

MOJAVE AIR AND SPACE PORT AT RUTAN FIELD

NOTICE OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

Date: October 18, 2022
Location: Board Room
1434 Flightline, Mojave, California
Time: 2:00 p.m.

Zoom Video Conference

<https://us02web.zoom.us/j/81169957579?pwd=S24vNStCMm8yQkZ0UFZBeEgzQ2UxZz09>

Phone: 669 900 9128
Meeting ID: 811 6995 7579
Passcode: 146447

AGENDA

1. Call to Order

- A. Pledge of Allegiance
- B. Roll Call
- C. Approval of Agenda

2. Community Announcements and Public Comments on Items not on the Agenda

3. Consent Agenda (*Staff recommends approval of consent items by one motion.*)

- A. Minutes of the Regular Board Meeting of October 4, 2022

4. Action Items

- A. Adoption of Resolution Regarding Remote Meetings (Counsel)
- B. Award Commercial Space, Planning, Design & Engineering Contract (CEO)

5. Reports

- A. Chief Executive Officer
- B. Board Committees

6. Director Comments on Items Not on the Agenda

7. Closed Session

A. Real Property Negotiations (Govt Code 54956.8):

Property: Hangar 78

Parties: MASP, Scaled Composites

Negotiators: CEO, legal counsel

Terms: term, rent

B. Existing Litigation (Govt Code 54956.9): Masten Space Systems Bankruptcy

C. Potential Litigation (Govt Code 54956.9): Welton v. MASP

8. Closed Session Report

Adjournment

This Agenda was posted on, October 14, 2022, by Jason Buck.

Due to the COVID-19 state of emergency, the Board of Directors will conduct this meeting via Zoom Video Conference. A physical location will not be available to the public. You may participate in the meeting by using the call-in number specified in this Notice of Meeting or access the web page above. If you wish to speak to an item on the agenda, please inform the Board Chair when he asks for public comment. The Board's normal rules for public comment apply: speakers are limited to 3 minutes per item. You may also email comments to Lynn@mojaveairport.com prior to the start of the meeting, and your comment(s) will be distributed to the directors at the meeting.

When joining the meeting via Zoom, you will need a microphone to participate in the discussion.

- **KEEP YOUR MIC MUTED** at all times that you are not making a comment in order to minimize noise during the meeting. Unmute only to make a comment on an agenda item.
- The general rules regarding public comment apply to those using zoom.
- Comments may also be made in the zoom chat function or via email to the Board Clerk at Lynn@mojaveairport.com prior to the start of the meeting.

If you need special assistance to participate in the meeting, please contact [Lynn Johansen at Lynn@mojaveairport.com](mailto:Lynn@mojaveairport.com), and the District will attempt to accommodate your need.

ADA Notice: Persons desiring disability-related accommodations should contact the District no later than forty-eight hours prior to the meeting. Persons needing an alternative format of the agenda because of a disability should notify the District no later than seventy-two hours prior to the meeting. All inquiries/requests can be made by phone at (661) 824-2433, in person at 1434 Flightline, Mojave, CA, or via email to Lynn@mojaveairport.com

Copy of Records: Copies of public records related to open session items are available at the administrative office of the District at 1434 Flightline, Mojave, CA.

Public Comments: Members of the public may comment on items on the agenda before the Board takes action on that item, or for closed session items, before the Board goes into closed session. Comments on items not on the agenda, and over which the Board has jurisdiction, may be made under "Public Comments on Items not on the Agenda," but the Board may not take action on any issues raised during this time. All comments by members of the public are limited to three minutes.

MISSION STATEMENT

**FOSTER AND MAINTAIN OUR RECOGNIZED AEROSPACE PRESENCE WITH A
PRINCIPLE FOCUS AS THE WORLD'S PREMIER CIVILIAN AEROSPACE TEST CENTER
WHILE SEEKING COMPATIBLY DIVERSE BUSINESS AND INDUSTRY**

BOARD OF DIRECTORS

MINUTES OF THE REGULAR MEETING ON OCTOBER 4, 2022.

1. CALL TO ORDER

The meeting was called to order on Tuesday October 4, 2022, at 2:01 p.m. by Director Barney.

