August 22, 2017
	OIAA	Approved:	
		Continued to:	
Interim Chief	,1 0	2	
Executive	MI non	Denied:	
Officer Approva	1: Mark (1. Al	oye	
	1993 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 - 1992 -	/	Item No. 06

This proposed action will (a) adjust hourly rates to recover staffing costs, according to the OIAA's posttransfer staffing and operating model, which differs from that of LAWA; (b) adjust other rates and charges to ensure full cost recovery for ONT facilities use, including utilities, maintenance, etc.; (c) recover OIAA administrative staff time required to coordinate and manage commercial filming activity; and (d) generate incremental non-airline revenue to further lower the costs that the OIAA passes along to its airline partners.

In addition, this action will revise the OIAA commercial filming policy to (a) expressly encourage commercial filming companies to give preference to local companies when contracting for support services for activity scheduled to take place on OIAA property, subject to the standard requirements of the commercial filming industry related to the procurement of such services; and (b) request that the OIAA be included as a location in post-film credits, when applicable, for productions filmed in their entirety or in part on OIAA property.

# CEQA COMPLIANCE

The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301 because the project consists of policy changes related to commercial filming activities that are similar to the existing operations and services already provided at the Airport and is therefore not subject to review under CEQA. In addition, to the extent any alteration of facilities occurs, 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:**

Impact on operations will be minimal, as commercial filming activity at ONT has minimal impact on the normal course of aviation-related activity at the airport. In addition, to the extent that commercial filming activity does have a minimal impact on airport operations, the adoption of revised filming rates is not projected to stimulate such activity sufficient to change the activity overall minimal impact.

# **EXHIBITS AND ATTACHMENTS:**

Resolution No. \_\_\_\_ Establishing Film Rates.

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

This Agenda Report has been reviewed by OIAA General Counsel.

#### RESOLUTION NO. \_\_\_\_-

#### A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY SETTING RATES FOR COMMERCIAL FILMING ACTIVITY AT ONTARIOINTERNATIONAL AIRPORT

WHEREAS, the Ontario International Airport Authority (the "OIAA" or "Authority") was formed through the Joint Exercise of Powers Agreement ("JPA") by and between the City of Ontario and the County of San Bernardino pursuant to the Joint Exercise of Powers Act of the State of California, for the purpose of operating, maintaining, managing, developing, and marketing the Ontario International Airport (the "Airport"); and

**WHEREAS**, the current film rates and charges at the Airport were set by the Los Angeles Board of Airport Commissioners; and

**WHEREAS**, the Ontario International Airport is a popular filming site for the film industry and this industry is vital to the local economy; and

**WHEREAS**, the fees established are a cost recovery process for department personnel required to assist in the production; and

**WHEREAS**, during fiscal year 2016-2017, Ontario International Airport received film desk revenues totaling \$565,503.78; and

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

**SECTION 1.** The Ontario International Airport Authority Commission hereby approves and adopts the new film rates as presented in Exhibit A, and

**SECTION 2.** 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 3.** This Resolution shall take effect immediately, with the film rates taking effect on August 22, 2017.

**SECTION 4.** The Ontario International Airport Authority Commission hereby authorizes the Chief Executive Officer to adjust rates according to changes in the Ontario International Airport (ONT) operating expenses.

<u>SECTION 5</u>. All public safety related staff for filming must be approved by the Ontario Police Department and the Ontario Fire Department leadership assigned to Ontario International Airport (ONT).

**SECTION 6.** The Ontario International Airport (ONT) expressly encourages commercial filming companies to give preference to local companies when contracting for support services for activity scheduled to take place on the Ontario International Airport Authority property, subject to the standard requirements of the commercial filming industry related to the procurement of such services.

**SECTION 7.** The Ontario International Airport Authority expressly encourages commercial filming companies to include the Ontario International Airport included as a location in the post-film credits, when applicable, for productions filmed in their entirety or in part on Ontario International Airport Authority property.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting this 22<sup>nd</sup> day of August, 2017.

