

ONTARIO INTERNATIONAL AIRPORT AUTHORITY

COMMISSION AGENDA – REGULAR MEETING



September 26, 2024, at 2:00 P.M.

Ontario International Airport Authority Administration Offices
1923 East Avion Street, Room 100, Ontario, CA 91761

Live YouTube Streaming for Listening Only: <https://www.youtube.com/@flyont/streams>

ALAN D. WAPNER
President

CURT HAGMAN
Vice President

RONALD O. LOVERIDGE
Treasurer

JIM W. BOWMAN
Secretary

JULIA GOUW
Commissioner

ATIF ELKADI
Chief Executive Officer

LORI D. BALLANCE
General Counsel

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.
- This meeting is streamed live from our YouTube channel at <https://www.youtube.com/@flyont/streams>. Streaming will be for listening only and not participation. Public Comments will be taken by email or in-person only. This is a pilot stream, so errors and bugs may occur. If you have any issues, feel free to email clerk@flyontario.com for resolution after the meeting.
- Anyone wishing to speak during public comment, or 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 public comment beginning or before an agenda item is taken up. The Secretary/Assistant Secretary will not accept blue slips after that time.
- You may submit public comments by e-mail to publiccomment@flyontario.com 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.
- In accordance with State Law, remarks during public comment are to be limited to subjects within the Authority's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of the Board Room will not be permitted. All those wishing to speak, including Commissioners and Staff, need to be recognized by the Authority President before speaking.
- 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.

CALL TO ORDER (OPEN SESSION)

ROLL CALL

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.

PUBLIC COMMENTS

The Public Comment portion of the Commission meeting is limited to a maximum of 3 minutes for each Public Comment. Under provisions of the Brown Act, the Commission is prohibited from taking action on oral requests.

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION

CLOSED SESSION

- GC § 54956.9: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (1 matter)

REPORT ON CLOSED SESSION

General Legal Counsel

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. Members of the public wishing to address the Commission on items listed on the Consent Calendar will be given a total of 3 minutes each to address the items collectively.

2. APPROVAL OF MINUTES

Approve minutes for the OIAA Commissioner Meeting on August 22, 2024.

3. CASH DISBURSEMENT REPORT (BILLS/PAYROLL)

Receive and file the Cash Disbursement Report (Bills/Payroll) for the month ended August 31, 2024.

4. RESOLUTION AMENDING EXHIBITS TO THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY CONFLICT OF INTEREST CODE

Approve a Resolution amending the exhibits to the Ontario International Airport Authority's (OIAA) Conflict of Interest Code to update position classification titles and Conflict of Interest Disclosure Form regarding filing requirements for OIAA employees and consultants.

RESOLUTION NO. 2024-08

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY APPROVING AND ADOPTING AMENDED EXHIBITS OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

5. CONTRACT WITH OSHKOSH CORPORATION FOR PRE-CONDITIONED AIR UNITS PROJECT

Authorize the Chief Executive Officer (CEO) to execute a contract with Oshkosh Corporation for the Pre-conditioned (PC) Air Units Project in the amount of \$3,397,160.00 and execute budget amendments to the contract, for additional related services and construction contingency, up to 15% of the overall contract value.

6. CONTRACT AMENDMENT WITH BURNS & MCDONNELL FOR AIRFIELD CAPITAL IMPROVEMENT PROJECTS

Authorize the Chief Executive Officer (CEO) to execute a contract amendment with Burns & McDonnell for the design of the Rehabilitate Runway 8L-26R, Reconstruct Taxiway N and Connecting Taxiways, east of Taxiway U and Taxiway S Rehabilitation Projects to approve additional funding in the amount of \$2,100,000.00; extend the contract time to December 31, 2026; and execute budgeted amendments to the contract for additional related services, if needed, up to 15% of the overall value.

7. AGREEMENT AMENDMENT WITH PROSEGUR SERVICE GROUP, INC. FOR TERMINAL CURBSIDE MANAGEMENT

Authorize the Chief Executive Officer (CEO) to execute an amendment to Agreement No. SCONT-000325, with Prosegur Service Group, Inc., increasing the annual spend authority by \$1,500,000.00, providing an annual total contract spend authority not to exceed \$3,500,000, for additional scope of work for terminal curbside management.

8. ONT GROUND SUPPORT EQUIPMENT (GSE) MOTOR VEHICLE OPERATING PERMIT (MVOP) PROGRAM

Approve a resolution adopting and implementing the ONT Ground Support Equipment (GSE) Motor Vehicle Operating Permit (MVOP) Program (Proposed Program) by the Ontario International Airport Authority (OIAA) and amend the ONT's Rules and Regulations, as well as approval of a related implementation document for the Proposed Program.

RESOLUTION NO. 2024-09

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY APPROVING THE GROUND SUPPORT EQUIPMENT MOTOR VEHICLE OPERATING PERMIT PROGRAM FOR ONTARIO INTERNATIONAL AIRPORT AND AMENDING THE RULES AND REGULATIONS

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

9. CEQA EXEMPTION DETERMINATIONS AND APPROVALS FOR THE RECONSTRUCTION, REPAIR, AND REPLACEMENT OF EXISTING PAVEMENT AND LIGHTING SYSTEMS AT PORTIONS OF TAXIWAY S PROJECT

Adopt the California Environmental Quality Act Exemption (CEQA) determinations for the Reconstruction, Repair, and Replacement of Existing Pavement and Lighting Systems at Portions of Taxiway S Project.

10. CEQA EXEMPTION DETERMINATIONS AND APPROVALS FOR THE RECONSTRUCTION, REPAIR, AND REPLACEMENT OF EXISTING FACILITIES AND EQUIPMENT AT PORTIONS OF RUNWAY 8L-26R AND TAXIWAYS N, V, AND W PROJECT

Adopt the California Environmental Quality Act Exemption (CEQA) determinations for the Reconstruction, Repair, and Replacement of Existing Facilities and Equipment at Portions of Runway 8L-26R and Taxiways N, V, and W Project.

CEO REPORT

CHIEF EXECUTIVE OFFICER UPDATES

COMMISSION MATTERS

PRESIDENT WAPNER

VICE PRESIDENT HAGMAN

TREASURER LOVERIDGE

SECRETARY BOWMAN

COMMISSIONER GOUW

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: September 23, 2024 Posted Prior To: 2:00 P.M.

Signature: *Norma I. Alley*
Norma I. Alley, MMC
Ontario International Airport Authority Board Clerk

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ONTARIO INTERNATIONAL AIRPORT AUTHORITY



MEETING DATE: SEPTEMBER 26, 2024

SUBJECT: RELATIVE POTENTIAL CONFLICT OF INTEREST

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

RECOMMENDED ACTION(S): Declare Conflict of Interest pertaining to agenda items and contractors and/or subcontractors, which may require member abstentions due to possible conflicts of interest.

FISCAL IMPACT SUMMARY: N/A

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
05	Oshkosh AeroTech, LLC	<ul style="list-style-type: none">• None
06	Burns and McDonnell Engineering Company, Inc.	<ul style="list-style-type: none">• Lean Technology Corporation• RMA Company• Michael Baker International• RDM International, Inc.• Connico, Inc.• Saiful Bouquet• PBS Engineers• Tammy Edmonds Design
07	Prosegur Service Group, Inc .	<ul style="list-style-type: none">• None

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: N/A

STAFF REVIEW AND APPROVAL:

Originator:	<u>Norma I. Alley, MMC, Board Clerk</u>
Originating Dept.:	<u>Clerk's Office</u>
Director Review:	<u><i>Norma I. Alley</i></u>
Chief Review:	<u><i>Atif Ekadi</i></u>
CFO Review:	<u>N/A</u>
CEO Approval:	<u><i>Atif Ekadi</i></u>

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. Hours to review are between 8:30 a.m. and 4:30 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.



MEETING DATE: SEPTEMBER 26, 2024

SUBJECT: APPROVAL OF MINUTES

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

RECOMMENDED ACTION(S): Approve minutes for the OIAA Board of Commissioners meeting on August 22, 2024.

FISCAL IMPACT SUMMARY: N/A

BACKGROUND: The OIAA Board of Commission held a public meeting and minutes were recorded in text. In accordance with OIAA’s Records Retention Schedule, the OIAA must preserve these historical records in hard copy form for permanent retention.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS:

1. Minutes

STAFF REVIEW AND APPROVAL:

Originator:	<u>Norma I. Alley, MMC, Board Clerk</u>
Originating Dept.:	<u>Clerk's Office</u>
Director Review:	<u><i>Norma I. Alley</i></u>
Chief Review:	<u><i>Atif Ekadi</i></u>
CFO Review:	<u>N/A</u>
CEO Approval:	<u><i>Atif Ekadi</i></u>

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. Hours to review are between 8:30 a.m. and 4:30 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.

ONTARIO INTERNATIONAL AIRPORT AUTHORITY
COMMISSION MEETING
MINUTES
AUGUST 22, 2024

CALL TO ORDER

President Wapner called the Ontario International Airport Authority Commission meeting to order at 2:00 p.m.

ROLL CALL

COMMISSIONERS:

PRESENT:

Alan D. Wapner, President
Ronald D. Loveridge, Treasurer
Julia Gouw, Commissioner

Curt Hagman, Vice President
Jim W. Bowman, Secretary

A quorum of the Board of Commissioners was present.

STAFF:

Chief Executive Officer Atif Elkadi
Board Clerk/Assistant Secretary Norma I. Alley, MMC

General Legal Counsel Lori Ballance

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

AGENDA REVIEW/ANNOUNCEMENTS

1. INFORMATION RELATIVE TO POSSIBLE CONFLICT OF INTEREST

No conflicts of interests were declared.

PUBLIC COMMENT

President Wapner called for public comment.

Board Clerk Alley noted one written comment was received from Richard Sherman.

Seeing no one come forward, President Wapner closed public comment.

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION

President Wapner called for public comment. Seeing no one come forward, he closed public comment.

CLOSED SESSION

- GC § 54956.9: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (1 matter)
- GC § 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: ONT Property
Agency negotiator: OIAA General Counsel's Office

General Legal Counsel Balance announced the Closed Session items and led the Board into Closed Session.

President Wapner recessed the Open Session and called the Closed Session to order at 2:03 p.m. The Open Session reconvened at 2:31 p.m.

REPORT ON CLOSED SESSION

President Wapner announced there was no reportable action.

CONSENT CALENDAR

2. APPROVAL OF MINUTES

Approved minutes for the OIAA Board of Commissioners meeting on July 25, 2024.

3. CASH DISBURSEMENT REPORT (BILLS/PAYROLL)

Received and filed the Cash Disbursement Report (Bills/Payroll) for the month ended July 31, 2024.

4. FISCAL YEAR 2023-2024 FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2024

Received and filed financial statements (unaudited) for the fiscal year ended June 30, 2024.

5. INVESTMENT REPORT FOR THE YEAR ENDED JUNE 30, 2024

Received and filed the Investment Report for the year ended June 30, 2024.

6. CONTRACT AMENDMENT WITH COFFMAN SPECIALTIES, INC., FOR EMERGENCY TAXIWAY DRAINAGE REPAIR

Authorized the Chief Executive Officer (CEO) to execute an amendment to the Coffman Specialties, Inc., to increase the contract amount by \$115,368.95 for additional repairs incurred during emergency repair of a collapsed and deteriorated drainage pipe from Taxilane G to Taxiway N.

7. NON-EXCLUSIVE LICENSE AGREEMENT WITH LONGO AVIATION INC.

Authorized the Chief Executive Officer (CEO) to execute a three-year non-exclusive license agreement with Longo Aviation Inc (Longo) to operate a Container Freight Station (CFS) at Ontario International Airport (ONT).

8. LEASE AGREEMENT WITH LONGO AVIATION, INC.

Authorized the Chief Executive Officer (CEO) to execute a three-year lease agreement with Longo Aviation Inc (Longo) to operate a Container Freight Station (CFS) at Ontario International Airport (ONT).

9. LEASE AGREEMENT WITH THE CITY OF ONTARIO FOR THE CONTAINER FREIGHT STATION

Authorized the Chief Executive Officer (CEO) to negotiate and execute a five-year Lease Agreement with City of Ontario for the Container Freight Station.

10. LEASE AGREEMENT WITH MAJESTIC TERMINAL SERVICES, INC. DBA PRIMEFLIGHT CARGO FOR CARGO SERVICES

Authorized the Chief Executive Officer (CEO) to negotiate and execute a Lease Agreement with Majestic Terminal Services, Inc. dba PrimeFlight Cargo (PrimeFlight) for cargo handling service areas.

11. AGREEMENT AMENDMENT WITH WINDSONG PRODUCTIONS, LLC, FOR THE STATE OF THE AIRPORT VIDEO PRODUCTION

Authorized the Chief Executive Officer (CEO) to execute an agreement amendment with Windsong Productions, LLC, for State of the Airport (SOTA) video production in the amount, not to exceed, \$150, 000.

12. RESOLUTION APPROVING WITHDRAWAL FROM THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT

Approved a resolution terminating the Health Contract with CalPERS and move to large group health plans in the private marketplace and repealing Resolution No. 2020-05.

