

MOJAVE AIR AND SPACE PORT AT RUTAN FIELD

NOTICE OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

Date: October 1, 2024
Location: Board Room
1434 Flightline, Mojave, California
Time: 2:00 p.m.

Attending remotely:

Director Balentine, 16301 Koch St., Mojave, CA 93501

Zoom Video Conference

<https://us02web.zoom.us/j/88979840593?pwd=UWxUcHRVkm1aDdnUHA1cWR0VFFMUT09>

Phone: 669 444 9171
Meeting ID: 889 7984 0593
Passcode: 277366

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 17, 2024
 - B. Special Event Resolution- Boy Scouts of America, Merit Badge Program
4. **Action Items**
 - A. Progress Rail, Bldg. 151 & Acreage, 2nd Lease Amendment
5. **Reports**
 - A. Chief Executive Officer
 - i. Hangar Development Update
 - ii. Discussion Topics
 1. Carmack-Hangar 970, Purchase
 2. Fuel Policy
 - iii. Highlights
 - B. Board Committees

6. Director Comments on Items Not on the Agenda

7. Closed Session

- A. Existing Litigation (Govt Code 54956.9): Welton v. MASP
- B. Real Property Negotiations (Govt Code 54956.9)
 - Property: Hangar 72
 - Parties: NTPS, MASP
 - Negotiator: CEO, General Counsel
 - Terms: Term
- C. Real Property Negotiations (Govt Code 54956.9)
 - Property: Hangars 98 & 99
 - Parties: NTPS, MASP
 - Negotiator: CEO, General Counsel
 - Terms: Term
- D. Personnel: CEO Evaluation

8. Closed Session Report

Adjournment

This Agenda was posted on September 27, 2024, by Jason Buck.

This meeting will be conducted in person and via zoom video conference. If you participate via zoom, please:

- **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.

ADA Notice: Persons desiring disability-related accommodation 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 PRINCIPAL 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 17, 2024.

1. CALL TO ORDER

The meeting was called to order on Tuesday, September 17, 2024, at 2:00 p.m. by Director Morgan.

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

B. **Roll Call:**

Directors present: Allred, Balentine, Barney, Coleman (via zoom), Morgan.

Directors absent:

Staff: CEO Smith (via Zoom), DOO Sewell, DOA Rawlings, DO Fuels Smith, Counsel Nave, Contracts Manager Johansen, N. Altman (via Zoom).

Others present via Zoom: Rosamond News, A. Svejda and 2 other unidentified participants.

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

2. Community Announcements/ Public Comments not on the Agenda

- No community announcements were made.

3. Consent Agenda

Upon Motion by Director Balentine, seconded by Director Barney, the Board unanimously approved consent agenda.

A. Minutes of the Regular Board Meeting of August 20, 2024

B. Minutes of the Special Board Meeting of August 10, 2024

C. Check register dated August 27, 2024; \$46,452.39

D. Check register dated September 12, 2024; \$52,446.20

4. Action Items

No Action Items.

5. Reports

A. Director of Administration

DOA Rawlings presented her report to the Board.

B. Director of Operations

i. Operations Counts

DOO Sewell briefed the Board on the Operations Counts

C. Chief Executive Officer

CEO Smith postponed his report to the next meeting

6. Director Comments on Items not on the Agenda

Director Barney asked for the fuel policy to be discussed at the next meeting.

7. Closed Session

- A. Existing Litigation (Govt Code 54956.9): Welton v. MASP
- B. Real Property Negotiations (Govt Code 54956.9)
 - Property: Hangar 970
 - Parties: Carmack, MASP
 - Negotiator: CEO, General Counsel
 - Terms: Purchase
- C. Real Property Negotiations (Govt Code 54956.9)
 - Property: Hangar 72
 - Parties: National Test Pilot School, MASP
 - Negotiator: CEO, General Counsel
 - Term
- D. Real Property Negotiations (Govt Code 54956.9)
 - Property: Hangar 98&99
 - Parties: National Test Pilot School, MASP
 - Negotiator: CEO, General Counsel
 - Term
- E. Personnel: CEO Evaluation

8. Closed Session Report

In closed session Counsel advised there is no update on the Welton matter. The Board discussed the purchase of Hangar 970 and gave certain direction to the CEO and counsel. The Board also gave certain direction to the CEO and Counsel regarding the NTPS Hangars. The Board conducted an evaluation of the CEO's performance. No other items were discussed, and no action was taken.