ALAN D. WAPNER, OIAA PRESIDENT

ATTEST:

CLAUDIA Y. ISBELL, COMMISSION CLERK/ ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

LORI D. BALLANCE GENERAL COUNSEL I, Claudia Y. Isbell, Commission Clerk 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 22, 2017 by the following roll call vote, to wit:

)

)

)

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

CLAUDIA Y. ISBELL, COMMISSION CLERK / 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 22, 2017.

CLAUDIA Y. ISBELL, COMMISSION CLERK/ ASSISTANT SECRETARY

(SEAL)

# FILMING PRELIMINARY COST RATES EXHIBIT A

ONTARIO INTERNATIONAL AIRPORT AUTHORITY FILM OFFICE														
Studio and address														
Preliminary Cost           DATE(S)         RATE[MM/DD/YY] #VALUE! #VE!! #VALUE! #VE!! #V														
DATE(S) DAY		RATE	MM/DD/YY	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	Weekly	City of	f Ontario Per	mit # X	XXXX
DAT	-		Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total				
			1							-	subtotal	waived	\$	-
FACILITY/UTILITY FEES														
Ontario Facility Hourly Rate	\$	150.00										\$ -		
Ops Vehicle per hour charge	\$	6.00				<u> </u>	ļ					\$ -		
						h						<del>\$</del> - \$-	{	
						1						\$ -		
												\$-	1	
PRODUCTION VEHICLES	_	_			_					_	subtotal	\$ -	\$	-
5 Ton <trucks td="" trailers<=""><td>\$</td><td>25.00</td><td></td><td></td><td></td><td>1</td><td><b>F</b></td><td>1</td><td></td><td></td><td></td><td>\$ -</td><td>r</td><td></td></trucks>	\$	25.00				1	<b>F</b>	1				\$ -	r	
5 Ton>Production Vehicles	\$	10.00										\$ -		
Cast/Crew Personal Auto	\$	18.00										\$ -		
											subtotal	\$ -	\$	
AIRPORT PROPS / TIME & MA B727 Prop 1 Day (view)		1,000.00	1			1	r	1		ľ		¢		
B727 Prop 1 Day (view) B727 Prop 1 Day (exterior upto)		1,750.00	<u> </u>									<u></u> - \$ -		
B727 Prop (interior/exterior)	\$	3,250.00										\$ -		
	201										subtotal	\$ -	\$	_
AIRPORT PERSONNEL HOUR Airport Supt III	\$	96.37	1							r		¢	r	
	_											\$ -		
Airport Supt II	\$	81.22										\$ -		
Airport Special Officer(s)	\$	73.38		_	_							\$ -		
Security Officer	\$	46.69										\$-		
Airport Police Sergeamt	\$	89.18										\$ -		
LEO(OPD)	\$	119.11										\$ -		1
Electrician(s)	\$	70.05										\$ -		
Air Conditioning Mech.	\$	65.43										\$ -		
Instrument Mechanic	\$	79.91										\$ -		
Communications Electrician	\$	82.71										\$ -		
												•		
											subtotal		\$	
*Hourly salaries are billable rates w	hich	include em	plovee henef	its per OIAA	August 20	17					Subiolar	subtotal	Ф \$	-
										15% A	dministrat		\$	
								_		1070 A	anniouat		\$	
Maka Chaoka Bayahla Tay Osta	ria I	ntornation	al Airport A.	thority 100	2 E Avia-	St Optania	CA 04764					TOTAL		
Make Checks Payable To: Ontario International Airport Authority 1923 E. Avion St. Ontario, CA 91761 TOTAL					\$									

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY Agenda Report August 22, 2017

# SECTION: CONSENT CALENDAR

#### SUBJECT: AUTHORIZE THE INTERIM CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A NON-EXCLUSIVE CONCESSION LEASE AGREEMENT BETWEEN THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY (OIAA) AND HG ONT RETAILERS JV FOR NEWS AND GIFT CONCESSIONS AT ONTARIO INTERNATIONAL AIRPORT (ONT).