RESOLUTION NO. 2024-07: A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY APPROVING REMOVAL/WITHDRAWAL FROM THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT FOR EMPLOYEES AND ANNUITANTS 700 NON-PERS ALL EMPLOYEES AND REPEALING RESOLUTION NO. 2020-05

MOTION: Moved to by Vice President Hagman, seconded by Commissioner Gouw, to approve the Consent Calendar, including Resolution No. 2024-07. Motion carried by a 5 Yes/0 No vote.

CEO REPORT

CHIEF EXECUTIVE OFFICER UPDATES

Chief Executive Officer Elkadi provided updates on passenger traffic numbers, changes to flights, and general airport matters, accompanied by a PowerPoint. Mr. Elkadi fielded inquiries from the Commissioners.

COMMISSIONER MATTERS

Treasurer Loveridge requested staff look into terminal matters consisting of customer service and passenger interaction with the attendant at the bottom of the escalators; replacing seats by the gates; have an employee of the month plaque; cleanliness, repairs, and maintenance in restrooms; painting bollards and pillars at curbsides; and enforcement of traffic flow.

ADJOURNMENT

President Wapner adjourned the Ontario International Airport Authority Board of Commissioners Meeting at 2:48 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

NORMA I. ALLEY, MMC, BOARD CLERK

ALAN D. WAPNER, PRESIDENT



MEETING DATE: SEPTEMBER 26, 2024

SUBJECT: RESOLUTION AMENDING EXHIBITS TO THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY CONFLICT OF INTEREST CODE

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

RECOMMENDED ACTION(S): Approve a Resolution amending the exhibits to the Ontario International Airport Authority's (OIAA) Conflict of Interest Code to update position classification titles and Conflict of Interest Disclosure Form regarding filing requirements for OIAA employees and consultants.

FISCAL IMPACT SUMMARY: N/A

BACKGROUND: The OIAA adopted its Conflict of Interest Code (Code) on July 26, 2017, by ordinance; reviewed and amended it on July 24, 2018; reviewed and amended it on July 23, 2020; and reviewed and amended it on September 22, 2022. The Political Reform Act requires every local agency to review its Code biennially to determine if amendments or modifications are needed.

The exhibits to the Code designates employees, officers and consultants who make or participate in the making of decisions, which may affect the Airport's financial interests and therefore must disclose those interests in financial disclosure statements. Those officials and employees must also disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

Staff has reviewed the Airport's Code and is recommending Exhibit "A" be amended to reflect new, changed, or obsolete position classification titles and Exhibit "C" be amended to update the Conflict of Interest Disclosure Form. No other amendments to the Code are recommended at this time.

It has been identified the positions of Chief Executive Office, Division Chief, Director, and Manager fall under the definition within our Code Section 2.C.1. as "Designated Employees" and are required to file.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: Notice that review of our Code is underway has been sent to San Bernardino County Board of Supervisors (SBC BoS). If this resolution is approved by OIAA Commission, it will be forwarded to SBC BoS for their approval. SBC BoS’s approval is expected to be March 2025.

ATTACHMENTS:

- 1. Resolution

STAFF REVIEW AND APPROVAL:

Originator:	<u>Norma I. Alley, MMC, Board Clerk</u>
Originating Dept.:	<u>Clerk’s Office</u>
Director Review:	<u><i>Norma I. Alley</i></u>
Chief Review:	<u><i>Atif Ekadi</i></u>
CFO Review:	<u><i>Celaste Heinonen</i></u>
CEO Approval:	<u><i>Atif Ekadi</i></u>

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. Hours to review are between 8:30 a.m. and 4:30 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.

RESOLUTION NO. 2024-08

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY APPROVING AND ADOPTING AMENDED EXHIBITS OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), containing provisions relating to conflicts of interest, which potentially affect all officers, employees, and consultants of the Ontario International Airport Authority (the "Authority") and requires all public agencies to adopt and promulgate a Conflict of Interest; and

WHEREAS, the Authority adopted Ordinance No. 0001 Conflict of Interest Code on July 26, 2017; amended Exhibit "A" of the code on July 24, 2018, by Resolution No. 2018-14; and amended Exhibit "A" and Exhibit "B" of the Code on July 23, 2020, by Resolution No. 2020-11; and amended Exhibit "A" and Exhibit "B" of the Code on September 22, 2022, by Resolution No. 2022-21; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief, which could result in the Authority being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, a public meeting was held upon the proposed amended Exhibits of the Conflict of Interest Code at a Regular Meeting of the Authority on September 26, 2024, at which all present were given an opportunity to be heard on the proposed amended Exhibits.

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

SECTION 1. The Ontario International Airport Authority Commission hereby amends Exhibit "A" and "C", which is attached hereto, of the Conflict of Interest Code (Code) and is hereby adopted.

SECTION 2. This resolution shall be on file with the Clerk's Office, along with the Code, and made available to the public for inspection and copying.

SECTION 3. Effective Date. This Resolution will take effect immediately upon its adoption.

SECTION 4. Certification. The Secretary/Assistant Secretary shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting this 26th day of August, 2024.

ALAN D. WAPNER, OIAA PRESIDENT

ATTEST:

NORMA I. ALLEY, MMC, ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

LORI D. BALLANCE, GENERAL COUNSEL

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

I, Norma I. Alley, MMC, Board Clerk/Assistant Secretary of the Ontario International Airport Authority, DO HEREBY CERTIFY the foregoing Resolution No. 2024-08 is the original and was duly passed and adopted by the Commission of the Ontario International Airport Authority at their Regular Meeting held on September 26, 2024, by the following roll call vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

NORMA I. ALLEY, MMC
BOARD CLERK/ASSISTANT SECRETARY

(SEAL)

EXHIBIT “A”: Designated Employee Positions

List of Designated Positions	Assigned Disclosure Category
Board Member	1, 2, 3, 4
Chief Executive Officer	1, 2, 3, 4
Chief Financial Officer	1, 2, 3, 4
Chiefs	1, 2, 3, 4
Consultants/Advisors*	1, 2, 3, 4
Directors	1, 2, 3, 4
General Counsel	1, 2, 3, 4
Managers	1, 2, 3, 4
Public Safety Administrator	1, 2, 3, 4
Chief of Staff	1, 2, 3, 4

*Consultants/Advisors are persons who meet the definition found in 2 Cal. Code of Regs. Section 18700.3. Consultants/Advisors are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, unless the Chief Executive Officer (CEO) determines in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The CEO's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Government Code Section 81008.)

EXHIBIT “B”: Disclosure Categories

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property, which the Ontario International Airport Authority (“OIAA” or “Authority”) Designated Employee must disclose for each disclosure category they are assigned.

Category 1: All investments and business positions in, and sources of income from, business entities that do business or own real property within San Bernardino County, plan to do business or own real property within San Bernardino County within the next year or have done business or owned real property within San Bernardino County within the past two (2) years.

All interests in real property which is located, in whole or in part, within or not more than two (2) miles outside of San Bernardino County.

Category 2: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction, or the acquisition or sale of real property within San Bernardino County, plan to engage in such activities within San Bernardino County within the next year or have engaged in such activities within San Bernardino County within the past two (2) years.

All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 3: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit, or licensing authority of OIAA, will be subject to such authority within the next year, or have been subject to such authority within the past two (2) years.

Category 4: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles, or equipment of a type purchased or leased by OIAA or the Designated Employee’s individual department.

EXHIBIT “C”: Conflict of Interest Disclosure Form



CONFLICT OF INTEREST DISCLOSURE

SECTION 1: INSTRUCTIONS

All persons, contractors, consultants, firms and suppliers doing business with the Ontario International Airport Authority (OIAA) must complete and submit this Conflict of Interest Disclosure Form.

If this form is submitted along with the bid/proposal, it is **essential to note that** failure to comply with this requirement may cause your proposal to be declared non-responsive. Any questions regarding the information required to be disclosed in this form should be **directed to OIAA’s General Legal Counsel, especially for any “yes” responses to questions in this form, which may also** disqualify your firm from submitting an offer on the bid/proposal.

Company Name: _____

Preparer's Name: _____ Position/Title: _____

RFP/RFQ/NIB # _____ Project Title: _____
(If applicable) (If applicable)

SECTION 2: QUESTIONS

- 1 Do any employees, officers, consultants of OIAA, or any members of the OIAA Commission have any direct or indirect investments or interests in your firm or any real estate involving your firm worth at least \$2,000? [Govt. Code, § 87103(a); 2 CCR § 18700(c)(3)(6)(A)] [Govt. Code, § 87103(b); 2 CCR § 18700 (c)(3)(6)(B)] Yes No

If no, leave blank. If yes, please list the names of those involved and the nature of the investment or real state interest:

<u>Name</u>	<u>Nature of Interest</u>
_____	_____
_____	_____
_____	_____

- 2 During the last twelve (12) months, has your firm provided or promised a source of income to any employee, officer, or consultant of OIAA or any member of the OIAA Commission, aggregating greater than \$500? [Govt. Code, § 87103(c); 2 CCR § 18700(c)(3)(6)(C)] Yes No

If no, leave blank. If yes, please list the names of those involved and the nature of the source of income:

<u>Name</u>	<u>Nature of Income</u>
_____	_____
_____	_____
_____	_____

- 3 Is any employee, officer, or consultant of OIAA or any member of the OIAA Commission a director, officer, partner, trustee, employee, or hold any position of management in your firm, including any parent, subsidiary or other related business entity? [Govt. Code, § 87103(d); 2 CCR § 18700(c)(3)(6)(D)] Yes No

If no, leave blank. If yes, please list the names of those involved and the nature of the position:

<u>Name</u>	<u>Nature of Position</u>
_____	_____
_____	_____
_____	_____

- 4 Within the last twelve (12) months, have you or anyone at your firm (either directly, or through an intermediary or agent) given or promised any gift valued at least \$590 to any employee, officer, or consultant of OIAA or any member of OIAA Commission, including their spouses or dependent children? [2 CCR § 18940.2(a); 2 CCR § 18700(c)(3)(6)(E)] Yes No

If no, leave blank. If yes, please list the names of those involved and the nature of the gift:

<u>Name</u>	<u>Nature of Gift</u>
_____	_____
_____	_____
_____	_____

- 5 Does any employee, officer, or consultant of OIAA or any member of the OIAA Commission have any direct or indirect financial interest in your bid/proposal? [Govt. Code, § 1090] Yes No

If no, leave blank. If yes, please list the names of those who have a financial interest and the nature of the interest:

<u>Name</u>	<u>Nature of Interest</u>
_____	_____
_____	_____
_____	_____

- 6 Are you or any managers, partners, or officers of your firm related by blood or marriage/domestic partnership to any employee, officer, or consultant of OIAA or member of the OIAA Commission that is considering your proposal? Yes No

If no, leave blank. If yes, please list the names and nature of the relationship:

<u>Name</u>	<u>Relationship</u>
_____	_____
_____	_____
_____	_____

- 7 Have you or any member of your firm ever been an employee, officer, or consultant of OIAA or ever served as a member of the OIAA Commission within the last twelve (12) months? Yes No

If no, leave blank. If yes, please list the name, position, and dates of service:

<u>Name</u>	<u>Position</u>	<u>Date of Service</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 8 Does this agreement include work performed by subcontractors? Yes No

If no, leave blank. If yes, please list the subcontractors/company below:

<u>Name</u>	<u>Name</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- 9 In the last twelve (12) months, have you or any employee of your firm (including managers, partners, directors and/or officers), either directly or indirectly through an intermediary or agent, ever given or promised a campaign contribution, aggregating greater than \$250 to any employee, officer, or consultant of OIAA or any member of the OIAA Commission (including contributions to a political committee created by or on behalf of a member/candidate)? [Govt. Code, § 84308(b)]
- Yes No

If no, leave blank. If yes, please list the name, position, and dates of service:

<u>Name(s) /Position(s)</u>	<u>Date(s)</u>	<u>Dollar Value</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Further, if the answer to Question No. 9 above is "Yes" please answer each of the following below. [Govt.Code, § 84308; 2 Cal. Code Regs., §§ 18438.3, 18438.4]

- (A) Is the contributor a party to the proposal being made to OIAA for decision? Yes No
- (B) Is the contributor a participant in the proposal being made to OIAA for decision, by doing any of the following:
- Communicating with any member of OIAA Commission for the purpose of influencing their decision on the proposal? Yes No
- Testifying or making any oral statements before the OIAA Commission for the purpose of influencing the decision on the proposal? Yes No
- Communicating with any employee, officer, or consultant of OIAA, or is the contributor's agent lobbying, testifying, or communicating with anyone at OIAA or any member of OIAA Commission, for the purpose of Influencing the decision on the proposal ? Yes No
- (C) Is the contributor an agent of a party or a participant in the proposal to be decided by OIAA for decision? (A person is an agent if they represent you in connection with the proposal before OIAA.) Yes No

SECTION 3: VALIDATION STATEMENT

This Validation Statement must be completed and signed by at least one General Partner, Owner, Principal, or Officer authorized to legally commit the proposer.

DECLARATION

I (print full name) _____ hereby declare that I am the (position or title) _____ of (firm name) _____ and that I am duly authorized to execute this Validation Statement on behalf of this entity. I hereby state that this OIAA Conflict of Interest Disclosure form dated _____ is correct and current as submitted.

