

**ONTARIO INTERNATIONAL AIRPORT AUTHORITY
REGULAR COMMISSION MEETING
MINUTES
TUESDAY, MARCH 28, 2017**

A regular meeting of the Ontario International Airport Authority was held on Tuesday, March 28, 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 3:13 p.m.

ROLL CALL

PRESENT: Commissioners: Lucy Dunn, Jim W. Bowman,
Curt Hagman and Alan D. Wapner

ABSENT: Commissioners: Ronald O. Loveridge (excused)

Also present were: CEO Kelly J. Fredericks, Legal Counsel Stephen G. Larson, Interim General Counsel Lori D. Ballance via teleconference, and Deputy Assistant Secretary Claudia Y. Isbell.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Secretary Dunn.

Hearing no requests to speak, President Wapner recessed the regular meeting of the Ontario International Airport Authority to Closed Session at 3:14 p.m. with Commissioners Bowman, Dunn, Hagman and President Wapner in attendance.

CLOSED SESSION

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 1150 S. Vineyard Avenue, Ontario, CA 91761; Negotiator: Kelly Fredericks; Negotiating Parties: Guardian Air Services, LLC; Under Negotiation: Price and terms of payment.
- GC 54957, PUBLIC EMPLOYEE APPOINTMENT
Title: Interim General Counsel
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 1923 E. Avion Street, Ontario, CA 91761, Terminal #2 and Terminal #4; Negotiator: Kelly Fredericks; Negotiating Parties: Delaware North Companies Travel Hospitality Services, Inc.; Under Negotiation: Price and terms of payment.

- GC 54956.9(d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *Three (3) cases.*

The Ontario International Airport Authority Commission meeting was reconvened in public session at 4:56 p.m.

Commissioner Bowman left the meeting at 4:56 p.m.

CLOSED SESSION REPORT

President Wapner noted the resignation of Stephen Larson effective March 31, 2017 and announced the appointment of Lori D. Ballance with Gatzke Dillon & Ballance, LLP as Interim General Counsel.

PUBLIC COMMENTS

There were no public comments.

CONSENT CALENDAR

MOTION: Moved by Commissioner Hagman, seconded by Secretary Dunn and carried by unanimous vote of those present to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

Approved minutes for the regular meeting of the Ontario International Airport Authority on January 24, 2017 and the cancelled meeting on February 28, 2017, approving same as on file with the Secretary/Assistant Secretary.

2. APPROVAL OF MEETING STIPENDS

The OIAA Commission approved meeting stipends for President Wapner.

MOTION UNANIMOUSLY CARRIED. President Wapner declared the Consent Calendar unanimously approved by those present, with Commissioner Bowman and Vice President Loveridge absent.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

3. APPROVE AND AUTHORIZE THE CEO TO EXECUTE AN AGREEMENT WITH C&S ENGINEERS, INC. TO PREPARE AN AIRPORT MASTER PLAN AND ASSOCIATED ENVIRONMENTAL ANALYSIS FOR ONTARIO INTERNATIONAL AIRPORT – *ITEM CONTINUED*

That the OIAA Commission authorize the CEO to execute a three-year agreement with C&S Engineers, Inc. to prepare an airport master plan and associated environmental analysis for Ontario International Airport. Staff will be requesting a continuance of this item to allow the Commissioners additional time for review of associated information. It is critical for the Commission to approve this Master Plan in the very near future so the consultant can perform environmental analysis critical for cargo development at ONT.

The OIAA Commission continued the item to a future meeting.

4. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN OIAA AND T.Y. LIN INTERNATIONAL, INC. FOR CIVIL DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES – *ITEM CONTINUED*

That the OIAA Commission authorize the CEO to execute a three-year agreement with T.Y. LIN INTERNATIONAL INC., in the amount of \$130,524.25, to revise plans and documents and provide bidding support and to provide construction administration services related to the ONT Taxiway S&W Intersection Repair and new Taxiway S5 airfield construction project. Staff will be requesting a continuance of this item to allow the Commissioners additional time for review of associated information. Commission must approve design contract in the very near future in order to secure six (6) million dollars of FAA entitlement funds.

The OIAA Commission continued the item to a future meeting.

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

That the OIAA Commission authorize, empower, and direct the Chief Executive Officer and DBE Liaison Officer (DBELO), on behalf of the Authority, to implement all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the OIAA in its financial assistance agreements with the Department of Transportation. Staff will be

requesting a continuance of this item to allow the Commissioners additional time for review of associated information. Due to FAA requirements, it is critical that the Commission approve this program so that the OIAA Master Plan project and Taxiway S&W Intersection Repair and New Taxi way S5 projects can receive grant funds. Without grant funding, projects will be at risk.

RESOLUTION NO. _____

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

The OIAA Commission continued the item to a future meeting.

6. DISCUSSION REGARDING PROPERTY GENERALLY BOUNDED BY AIRPORT DRIVE TO THE NORTH, JURUPA STREET TO THE SOUTH, HAVEN AVENUE TO THE WEST, AND DOUBLEDAY AVENUE TO THE EAST

The OIAA Commission provided direction on the process to be used for the disposal or sale of the property generally bounded by Airport Drive to the north, Jurupa Street to the south, Haven Avenue to the west, and Doubleday Avenue to the east.