**RELEVANT STRATEGIC OBJECTIVE(S):** (1) develop airport-related business; and (2) provide customer-friendly services and facilities.

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority Commission authorizes the Interim Chief Executive Officer to negotiate and sign an 8-year fixed term News and Gift Concession Lease Agreement between OIAA and HG ONT Retailers JV (Concessionaire) for news and gift concessions in Terminals 2 and 4 at ONT.

#### FISCAL IMPACT SUMMARY:

If approved, under the proposed non-exclusive Concession Lease Agreement, HG ONT Retailers JV, an entity of incumbent concessionaire Hudson Group, will make a capital investment of at least \$2.4 million for rebranding and remodeling of its stores, and pay to the OIAA the following percentages of gross revenues as rent: 12% on sales in the Specialty Stores & Electronics Category; 16% on sales in the News & Gifts Category up to \$10 million per year and 18% on sales greater than \$10 million per year; and 12% on sales in the Duty Free Category up to \$10 million per year and 18% on sales greater than \$10 million per year.

Concessionaire reports that in 2016, sales at ONT have increased 12.17%, and growth of another 8% is expected in 2017. Total retail sales at ONT for 2017 is estimated to be over \$6.5 million. With the proposed new concepts and rent structure, rent to OIAA is anticipated to increase close to 70% compared

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

Prepared by:	Mark A. Thorpe	Submitted to OIAA:	August 22, 2017
Department:		General Counsel	
		Review:	August 22, 2017
	OIAA	Approved:	
		Continued to:	
Interim Chief	11 1 2 2 -		
Executive	Mr. 1. Or all me	Denied:	
Officer Approval:	Mail a. Hidye		
	·		Item No. 07

to current levels over the life of the new Agreement. In year one alone, after Concessionaire completes its improvements under the newly proposed Agreement, Concessionaire expects to generate additional rent to OIAA of approximately \$500,000.

## **BACKGROUND:**

Hudson Group, parent entity of HG ONT Retailers JV, currently operates news and gift retail services in Terminals 2 and 4 under an existing Agreement executed between the concessionaire and Los Angeles World Airports dated October 9, 2015, with an expiration date of October 9, 2017. Pursuant to the Staff Augmentation Agreement entered into between LAWA and the Authority, the OIAA agreed to assume all rights and obligations under the existing agreement until November 1, 2018. OIAA staff determined it was in the best interests of all stakeholders to enter into a new Agreement to ensure uninterrupted concession services and to achieve substantial refurbishments to existing news and gift concession facilities at the earliest possible time. Concessionaire is committed to improving its facilities by making strong merchandise presentations and offering contemporary travel conveniences with a wide range of products and merchandise selected specifically for ONT passengers and guests. Additionally, Concessionaire has committed to deliver 12% Airport Concession Disadvantage Business Enterprise (ACDBE) participation with certified retail partner Albright International Incorporated.

Upon completion of construction the following store brands will be available to service travelers: In Terminal 2, Tech on the Go, Author's Bookstore, Hudson, Daily News and retail merchandising units (kiosks). In Terminal 4: Tech on the Go, INK, Hudson, Ontario Provisions, Cali Market and retail merchandising units (kiosks). The Hudson Group is an East Rutherford, New Jersey, based retailer which operates one of the largest chains of newsstands, bookstores, fast food restaurants, and other retail stores chiefly at airports in the United States. The company's holdings include the world's largest operator of airport newsstands and the largest duty-paid travel retailer in North America. It is a wholly owned subsidiary of Dufry AG, Switzerland.

**CEQA COMPLIANCE:** The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301 because the project consists of issuance of a concessions agreement for news and gift services similar to existing services already provided at the Airport and is therefore not subject to review under CEQA. In addition, to the extent any alteration of facilities occurs, 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:**

Impact on operations will be minimal. Within 60 days of execution of the lease agreement, concessionaire will provide the OIAA with a construction plan for refurbishment of the facilities that will maintain news and gift services while minimizing impact on travelers and employees.

## **SCHEDULE:**

Upon approval of the construction plan cited above, concessionaire will have one year to complete the approved work outlined in the plan.