I acknowledge that any false, deceptive, or fraudulent statements on this Validation Statement will result in rejection of my contract/proposal/service.

Signature of Person Certifying for Proposer

Date

NOTICE: A material false statement, omission, or fraudulent inducement made in connection with this OIAA Conflict of Interest form is sufficient cause for rejection of the contract/proposal /service or revocation of a prior contract award.



MEETING DATE: SEPTEMBER 26, 2024

SUBJECT: CONTRACT WITH OSHKOSH CORPORATION FOR PRE-CONDITIONED AIR UNITS PROJECT

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 contract with Oshkosh Corporation for the Pre-conditioned (PC) Air Units Project in the amount of \$3,397,160.00 and execute budget amendments to the contract, for additional related services and construction contingency, up to 15% of the overall contract value.

FISCAL IMPACT SUMMARY: The project and budget amount of \$2,750,000 was approved by the Board on June 23, 2022, and via the Majority of Interest (MII) process on January 18, 2023. The funding for this project is accounted for in the Ontario International Airport Authority (OIAA) Fiscal Year 2024-2025 capital budget, however, the bid amount was \$3,397,167.00 and will be paid with a combination of VALE grant funding and OIAA appropriations or local funds. The VALE grant, received on September 6, 2024, and executed on September 9, 2024, is in the amount of \$2,522,008.00, which is 74% of the contract cost. Therefore, the OIAA appropriations or local funds will be in the amount of \$875,159.00.

BACKGROUND: The existing PC Air Units have been in service since Terminal 2 and 4 open in September 1998. The external PC Air Units provide an external supply of conditioned air for the parked aircraft at a gate, allowing the aircraft to shut down their auxiliary power units (APUs) while at the gate. Hence, a reduction in air emissions while aircraft are parked at a gate.

To date, four (4) out of a total of twenty-six (26) PC Air Units have been replaced due to end of life and continuous maintenance operations. Therefore, this project will replace twenty-two (22) PC Air Units. The amount and size of PC Air Units will be as follows: 20 – 45-ton units; 2 – 90 or 100-ton units. The larger PC Air Units will be installed at Terminal 2 Gate 212 and at Terminal 4 Gate 413 to accommodate wide-body aircraft. The remaining 20 gates at both Terminals 2 and 4 will receive the 45-ton units.

PROCUREMENT: The Notice Inviting Bids (NIB) was posted on June 14, 2024, and bids were received on July 13, 2024. Oshkosh Corporation was the apparent low bidder and after staff review and validation of all bids, the OIAA is recommending award of contract to Oshkosh Corporation. Other services, construction administration and management, necessary for and related to construction will be performed utilizing other OIAA contracts previously procured competitively and approved by the OIAA Commission.

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: Once the initial PC Air Unit has been manufactured, construction will be phased to minimize impacts to operations during the estimated schedule duration to deliver, install, connect, and test the new PC Air Units. This project will involve night and daytime work.

SCHEDULE: The project will be delivered through a design-build process, and given this, all the labor, materials, equipment, supervision, and incidentals to perform all the required work will be complete within FOUR HUNDRED AND TWENTY-FOUR (424) calendar days, including mobilization and demobilization, from the date of the Notice to Proceed.

ATTACHMENTS: N/A

STAFF REVIEW AND APPROVAL:

Originator:	<u>Keith Owens, Director of Program Management</u>
Originating Dept.:	<u>Capital Development</u>
Director Review:	<u><i>Keith Owens</i></u>
Chief Review:	<u><i>Marissa Sanchez</i></u>
CFO Review:	<u><i>Celeste Heinonen</i></u>
CEO Approval:	<u><i>Atif Okadi</i></u>

This Agenda Report has been reviewed by OIAA General Counsel.

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MEETING DATE: SEPTEMBER 26, 2024

SUBJECT: CONTRACT AMENDMENT WITH BURNS & MCDONNELL FOR AIRFIELD CAPITAL IMPROVEMENT PROJECTS

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 contract amendment with Burns & McDonnell for the design of the Rehabilitate Runway 8L-26R, Reconstruct Taxiway N and Connecting Taxiways, east of Taxiway U and Taxiway S Rehabilitation Projects to approve additional funding in the amount of \$2,100,000.00; extend the contract time to December 31, 2026; and execute budgeted amendments to the contract for additional related services, if needed, up to 15% of the overall value.

FISCAL IMPACT SUMMARY: Funding is available in the Fiscal Year (FY) 2024/2025 capital budget. Funding was originally approved for design, construction administration (CA), and related services by the Commission on November 24, 2020; however, a funding authority increase in the amount of \$2,100,000.00 is required for this contract amendment of the On-Call Airport Improvement Plan (AIP) contract through December 31, 2026, for design, CA and related services. The funding sources for the original approved funding amount of \$11,500,000.00 were Ontario International Airport Authority (OIAA) appropriations and AIP Grant 3-06-0175-050-2021.

OIAA received and executed AIP Entitlement FY 2024 Grant 3-06-0175-058-2024 on August 16, 2024, in the amount of \$4,094,060.00 for the design of the Rehabilitate Runway 8L-26R, Reconstruct Taxiway N and Connecting Taxiways, east of Taxiway U project. The design for the Taxiway S Rehabilitation project is being funded by OIAA appropriations and reimbursed by the FAA with a future entitlement grant.

BACKGROUND: The OIAA Commission authorized design and environmental planning services for the Runway 8R-26L Rehabilitation and Connecting Taxiways Program on November 24, 2020, which was, the original source of funding for this contract amendment and this Runway 8R-26L Program is nearing construction completion. For the Rehabilitate Runway 8L-26R, Reconstruct Taxiway N and Connecting Taxiways, east of Taxiway U and Taxiway S Rehabilitation Projects, this additional funding is required to conduct the design, construction administration, and related services task.

Rehabilitate Runway 8L-26R, Reconstruct Taxiway N and Connecting Taxiways, east of Taxiway U will reconstruct and rehabilitate 2,200 feet of the runway keel section (center 50 feet section), blast pad and both the south and north shoulders. Taxiway S Rehabilitation Project will rehabilitate the pavement and shoulders east of the Cucamonga Channel to Taxiway W. A contract amendment is needed to continue design, construction administration, and related services with Burns & McDonnell.

These projects are positioned on the OIAA FY2024-2028 Airport Capital Improvement Program (ACIP) for required AIP FY2024 funding and continuing these services with Burns & McDonnell will maintain the established effectiveness of the current design and construction administration services team and ensure continuity for construction for these airfield projects. The Burns & McDonnell contract extension is needed through December 31, 2026, for construction administration (CA) services as that is the anticipated time to complete construction for both Rehabilitate Runway 8L-26R, Reconstruct Taxiway N and Connecting Taxiways, east of Taxiway U and the Taxiway S Rehabilitation projects.

PROCUREMENT: The OIAA Commission approved award of As-Needed Professional Service's contracts for AIP-Funded projects to Burns & McDonnell, HNTB Corporation, and T.Y. Lin International at the March 23, 2018, Commission meeting. The staff report indicated no fiscal impact for the award of contracts because engineering services were assigned to firms after the AIP projects were approved by the Commission and incorporated into OIAA's capital budget.

Burns & McDonnell's As-Needed Professional Services 3-year contract for AIP Funded projects was executed on October 23, 2018. The OIAA Commission approved a two, one year contract extension at the November 24, 2020, Board Meeting, then 1stAmendment on November 13, 2023, that extended the contract to December 31, 2024. Consequently, Commission approval to authorize the CEO to execute a 2nd contract amendment will continue the agreement, necessary to December 31, 2026, to account for the time required for these services This contract extension allows time for Burns & McDonnell to perform design, CA, and related services for the Rehabilitate Runway 8L-26R, Reconstruct Taxiway N and Connecting Taxiways, east of Taxiway U and Taxiway S Rehabilitation Projects.

CEQA COMPLIANCE AND LAND USE APPROVALS: Approval of this funding mechanism is not a "project" within the meaning of Section 15378 of the California Environmental Quality Act (CEQA) Guidelines because there is no potential for a direct or indirect physical change in the environment. To the extent any alteration of facilities occurs as a result of approval, CEQA Guidelines section 15301 provides an exemption for minor alterations to existing structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: N/A

ATTACHMENTS: N/A

STAFF REVIEW AND APPROVAL:

Originator:	<u>Keith Owens, Director of Program Management</u>
Originating Dept.:	<u>Capital Development</u>
Director Review:	<u><i>Keith Owens</i></u>
Chief Review:	<u><i>Marissa Sanchez</i></u>
CFO Review:	<u><i>Celeste Heinonen</i></u>
CEO Approval:	<u><i>Atif Elkadi</i></u>

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. Hours to review are between 8:30 a.m. and 4:30 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.

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MEETING DATE: SEPTEMBER 26, 2024

SUBJECT: AGREEMENT AMENDMENT WITH PROSEGUR SERVICE GROUP, INC. FOR TERMINAL CURBSIDE MANAGEMENT

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

RECOMMENDED ACTION(S): Authorize the Chief Executive Officer (CEO) to execute an amendment to Agreement No. SCONT-000325, with Prosegur Service Group, Inc., increasing the annual spend authority by \$1,500,000.00, providing an annual total contract spend authority not to exceed \$3,500,000, for additional scope of work for terminal curbside management.

FISCAL IMPACT SUMMARY: The increased services will realize a surplus of \$99,086.30 in the security services budget for fiscal year 2024-25 by reducing the Professional Services Agreement with the City of Ontario by \$1,114,048.00. Funding for subsequent years will be requested through the annual budget process.

BACKGROUND: In January 2021, a security agreement with Prosegur Service Group Inc., was approved for security related functions on and around the airport for \$850,000. On September 13, 2021, Amendment 1 was approved to include queue monitoring in Terminal 2. On March 24, 2022, Amendment 2 was approved to encompass the Federal Inspection Station (FIS), TSA Screening exit lane coverage, and provide mobile security response on a 24/7 basis. On January 4, 2024, Amendment 3 was approved to increase authority amount for TSA-mandated aviation worker screening and agreement rate increase. On March 28, 2024, Amendment 4 funding to increase spend authority providing competitive wages after the implementation of AB 1228 which increased the minimum wage for fast food workers to \$20.00/hour.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: N/A

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: N/A

SCHEDULE: Prosegur Services Group Inc. are performing the increased scope of security responsibilities.

ATTACHMENTS: N/A

STAFF REVIEW AND APPROVAL:

Originator:	<u>Dean Brown, Public Safety Administrator</u>
Originating Dept.:	<u>Operations</u>
Director Review:	<u><i>Dean Brown</i></u>
Chief Review:	<u><i>James Kesler</i></u>
CFO Review:	<u><i>Celeste Heinonen</i></u>
CEO Approval:	<u><i>Atif Ekadi</i></u>

This Agenda Report has been reviewed by OIAA General Counsel.

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MEETING DATE: SEPTEMBER 26, 2024

SUBJECT: APPROVAL FOR THE IMPLEMENTATION OF THE ONT GROUND SUPPORT EQUIPMENT (GSE) MOTOR VEHICLE OPERATING PERMIT (MVOP) PROGRAM

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

RECOMMENDED ACTION(S): Approve a resolution adopting and implementing the ONT Ground Support Equipment (GSE) Motor Vehicle Operating Permit (MVOP) Program (Proposed Program) by the Ontario International Airport Authority (OIAA) and amend the ONT’s Rules and Regulations, as well as approval of a related implementation document for the Proposed Program.

FISCAL IMPACT SUMMARY: The implementation of the Proposed Program would generate revenue through registration and annual renewal permitting fees for GSE that operate on ONT’s Air Operations Area (AOA). The proposed fee, to be collected upon registration and annually thereafter, is \$120 per GSE. A reduced registration fee rate would be applied to diesel GSE with Tier 4 Final and Interim engines, non-diesel GSE from model year 2010 or newer, and electric GSE (eGSE), incentivizing the use of cleaner, lower-emission equipment. The proposed incentive fee for cleaner, lower-emission equipment, to be collected upon registration and annually thereafter, is \$20 per GSE. Under the Proposed Program, additional revenue also may be collected from non-compliance fees imposed on tenants who fail to meet program requirements. Such non-compliance fees would vary in amount, based upon the nature and severity of the violation. Because the Proposed Program is indirectly generated through AOA activity, any revenues would be applied as an offset to the Landing Fee, making the Program financially neutral to the OIAA.

BACKGROUND: The OIAA is proposing to implement the Proposed Program to improve the tracking of GSE operating on the AOA and enhance the OIAA’s understanding of tenants’ GSE fleets. Information collected through the ONT GSE MVOP Program would allow for enhanced discussions with tenants on the infrastructure needs of GSE fleets, which would assist the Airport in long-term planning in alignment with its sustainability goals. In addition, the improved tracking of GSE would facilitate the reporting required by the OIAA’s Memorandum of Understanding (MOU; dated 2019) with the South Coast Air Quality Management District (SCAQMD) and would further efforts to monitor progress towards achievement of the MOU’s fleet average emission factors. The MOU Schedule No. 1 – Ground Support Equipment identifies fleet average NOx performance level targets to be achieved by 2023 and 2031. These targets, as established in the MOU, include two fleet average NOx emission factors of 2.2 and 1.0 g/bhp-hr by January 1, 2023 and 2031, respectively.