CEO Fredericks provided background information regarding the property in question. He stated that LAWA purchased the property without the use of FAA grant funds and added that there was an enormous interest from the development community to purchase the property.

Commissioner Hagman stated he would like to see a business model, including figures regarding the property being discussed to explore the best options.

Secretary Dunn stated she would like to see a staff recommendation of a process that is complimentary to the Master Plan with consideration of the surrounding development as well as the City of Ontario.

President Wapner stated an auction is the most expedient way. Once the OIAA received offers, then the Commission can determine what the best model and option would be for the Airport. He expressed his concerns with timing and waiting for the Master Plan to be finalized. He suggested that the bids and offers all be reviewed, then a decision should be made.

STAFF MATTERS

7. ONTARIO INTERNATIONAL AIRPORT AUTHORITY TEAM UPDATE

- Chief Executive Officer report, Kelly Fredericks

CEO Fredericks indicated that staff was busy working on a request for qualifications (RFQ) for a Capital Improvement Plan. He announced preliminary statistics for the month of February, stating that domestic passenger flights are up 6%, international passenger flights were down 10.1%, for an overall increase of 5.6%. He mentioned that Volaris is introducing trips in April to Leon, Guanajuato, Mexico which will increase the international numbers. He announced the RFQ for marketing company options that will be presented to the Marketing Ad Hoc committee and to the Commission for consideration. He added he will be issuing an RFQ to solicit architectural, engineering services, on-call services associated with the airports Capital Improvement Plan. He also provided an update regarding human resources.

He announced the AAE Conference scheduled for May 2017, in Long Beach and added that the Airport has partnered with Ontario Reign and the USO for Military Appreciation night on Saturday, April 8, 2017 beginning at 6:00 p.m.

The OIAA Commission gave direction to create an advisory group for Economic Development and asked that CEO bring back suggestions as to how these advisory groups should be implemented.

Chief Financial Officer Reynolds provided a six (6) month financial budget update.

President Wapner requested a copy of the draft budget as soon as possible.

Julie Mattlin with DKMG Consulting, LLC provided a presentation regarding rates and charges for the OIAA Commissioners.

COMMISSIONER MATTERS

President Wapner recognized David Asbra, Field Representative for Assembly Member Marc Steinorth. He also requested a timeline regarding the contracts with Ontario Police Department and Ontario Fire Department.


CEO Fredericks stated he anticipated having contracts on the April meeting agenda.

ADJOURNMENT

President Wapner adjourned the Ontario International Airport Authority Commission meeting at 5:36 p.m.

Ontario International Airport Authority Commission
Regular Meeting
Tuesday, March 28, 2017
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Respectfully submitted:



CLAUDIA Y. ISBELL, DEPUTY ASSISTANT SECRETARY

APPROVED:



ALAN D. WAPNER, PRESIDENT
ONTARIO INTERNATIONAL AIRPORT AUTHORITY

RESOLUTION NO. 2017-01

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY
APPOINTING AND DESIGNATING THE AUTHORITY'S GENERAL COUNSEL,
AND APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT FOR
GENERAL COUNSEL SERVICES.

WHEREAS, the Ontario International Airport Authority (the "Authority" or "OIAA") was formed through the Joint Exercise of Powers Agreement ("JPA") by and between the City of Ontario ("the City") and the County of San Bernardino ("the County"); and

WHEREAS, Section 3(E)(4) of the JPA provides the Commission with the authority on behalf of the OIAA to employ or engage, on an independent contractor basis or otherwise, professional services and expert services as may be necessary, including, without limitation, legal counsel; and

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND RESOLVED by the Ontario International Airport Authority Commission, as follows:

SECTION 1. The Ontario International Airport Authority Commission, in accordance with the terms and provisions of the Joint Exercise of Powers Agreement, hereby appoints and designates Lori D. Ballance and the law firm of Gatzke Dillon & Ballance, LLP as General Counsel for the Ontario International Airport Authority.

SECTION 2. The Ontario International Airport Authority Commission, in accordance with the terms and provisions of the Joint Exercise of Powers Agreement, hereby approves and authorizes for execution the Professional Services Agreement By and Between the OIAA and Gatzke Dillon & Ballance LLP for Professional Legal Services as General Counsel to the OIAA.

SECTION 4. Effective Date. This Resolution will take effect immediately upon its adoption.

SECTION 5. Certification. The Assistant Secretary shall certify as to the adoption of this Resolution and forward copies of this Resolution to the Ontario City Clerk and the Clerk of the Board, County of San Bernardino.

PASSED, APPROVED, AND ADOPTED at a Special Meeting this 27th day of April, 2017.




ALAN D. WAPNER, OIAA PRESIDENT

ATTEST:



SECRETARY/ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:



LORI D. BALLANCE
INTERIM GENERAL LEGAL COUNSEL

