

# MOJAVE AIR AND SPACE PORT AT RUTAN FIELD

## NOTICE OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

**Date: September 19, 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 September 6, 2022
  - B. Check Register dated September 13, 2022; \$36,000.00
- 4. Action Items**
  - A. Adoption of Resolution Regarding Remote Meetings (Counsel)
  - B. KEDC/EKEA Appointment (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. Potential Litigation (Govt Code 54956.9): MASP v. Scaled Composites**

### **C. Real Property Negotiations (Govt Code 54956.8):**

Property: Building 10

Parties: MASP, CAPSED

Negotiators: CEO, legal counsel

Terms: Price

### **D. Existing Litigation (Govt Code 54956.9): Masten Space Systems Bankruptcy**

## **8. Closed Session Report**

### **Adjournment**

This Agenda was posted on, September 16, 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](mailto: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](mailto: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](mailto: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 SEPTEMBER 6, 2022.**

#### **1. CALL TO ORDER**

The meeting was called to order on Tuesday September 6, 2022, at 2:00 p.m. by Director Barney.

**A. Pledge of Allegiance:** Counsel Nave led those assembled in the Pledge of Allegiance.

**B. Roll Call:**

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

**Directors absent:** Morgan

**Staff:** Acting CEO Reid, DOA Rawlings, District Counsel Navé, Nicole Altman, DPSS Spandorf, Carmelita Panko, DOT Buck.

**Others present via Zoom:** John Joyce, Allison Gatlin, Johannes Loschnigg, Kirk Tracey.

**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**

DOA Rawlings informed the community of COSTCO being on site, Wednesday September 7, 2022. Director Barney announced the upcoming air race event in Reno. Director Barney announced the passing of longtime Mojave resident and General Aviation Tenant of MASP, Mr. Al Hansen.

#### **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 6, 2022

B. Check Register dated September 1, 2022, \$71,636.28

#### **4. Action Items**

A. East Kern Economic Development Appointment

Acting CEO Reid and Counsel informed the Board of this item, and that EKEA is holding the seat for a MASP representative. The action item was tabled to next regular meeting.

B. Resolution to Amend BP 300 Regarding Employee Pay Scale

Acting CEO Reid informed the Board of the change to the employee pay scale for the Fueling Department to be able to receive the COLA raise of 7%. Upon motion by Director Balentine, seconded by Director Barney, the Board unanimously approved the Amendment to BP 300, Resolution # 22-09-845.

#### **5. Reports**

A. Financials

DOA Rawlings presented the August Financial Reports.

B. Fire

Fire Chief Farrar presented the Fire Report.

C. Facilities

Acting CEO Reid updated the board on a few items on the Facilities Report.

D. CEO/GM Report

Acting CEO Reid presented the CEO report, and asked Johannes Loshnigg to present some information and answer questions regarding the Hypersonic Corridor.

E. Board Committee

No Current Board Committees.

**6. Director Comments on Items not on the Agenda**

Director Balentine commented on the Thunderbirds being at Mojave Airport.

**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. Potential Litigation (Govt Code 54956.0) MASP v. Scaled Composites

C. Real Property Negotiations (Govt Code 54956.8):

Property: Building 10

Parties: MASP, CAPSED

Negotiators: CEO, legal counsel

Terms: Price

**8. Closed Session Report**

In Closed Session, the Board discussed Real Property Negotiations for Hangar 78 and Potential Litigation involving Scaled Composites. No action was taken on items A and B. The Board also discussed Real Property Negotiations for Building 10 and direction was given to staff. No other items were discussed.

**ADJOURNMENT**

There being no further business to come before the Board, the chair adjourned the meeting at 3:26 p.m.

\_\_\_\_\_  
Diane Barney, President

ATTEST

\_\_\_\_\_  
Jimmy R. Balentine, Secretary

Date: Tuesday, September 13, 2022  
 Time: 01:14PM  
 User: CPANKO

**Mojave Air & Space Port**  
**Check Register - Standard**  
 Period: 03-23 As of: 9/13/2022

Page: 1 of 1  
 Report: 03630.rpt  
 Company: MASP

Check Nbr	Check Type	Check Date	Vendor ID Vendor Name	Period To Post Closed	Ref Nbr	Doc Type	Invoice Number	Invoice Date	Discount Taken	Amount Paid
<b>Company: MASP</b>										
Acct / Sub:	101000		1200							
062721	CK	9/20/2022	0244 American Electrical Services	03-23	051745	VO	BL231-2034	9/1/2022	0.00	36,000.00