In brief, the Proposed Program would require tenants to: (1) register all GSE that operate on the AOA with the OIAA and to renew the corresponding permit(s) on an annual basis; (2) display GSE permit decals on their equipment; (3) comply with specified notification procedures for the removal of previously registered GSE from operational status on the AOA; (4) coordinate with the OIAA on the annual verification of tenant-specific GSE

inventory data that is submitted to SCAQMD; (5) provide the OIAA with a plan for its achievement of the identified MOU targets, along with information regarding compliance with statewide regulatory requirements and fleet electrification needs; and, (6) participate in a periodic audit process. The Proposed Program's permit fees for the initial registration and annual renewal are identified in the "Fiscal Impact Summary" above. Additionally, the Proposed Program addresses the consequences to tenants in the event of non-compliance. The Proposed Program includes a notice of violation process that would be used to administer various non-compliance scenarios, and any non-compliance penalties would be assessed based on the nature and severity of the violation.

Of relevance, the OIAA has been in close coordination with SCAQMD, since execution of the MOU in 2019, to track the progress of tenants' GSE fleets at ONT. Once it became clear that the tenants' fleets at ONT did not achieve the MOU's 2023 fleet average emissions target, the OIAA has come under increased scrutiny from SCAQMD and other interested entities that monitor MOU implementation. The OIAA continues to collaborate with SCAQMD on the MOU and alignment of the ONT GSE fleet with the MOU's targets.

In the first quarter of this calendar year (2024), the OIAA met with its tenants to discuss GSE fleet performance under the MOU and the failure to attain the MOU's 2023 fleet average emissions target. The OIAA notified the tenants at that time that the Proposed Program was under evaluation and development. The OIAA also briefed its tenants on the Proposed Program during the June 4, August 13 and September 5, 2024, AAAC meetings. Additionally, all current tenants that would fall under the umbrella of the Proposed Program were contacted via email on August 21, 2024, and provided with an opportunity to review and comment on the Proposed Program's implementation documents (Attachments 1 and 2 to this Agenda Report). The tenants were provided with a review deadline of September 6, 2024, thereby affording a 17-day period for review and comment. In response to that review opportunity, one airline tenant (Southwest Airlines) submitted written feedback on the Proposed Program's implementation documents prior to the close of the comment period. The tenant requested clarification on and revision of various aspects of those documents, so as to ensure successful implementation of the Proposed Program will be achievable. OIAA staff considered the feedback and made focused refinements to the Proposed Program that are reflected in Attachments 1 and 2 to this Agenda Report.

Further explanation and information supporting the approval of the implementation of the ONT GSE MVOP program is found in Attachments 1 and 2 to this Agenda Report.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: The Proposed Program is exempt from CEQA on several grounds: First, the Proposed Program is exempt under CEQA Guidelines section 15378, subdivision (b)(5), as organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment are not projects for purposes of CEQA. Second, CEQA Guidelines section 15273 provides an exemption for the establishment of rates, tolls, fares or other changes. Third, CEQA Guidelines section 15061, subdivision (b)(3), exempts from CEQA any activity covered by the common-sense exemption, which applies where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. In this instance, the Proposed Program will facilitate the tracking and monitoring of GSE operating on ONT's AOA through the establishment of a permitting program, and will require those GSE operations to beneficially reduce their impact – over time – on the environment consistent with air quality targets delineated in OIAA's MOU with SCAQMD. A Notice of Exemption shall be prepared and filed within five business days in the event of approval.

STAFFING IMPACT (# OF POSITIONS): No additional staffing positions are required for administration of the Proposed Program. Rather, existing staff will be assigned responsibility for the Proposed Program’s implementation, coupled with technical support from environmental consulting firms already under contract with OIAA.

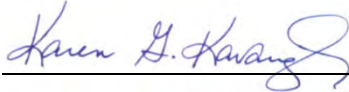

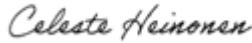

IMPACT ON OPERATIONS: N/A

SCHEDULE: Implementation of the Proposed Program is anticipated to begin on January 1, 2025.

ATTACHMENTS:

1. Resolution No. 2024-09
2. ONT Ground Support Equipment (GSE) Motor Vehicle Operating Permit (MVOP) Program Document
3. Amended ONT Rules and Regulations Sections 9.6 – 9.9

STAFF REVIEW AND APPROVAL:

Originator:	<u>Karen Kavanagh, Chief Strategy and Transformation Officer</u>
Originating Dept.:	<u>Capital Development</u>
Director Review:	<u></u>
Chief Review:	<u></u>
CFO Review:	<u></u>
CEO Approval:	<u></u>

This Agenda Report has been reviewed by OIAA General Counsel.

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RESOLUTION NO. 2024-09

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY APPROVING THE GROUND SUPPORT EQUIPMENT MOTOR VEHICLE OPERATING PERMIT PROGRAM FOR ONTARIO INTERNATIONAL AIRPORT AND AMENDING THE RULES AND REGULATIONS

WHEREAS, the Ontario International Airport Authority (OIAA) entered into and approved a Memorandum of Understanding (MOU) with the South Coast Air Quality Management District (SCAQMD) on October 29, 2019 regarding Ontario International Airport's (ONT) Air Quality Improvement Plan; and

WHEREAS, that MOU requires OIAA to implement voluntary measures identified in Attachment A, Schedule 1 thereto; and

WHEREAS, one of the MOU Attachment A, Schedule 1 measures requires all ground support equipment (GSE) at ONT that is associated with commercial operations to achieve fleet average NOx emissions factors of 2.2 and 1.0 g/bhp-hr by January 1, 2023, and 2031, respectively; and

WHEREAS, since execution of the MOU in December 2019, OIAA has tracked and reported GSE data to SCAQMD consistent with its obligations under the MOU; and

WHEREAS, the GSE fleet operating at ONT did not achieve the 2023 fleet average NOx emissions factor identified in the MOU; and

WHEREAS, OIAA has continued to collaborate with SCAQMD regarding its obligations under the MOU and discuss strategies that will facilitate achievement of the MOU's fleet average NOx emissions factors; and

WHEREAS, OIAA staff has developed a GSE Motor Vehicle Operating Permit (MVOP) Program to improve the tracking of GSE operating at ONT, enhance OIAA's understanding of tenants' GSE fleets, and further OIAA's efforts to monitor, incentivize and require achievement of the MOU's fleet average NOx emissions factors; and

WHEREAS, the GSE MVOP Program requires the tenants to: (1) register all GSE that operate on the Air Operations Area (AOA) with the OIAA and to renew the corresponding permit(s) on an annual basis; (2) display GSE permit decals on their equipment; (3) comply with specified notification procedures for the removal of previously registered GSE from operational status on the AOA; (4) coordinate with the OIAA on the annual verification of tenant-specific GSE inventory data that is submitted to SCAQMD; (5) provide the OIAA with a plan for its achievement of the identified MOU targets, along with information regarding compliance with statewide regulatory requirements and fleet electrification needs, and (6) participate in a periodic audit process; and

WHEREAS, the GSE MVOP Program also includes a fee structure to incentivize tenants' use of lower-emitting, cleaner GSE, and sets forth procedures and processes to address non-compliance with the Program's requirements; and

WHEREAS, OIAA staff has conducted outreach to ONT tenants with GSE regarding the GSE MVOP Program, and provided those tenants with an opportunity to review and comment on the draft GSE MVOP Program; and

WHEREAS, OIAA staff considered the feedback received in response to their solicitation for tenant feedback on the draft GSE MVOP Program, and refined the Program's implementation documents in response to that feedback; and

WHEREAS, OIAA staff believe adoption and implementation of the GSE MVOP Program will further OIAA's demonstrated commitment to the environment, regional partnership with SCAQMD, and continued collaboration with ONT's tenants in a balanced, sustainable manner.

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

SECTION 1. The Ontario International Airport Authority Commission hereby finds that the GSE MVOP Program is exempt from the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Division 6, Chapter 3, sections 15061(b)(3), 15273, and 15378(b)(5). The Commission directs OIAA staff to file a Notice of Exemption pursuant to CEQA's procedures within five business days of this determination.

SECTION 2. The Ontario International Airport Authority Commission hereby approves the ONT GSE MVOP Program attached as Exhibit "A" and Exhibit "B", and by this reference incorporated. Exhibit "A" is comprised of focused amendments to ONT's Rules and Regulations that incorporate reference to the GSE MVOP Program, and Exhibit "B" is the primary document that will be used to implement and administer the GSE MVOP Program.

SECTION 3. Effective Date. This Resolution will take effect immediately upon its adoption. The Commission directs OIAA staff to commence implementation of the GSE MVOP Program no later than January 1, 2025.

SECTION 4. Certification. The Secretary/Assistant Secretary shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting this 26th day of September, 2024.

ALAN D. WAPNER, OIAA PRESIDENT

ATTEST:

APPROVED AS TO LEGAL FORM:

NORMA I. ALLEY, MMC, ASSISTANT SECRETARY

LORI D. BALLANCE, GENERAL COUNSEL

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

I, Norma I. Alley, MMC, Board Clerk/Assistant Secretary of the Ontario International Airport Authority, DO HEREBY CERTIFY the foregoing Resolution No. 2024-09 is the original and was duly passed and adopted by the Commission of the Ontario International Airport Authority at their Regular Meeting held September 26, 2024, by the following roll call vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

(SEAL)

NORMA I. ALLEY, MMC
BOARD CLERK/ASSISTANT SECRETARY



ONT Ground Support Equipment (GSE) Motor Vehicle Operating Permit (MVOP) Program

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Attachment A – Example Application

Attachment B – ONT GSE MVOP Decal Guidebook

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1. Introduction

The Ontario International Airport Authority (OIAA or the Authority), owner and operator of the Ontario International Airport (ONT or the Airport), established the ONT GSE MVOP Program to improve the tracking of GSE operating on the airfield and enhance the Airport's understanding of tenant fleets. Information collected through the ONT GSE MVOP Program will allow for enhanced discussions with tenants on the infrastructure needs of GSE fleets, which will assist the Airport in long-term planning in alignment with its sustainability goals. In addition, the improved tracking of GSE will facilitate the reporting required by the Airport's Memorandum of Understanding (MOU; dated 2019) with the South Coast Air Quality Management District, and further the Airport's efforts to monitor progress toward achievement of the MOU's fleet average emission factors. In the MOU Schedule No. 1 – Ground Support Equipment identifies fleet average NOx performance level targets to be achieved by 2023 and 2031. These targets, as established in the MOU, include two fleet average NOx emission factors of 2.2 and 1.0 g/bhp-hr by January 1 of 2023 and 2031.

2. Applicability

The ONT GSE MVOP Program covers all GSE that operate on the Airport's Air Operations Area (AOA). GSE are defined as any vehicle or piece of equipment used to support aircraft operations that is subject to, or included in compliance plans to meet, the requirements of the California Air Resources Board's (CARB) In-Use Off-Road Diesel Vehicle Regulation Program, Off-Road Large Spark-Ignition Engine Fleet Requirements Regulation Program, or Portable Equipment Registration Program and associated Portable Diesel Engine Airborne Toxic Control Measure. This includes GSE used for various functions, such as refueling aircraft, transporting cargo and passengers to and from aircraft, and providing maintenance operations between the flights. For purposes of this program, GSE will also include combustion units less than 25 horsepower (HP). Each tenant at ONT that operates GSE on the AOA is required to register their GSE as described in this document.

3. GSE Tracking and Monitoring

Under this program, all GSE brought to ONT for operation on the AOA are required to register and obtain an ONT GSE MVOP decal prior to operation. Each tenant will be expected to meet the MOU's fleet average NOx emission factor targets of 2.2 and 1.0 g/bhp-hr by January 1 of 2023 and 2031, respectively. Registration information for each piece of GSE will be maintained and updated by the OIAA based on information provided by the tenant throughout its operational lifetime at ONT.

Once registered, all GSE operating in the AOA must display a current ONT GSE MVOP decal. This requirement is in addition to other ONT Rules and Regulations applicable to GSE, which include labeling of the company name, equipment number, and dates for registration on two sides of the equipment (see ONT's Rules and Regulations, Section 9.9, AOA Vehicle and GSE Identification).

The steps required to register new GSE, as well as the annual ONT GSE MVOP renewal process, are described in the following sections.

3.1. Procedures for Equipment Registration

Tenants at ONT are required to submit equipment information to the OIAA as part of the GSE registration process. Please see below for additional details on the information required to register each new piece of equipment.

GSE Registration Process

- i. Please reach out to the ONT Environmental Team at GSEMVOP@flyontario.com to receive a digital ONT GSE MVOP application form.
- ii. Complete the digital ONT GSE MVOP application form with GSE specifications, including:
 - a. Equipment ID
 - b. Equipment Type
 - c. Fuel Type
 - d. Engine Model Year (MY)
 - e. Engine Power Rating (HP or kW)
 - f. Engine Tier (if diesel)
 - g. Activity Hour Meters Present (Yes/No)
- iii. Submit the digital application form to GSEMVOP@flyontario.com, along with the applicable fee payment (see below Section 4.3, ONT GSE MVOP Registration Fees) and the designated contact person for the ONT GSE MVOP program. When submitting your application, please use the following email subject line: **[Tenant Name] – [Year] ONT GSE MVOP Application Submission**. See **Attachment A** for an example of the application form.
- iv. OIAA staff will review the application within 14 days of receipt and notify the tenant of any additional information required.
- v. Once the application is found complete by OIAA staff, a payment receipt and registration confirmation will be sent to the tenant, and OIAA staff will schedule a physical audit and inspection on the GSE. A physical registration decal also will be provided to display on each piece of GSE. Guidelines for the appropriate decal application location can be referenced in **Attachment B**.
- vi. All tenants are required to obtain an ONT GSE MVOP decal for each piece of GSE prior to its operation on the AOA. In the event of a documented emergency, tenants may notify OIAA staff at GSEMVOP@flyontario.com or call (909) 544-5133 to collaborate on expediting the processing of GSE for use on the AOA.