A. Pledge of Allegiance: Director Balentine led those assembled in the Pledge of Allegiance.

B. Roll Call:

Directors present in person: Balentine, Barney, Coleman, and Morgan

Directors absent: None

Staff: Acting CEO Reid, District Counsel Navé, Nicole Altman DO Fuels Smith, Contracts Manager Johansen

Others present via Zoom: John Joyce, DOA Rawlings, Carmelita Panko, Allison Gatlin, Jullie Doyle, and one other unidentified participant.

C. Approval of Agenda: Upon motion by Director Balentine, seconded by Director Coleman, The Board unanimously approved the agenda.

2. Community Announcements/ Public Comments not on the Agenda

No Public comments were made.

3. Consent Agenda

Upon Motion by Director Balentine, seconded by Director Coleman, the Board unanimously approved the Consent Agenda.

A. Minutes of the Regular Board Meeting September 19,2022

B. Check Register dated September 28, 2022: \$20,190.31

4. Action Items

A. Stienmetze – Hangar 950 – Sublet Agreement Rabideaux

Contracts Manager Johansen briefed the board on the sublet agreement After discussion, upon motion by Director Morgan, seconded by Director Coleman, the Board unanimously approved the sublet agreement.

B. Voyager Aircraft LLC. - Hangar 969 -Sublet Agreement Coleman .

Counsel Nave briefed the board on the legal issues and Director Colemans’s conflict of interest. Director Coleman disqualified himself from the discussion and left the Board room for this item. Upon Motion by Director Balentine, seconded by Director Barney, the Board unanimously approved the sublease agreement.

5. Reports

A. Financials

DOA Rawlings presented the August Financial Reports.

B. CEO/GM Report

Acting CEO Reid informed the board that NASA wants to move forward with the Lunar Test Bed at MASP. Acting CEO Reid presented the CEO report.

C. Board Committee

No Current Board Committees.

6. Director Comments on Items not on the Agenda

Director Balentine introduced Bruce Evans and mentioned he is running for a board seat in this year's election.

7. Closed Session

- A. Real Property Negotiations (Govt Code 54956.8):
Property: Hangar 78
Parties: MASP, Scaled Composites
Negotiators: CEO, legal counsel
Terms: term, rent

- B. Real Property Negotiations (Govt Code 54956.8):
Property: Building 10
Parties: MASP, CAPSED
Negotiators: CEO, legal counsel
Terms: Price

- C. Existing Litigation (Govt Code 54956.9): Masten Space Systems Bankruptcy

- D. Potential Litigation (Govt Code 54956.9): MASP vs. B. Welton

8. Closed Session Report

In closed session, the Board discussed Real Property Negotiations for Scaled Composites Hangar 78, CAPSED Building 10, and the existing litigation with the Masten Space Systems Bankruptcy. The board did not discuss the Potential Litigation Item D. No action was taken on any of the items discussed and no other items were discussed.

ADJOURNMENT

There being no further business to come before the Board, the chair adjourned the meeting at 3:03 p.m.

Diane Barney, President

ATTEST

Jimmy R. Balentine, Secretary



STAFF MEMORANDUM

TO: Board of Directors
FROM: Scott Nave
SUBJECT: AB 361 Remote Meeting Resolution

MEETING DATE: October 18, 2022

Background:

The Governor's executive order suspending certain requirements of the Brown Act regarding board meetings has expired, but the proclamation of a state of emergency is still in place. The Legislature has amended Govt Code 54953 to include provisions allowing remote meetings during a state of emergency under certain conditions. The attached resolution allows the Board to continue meeting remotely until the state of emergency is lifted and social distancing is no longer recommended or required. If the Board adopts the resolution, it will have to renew the resolution every 30 days.

Impacts:

Fiscal: None

Environmental: This action does not constitute a project and is not subject to CEQA

Legal: None

Recommended Action:

The Board has two options:

1. The Board may adopt the resolution and continue with remote meetings during the month of October through, November 16, 2022, or until the state of emergency is lifted; or
2. The Board may not adopt the resolution and resume holding meetings in compliance with the requirements of the Brown Act.