Check Count: 1

**Acct Sub Total: 36,000.00**

Check Type	Count	Amount Paid
Regular	1	36,000.00
Hand	0	0.00
Electronic Payment	0	0.00
Void	0	0.00
Stub	0	0.00
Zero	0	0.00
Mask	0	0.00
<b>Total:</b>	<b>1</b>	<b>36,000.00</b>

<b>Company Disc Total</b>	<b>0.00</b>	<b>Company Total</b>	<b>36,000.00</b>
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AIR & SPACE PORT  
AT RUTAN FIELD

**STAFF MEMORANDUM**

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

**MEETING DATE:** September 19, 2022

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**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 September through, October 18, 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 SEPTEMBER 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 September 19, 2022 and shall be effective until the earlier of (i) October 18, 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 19<sup>TH</sup> day of September 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Diane Barney, President

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Jimmy R. Balentine, Secretary



AIR & SPACE PORT  
AT RUTAN FIELD

**STAFF MEMORANDUM**

**TO:** Board of Directors

**FROM:** Tim Reid, Acting CEO

**SUBJECT:** Kern Economic Development Corp./East Kern Economic Alliance Appointment

**MEETING DATE:** September 19, 2022

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**Background:**

The East Kern Economic Alliance is part of the Kern Economic Development Corporation, an organization in which public and private entities work together to promote economic growth in the County. For many years, MASP has appointed a director to the EKEA, most recently Bill Deaver. Because of Mr. Deaver's resignation from the MASP Board of Directors, the Board has an opportunity to appoint a current director to fill that seat.

The meetings are held quarterly at various locations throughout Kern County. The meetings are in-person, hosted by members. Attached is a current schedule of the meeting dates.

**Impacts:**

Fiscal: None  
Environmental: N/A  
Legal: N/A

**Recommended Action:**

Appoint a MASP Director to the KEDC/EKEA or authorize the CEO to fill the vacancy.



## **FY 2022-2023 Board Meeting Dates**

Board meetings are held on a quarterly basis and commence at 9:00 am. Meetings take place (in-person) at various locations throughout Kern County.

- September 22, 2022                      Location TBD
- January 26, 2023                        Location TBD
- April 27, 2023                            Location TBD
- June 22, 2023                            Location TBD



AIR & SPACE PORT  
AT RUTAN FIELD

**CEO REPORT**

**TO:** MASP Board of Directors

**FROM:** Tim Reid

**MEETING DATE:** September 19, 2022

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Updates

→ RWY 12/30 Construction Update

Working on review of final contract and anticipate completion within the next two weeks. The work is tentatively scheduled for mid-April through May, with a total of 34 days of work. During this project intersecting runways 8/26 and 4/22 will need to be closed (but not at the same time) to allow for work within the intersections. Currently working with tenants to ensure they are aware of the anticipated closure dates which may impact their operations.

Runway 12/30 is considered a non-standard runway since it's width is 200 feet wide, and therefore the FAA will only fund runway rehabilitation for pavement 150 feet wide (based on the largest aircraft design group) Runway 12/30 will still need work on the remaining 25 feet on the east and west sides of the runway where the rehabilitation will take place. Mead & Hunt estimate the remaining 50 feet required for rehabilitation will cost approximately \$7 million to complete. Staff is working on finding an alternative funding source to pay for the areas not covered under the AIP grant, which includes applying for a Caltrans grant or possibly asking our congressional representation for assistance. Full width rehabilitation of this runway is essential as the pavement is starting to fail, and if not addressed, will result in total failure over the life of the approved rehabilitation, rendering the runway unusable if not addressed.

→ B3K Aerospace Working Group

Both Todd and I have been working with A Better Bakersfield/Boundless Kern Regional Action for Economic Prosperity in an effort to solidify East Kern and the Antelope Valley as a globally-competitive aerospace hub, and to generate high-quality jobs across skill levels while improving worker access and availability. Essentially, this program will work with MASP and our tenants, along with other aerospace organizations in our region, to foster developing technical trades which are needed in the aerospace industry. Several of our tenants have volunteered to participate in this initiative, and MASP will be participating in a supportive role (such as providing space for regular meetings and facilitating the working group functions). B3K has requested to bring a group of participants to the Airport on October 26 for a tour of some of the participating tenant facilities and to review our operations. Staff will be working with participating tenants to coordinate this tour.



**AIR & SPACE PORT  
AT RUTAN FIELD**

**CEO REPORT**

➔ CORE

The State of California is offering an initiative for businesses to purchase or replace existing gas/diesel equipment with all electric equipment at little to no cost to those entities. MASP is in the process of purchasing an all electric GPU under this program in an effort to acquire a much needed piece of equipment for our operations. Working on the details for the GPU power charging station (which may be capable of charging electrical aircraft in the future).