3.2. Equipment Removal Process

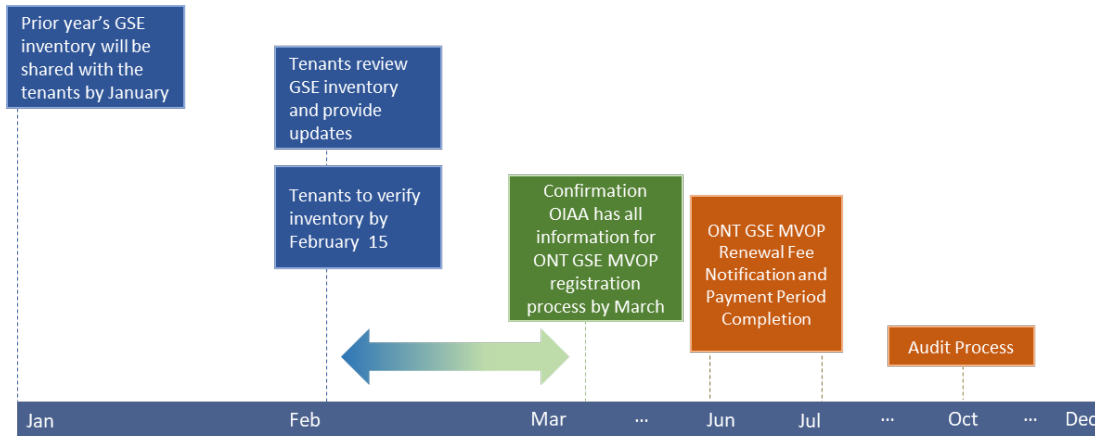
All tenants are required to notify the OIAA when a piece of GSE is removed from the AOA within 30 days of the GSE removal. For purposes of this requirement, “removal” may include, but is not necessarily limited to, non-operation, relocation, or scrapping of the unit. For these GSE, the following information is required to be reported to the OIAA by the tenant:

- i. Date of removal from operations at ONT.
- ii. Reason for removal of the GSE (e.g., non-operation, relocation, scrapping).
- iii. The Airport to which the GSE is relocated, if applicable.

4. Annual Compliance Cycle

Figure 1 illustrates the annual timeline for the ONT GSE MVOP Renewal Procedure and Audit Process. The annual compliance cycle is described further in detail in Section 4.1.

Figure 1. ONT GSE MVOP Renewal Procedure and Audit Process timeline.



4.1. Annual ONT GSE MVOP Program Compliance Schedule

The ONT GSE MVOP Program requires tenants to collect and report GSE data to the OIAA on an annual basis. The annual compliance schedule is as follows in Table 1:

Table 1. Annual Compliance Schedule.

Actions	Target Due Dates
The OIAA will provide each tenant with a tenant-specific GSE inventory list that is based on active ONT GSE MVOP permitted GSE reported by the tenant to the OIAA during the preceding calendar year.	January
The tenant will review and cross-check their GSE inventory data against that provided by the OIAA to confirm the accuracy of the OIAA's inventory data. The tenant will submit a written attestation as to the accuracy of the GSE fleet information it provides to the OIAA in response to the inventory review process. The attestation form is provided as Attachment C of this document.	February 15 th
The OIAA will review the GSE inventory data submitted by each tenant and may provide feedback and/or requests for clarification on the fleet to each tenant. Each tenant is required to review and respond within 7 days of receipt, in writing, to any feedback and/or requests for clarification provided by the OIAA and submit a finalized inventory, with an updated written attestation, to the OIAA within 7 days of receipt of the OIAA's acceptance of the data.	Mid-February/March

Actions	Target Due Dates
<p>Each tenant will receive an invoice documenting its annual GSE registration fees, based on the finalized inventory. Each tenant is required to submit fee payment by July 31st of each calendar year for renewed GSE permits. See also Section 4.3 below.</p>	<p>June - July</p>
<p>Each tenant is required to provide the OIAA with a narrative summary of anticipated GSE fleet changes which may need to occur due to its operational needs. The summary also shall address any future GSE fleet changes needed for the tenant to ensure: (i) compliance with statewide regulatory requirements (e.g., CARB’s In-Use Off-Road Diesel-Fueled Fleets Regulation¹), and (ii) achievement of the MOU targets (fleet average NOx emission factors of 2.2 and 1.0 g/bhp-hr by January 1 of 2023 and 2031, respectively).</p> <p>For clarity, each tenant is required to achieve and maintain, as a minimum, the MOU’s 2.2 g/bhp-hr target for calendar years 2025 through 2030. While not required, ideally, each tenant will demonstrate incremental progress in the interim years (2025 through 2030) by reducing its fleet average emission factor in alignment with the 2031 target of 1.0 g/bhp-hr.</p> <p>Finally, this narrative summary should also include any other fleet needs of relevance to ONT, including information related to potential electrification to assist the Authority in planning for future electric infrastructure needs.</p>	<p>September 1st</p>
<p>The OIAA will conduct an audit of each tenant’s GSE fleet, as discussed in Section 4.4 below.</p>	<p>October</p>

4.2. ONT GSE MVOP Registration Fees

Annual Registration Fees

- Once the tenant has received confirmation of the finalized GSE inventory from the OIAA, the tenant’s designated point of contact will be notified by the OIAA by email (GSEMVOP@flyontario.com) of the annual registration fee amount. The payment of the GSE registration fee will be due 30 days after notification of the fee amount. The registration fee rates for GSE are set forth in **Table 2** below. Fees may be re-assessed every 3 years.
- As shown below, a reduced registration fee rate will apply to diesel GSE with Tier 4 Final and Interim engines, non-diesel GSE with a model year that is 2010 or more recent, and electric GSE (eGSE). This reduced rate is intended to incentivize the operation of cleaner equipment with a lower emissions profile.

¹ CARB. In-Use Off-Road Diesel-Fueled Fleets Regulation. Available at: <https://ww2.arb.ca.gov/our-work/programs/use-road-diesel-fueled-fleets-regulation>.

Table 2. Registration/Renewal Fees.

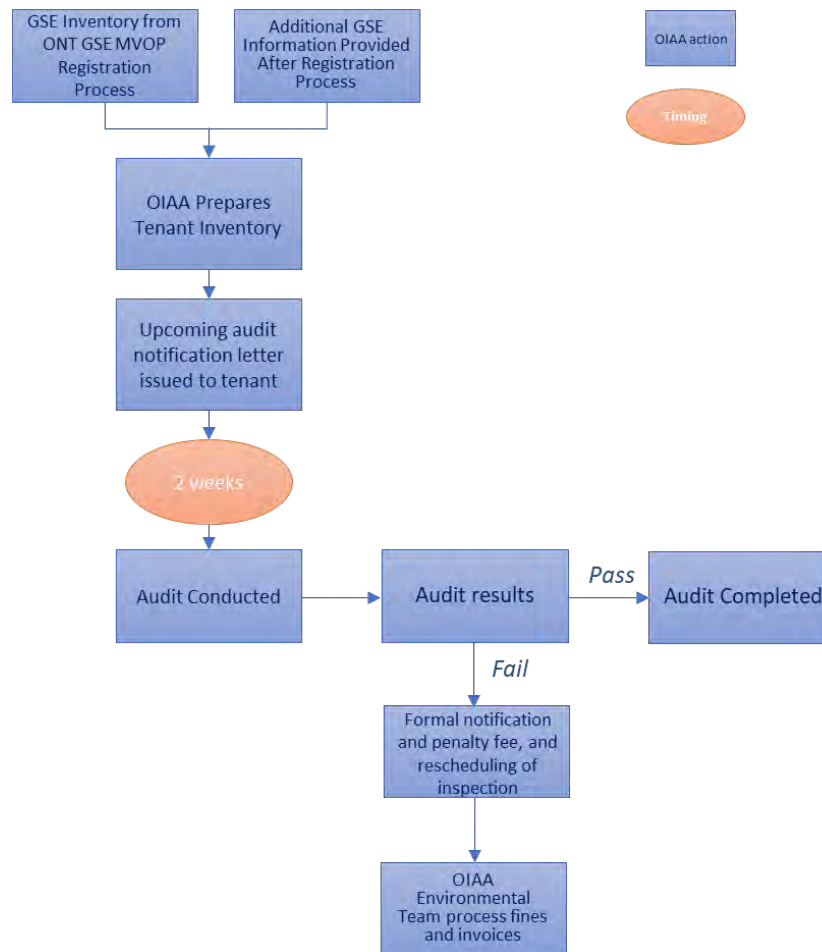
Fee Type	Amount, \$
Registration/Renewal Fee (per piece of GSE)	120
Incentive Registration/Renewal Fee (per piece of GSE) – applicable to diesel Tier 4 Final and Interim, non-diesel GSE Model Year ≥ 2010, and eGSE	20

4.3. Audit Process

The GSE audit is scheduled to occur at least annually (likely in October), and will include an on-site physical inspection of each tenant’s GSE fleet to confirm the registration status and details of all GSE.

- i. The Audit Process is initiated once a letter of engagement is sent to the tenant’s designated point of contact via email, notifying the tenant of the OIAA’s intention to perform the audit.
- ii. The GSE on the AOA will be verified against the GSE inventory data collected for compliance with the ONT GSE MVOP registration process and any additional GSE information provided by the tenant. A random selection of GSE will be inspected during the audit to confirm registration through the presence of a current decal. Each GSE has a specific designated place where the decal is attached, as shown in Attachment B. If a piece of GSE is found to not be present at the time of audit or is present on the AOA without the proper documentation, a formal notification will be issued, a penalty fee shall be assessed in the case of unpermitted GSE, and a follow-up inspection may be rescheduled. Please see Section 5 for further information.
- iii. Tenant representative(s) and OIAA staff, including staff from the responsible oversight agency/department, shall be present for the duration of the scheduled audit.
- iv. After the audit, the tenant’s designated point of contact will be provided with electronic versions of the inspection documents.

Flowchart A. Scheduled Audit Process.



5. Non-Compliance with the ONT GSE MVOP Program

Failure to comply with the ONT GSE MVOP Program may occur in at least three scenarios. While summarized below for exemplar purposes, these scenarios are not necessarily exhaustive and the OIAA will require comprehensive compliance with the requirements of the ONT GSE MVOP Program. More specifically:

- Operating Unpermitted GSE.** Operating an unpermitted GSE in the AOA is a violation of the ONT GSE MVOP Program. A GSE penalty fee shall be imposed for any GSE found to be operating in the AOA without an authorized ONT GSE MVOP decal. The unpermitted GSE also must be immediately removed from service and not be operated until it acquires a valid ONT GSE MVOP Permit. The penalty fee for the operation of unpermitted GSE is \$240 per piece of unpermitted GSE. (This fee may be re-assessed every 3 years.) The tenant’s repeated violation (i.e., more than three occurrences) of the ONT GSE MVOP Program’s permitting requirement within a five-year window shall result in an escalation of the penalty fee; each additional violation beyond the first three violations shall result in a doubling of the most recent penalty fee amount.

- **Failure to Validate Annual Inventory Data.** A tenant's failure to submit the annual GSE inventory data and/or a written attestation confirming the accuracy of the GSE fleet information by February 15th to ONT is a violation of the ONT GSE MVOP Program. Any GSE tenant who neglects to submit the required annual GSE inventory data within the designated timeframe will have a grace period of 15 days to furnish the overdue report, along with a written attestation of its validity. Failure to comply within the grace period will result in the tenant being considered non-compliant with the requirements of this program, and a non-compliance fee will be assessed based on the tenant's historical compliance with the ONT GSE MVOP Program, the particular circumstances surrounding the particular violation at issue, and other factors found to be relevant to the penalty assessment.
- **Failure to Achieve MOU Targets.** Each tenant is individually required to ensure that their GSE meets both the 2023 and 2031 MOU fleet average emission factor targets. These targets, as established in the MOU, include two fleet average NOx emission factors of 2.2 and 1.0 g/bhp-hr by January 1 of 2023 and 2031. Consequently, tenants are obligated to submit compliance plans to the OIAA detailing how they will individually achieve these MOU targets. If a tenant fails to comply with the applicable MOU target(s) for more than 90 days after the tenant receives notice of the failure from the OIAA, the tenant shall be deemed to be in non-compliance with this program, and a non-compliance fee will be assessed based on the tenant's historical compliance with the ONT GSE MVOP Program, achievement of applicable MOU target(s), the particular circumstances surrounding the particular violation at issue, and other factors found to be relevant to the penalty assessment.²

For any violation of this ONT GSE MVOP Program, the following procedures shall be followed:

5.1. Notice of Violation

The Notice of Violation (NOV) is a digital citation issued by the OIAA's Airport Officials to document violations, provide immediate notice to the tenant, and serve to initiate the corrective actions process. The NOV is distributed by email to a tenant's designated point of contact and any responsible official(s) to provide violation details and prescribed corrective actions. Upon receipt of an NOV, the tenant must ensure all corrective actions are completed, including the payment of associated non-compliance fees.