# **EXHIBITS AND ATTACHMENTS:**

ATTACHMENT A: Proposed News and Gift Concession Lease Agreement between Ontario International Airport Authority and HG ONT Retailers JV at Ontario International Airport (with exhibits – see below)
Exhibit A-1 - Assigned Areas in Terminal 2
Exhibit A-2 – Assigned Areas in Terminal 4
Exhibit B - Concession Plan
Exhibit D – Performance Audit Form – Monthly Performance Measures
Exhibit E – Non-Discrimination Requirements
Exhibit F – Permitted Uses

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

This Agenda Report has been reviewed by OIAA General Counsel.

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY Agenda Report August 22, 2017

# SECTION: CONSENT CALENDAR

SUBJECT: AUTHORIZE THE INTERIM CHIEF EXECUTIVE OFFICER (CEO) TO PURCHASE TWO MOBILE PASSENGER BOARDING RAMPS FOR \$346,960, TO PROVIDE WIDE-BODY AIRCRAFT GROUND SUPPORT CAPABILITY AT THE U.S. CUSTOMS AND BORDER PROTECTION (USCBP) FEDERAL INSPECTION STATION (FIS) AT ONTARIO INTERNATIONAL AIRPORT (ONT).

**RELEVANT STRATEGIC OBJECTIVE(S):** (1) maintain exceptional safety and security; (2) provide customer-friendly services and facilities; and (3) expand air service.

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) Commission authorizes the Interim Chief Executive Officer to purchase two mobile passenger boarding ramps for \$346,960, and assess a ground support equipment fee on every wide-body aircraft operation diverted to ONT during the next three years to recover the cost of the ramps.

#### FISCAL IMPACT SUMMARY:

If approved, the two mobile boarding bridges, including a 10-year structural warranty and a 12-month warranty on ancillary parts, will cost \$346,960. On average, 700 commercial flights are diverted to ONT each year. Of these, approximately 300 are wide-body aircraft operations. By assessing a \$450 ground support equipment fee on every diverted wide-body operation at the airport for the next three years, the OIAA projects that it will fully recover the cost of these mobile boarding bridges. Funding the purchase of two mobile passenger boarding bridges will require use of funds from the OIAA's FY 2018 budget, or any other budget adopted, continued, or approved by the OIAA Commission.

#### BACKGROUND

ONT continues to be Southern California's primary airport for commercial flight diversions. Each year, ONT accommodates diverted flights from airports in California, Arizona and Nevada. Many of these flights are long-haul international wide-body operations.

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

Prepared by:	Mark A. Thorpe	Submitted to OIAA:	Au gust 22, 2017
Department:		General Counsel Review:	Au gust 22, 2017
	OIAA	Approved:	
		Continued to:	
Interim Chief	II A M IA	Denied:	
Executive Officer Approval:	Mark d. Hiso	· · · · · · · · · · · · · · · · · · ·	
o motor i approvidati			Item No. 08

When international flights arrive at ONT, USCBP has the authority to require that passengers de-plane from any given flight, and be processed at the FIS at ONT. Unfortunately, not only does the ONT FIS facility lack jet bridges that can accommodate wide-body aircraft; the airport lacks ground support equipment, such as mobile passenger boarding stairs or ramps, that will allow passengers to de-plane from wide-body aircraft.

Without passenger boarding ramps or stairs for wide-body aircraft, airlines at ONT and the OIAA itself will continue to face four major challenges:

- airlines operating diverted wide-body flights at ONT cannot comply with a mandate from USCBP to have passengers de-plane and be processed at the ONT FIS;
- any wide-body aircraft flight arriving at ONT that is mechanically-disabled and will have to remain at ONT for a period of time cannot de-plane passengers at the airport;
- passengers using wheelchairs cannot de-plane a wide-body aircraft at the ONT FIS, leaving the OIAA and the airlines that operate wide-body flights at ONT out of compliance with the Americans with Disabilities Act (ADA); and
- in the event that an airline seeks to initiate new scheduled international service at ONT using widebody aircraft, it will not be able to un-load passengers from its arriving flights at the ONT FIS.