ADJOURNMENT

There being no further business to come before the Board, the chair adjourned the meeting at 3:28 p.m.

ATTEST

Robert Morgan, President

Jimmy R. Balentine, Secretary



STAFF MEMORANDUM

TO: Board of Directors

FROM: David Smith CEO

SUBJECT: Resolutions Approving MASP Supported Community Event,
• Boy Scouts of America, Merit Badge Program

MEETING DATE: October 1, 2024

Background:

The Boy Scouts of America, Merit Badge Program: MASP first partnered with BSA in 2022 when a troop obtained their Aviation Merit Badge at MASP. Last year, approximately 10 Scouts from one Troop participated and obtained their badge. The BSA has multiple Merit Badges relating to Science, Technology, Engineering and Mathematics (STEM). Scouts also need badges in Aviation, Composite Materials, along with other badges related to existing tenants and local businesses such as Railroading, Energy, Fire Safety, First Aid, and Mining in Society. In past years, tenants such as National Test Pilot School, Mojave Transportation & Museum, along with tenant employees have participated in the BSA Merit Badge process. Participating BSA Troops will use the MASP logo while promoting their Badge Program. MASP will provide the Stuart O. Witt Event Center or unimproved land behind Building 1, and administrative support.

Impacts:

Fiscal: Under \$500.00
Environmental: Not Applicable
Legal: None

Recommended Action:

Staff recommends approval of the Boy Scouts of America Badge Program Resolution.

RES NO:

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF MOJAVE AIR AND SPACE PORT AT RUTAN FIELD
IN SUPPORT OF SCOUTING AMERICA**

Whereas Mojave Air and Space Port (the "District") is a public entity located in Mojave, County of Kern, California, that operates Mojave Airport and Spaceport, home to the largest locale of employees in the community who work for both the District and its tenants;

Whereas the District desires to partner with Scouting America, which allows Boy Scouts to participate in multiple activities related to Science, Technology, Engineering and Mathematics (STEM) along with the ability to earn badges in Aviation, Composite Materials, and other badges related to MASP's existing tenants and local businesses;

Whereas the Scouting America programs encourage and promote skills and professions commonly used at the District and by its tenants;

Whereas the District desires to partner with Scouting America to promote its educational opportunities in STEM and aviation by providing a location suitable for its educational courses;

Now, therefore, the District's Board of Directors finds:

1. **Findings.** The Board makes the following findings:
 - a. The District's partnership with Scouting America encourages local youth to pursue a career in aviation, aerospace, and other local industries, which furthers the District's necessary and convenient interests in promoting community spirit at the Airport, stimulating local businesses, and building social connections amongst the District, its tenants, and the community, all of which provide direct and secondary benefits to the District.
2. **Actions.** Based on these findings, the Board authorizes the following:
 - a. District staff is authorized to partner with Scouting America for its Merit Badge Program, including providing a location suitable for the required courses.
 - b. The Scouting America Troops and Councils participating in activities at the District are authorized to use District's logo for the limited purpose of promoting their activities at the District.
3. **Effectiveness.** This resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED on October 1, 2024.

Aye:

No:

Abstain:

Absent:

President

Secretary



STAFF MEMORANDUM

TO: Board of Directors

FROM: David Smith, CEO

SUBJECT: Progress Rail, Bldg. 153 & Acreage, 2nd Lease Amendment

MEETING DATE: October 1, 2024

Background:

Progress Rail executed a Six yr. lease with a one Four yr. option on June 1, 2018. On August 6, 2024, the Board approved an option change from four-years to six-years. Progress Rail is now requesting a second option period of four-years be added to their lease, bringing the lease termination date to May 31, 2034. The lease has an annual CPI. This extension will allow Progress Rail to project work schedule at MASP for the next ten-years..

Impacts:

Fiscal:	\$391,905.96 annual	\$32,658.83 monthly
Environmental:	CEQA Exempt	
Legal:	None	

Recommended Action:

Staff recommends approval of the 2nd Amendment and authorization for CEO to execute the agreement with counsel approval.

2nd AMENDMENT TO LEASE

THIS 2nd AMENDMENT TO LEASE dated October 1, 2024, is attached to and made a part of that certain written Lease Agreement made by Mojave Air & Space Port (“Landlord”) and Progress Rail Services Corporation (“Tenant”), on June 1, 2018, for that certain property commonly known as the Building 153 and Acreage, 1695 Kinnicutt St, Mojave, County of Kern, California (the “Lease”).