5.2. Violation Hearing

The Violation Hearing provides a tenant who has received an NOV with an opportunity to explain the circumstances that led to the violation. The process also provides an opportunity to further counsel the tenant regarding the subject requirements of the ONT GSE MVOP Program.

If a Violation Hearing is desired by the tenant, the tenant must contact the ONT Environmental Team at GSEMVOP@flyontario.com, or (909) 544-5133, within five (5) business days of receipt of the NOV to

² ONT may take any and all measures and remedies available to it through its leases, licenses, permits, rules and regulations including, but not limited to, seeking damages in a reasonable documented amount necessary to offset the GSE tenant's failure to comply with MOU requirements, and injunctive relief requiring the non-compliant GSE tenant to comply with this program. Use of any one potential measure or remedy will not preclude use of any other.

request a Violation Hearing. The tenant or its authorized representative must be present at the Violation Hearing. One request from the tenant for rescheduling of the hearing will be permitted.

An OIAA staff member will be appointed as the Violation Hearing Officer to preside over the hearing. Upon completion of the hearing, the Violation Hearing Officer may assess corrective actions befitting the violation and/or tenant's compliance history, to include administrative fines and possible suspension and/or revocation of the tenant's permit(s).

5.3. Appeals Process

All decisions to impose punitive actions, including the issuance of an administrative fine, will be expressed to the tenant directly or the tenant's authorized representative at the Violation Hearing. Any party aggrieved by a decision to impose a punitive action may appeal the decision in accordance with the procedures below. This process allows the tenant an opportunity to reveal any extenuating circumstances which may influence the assessment of punitive actions associated with the violation.

- i. Within five (5) business days of the conclusion of the Violation Hearing, the tenant shall file a Notice of Appeal to the ONT Environmental Team. The Notice of Appeal shall be emailed to the ONT Environmental Team at GSEMVOP@flyontario.com. The Notice of Appeal shall set forth the specific objections to the punitive action administered during the Violation Hearing. The objections shall form the basis of the appeal. If no appeal is received, permanent punitive actions will be assessed based upon the cited violation.
- ii. The ONT Environmental Team will designate an OIAA staff member as the Appeal Hearing Officer.
- iii. The Appeal Hearing Officer shall set a time and location for the hearing no later than fifteen (15) business days after receipt of the Notice of Appeal.
- iv. The hearing shall be conducted in an informal manner to determine if the facts support the punitive action.
- v. The decision of the Appeal Hearing Officer shall be based upon substantial and reliable evidence.
- vi. All parties to the hearing shall have the right to present evidence. The burden of proof shall always be on the party appealing the punitive action.
- vii. The decision of the Appeal Hearing Officer shall be rendered within fifteen (15) business days after the closing of the record and shall be based upon the evidence presented. The decision shall 1). Affirm the punitive action; or 2). Modify the punitive action; or 3). Reverse the punitive action.
- viii. The decision of the Appeal Hearing Officer is final.

6. Further Inquiries

Please reach out to the ONT Environmental Team at GSEMVOP@flyontario.com, or call (909) 544-5133, for further clarifications or information if there are any additional questions.

Attachment A

Example GSE MVOP Program Fleet Application Form

Attachment B

ONT GSE MVOP Decal Guidebook

Attachment C

Responsible Official Attestation of GSE Fleet for Annual Reporting

Responsible Official Attestation of GSE Reporting for Annual Reporting Year 2024

By signing below, I, the responsible official, attest that the information reported for the ONT GSE MVOP Program is accurate and the fleet is in compliance with the requirements described in the Policy. If the company does not operate GSE, please check "No GSE at ONT" below.

Click or tap here to enter text.

Company/Agency Name

No GSE at ONT

Click or tap here to enter text.

Name of Responsible Official or Designee

Click or tap here to enter text.

Job Title

Click or tap here to enter text.

Phone Number of Signatory

Click or tap here to enter text.

Email Address of Signatory

Click or tap here to enter text.

Signature of Responsible Official¹ or Designee²

Click or tap to enter a date.

Date

Sign and date (electronic signature accepted) completed form(s) and email them to GSEMVOP@flyontario.com.

¹ Responsible Official means the owner or partner of a sole proprietorship or partnership, or a person who performs similar policy or decision-making functions for a corporation (i.e., president, secretary, treasurer, vice president, or similar person in charge of a principal business function). For a public agency, it means either a principal executive officer or ranking elected official (i.e., chief executive officer responsible for the overall operations of a principal geographic unit of the agency).

² To designate a different Responsible Official, you must also complete and submit the Designated Official form (on the next page).

Designated Official

Complete this form only if the Responsible Official is designating someone other than himself/herself as the signatory of the Responsible Official Attestation of GSE Reporting form. Once on file, the form does not need to be resubmitted except to reassign the designation to someone else.

I, the responsible official**, designate the following person to be responsible for the attestation of reporting required to be in compliance with the ONT GSE MVOP Program.

Click or tap here to enter text.

Company/Agency Name

Click or tap here to enter text.

Name of Responsible Official* *

Click or tap here to enter text.

Job Title

** Responsible Official means the owner or partner of a sole proprietorship or partnership, or a person who performs similar policy or decision-making functions for a corporation (i.e., president, secretary, treasurer, vice president, or similar person in charge of a principal business function). For a public agency, it means either a principal executive officer or ranking elected official (i.e., chief executive officer responsible for the overall operations of a principal geographic unit of the agency).

Click or tap here to enter text.

Phone Number of Responsible Official

Click or tap here to enter text.

Email Address of Responsible Official

Click or tap here to enter text.

Signature of Responsible Official

Click or tap to enter a date.

Date

Click or tap here to enter text.

Name of Designee

Click or tap here to enter text.

Job Title

Click or tap here to enter text.

Signature of Designee

Click or tap to enter a date.

Date

Sign and date (electronic signature accepted) completed form(s) and email them to GSEMVOP@flyontario.com.

9.6 Authorized Vehicles on ONT Air Operations Area (AOA):

- a. The Air Operations Area (AOA) includes all aircraft movement areas, apron areas, cargo ramps, and other non-leasehold areas located inside the Airport security fence. All vehicles must enter the ONT AOA through an established Secured Area Access Point (SAAP). Primary SAAPs are located at:
 - 1) North SAAP (Post 5) - 590 South Vineyard Ave.
 - 2) South SAAP (Post 6) - 2095 East Avion Street.
- b. Operators of motorized vehicles in the AOA shall have drivers duly authorized and licensed by the California Department of Motor Vehicles, or other state, and possess a current/valid ONT Security Photo Identification Badge with "Restricted Area Driver" permit, with the following exception:
 - 1) ONT does not require Class A or B licenses for drivers in the AOA and private driveways; however, ONT strongly recommends drivers hold valid and appropriate licenses, and medical certificate for the vehicles they are operating.
- c. Approval for tenants to escort vendors or suppliers is determined on a case-by-case basis by ONT Airport Operations (please call the Airport Control Center at 909-544-5454).
- d. Drivers who escort other persons and/or vehicles in the AOA must have an escort icon 'E' and a 'Restricted Area Driver' icon on their valid ONT Security Photo Identification Badge.
- e. Lightweight specialty vehicles such as golf carts are prohibited from AOA roadways and must remain on passenger terminal aprons, cargo ramps, or on leasehold areas. Use of golf carts must be approved by ONT Airport Operations (please call the Airport Control Center at 909-544-5454).
- f. All vehicles, including GSE, within the AOA must be in good operating condition and properly maintained.
 - 1) If any vehicle is found to be inoperable or in poor condition, the vehicle will have their permit removed and removal of the vehicle will be required unless scheduled to be fixed within an acceptable timeframe.
 - i. Examples of a poorly maintained vehicle include but are not limited to: broken windows, mirrors, loose wiring and/or leaking fluids.

9.7 AOA Motor Vehicle Operating Permit (MVOP) and Ground Support Equipment (GSE) Motor Vehicle Operating Permit (MVOP):

- a. Airport tenant vehicles with State issued license and registration authorized to operate on public roadways require an ONT Motor Vehicle Operating Permit (MVOP) prior to entering the AOA, in accordance with OIAA requirements [specified in the ONT Motor Vehicle Operating Permit \(MVOP\) Program](#).
- b. All ground support equipment (GSE) authorized to operate on the AOA require an ONT GSE MVOP, in accordance with OIAA requirements [specified in the ONT Ground Support Equipment Motor Vehicle Operating Permit \(GSE MVOP\) Program](#).
 - 1) [The goal of the ONT GSE MVOP subprogram is to improve the tracking of GSE operating on the AOA, allowing the Airport to better assess infrastructure requirements and facilitate GSE reporting obligations.](#)

- 2) Penalty fee(s) will be issued if an operator is found to be in non-compliance with the ONT GSE MVOP subprogram. Please refer to the *ONT Ground Support Equipment Motor Vehicle Operating Permit Program, Section 5*, for further information.
- c. Access to the AOA is subject to prior approval by the ONT CEO or an authorized representative.
- d. Vehicles exempt from obtaining an ONT MVOP are: all OIAA vehicles with appropriate OIAA logos, fire department vehicles, law enforcement vehicles, and emergency vehicles needed at the time of an emergency.
- e. ONT MVOP can be obtained from the ONT Security Badge Office, please call 909-544-5170 for further information.
- f. ONT GSE MVOP can be obtained from the ONT Environmental Team; please contact GSEMVOP@flyontario.com or call 909-544-5133 for further information.

9.8 Insurance Requirements:

All vehicles operated on the AOA must have appropriate liability insurance as required by the OIAA.

9.9 AOA Vehicle and GSE Identification:

- a. All DMV registered motor vehicles entering the AOA must display a current ONT MVOP decal or be under authorized escort. Please refer to the *ONT Motor Vehicle Operating Permit Program, Section 9.9 AOA Vehicle Identification*, for further information.
 - 1) All vehicles operating on the ONT AOA are required to have an approved logo or company name displayed on both sides of the vehicle in a location opposite the front seat. For vehicles having front doors, the identification shall be located on the front door panels.
 - 2) The name of the company or tenant shall be spelled out in letters no less than three (3) inches in height. Company logos or symbols shall be at least 18 inches in diameter when not accompanied by approved lettering. To enhance conspicuity, all markings shall be on a background of sharply contrasting color.
- b. All GSE operating on the AOA must display a current ONT GSE MVOP decal. Please refer to the *ONT Ground Support Equipment Motor Vehicle Operating Permit Program, Section 3*, for further information.
 - 1) Aircraft GSE must have company name and company equipment number stenciled on two sides of each piece of equipment.
- c. Magnetic or temporary identification panels, and logos, are not permitted without prior approval by ONT Airport Operations, please call the Airport Control Center at 909-544-5454.

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MEETING DATE: SEPTEMBER 26, 2024

SUBJECT: CEQA EXEMPTION DETERMINATIONS AND APPROVALS FOR THE RECONSTRUCTION, REPAIR, AND REPLACEMENT OF EXISTING PAVEMENT AND LIGHTING SYSTEMS AT PORTIONS OF TAXIWAY S PROJECT

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

RECOMMENDED ACTION(S): Adopt the California Environmental Quality Act Exemption (CEQA) determinations for the Reconstruction, Repair, and Replacement of Existing Pavement and Lighting Systems at Portions of Taxiway S Project.

FISCAL IMPACT SUMMARY: N/A

BACKGROUND: The Ontario International Airport Authority (OIAA or Authority) is proposing the Reconstruction, Repair, and Replacement of Existing Pavement and Lighting Systems at Portions of Taxiway S project (Proposed Project). The Proposed Project would comprise the repair and reconstruction of existing Portland Cement Concrete (PCC) panels and Asphalt Concrete (AC) shoulder pavement on Taxiway S, east of the Cucamonga Channel, at Ontario International Airport (ONT or Airport). The Proposed Project would include paving, grading, crack and spall repair, joint sealing, paint marking, centerline and shoulder lighting repair and replacement, and pavement subgrade stabilization where required.

The Authority prepared the Pavement Management Program (PMP) Report: Airside (PMP Report) in March 2020, which documented existing (as of 2018) and future pavement conditions index (PCI) scores. According to the PMP Report, portions of Taxiway S had PCI scores ranging from Satisfactory (PCI of 71 to 85) to Very Poor (PCI of 26 to 40) in 2018, and projected PCI scores ranging from Poor (PCI of 41 to 55) to Serious (PCI of 11 to 25) by the year 2028, without implementation of the Proposed Project. The Proposed Project would address critical pavement issues on Taxiway S, enhancing safety and extending the operational lifetime of the airfield. The in-kind reconstruction of existing airfield pavement, facilities, and equipment, in the same location and site, for existing uses, and would not increase passenger activity, change the number or type of aircraft operations at the Airport, or increase Airport operational capacity.