Mobile passenger boarding ramps will not only resolve these issues for the OIAA and airlines operating at the airport, they will also allow airlines to load and unload passengers much faster than is possible with older generation mobile passenger stair technology.

#### PROCUREMENT

The U.S. Federal Aviation Administration permits U.S. airports to acquire equipment, materials, or services through a sole source procurement process, when at least one of two conditions are deemed to be present:

- only one firm is known to be able to provide the required equipment, material or service
- when sole source procurement is the only practical way to respond to circumstances that over-ride the strong public interest in open, transparent, and competitive public processes

As outlined in Exhibit B attached to this staff report, both of these conditions exist in the case of the present proposed action. As a result, OIAA recommends the immediate single source procurement of *International Mobile Boarding Bridge* passenger ramps from AviRAMP® GSE, so that the mobile passenger boarding ramps can be delivered during December 2017.

## FISCAL IMPACT AND SOURCE OF FUNDS

Approval of this recommendation would require the use of additional funds in the FY2018 OIAA budget, or any other budget adopted, continued, or approved by the OIAA Commission. However, the immediate assessment of a \$450 ground support equipment fee on each diverted wide-body flight at ONT is projected to result in full cost recovery for two ramps by the OIAA within three years of purchase of the equipment.

## CEQA COMPLIANCE

The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301 because the project consists of the acquisition of mobile passenger boarding ramp units to be used for operations that are similar to existing services already provided at the Airport and is therefore not subject to review under CEQA. In

addition, to the extent that the use of these ramps requires any alteration of facilities, 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**

The proposed equipment purchase will increase the OIAA's operational capability, thereby contributing to un-interrupted and improved airport operations.

#### SCHEDULE

N/A

#### **EXHIBITS AND ATTACHMENTS**

Attachment A – AviRAMP Product Description and Specifications, Sole Source Procurement, and Price Quote for Internatinal Mobile Boarding Bridge Passenger Ramp.

This 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.

This Agenda Report has been reviewed by General Counsel.

# **ONTARIO INTERNATIONAL AIRPORT AUTHORITY** Agenda Report

# SECTION: CONSENT CALENDAR

August 22, 2017

#### SUBJECT: APPROVAL OF A CONTRACT WITH HELIX ENVIRONMENTAL PLANNING, INC. FOR PREPARATION OF ENVIRONMENTAL DOCUMENTATION FOR ONTARIO INTERNATIONAL AIRPORT.

**RELEVANT STRATEGIC OBJECTIVE(S):** (1) maintain exceptional safety and security; (2) provide customer-friendly services and facilities; and (3) expand air service.

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) authorize the Interim Chief Executive Officer to execute a contract with Helix Environmental Planning, Inc. in the amount of \$124,482 to prepare environmental documentation that conforms to the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) for the demolition of existing facilities located in the Northwest Quadrant of Ontario International Airport.

## **FISCAL IMPACT:**

The cost of preparing the documentation is accounted for in the OIAA Fiscal Year 2018 budget and will be paid for with OIAA appropriations.

## BACKGROUND

The Northwest quadrant of ONT was used by the United States Army from 1942 to 1945 and by Lockheed Aircraft Services (LAS) from 1952 to 1988. The site has remained mostly unused for nearly 30 years and has fallen into disrepair. The existing facilities are no longer habitable. The remaining derelict facilities should be demolished to enhance airport safety and security. However, demolition of remaining facilities cannot be completed until proper documentation under federal (NEPA) and state (CEQA) law is completed. This contract will enable a qualified consultant to prepare the proper documentation. The OIAA Commission will review the findings of the environmental documentation and, if the OIAA **STAFF MEMBER PRESENTING:** Bruce Atlas, Chief Operations Officer

Prepared by:	Bruce Atlas	Submitted to OIAA:	August 22, 2017
Department:		General Counsel Review:	August 22, 2017
	OIAA	Approved:	
		Continued to:	
Interim Chief			
Executive	II AMONA	Denied:	
Officer Approv	al: Mark a. Thi	orpe	
			Item No. 09

Commission accepts the NEPA and CEQA documentation, may choose to undertake demolition of the remaining facilities enhancing safety and security at ONT.