Whereas Tenant has one option to extend the Lease for a six-year term, provided certain conditions are met, and desires to amend the Lease to add an additional four-year option. to secure their footprint at MASP;

Whereas Landlord is willing to amend the lease as requested.;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, notwithstanding anything to the contrary contained in the Lease, Landlord and Tenant agree to amend the Lease as follows:

- 1. The Lease, Section 1.6, “Lease Term,” is amended to change the Renewal Term as follows: Tenant shall have two options to renew, the first one for six years and the second for four years. Both options shall be subject to all terms and conditions of the lease.
- 2. This 2nd AMENDMENT TO LEASE is effective as of October 1, 2024.
- 3. Unless otherwise provided for in this 2nd Amendment to Lease, all other terms and conditions of the Lease shall remain the same, and in full force and effect. To the extent that any terms or provisions of this amendment are inconsistent with any terms or provisions of the Lease, the terms and provisions herein shall prevail and control. All capitalized terms used herein shall have the same meanings assigned to them in the Lease, if any, unless otherwise specified herein.

IN WITNESS WHEREOF, the parties hereto have executed this 2nd AMENDMENT TO LEASE as of the day and year first written above.

Landlord
Mojave Air & Space Port

Tenant
Progress Rail Services Corporation

By _____
Dr. David G. Smith, CEO

By _____
Guylando Moreno, Vice President



AIR & SPACE PORT
AT RUTAN FIELD

CEO REPORT

TO: MASP Board of Directors

FROM: David Smith, CEO

MEETING DATE: October 1, 2024

Hangar Updates – Local Equity is still researching a design plan that will be economically feasible before submitting a proposal to MASP. Staff continues to meet with investors and builders who are interested in building hangars at MASP.

Discussion Points

- Carmack – Hangar 970, purchase
- Board Policy 700 - Fuels

Highlights:

- AV Edge
- ACIP discussion with Mead & Hunt
- Air, Space and Cyber Conference
- CSUB Aerospace Innovation Program
- Plane Crazy, speaker
- Navy TPS, Hansen hangar
- Eastern Sierra Aerospace and Technology Corridor (ESAT)
- Kern Department of Health Services – Adult Job Fair
- Boy Scouts of America, developing STEM Outreach Program (Science, Technology, Engineering and Mathematics)
- Society of Experimental Pilots (SETP)



AIR & SPACE PORT
AT RUTAN FIELD

CEO AUTHORIZED ITEMS

CONTRACTS/AGREEMENTS- SVC/PUBLIC WORKS/CONSULTING

Western Pacific Roofing – Hangar 63, \$21,269.0

Authorized Payments

BOARD MEETING:10/1/2024	DATE	AMOUNT	EFT'S	TOTAL
CEO CHECK REGISTER	9/19/2024	45,863.19		45,863.19
	9/25/2024	31,744.33		31,744.33
EFT'S				-
		77,607.52	-	77,607.52
BOD CHECK				
CHECK TOTAL		-		-
VOID CHECK				
TOTAL ALL CHECKS & EFT'S				77,607.52

Date: Thursday, September 19, 2024
 Time: 10:45AM
 User: CPANKO

Mojave Air & Space Port
Check Register - Standard
 Period: 03-25 As of: 9/19/2024