The Proposed Project is eligible for a categorical exemption under CEQA. Applicable CEQA Statute and Guidelines sections are as follows:

14 California Code of Regulations Section 15301 (Class 1) – Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

14 California Code of Regulations Section 15302 (Class 2) – Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Further explanation and information supporting the approval of the CEQA Categorical Exemptions from CEQA review pursuant to CEQA Guidelines sections 15301 and 15302 is found at Attachment 1 to this Agenda Report.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: CEQA Categorical Exemptions (Class 1 and Class 2), reconstruction, repair and replacement of existing pavement and lighting systems, in the same location and site, with no change in land use or increase in Airport capacity.

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: Temporary closure of portions of Taxiway S and Taxiway W for completion of construction and hardware installation. Construction would be scheduled to avoid or minimize impacts to aircraft operations to the extent feasible, including scheduling night-time work.

SCHEDULE: Construction is expected to begin in Quarter 4, calendar year 2025 and be completed by the end of Quarter 3, calendar year 2026.

ATTACHMENTS:

1. Explanation of Categorical Exemptions Pursuant to the California Environmental Quality Act (CEQA) for the Reconstruction, Repair, and Replacement of Existing Pavement and Lighting Systems at Portions of Taxiway S Project

STAFF REVIEW AND APPROVAL:

Originator:	<u>Marissa Sanchez, Chief Capital Development Officer</u>
Originating Dept.:	<u>Capital Development</u>
Director Review:	<u>N/A</u>
Chief Review:	<u><i>Marissa Sanchez</i></u>
CFO Review:	<u><i>Celeste Heinonen</i></u>
CEO Approval:	<u><i>Atif Ekadi</i></u>

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. Hours to review are between 8:30 a.m. and 4:30 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.

Ontario International Airport Administration Offices

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SEPTEMBER 5, 2024

Attachment 1 – Reconstruction, Repair, and Replacement of Existing Pavement and Lighting Systems at Portions of Taxiway S Project

Explanation of Categorical Exemptions Pursuant to the California Environmental Quality Act for the Reconstruction, Repair, and Replacement of Existing Pavement and Lighting Systems at Portions of Taxiway S Project

Introduction

The Ontario International Airport Authority (OIAA), owner and operator of the Ontario International Airport (ONT or Airport), in the City of Ontario, California, proposes to improve, repair, and replace existing airfield pavement and lighting systems to maintain a safe operational environment for aircraft utilizing Taxiway S at ONT. The proposed improvements are categorically exempt from further review under California Environmental Quality Act (CEQA) Guidelines, Sections 15300 – 15333¹ as described herein.

Existing Conditions

The Authority prepared the *Pavement Management Program (PMP) Report: Airside* (PMP Report) in March 2020, which documented existing (as of 2018) and future pavement conditions index (PCI) scores.² According to the PMP Report, portions of Taxiway S had PCI scores ranging from Satisfactory (PCI of 71 to 85) to Very Poor (PCI of 26 to 40) in 2018, and projected PCI scores ranging from Poor (PCI of 41 to 55) to Serious (PCI of 11 to 25) by the year 2028, without implementation of the Proposed Project.³ Taxiway S pavement conditions are expected to have deteriorated since the PMP Report was conducted and likely yield lower PCI scores as of 2024 than were recorded in 2018.

¹ California Code of Regulations (CCR), Title 14, Division 6, Chapter 3 Sections 15000 – 15387.

² Pavement condition index scores grade pavement conditions on a scale from 0 to 100, with 100 representing new pavement.

³ Portions of Taxiway S may require rehabilitation, as opposed to reconstruction; however, to conservatively analyze construction of the Proposed Project, the proposed pavement improvements were assumed to comprise reconstruction.

Proposed Project

The Reconstruction, Repair, and Replacement of Existing Pavement and Lighting Systems at Portions of Taxiway S project (Proposed Project) would address critical pavement issues on Taxiway S, enhancing safety and extending the operational lifetime of the airfield. The Proposed Project would occur entirely within the existing footprint of Taxiway S and the adjacent paved shoulders, between the Cucamonga Channel (which flows underneath the airfield, approximately 700 feet east of the intersection of Taxiway S and Taxiway P) and the intersection of Taxiway S and Taxiway W (see **Attachment A, Exhibit 1**). The in-kind reconstruction, repair, and replacement of existing airfield pavement and lighting systems, in the existing location, would not increase passenger activity or change the number, or type of aircraft operations at the Airport or result in an increase in operational capacity.

The Proposed Project would reconstruct existing Portland Cement Concrete (PCC) panels and Asphalt Concrete (AC) shoulders on Taxiway S, east of the Cucamonga Channel, within the airfield. Based on assessed pavement conditions, approximately 46,050 square yards of select PCC panels of Taxiway S would be demolished and replaced, and approximately 22,500 square yards of AC shoulder pavement would be demolished and replaced in-kind. The Proposed Project would include paving, grading, crack and spall repair, joint sealing, paint marking, centerline and shoulder lighting repair and replacement, and stabilization of the pavement subgrade where required.

- **Grading:** The preparation of the ground surface to achieve the desired slope and level for the new pavement. It ensures proper drainage and consistency of the taxiway surface.
- **Paving:** The process of installing new pavement, which, in this case, involves both PCC panels and AC shoulder pavement.
- **Crack and Spall Repair:** Over time, concrete pavement may develop cracks and spalls (disintegration and breakage). Crack and spall is the process of repairing defects to maintain the structural integrity and safety of the taxiway within paved areas that do not require complete reconstruction (i.e., new PCC panels or AC shoulder pavement replacement).
- **Joint Sealing:** Airfield pavement comprising PCC panels have joints to allow for expansion and contraction due to temperature changes. Joint sealing prevents water infiltration and damage, extending the life of the pavement.
- **Paint Marking:** The process of renewing paint markings to delineate traffic lanes, symbols, and safety features to provide guidance for aircraft movements on the airfield and enhance overall safety on the reconstructed taxiway surface.
- **Lighting Repair and Replacement:** Taxiways are typically equipped with in-pavement lighting systems to guide aircraft movements. Repair or replacement of malfunctioning lights ensures safe and efficient operation of aircraft and vehicles on the airfield during low visibility conditions.
- **Subgrade Stabilization:** The subgrade is the soil and aggregate material beneath the pavement. Stabilization involves adding materials or enhancing the strength and support of the subgrade, ensuring a stable foundation for the new pavement.

The excavation associated with the Proposed Project could reach depths of up to approximately 5 feet and would not go beyond the depth of existing disturbance required for the original taxiway construction. Replacement of airfield lighting associated with the pavement reconstruction would not require trenching or ground disturbance beyond the work related to the proposed pavement and lighting system improvements and reconstruction.

The Proposed Project area is within the 0.2 percent Annual Chance Flood Hazard Area, which is categorized by the Federal Emergency Management Agency as a Moderate to Low Risk Area; the proposed improvements would not result

in changes to the existing floodplain.^{4,5}

Construction

Construction of the Proposed Project would include the use of the following equipment:

- Light-duty trucks
- Milling machines
- Dump and haul trucks
- Backhoes
- Asphalt and concrete paving equipment

Construction materials and equipment storage and staging for the Proposed Project would occur within the Airport's existing storage and staging areas, southwest of the intersection of Airport Drive and Vineyard Avenue. Construction access to the proposed project site would be accommodated from the storage and staging area, via a secured access gate approximately 250 feet west of the North Secured Area Access Point. Airport Drive would serve as the primary access roadway between the storage and staging area and the local and regional surface transportation network (via Interstate 10). Construction materials are typical of common commercial paving projects and would be procured through available local and regional sources within the southern California region.

Schedule

Construction of the Proposed Project is expected to begin in Quarter 4, calendar year 2025 and be completed by the end of Quarter 3, calendar year 2026. The Authority would schedule construction to avoid or minimize impacts to aircraft operations to the extent feasible, including scheduling night-time work.

Project Need

The Proposed Project is needed to improve existing airfield pavement and lighting systems to maintain a safe operational environment for aircraft using Taxiway S. Deteriorating pavement conditions, as identified in the PMP Report, require timely repair to prevent further degradation and ensure the safety and longevity of the airfield infrastructure.

Categorical Exemption(s) Under CEQA

CEQA Guidelines identify a list of project "classes" determined to generally not have a significant effect on the environment and, therefore, are exempt from CEQA review. Projects may be eligible for exemption under multiple classifications described in CEQA Guidelines Sections 15300-15333. As the Proposed Project would comply with applicable federal, state, and local regulations, the Proposed Project would not have any adverse effects on the environment, and none of the exceptions in Public Resources Code Section 21084(c), (d), and (e) and State CEQA Guidelines Section 15300.2 are applicable, the CEQA Lead Agency (OIAA) has determined that the Proposed Project qualifies for categorical exemption from further CEQA review in accordance with the following CEQA Guidelines Sections as described in detail below:

⁴ Federal Emergency Management Agency, Flood Insurance Rate Map No. 060718837J, September 2, 2016.

⁵ California Department of Water Resources, Best Available Map, accessed September 13, 2022. (Available at: <https://gis.bam.water.ca.gov/bam/>)

- 14 California Code of Regulations Section 15301 (Class 1) – Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use.

- 14 California Code of Regulations (CCR) Section 15302 (Class 2) – Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Applicability of Proposed Project

Class 1 and Class 2 pertain to the Proposed Project as it would repair and reconstruct existing airfield pavement and replace in-pavement lighting devices and associated electrical elements in-kind. Pavement repair and reconstruction activities would occur on the same location of existing airfield pavement and no additional areas would be paved. The Proposed Project would constitute continuation of the existing and allowable uses on Airport property, would not increase capacity or passenger activity, and would not result in a change in the number or type of aircraft operations at the Airport.

As a continuation of an existing use, construction and operation of the Proposed Project would not result in any significant impacts to traffic, noise, air quality, water quality, or other resource categories identified in Appendix G of the CEQA Statute and Guidelines.

Conclusion

The Proposed Project would comprise the reconstruction, repair, and replacement of existing pavement and lighting systems in the same location, within portions of Taxiway S, east of the Cucamonga Channel, at the Airport. The Proposed Project would comply with applicable federal, state, and local regulations; thus, the Proposed Project would not have any adverse effects on the environment, and none of the exceptions in Public Resources Code Section 21084(c), (d), and (e) and State CEQA Guidelines Section 15300.2 are applicable to the Proposed Project. The OIAA, as the CEQA Lead Agency, has determined that the Proposed Project qualifies for categorical exemptions from further CEQA review in accordance with State CEQA Guidelines (14 CCR) Sections 15301 (Class 1 – Existing Facilities) and 15302 (Class 2 – Replacement or Reconstruction). Therefore, the Proposed Project would have no significant effect on the environment and is categorically exempt from further CEQA review.



SOURCES: Nearmap, May 2023 (aerial photography – for visual reference only, may not be to scale); US Census Bureau, 2022 (water); Ricondo & Associates, Inc., September 2023 (proposed project area).

EXHIBIT 1



PROPOSED PROJECT AREA



MEETING DATE: SEPTEMBER 26, 2024

SUBJECT: CEQA EXEMPTION DETERMINATIONS AND APPROVALS FOR THE RECONSTRUCTION, REPAIR, AND REPLACEMENT OF EXISTING FACILITIES AND EQUIPMENT AT PORTIONS OF RUNWAY 8L-26R AND TAXIWAYS N, V, AND W PROJECT

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

RECOMMENDED ACTION(S): Adopt the California Environmental Quality Act Exemption (CEQA) determinations for the Reconstruction, Repair, and Replacement of Existing Facilities and Equipment at Portions of Runway 8L-26R and Taxiways N, V, and W Project.

FISCAL IMPACT SUMMARY: N/A

BACKGROUND: The Ontario International Airport Authority (OIAA) is proposing the reconstruction, repair, and replacement of existing facilities and equipment, in the same location and site, at portions of Runway 8L-26R and Taxiways N, V, and W (Proposed Project). The proposed project would comprise the full-depth reconstruction of the Runway 8L-26R keel section (between Taxiway U and the Runway 26R blast pad), Taxiway N (east of Taxiway U), Taxiway V (between Taxiway N and Runway 8L-26R), and Taxiway W (between Taxiway N1 and Runway 8L-26R) at Ontario International Airport (ONT or Airport).

In 2020, OIAA prepared the *Pavement Management Program (PMP) Report: Airside* (PMP Report). According to the PMP Report, the existing Runway 26R end, Taxiway N, and connector taxiways pavement east of Taxiway U had projected (2025) pavement condition index (PCI) scores ranging from 38 (Very Poor) to 59 (Fair). The Proposed Project would improve existing airfield pavement; replace airfield lighting devices; repair spall and cracks on the Runway 8L-26R non-keel pavement; replace the Runway 26R blast pad; and replace the Runway 8L-26R shoulder pavement and shoulder pavement within segments of Taxiway W (between Taxiway N1 and Runway 8R-26L). The in-kind reconstruction of existing airfield pavement, facilities, and equipment, in the same location and site, would be for the same uses and purposes, and would not increase passenger activity or change the number, capacity, or type of aircraft operations at the Airport.