OIAA posted a Request for Proposal (RFP) in June 2017 and received proposals from five firms including Helix Environmental Consulting, Inc, LSA Associates, Inc., Michael Baker International, RS&H California, Inc., and Tetra Tech, Inc. After staff evaluation of the five proposals, Helix Environmental Consulting, Inc. was selected as the best qualified consulting firm to prepare the required documentation based on their firm experience, experience at Ontario International Airport, and proposed project manager's experience on similar assignments as well as their adherence to the proposal requirements.

Subconsultants to Helix Environmental Consulting, Inc. include:

- Ninyo & Moore Geosciences and Environmental Sciences Consultants
- Iteris, Inc
- C&S Engineers, Inc.

## **EXHIBITS AND ATTACHMENTS:**

Attachment A – Scope, Schedule, and Negotiated Fee for Preparation of Environmental Documentation.

# ONTARIO INTERNATIONAL AIRPORT AUTHORITY Agenda Report August 22, 2017

# SECTION: CONSENT CALENDAR

## SUBJECT: APPROVAL OF OFFICIAL ONTARIO INTERNATIONAL AIRPORT BRAND AND LOGO AND ONTARIO INTERNATIONAL AIRPORT AUTHORITY SEAL

**RELEVANT STRATEGIC OBJECTIVE(S):** (1) expand air service; and (2) provide customer-friendly services and facilities.

**RECOMMENDED ACTION(S):** That the Ontario International Airport Authority (OIAA) Commission consider and adopt Resolution No. \_\_\_\_\_ regarding the official Ontario International Airport brand strategy and logo, and official Ontario International Airport Authority seal.

**BACKGROUND:** Expanded air service at Ontario International Airport (ONT) is one of the highest strategic priorities of the OIAA. One important component of increasing air service is a successful marketing and advertising effort, to promote existing and new air service at the airport. A strong brand strategy, which conveys the identity of ONT and the airport's fundamental value proposition to airlines, air travelers, shippers and others, *as well as* the logo that accompanies that brand, are an indispensable element of such an effort.

Insofar as marketing and advertising will be a significant commercial activity of the OIAA, beginning during the fall of 2017, the adoption of a resolution establishing a brand, brand strategy and logo for ONT by the OIAA Commission is an important first step in the commencement of the authority's marketing, advertising, and promotion of ONT in Southern California, as well as in targeted domestic U.S. and international markets.

In addition, the OIAA requires an official seal, for use in certifying the authority's approval of various documents by its designated and authorized officers; and, when needed, to certify official communications by the authority.

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

Prepared by:	Phoebe Zhang	Submitted to OIAA:	August 22, 2017
Department:		General Counsel Review:	August 22, 2017
	OIAA	Approved:	
		Continued to:	
Interim Chief Executive	111. 0 00 00 -	Denied:	
Officer Approval	Markel. Hoy	e	Item No. 10

Accordingly, staff recommends the Commission consider and approve the resolution presented in this action, establishing an official brand, brand strategy and logo for ONT; and an official seal for the OIAA.

**FISCAL IMPACT AND SOURCE OF FUNDS:** The cost to develop the brand, brand strategy and logo for ONT and the seal for the OIAA have already been incurred, by expenditures that fell within the signature authority of the OIAA's Interim Chief Executive Officer. The use of the OIAA seal is not expected to cost any additional funds. Future use of the brand and logo will only incur additional costs insofar as they are used in conjunction with marketing, advertising, promotional, or branding activities; the costs of which will be included in the FY 2018 or future budgets approved by the OIAA Commission.