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF DIRECTORS OF MOJAVE AIR AND SPACE PORT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE MONTH OF OCTOBER 2022

WHEREAS, Mojave Air and Space Port (the "District") is committed to encouraging and preserving public access and participation in meetings of the Board of Directors; and

WHEREAS, Government Code section 54953, as amended by AB 361, makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953, subject to the existence of certain conditions; and

WHEREAS, a required condition is that there is a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, Governor Newsom declared a State-wide state of emergency due to the Covid-19 pandemic on March 4, 2020, which declaration is still in effect, and state and local health officials continue to recommend social distancing; and

WHEREAS, the Board of Directors does hereby find that the resurgence of the Covid-19 pandemic, particularly through the Delta variant, has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify both the proclamation of state of emergency by the Governor of the State of California and the Kern County Health Department guidance regarding social distancing; and

WHEREAS, based on the above the Board of Directors of the District finds that in-person public meetings of the Board would further increase the risk of exposure to the Covid-19 virus to the residents of the District, staff, and Directors; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that it shall conduct Board meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, in compliance with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, all meetings of Board of Directors will be available to the public for participation and comments through virtual measures, which shall be fully explained on each posted agenda.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF MOJAVE AIR AND SPACE PORT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, as set forth in the recitals.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2021.

Section 4. Remote Teleconference Meetings. The General Manager, staff, and Board of Directors are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect on October 18, 2022 and shall be effective until the earlier of (i) November 16, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of WBMWD may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

Section 6. Termination of this Resolution. This Resolution will automatically terminate on the day that both the Governor's Declaration of Emergency and any local agency guideline for social distancing are no longer in effect.

PASSED AND ADOPTED by the Board of Directors of Mojave Air and Space Port, this 18TH day of October 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Diane Barney, President

Jimmy R. Balentine, Secretary



AIR & SPACE PORT
AT RUTAN FIELD

STAFF MEMORANDUM

TO: MASP Board of Directors
FROM: Tim Reid, Acting General Manager/CEO
SUBJECT: RFP Selection Recommendations
MEETING DATE: October 18, 2022

Background:

Mojave Air & Space Port sought proposals from qualified consulting engineering firms for planning, design and engineering services to enable the development and construction of infrastructure at MASP related to the commercial space industry and horizontal launch operations. Services requested through this document would be for a period of the next five (5) years. The Airport received two proposals: BPRH and Kimley-Horn.

A review of both proposals was conducted utilizing the listed evaluation criterion in the RFP. While both entities demonstrated extremely strong backgrounds with planning and engineering services for spaceports across the nation, BPRH's project experience is better aligned with the proposed projects listed in the RFP.

Impacts:

Fiscal: Depending on scope of projects – no projects were anticipated for Fiscal Year 2022-2023. Will need to seek Board approval for proposed projects this year.

Environmental: N/A

Legal: Review of contract agreement before execution.

Recommended Action:

Staff recommends awarding BPRH for the commercial space planning, design and engineering services, and authorize the CEO to finalize negotiations and execution of a service contract for the duration of five (5) years.

**REQUEST FOR PROPOSALS
MOJAVE AIR AND SPACE PORT
COMMERCIAL SPACE PLANNING, DESIGN & ENGINEERING SERVICES**

Mojave Air and Space Port (MASP) is seeking proposals from qualified consulting engineering firms for planning, design and engineering services to enable the development and construction of infrastructure at MASP related to the commercial space industry and horizontal launch operations. It is anticipated that the work associated with these projects will be accomplished with funding through the Federal Aviation Administration (FAA) and local funds. Services requested through the contract will be for airport improvement projects to facilitate commercial space operations over the next five (5) years.

SCOPE OF WORK

The projects may include the preparation of plans, studies, planning documents, economic and benefit/cost analysis, risk analysis, environmental evaluations, environmental permitting, engineering design services, architecture services, specifications, cost estimates, contract administration, project inspection, construction services, construction bid phase services, as built drawings and any other reports or items necessary. Also included will be any erosion control, site plan review, and coordination with Kern County, FAA, and California Division of Aeronautics for approvals. The basic services to be provided by the selected team may include, but are not limited to, the following project phases:

1. Preliminary: Involves those activities required for defining the scope of a project and establishing preliminary requirements.
2. Design: Includes all activities required to undertake and accomplish a full and complete project design.
3. Bidding or Negotiation: Involves advertising and securing bids, negotiating for services, analyzing bid results, furnishing recommendations on the award of contracts and preparing contract documents.
4. Construction: Includes all engineering services rendered after the award of a construction contract.