➔ Property Rented

Wilson Construction – Bldg. 54, 6 months with Two (2) 6 month opts

➔ Option to Lease

Spacelink – 5 Acres, behind Bldg. 1, 6 Month

**Authorized Payments**

BOARD MEETING: 9/19/22	DATE	AMOUNT	EFT'S	TOTAL
CEO CHECK REGISTER	9/2/2022	3364.28		3,364.28
	9/8/2022	55,838.70		55,838.70
	9/13/2022	33,178.77		33,178.77
EFT'S		-	\$302,018.59	302,018.59
		92,381.75	302,018.59	394,400.34
BOD CHECK	9/20/2022	36,000.00		
VOID CHECK		36,000.00		36,000.00
TOTAL ALL CHECKS & EFT'S				430,400.34

Date: Tuesday, September 13, 2022  
 Time: 11:05AM  
 User: CPANKO

**Mojave Air & Space Port**  
**Check Register - Standard**  
 Period: 03-23 As of: 9/13/2022

Page: 1 of 1  
 Report: 03630.rpt  
 Company: MASP

Check Nbr	Check Type	Check Date	Vendor ID Vendor Name	Period To Post Closed	Ref Nbr	Doc Type	Invoice Number	Invoice Date	Discount Taken	Amount Paid
<b>Company: MASP</b>										
Acct / Sub:	101000		1200							
062712	CK	9/13/2022	0234 Banyan	03-23	051744	VO	1981483	9/7/2022	0.00	196.78
062713	CK	9/13/2022	0287 Brown Armstrong Accountancy	03-23	051748	VO	266031	8/28/2022	0.00	18,073.00
062714	CK	9/13/2022	0825 Edward Hargroder	03-23	051746	VO	090922	9/9/2022	0.00	4,150.00
062715	CK	9/13/2022	0866 The Home Depot Credit Plan	03-23	051741	VO	0822	8/30/2022	0.00	3,932.03
062716	CK	9/13/2022	1214 Lancaster Flooring, Inc.	03-23	051747	VO	102092	7/15/2022	0.00	2,100.00
062717	CK	9/13/2022	1254 Lincoln Nat'l Life Ins. Co.	03-23	051750	VO	4455088032	9/10/2022	0.00	1,030.38
062718	CK	9/13/2022	1364 Karl's Hardware Mojave	03-23	051740	VO	083122	8/31/2022	0.00	1,601.94
062719	CK	9/13/2022	1700 Quinn Company	03-23	051749	VO	WON60016121	8/29/2022	0.00	2,094.64

Check Count: 8

**Acct Sub Total: 33,178.77**

Check Type	Count	Amount Paid
Regular	8	33,178.77
Hand	0	0.00
Electronic Payment	0	0.00
Void	0	0.00
Stub	0	0.00
Zero	0	0.00
Mask	0	0.00
<b>Total:</b>	<b>8</b>	<b>33,178.77</b>

**Company Disc Total 0.00      Company Total 33,178.77**

# MOJAVE

AIR & SPACE PORT  
AT RUTAN FIELD

***Electronic Fund Transfers September 1, through September 9, 2022***

Date		Debit
9/9/2022	ACH DEBIT EFTTRANSFE AVFUEL	\$64,155.56
9/9/2022	ACH DEBIT 1800 CALPERS	\$54,476.36
9/9/2022	ACH DEBIT 1800 CALPERS	\$7,445.45
9/9/2022	ACH DEBIT PAYABLES Mojave Air-Space	\$6,159.00
9/9/2022	ACH DEBIT PAYABLES	\$3,027.50
9/9/2022	ACH DEBIT CLOVER APP CLOVER	\$44.95
9/9/2022	SERVICE FEE OTHER CHARGES & FEES, ACH PER BATCH FEE	\$5.00
9/9/2022	SERVICE FEE OTHER CHARGES & FEES, ACH PER BATCH FEE	\$5.00
9/7/2022	ACH DEBIT EFTTRANSFE AVFUEL	\$35,431.10
9/6/2022	ACH DEBIT EFTTRANSFE AVFUEL	\$31,336.04
9/2/2022	ACH DEBIT EFTTRANSFE AVFUEL	\$31,268.73
9/2/2022	ACH DEBIT TAXES PAYCHEX	\$11,357.22
9/2/2022	ACH DEBIT INVOICE PAYCHEX	\$253.25
9/2/2022	ACH DEBIT MTOT DISC BANKCARD	\$162.67
9/1/2022	ACH DEBIT PAYROLL PAYCHEX	\$56,841.80
9/1/2022	ACH DEBIT GARNISH PAYCHEX	\$48.96
	TOTAL	\$302,018.59