# **PRIOR COMMISSION ACTION:** N/A.

# **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).)

# **STAFFING IMPACT (# OF POSITIONS):**

N/A

# **IMPACT ON OPERATIONS:**

N/A

# **EXHIBITS AND ATTACHMENTS:**

Attachment A: Resolution No. \_\_\_\_\_ Regarding the Official Ontario International Airport Brand Strategy and Logo, and Official Ontario International Airport Authority Seal

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

This Agenda Report has been reviewed by OIAA General Counsel.

#### RESOLUTION NO.\_\_\_\_\_

A RESOLUTION OF ONTARIO INTERNATIONAL AIRPORT AUTHORITY COMMISSION REGARDING THE OFFICIAL ONTARIO INTERNATIONAL AIRPORT BRAND STRATEGY, LOGO, AND AN ONTARIO INTERNATIONAL AIRPORT AUTHORITY SEAL

WHEREAS, the Ontario International Airport Authority (the "OIAA" or "Authority") was formed through the Joint Exercise of Powers Agreement ("JPA") by and between the City of Ontario and the County of San Bernardino pursuant to the Joint Exercise of Powers Act of the State of California, for the purpose of operating, maintaining, managing, developing, and marketing the Ontario International Airport (the "Airport"); and

**WHEREAS**, the Ontario International Airport Authority must properly identify letters, billings and correspondence; and

**WHEREAS**, the Ontario International Airport Authority has not approved a logo for the Ontario International Airport (ONT) since the transfer of ownership; and

**WHEREAS,** logos are meant to represent an organization's brand or corporate identity and the image used should embody the organization's vision or mission; and

**WHEREAS**, the Ontario International Airport Authority desires to provide recognizable economical marketing efforts by creating a logo that will foster immediate recognition of the Ontario International Airport (ONT).

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

**SECTION 1**: The 'Horizontal logo' described and identified pursuant to the (Exhibit 1) is designated as 'Logo Template 1.' All use of the airport logo shall be pursuant to conduct of airport related business. The colors of logo include Grey (Pantone P 176-3 C), White, Blue (Pantone P 115-6 C), and Dark Blue (Pantone 661 C).

**SECTION 2**: The 'Square logo' described and identified pursuant to the (Exhibit 1) is designated as 'Logo Template 2.' All use of the airport logo shall be pursuant to conduct of airport related business. The colors of logo include Grey (Pantone P 176-3 C), White, Blue (Pantone P 115-6 C), and Dark Blue (Pantone 661 C).

**SECTION 3**: The tag lines 'So Cal. So Easy', 'Easy come. Easy go.', and 'Where the flying is easy.' (Exhibit 1) are designed for use on airport related marketing efforts to promote programs and economic development.

**SECTION 4**: The "Ontario International Airport Authority Seal" described and identified pursuant to the Ontario International Airport Authority Bylaws, page 5, Article VIII, Seal (Exhibit 2) is designated as the Authority Seal for purposes of certifying documents and records pursuant to certification of the Commission Clerk.

**SECTION 5**: This Resolution shall take effect immediately upon its adoption.

**<u>SECTION 6</u>**: 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 22<sup>nd</sup> day of August, 2017.

ALAN D. WAPNER, OIAA PRESIDENT

ATTEST:

SECRETARY/ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

LORI D. BALLANCE GENERAL COUNSEL I, Claudia Y. Isbell, 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 22, 2017 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 22, 2017.

SECRETARY/ ASSISTANT SECRETARY

(SEAL)

# **EXHIBIT 1**

RECOMMENDED BRAND STRATEGY AND LOGO FOR

ONTARIO INTERNATIONAL AIRPORT (ONT)

# **ONT BRAND STRATEGY**

## **ONT Brand**

"Southern California's preferred alternate airport"

## **Core Values of ONT Brand**

- Global reach and sophistication, personal interaction
- Exceptional customer experience
- Stress-free experience
- Ease of use
- Facilities and services tailored to travelers' needs
- Operational excellence
- We constantly innovate to continuously surprise and please our customers

## Key Messages to Convey Core ONT Brand Values

- Key messages were selected from 8 options presented to focus groups comprised of:
  - Southern California residents from ONT's primary air service region (San Bernardino and Riverside counties)
  - o Individuals who travel for business and leisure regularly
  - o Travel policy decision-makers for their companies
- Preferred key messages
  - 1. "So Cal. So Easy."
    - Combines ONT's geographical location with sense of Southern California culture and style, and ease of airport access and use
    - o *Target audience:* inbound leisure travelers; outbound/inbound business travelers
    - o 37.5% of focus group participants considered this their favorite brand message
    - Focus group comments
      - "I like the ownership of the word "easy" when it comes to air travel, because most people feel it is so complicated."
      - "I like the last one best--very catchy and clear. SoCal. So Easy. The others look like they could be on any brand--nothing unique about them."