Potential projects over the next five (5) years include, but are not limited to the following:

Commercial Space Master Development Plan
Design & Construct Payload Processing Facility
Design & Construct Propellant Storage Facility
Launch Site Operator's License Written Reevaluation
Design & Construct Horizontal Launch Vehicle Assembly & Storage Hangar
Design & Construct Propulsion System Static Test Site
Design & Construct Access Road & Utilities
Explosive Site Plan Modification
Design & Construct Horizontal Launch Vehicle Propellant & LOX Loading Pad

And any other projects determined by MASP to be necessary to maintain and continue the development of the Air & Space Port for the purpose of accommodating Commercial Space Operations.

EVALUATION CRITERIA

Each respondent will be evaluated based on the criteria listed below. Firms submitting proposals shall include statements addressing the following:

1. Credentials of staff to be assigned to MASP. (Provide brief resumes including education and professional experience.)
2. Prior specialized experience of firms (Offerors) with aerospace clients at similar space ports, including experience with commercial space master plans, payload processing facilities, propellant storage facilities, horizontal launch vehicle assembly & storage hangars, propulsion system static test sites, and explosive site plans.
3. Credentials of key personnel to be assigned to this continuing services contract. Provide brief resumes including education and relevant experience.
4. Prior performance with planning, design and construction projects at similar air & space ports.
5. Overall qualifications and performance of the firm relative to knowledge and application of Federal Aviation Regulation (FAR) Part 420 and 450 .
6. Experience with Federal and State grant procedures.
7. Information regarding availability of the firm to accomplish our projects in a timely manner.

HOLD HARMLESS CLAUSE, INDEMNITY AND INSURANCE

Proposals shall provide for the Engineer holding harmless and indemnifying MASP its officials, employees and representatives thereof from all suits, actions or claims of any kind brought on because of injuries, copyright violations or damages sustained by any person or property in consequence of any neglect in safeguarding contract work, or any act or omission by the Engineer or its employees or representatives, or from any claims or amounts arising or recovered under any law, by-law, ordinance, regulation or decree as a result of the Engineer's or its employees' or representatives' acts or omissions. Likewise, proposals shall show evidence of professional liability insurance of adequate types and amounts as deemed sufficient by MASP for the purposes of this proposal.

MISCELLANEOUS REQUIREMENTS

MASP shall have exclusive rights and exclusive use of any art work, drawings, plans, negatives, copy or other work produced as a result of any contract resulting from this proposal.

MASP reserves the right to reject any or all proposals, to negotiate separately in any manner necessary and within the law to serve the interest of the right to initiate additional or alternate procurement actions at any time. This action may include termination of the services of the selected consultant.



AIR & SPACE PORT
AT RUTAN FIELD

CEO REPORT

TO: MASP Board of Directors

FROM: Tim Reid

MEETING DATE: October 18, 2022

Updates

- ➔ Meeting with GoBiz for New Space Industry Task Force
The Governor's office has requested a new task force to investigate ways to attract and retain aerospace industries in the State of California. Kern County's Office of Economic Development has requested a Zoom meeting with the Task Force lead, Dee Dee Meyers, to highlight the needs from the aerospace partners located within the County. The meeting is set for tomorrow, 10/19/22 at 9:00AM. I will brief on any relevant information conveyed within the meeting. Kern County will request the Governor and GoBiz to tour Mojave Air & Space Port to give them a better perspective of the aerospace industries here and discuss future opportunities as well.
- ➔ Recent & Upcoming Tours/Public Outreach
 - The Airport hosted the San Diego Air & Space Museum Board last week for a day-long tour of our facilities and partners on the Airport. The tour was a great success and gave the Staff the opportunity to meet with some aviation/aerospace leaders to gain insight and assistance with some of the pressing issues in California.
 - I presented at the Kern High School Career and Technical Education Center on Wednesday, October 12, 2022, to a large group of high school students interested in careers in aviation and aerospace.
 - California Economic Summit East Kern and Antelope Valley Aerospace Tour is scheduled at Mojave on Wednesday, October 26th and will give participants an opportunity to see some of the industry operations on the Airport, which will help with understanding the business aspects of the Airport and Spaceport operations. The tour was organized by B3K, who is working on identifying resources for prospective skilled and semi-skilled trades and finding ways to bring those people to industries that need prospective employees.
 - On Wednesday, November 9, 2022, the Canadian Friendship Force will be at Mojave to tour the location and learn more about Kern County. This was a request through County Supervisor Maggard's office. The tour group is specifically interested in learning about the spaceport and the experimentation/innovation at our facilities.
- ➔ Insurance
 - Rail Policy – Annual Renewal - \$22,498.18