The Proposed Project is eligible for categorical exemptions under CEQA. Applicable CEQA Statute and Guidelines sections are as follows:

14 California Code of Regulations Section 15301 (Class 1) – Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

14 California Code of Regulations (CCR) Section 15302 (Class 2) – Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Further explanation and information supporting the approval of the CEQA Categorical Exemptions from CEQA review pursuant to CEQA Guidelines sections 15301 and 15302 is found in Attachment 1 to this Agenda Report.

PROCUREMENT: N/A

CEQA COMPLIANCE AND LAND USE APPROVALS: CEQA Categorical Exemptions (Class 1 and Class 2), reconstruction, repair and replacement of existing facilities and equipment, in the same location and site, with no change in land use or increase in Airport capacity.

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: Temporary closure of portions of Runway 8R-26L, Taxiway N, Taxiway V, and Taxiway W for completion of construction and hardware installation. Construction would be scheduled to avoid or minimize impacts to aircraft operations to the extent feasible, including scheduling night-time work.

SCHEDULE: Construction of the Proposed Project would begin in Quarter 1, calendar year 2027 and would be complete by Quarter 4, calendar year 2027.

ATTACHMENTS:

1. Explanation of Categorical Exemptions Pursuant to the California Environmental Quality Act (CEQA) for the Reconstruction, Repair, and Replacement of Existing Facilities and Equipment at Portions of Runway 8L-26R and Taxiways N, V, and W Project

STAFF REVIEW AND APPROVAL:

Originator:	<u>Marissa Sanchez, Chief Capital Development Officer</u>
Originating Dept.:	<u>Capital Development</u>
Director Review:	<u>N/A</u>
Chief Review:	<u><i>Marissa Sanchez</i></u>
CFO Review:	<u><i>Celaste Heinonen</i></u>
CEO Approval:	<u><i>Atif Okadi</i></u>

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. Hours to review are between 8:30 a.m. and 4:30 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.

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General Counsel

SEPTEMBER 5, 2024

Attachment 1 – Reconstruction, Repair, and Replacement of Existing Facilities and Equipment at Portions of Runway 8L-26R and Taxiways N, V, and W Project

Explanation of Categorical Exemptions Pursuant to the California Environmental Quality Act for the Reconstruction, Repair, and Replacement of Existing Facilities and Equipment at Portions of Runway 8L-26R and Taxiways N, V, and W Project.

Introduction

The Ontario International Airport Authority (OIAA or Authority), owner and operator of the Ontario International Airport (ONT or Airport), in the City of Ontario, California, utilizes the applicable Categorical Exemptions under California Environmental Quality Act (CEQA) Guidelines Sections 15300 – 15333¹ to reconstruct portions of Runway 8L-26R and Taxiways N, V, and W.

Existing Conditions

The Airport operates two parallel runways, Runway 8L-26R and Runway 8R-26L, and a series of taxiways to accommodate daily aircraft operations. Runway 8L-26R, the longer of the two parallel runways at approximately 12,197 feet long and 150 feet wide, serves as the primary arrival/departure runway for commercial aircraft at ONT. Runway 8L-26R is located south of the Terminals and is accessible to aircraft taxiing to and from the terminal areas via Taxiway N and several connector taxiways north of Runway 8L-26R.

Runway 8L-26R was constructed in 1980 and Taxiways N, V, and W are over 20 years old. In 2020, OIAA prepared an Airport Pavement Management System (APMS) study, using airfield pavement survey data from Quarter 4 of 2018. The APMS study rated existing airfield pavement on a pavement conditions index (PCI) scale from 0 to 100, with 100 representing new pavement. The existing Runway 26R end, Taxiway N, and connector taxiways pavement east of Taxiway U were determined to have projected (2025) PCIs ranging from 38 (Very Poor) to 59 (Fair). The APMS study

¹ California Code of Regulations (CCR), Title 14, Division 6, Chapter 3 Sections 15000 – 15387.

indicated the existing (2018) and projected (2025) PCI scores for the following pavement areas:

- Runway 8L-26R keel section: (2018) 61 – Fair; (2025) 54 – Poor
- Runway 26R blast pad: (2018) 69 – Fair; (2025) 57 – Fair
- Runway 8L-26R north shoulder: (2018) 60 – Fair; (2025) 50 – Poor
- Runway 8L-26R south shoulder: (2018) 67 – Fair; (2025) 59 – Fair
- Taxiway N and shoulders: (2018) 53 – Poor; (2025) 41 – Poor
- Taxiway W: (2018) 55 – Poor; (2025) 44 – Poor
- Taxiway W shoulders: (2018) 64 – Fair; (2025) 55 – Poor
- Taxiway V and shoulders: (2018) 46 – Poor; (2025) 38 – Very Poor

Proposed Project

The Reconstruction, Repair, and Replacement of Existing Facilities and Equipment at Portions of Runway 8L-26R and Taxiways N, V, and W project (Proposed Project) would comprise full-depth reconstruction of the Runway 8L-26R keel section (between Taxiway U and the Runway 26R blast pad), Taxiway N (east of Taxiway U), Taxiway V (between Taxiway N and Runway 8L-26R), and Taxiway W (between Taxiway N and Runway 8R-26L) at ONT. The Proposed Project would improve existing airfield pavement; replace airfield lighting devices; repair spall and cracks on the Runway 8L-26R non-keel pavement; replace the Runway 26R blast pad; and replace the Runway 8L-26R shoulder pavement and shoulder pavement within segments of Taxiway W (between Taxiway N1 and Runway 8R-26L). The in-kind reconstruction and replacement of existing airfield pavement, facilities, and equipment, in the same location and site, would be for the same uses and purposes, and would not increase passenger activity or change the number, capacity, or type of aircraft operations at the Airport.

The surveyed areas from the APMS study described above all require reconstruction to maintain operational safety and to reduce the frequency of maintenance. The Proposed Project would reconstruct approximately 192,000 square yards of existing runway and taxiway pavement (see **Attachment 1, Exhibit 1**). The Proposed Project would include demolition of existing pavement; excavation of aggregate base materials and soil or subbase materials; installation of Portland Cement Concrete (PCC) panels within primary runway and taxiway areas; installation of hot mix asphalt-concrete (AC) pavement within Runway 8L-26R shoulders, Taxiways N, V, and W shoulders, and the Runway 26R blast pad; concrete spall and crack repair; paint marking; and replacement of in-pavement airfield lighting devices and associated electrical elements.

Demolition of Existing Pavement: Removing old pavement to prepare for new construction.

Excavation of Aggregate Base and Subbase Materials: Removing underlying base materials to reach a stable foundation.

Installation of PCC Panels: Laying down new concrete panels, including base and subbase, for primary runway and taxiway areas.

Installation of AC Pavement: Applying hot mix asphalt-concrete pavement on runway shoulders, taxiways, and blast pads.

Crack and Spall Repair: Over time, concrete pavements may develop cracks and spalls (chunks breaking off). Repairing these defects is necessary to maintain the structural integrity and safety of the taxiway.

Paint marking: The delineation of traffic lanes, symbols, and safety features, ensuring precise guidance for aircraft movements and enhancing overall safety on the reconstructed taxiway surface.

Replacement of In-Pavement Airfield Lighting and Electrical Elements: Upgrading airfield lighting and related electrical components for improved visibility and functionality.

The depth of excavation associated with the Proposed Project would be consistent with the design standards identified in

Federal Aviation Administration (FAA) Advisory Circular 150/5320-6G, *Airport Pavement Design and Evaluation*, reaching depths of up to approximately 5 feet, and would not go beyond the depth of existing disturbance. All electrical and utility extensions associated with replacement of airfield lighting devices would be included in the pavement reconstruction component of the Proposed Project and would not require additional trenching or ground disturbance.

The proposed project area is within the 0.2-percent Annual Chance Flood Hazard Area, which is categorized by the Federal Emergency Management Agency as a Moderate to Low Risk Area; the proposed improvements would not result in changes to the existing floodplain.^{2,3}

Construction

Construction of the Proposed Project would include the use of the following equipment:

- Light-duty trucks
- Milling machines
- Dump and haul trucks
- Backhoes
- Asphalt and concrete paving equipment

The Authority currently operates a construction storage and staging area southwest of the intersection of Airport Drive and Vineyard Avenue (see **Attachment 1, Exhibit 2**). Construction staging for the Proposed Project would also occur at the existing storage and staging area. Construction access to the proposed project site would be accommodated from the storage and staging area via a secured access gate approximately 250 feet west of the North Secured Area Access Point. The construction haul route would be via Airport Drive, which provides access to the local and regional surface transportation network and Interstate 10, located north of the proposed project area. All construction materials would be procured through available local and regional sources within the southern California region.

Best Management Practices

The ONT airfield contains recorded instances of burrowing owl burrows. The Proposed Project would be completed entirely on previously developed, paved Airport property. However, surveys for burrowing owls within suitable habitat near the proposed project area would be completed in accordance with the 2012 California Department of Fish and Wildlife *Staff Report on Burrowing Owl Mitigation* prior to mobilization for construction. Based on results of the survey, avoidance and minimization measures for burrowing owls would be implemented to ensure no direct or indirect impacts to active burrows/nesting owls would occur.

Schedule

Construction of the Proposed Project would begin in Quarter 1, calendar year 2027 and would be complete by Quarter 4, calendar year 2027. OIAA would schedule construction to avoid or minimize impacts to aircraft operations to the extent feasible, including scheduling night-time work.

Project Need

The Proposed Project is essential to ensure operational safety and reduce maintenance frequency at ONT by addressing critical pavement deterioration, replacing outdated airfield lighting, and repairing pavement spall and cracks. This reconstruction would not alter land use, passenger activity, or result in a change to the number or type of aircraft operations but is necessary to maintain the Airport's safety standards and operational efficiency.

² Federal Emergency Management Agency, Flood Insurance Rate Map No. 060718837J, September 2, 2016.

³ California Department of Water Resources, Best Available Map, accessed September 13, 2022. (Available at: <https://gis.bam.water.ca.gov/bam/>)

Categorical Exemption(s) Under CEQA

CEQA Guidelines identify a list of project “classes” determined to generally not have a significant effect on the environment and, therefore, are exempt from CEQA review. Projects may be eligible for exemption under multiple classifications described in CEQA Guidelines Sections 15300-15333. As the Proposed Project would comply with applicable federal, state, and local regulations, the Proposed Project would not have any adverse effects on the environment, and none of the exceptions in Public Resources Code Section 21084(c), (d), and (e) and State CEQA Guidelines Section 15300.2 are applicable, the CEQA Lead Agency (OIAA) has determined that the Proposed Project qualifies for categorical exemption from further CEQA review in accordance with the following CEQA Guidelines Sections as described in detail below:

- 14 California Code of Regulations Section 15301 (Class 1) – Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use.

- 14 California Code of Regulations (CCR) Section 15302 (Class 2) – Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Applicability of Proposed Project

Class 1 pertains to the Proposed Project as it would reconstruct existing airfield pavement and replace in-pavement lighting devices and associated electrical elements in-kind. Pavement reconstruction activities would occur on the existing airfield pavement and no additional areas would be paved. Class 2 pertains to the Proposed Project as it would replace and reconstruct existing structures and facilities on the same site and serve the same purpose as existing facilities. The Proposed Project would constitute continuation of the existing and allowable use on Airport property and would not increase capacity or passenger activity or result in a change in the number or type of aircraft operations at the Airport. As a continuation of an existing use, construction and operation of the Proposed Project would not result in any significant impacts to traffic, noise, air quality, or water quality, or other resource categories identified in Appendix G of the CEQA Statute and Guidelines.

Conclusion

The Proposed Project would comprise the reconstruction, repair, and replacement of existing facilities and equipment, in the same location, within portions of Runway 8L-26R (between Taxiway U and the Runway 26R blast pad), Taxiway N (east of Taxiway U), Taxiway V (between Taxiway N and Runway 8L-26R), and Taxiway W (between Taxiway N and Runway 8R-26L) at the Airport. The Proposed Project would comply with applicable federal, state, and local regulations; thus, the Proposed Project would not have any adverse effects on the environment, and none of the exceptions in Public Resources Code Section 21084(c), (d), and (e) and State CEQA Guidelines Section 15300.2 are applicable to the Proposed Project. The Proposed Project meets the criteria cited under State CEQA Guidelines (14 CCR) Sections 15301 (Class 1 – Existing Facilities) and 15302 (Class 2 – Replacement or Reconstruction). Therefore, the Proposed Project would have no significant effect on the environment and is categorically exempt from further CEQA review.



SOURCES: Nearmap, May 2023 (aerial photography – for visual reference only, may not be to scale); Ricondo & Associates, Inc., September 2023 (proposed project area).

EXHIBIT 1



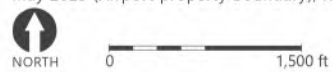
PROPOSED PROJECT AREA

Project: P:\GIS\Projects\ONT\MXD\ONT_CatEx_ReconstructRunway8L-26R_20231004.aprx Layout: ONT_CatEx_Exh1_Rwy8L26R_ProposedProject_20240808



SOURCES: Nearmap, May 2023 (aerial photography – for visual reference only, may not be to scale); Ontario International Airport, *Airport Layout Plan*, May 2023 (Airport property boundary); Ricondo & Associates, Inc., September 2023 (proposed project area, construction staging area).

EXHIBIT 2



CONSTRUCTION STAGING AREA