## 2. "Where flying is easy."

- Reinforces ease of airport access and use and a less-stressful air travel experience
- o Target audience: outbound/inbound business travelers
- o 25% % of focus group participants considered this their favorite brand message
- Focus group comments
  - "I made my selection and then surveyed 9 of my employees (4 Asians, 4 Hispanics, and 1 Caucasian). Wanted to make sure you had a good demographic cross section! So, 10 votes total!"

#### 3. "Easy come. Easy go."

- o Emphasizes passenger experience that is less-stressful and faster
- o Target audience: outbound travelers (business and leisure)
- o 18.8% % of focus group participants considered this their favorite brand message
- Focus group comments
  - "I think my favorite is 'easy come, easy go'... because it's true!!!

# **ONT LOGO #1: SQUARE LOGO**



#### Uses:

- This square logo is an alternate logo to the ONT horizontal logo, both logos share the same airplane icon, color palette and fonts.
- The square shape provides for better flexibility for smaller-spaced placements such as social media, branded shirts/other give-away items, and smaller sized digital ads.

#### **Research findings:**

- 51% of focus group respondents selected this option at their preferred logo
  - Focus group comments:
    - "I like the ONT one (top corner). Helps with the branding of the site ONT is Ontario."
    - "I like the one with the jet in the "O" of ONT. But not because of that. I like it because it spells out ONTARIO in one color... only frequent flyers who buy their own tickets will understand that ONT is the airport symbol. The general audience needs to see "ONTARIO" clearly in one word spelled out, same color, in order to understand it."
    - "I like the graphic logo at the top left (the ONT with the airplane in it). I love having the airport identifier in the logo... very smart. I can never remember them for other airports."

#### **Color selection:**

• Blue tones were chosen because blue symbolizes and invokes a sense of professionalism, loyalty, dependability, and calm. Blue color is also known to have a calming effect on the psyche. Blue is the color of the sky and is often used to represent these images (and is, therefore, very applicable to air travel and aviation).

- Different shades, tints, and hues of blue also have different meanings. Darker blue is typically perceived to convey sophistication and intelligence, while lighter blue hues reflect honesty and trustworthiness.
- Color palette:



## Alternate applications:

An alternate logo option including "Southern California" has been developed for use advertisements running outside of the Los Angeles DMA:



Black-and-white versions of these logos will be used when a color option is not available:



SOUTHERN CALIFORNIA



# **ONT LOGO #2 : HORIZONTAL LOGO**



#### Uses:

- The horizontal logo is an alternate logo to the square logo, both logos share the same airplane icon, color palette and fonts.
- The horizontal logo provides for greater flexibility for larger scale placements such as signage, advertising, as well as allows animation (the plane can start in the "O" and end in the final circle) for video and digital advertising uses.

#### **Research findings:**

- 31% selected this option
  - Focus group comments:
    - "I surveyed my employees ... the winner, capturing 70% of the vote, was the logo on the lower left that has Ontario with the swirly line going through it."
    - "I like the bottom-left logo because it's a good combination of letting me know the city but also the airport code in one visual."

#### **Color palette:**



#### **Alternate applications:**

An alternate logo option including "Southern California" has been developed for advertisements running outside of the Los Angeles DMA:



Depending on the background color in a print or digital medium where the logo will be placed, several alternate options have been developed using the same color scheme – to ensure that the "ONT" stands out:



Black-and-white versions of these logos will be used when a color option is not available:





EXHIBIT 2