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FOR IMMEDIATE RELEASE

NASA Goddard Space Flight Center Awards Contract to SpaceLink for Technology Demonstration

The satellite relay system provider will study and demonstrate optical ground terminal integration with NASA's Near Space Network

McLean, Va. – October 11, 2022 – [SpaceLink](#), a company that provides secure data relay from any orbit, any time, announced it was awarded a contract by [NASA Goddard Space Flight Center](#) (GSFC) to study how commercial optical ground terminals will integrate into the [Near Space Network](#). The funded study includes a demonstration of end-to-end transport of multi-source data at the SpaceLink gateway in the Mojave Desert.

SpaceLink is creating a [TDRSS](#)-like capability in MEO, to significantly increase throughput, provide persistent links to space-borne assets, and securely deliver data in real-time. It is well-positioned as a resource to support NASA's transition towards commercial services for Direct to Earth communications and Space Relay.

"Developing our data transport system has pushed the SpaceLink architecture team to optimize across space, ground, client, and network segments, and to address challenges associated with optical high-capacity data delivery solutions," said Rob Singh, SpaceLink Chief Technology Officer. "SpaceLink is excited to explore innovative solutions that can help inform and guide NASA towards the successful commercialization of the Near Space Network services."

As part of the study, SpaceLink will identify the barriers, challenges, and solutions associated with integration of optical communications ground terminals into the Near Space Network architecture. The technical demonstration consists of an end-to-end test of multi-source data moving from SpaceLink's Mojave Gateway facility to NASA's terrestrial network using Amazon Web Services (AWS) cloud infrastructure.

SpaceLink previously selected the [Mojave Air & Space Port](#) at Rutan Field as the location for its primary Gateway in the United States. Its RF and optical terminals will be built on a five-acre parcel with redundant high-capacity fiber backhaul to densely

interconnected data centers (Carrier Hotels) in Los Angeles and the San Francisco Bay Area. SpaceLink is establishing its Gateway Development Lab at the Mojave facility to support system development, demonstrations such as the one for NASA GSFC, and for on-boarding high-capacity data relay service customers.

“SpaceLink has demonstrated current and state of the art experience and technologies for space-based optical communication link and services,” said Dr. Ruma Das, CIS Deputy Office Chief at NASA Goddard Space Flight Center. “We selected SpaceLink for the capabilities study award based on its considerable organizational capabilities and highly-qualified key personnel for information related to Optical Communications and road mapping to ground segment integration techniques and concepts.”

SpaceLink is building a constellation of [relay satellites in MEO](#) that use optical intersatellite links to speed communications between spacecraft on orbit and users on the ground. SpaceLink’s work with NASA GSFC will explore innovative solutions to inform and guide NASA towards the seamless integration of commercially provisioned communications services.

Increased human spaceflight missions and proliferated LEO constellations are creating ground station bottlenecks and conflicted RF spectrum for many satellite operators. The SpaceLink network will relieve this congestion to address the burgeoning market demand for immediate data delivery.

A company recognized for its [outstanding innovation](#), SpaceLink recently [announced](#) it was awarded a contract by DARPA to participate in its [Space-BACN](#) program. Last month SpaceLink also [announced](#) it has entered into a Research and Development Agreement with the U.S. Army Space and Missile Defense Technical Center.

About SpaceLink

[SpaceLink](#) will help advance humanity to a new age of space commerce, exploration, environmental awareness, and security. The [Always in Sight™](#) data relay system provides global coverage to empower space system operators to maximize use of their assets. SpaceLink Corporation is headquartered in Northern Virginia and has offices in Silicon Valley, California. It is a wholly owned U.S. subsidiary of [Electro Optic Systems Holdings Limited](#), a public company traded on the Australian stock exchange.

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