Page: 1 of 3
 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
Company: MASP										
Acct / Sub:	101000		1200							
070140	CK	9/19/2024	0109 AT&T	03-25	057360	VO	8123831139/0924	9/7/2024	0.00	121.45
070140	CK	9/19/2024	0109 AT&T	03-25	057361	VO	7134122793/0924	9/7/2024	0.00	121.45
									Check Total	242.90
070141	CK	9/19/2024	0350 Clarks Pest Control	03-25	057382	VO	36031290	9/17/2024	0.00	63.00
070141	CK	9/19/2024	0350 Clarks Pest Control	03-25	057383	VO	36031292	9/17/2024	0.00	62.00
070141	CK	9/19/2024	0350 Clarks Pest Control	03-25	057384	VO	36031293	9/17/2024	0.00	106.00
070141	CK	9/19/2024	0350 Clarks Pest Control	03-25	057385	VO	36031289	9/17/2024	0.00	140.00
									Check Total	371.00
070142	CK	9/19/2024	0557 Amazon Capital Services, Inc.	03-25	057356	VO	1XWP1MD71X9Y	8/15/2024	0.00	162.61
070142	CK	9/19/2024	0557 Amazon Capital Services, Inc.	03-25	057362	VO	1749C791YFMW	9/16/2024	0.00	777.89
070142	CK	9/19/2024	0557 Amazon Capital Services, Inc.	03-25	057367	VO	13QY64C13NJ4	9/16/2024	0.00	597.62
									Check Total	1,538.12
070143	CK	9/19/2024	0711 Fence Masters	03-25	057371	VO	9424	9/11/2024	0.00	1,380.00
070144	CK	9/19/2024	0720 FailSafe Testing, LLC	03-25	057368	VO	13739	9/16/2024	0.00	1,438.56
070145	CK	9/19/2024	0897 Core and Main LP	03-25	057366	VO	V309250	9/12/2024	0.00	4,794.79
070146	CK	9/19/2024	1106 Elmer F. Karpe, Inc.	03-25	057386	VO	INVST PMT 0924	9/18/2024	0.00	10,785.92
070147	CK	9/19/2024	1161 Kern Auto Parts Inc	03-25	057364	VO	004738	9/12/2024	0.00	6.48
070147	CK	9/19/2024	1161 Kern Auto Parts Inc	03-25	057376	VO	004723	9/12/2024	0.00	14.60
070147	CK	9/19/2024	1161 Kern Auto Parts Inc	03-25	057381	VO	004947	9/17/2024	0.00	173.19

Date: Thursday, September 19, 2024
 Time: 10:45AM
 User: CPANKO

Mojave Air & Space Port
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 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
070148	CK	9/19/2024	1315 McMaster-Carr	03-25	057357	VO	30826241	7/29/2024	0.00	194.27 274.48
070149	CK	9/19/2024	1372 Mojave Public Utility District	03-25	057359	VO	08241	9/13/2024	0.00	13,577.02
070150	CK	9/19/2024	1373 Mojave Public Utility District	03-25	057358	VO	08242/0824	9/13/2024	0.00	292.00
070151	CK	9/19/2024	1390 Mission Linen Supply	03-25	057374	VO	522349381	9/12/2024	0.00	134.90
070151	CK	9/19/2024	1390 Mission Linen Supply	03-25	057375	VO	522349380	9/12/2024	0.00	139.21
070152	CK	9/19/2024	1639 ProActive Work Health Services	03-25	057380	VO	91448	9/9/2024	0.00	274.11 35.00
070153	CK	9/19/2024	1695 Railworks Track Services LLC	03-25	057373	VO	267126	9/11/2024	0.00	700.00
070154	CK	9/19/2024	1896 Speedy Car Wash	03-25	057365	VO	7092	9/11/2024	0.00	80.00
070155	CK	9/19/2024	1952 Southern California Edison	03-25	057405	VO	196090594/0924	9/17/2024	0.00	1,686.00
070155	CK	9/19/2024	1952 Southern California Edison	03-25	057406	VO	616545683/0924	9/17/2024	0.00	4,602.25
070156	CK	9/19/2024	2041 South Street Digital, Inc.	03-25	057372	VO	15933	9/4/2024	0.00	6,288.25 908.43
070157	CK	9/19/2024	2129 USABlueBook	03-25	057370	VO	INV00469712	8/29/2024	0.00	152.55
070158	CK	9/19/2024	2237 Westside Body and Paint	03-25	057363	VO	63711	9/17/2024	0.00	1,000.00
070159	CK	9/19/2024	2361 Arielle Sewell	03-25	057377	VO	091324/BOOT	9/13/2024	0.00	198.00

Date: Thursday, September 19, 2024
 Time: 10:45AM
 User: CPANKO

Mojave Air & Space Port
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 Period: 03-25 As of: 9/19/2024

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 Report: 03630.rpt
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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
070160	CK	9/19/2024	2450 Xerox Corporation	03-25	057369	VO	504564309/0824	9/5/2024	0.00	279.79
070161	CK	9/19/2024	3025 Logan Altman	03-25	057379	VO	091124	9/11/2024	0.00	384.00
070162	CK	9/19/2024	3026 Elisha Gutierrez	03-25	057378	VO	091124	9/11/2024	0.00	384.00
070163	CK	9/19/2024	3864 Carrie Rawlings	03-25	057407	VO	091824	9/18/2024	0.00	254.00
070164	CK	9/19/2024	4033 Peter G. Cooper, D.D.S., inc.	03-25	057408	VO	091724	9/19/2024	0.00	36.00

Check Count: 25

Acct Sub Total: 45,863.19

Check Type	Count	Amount Paid
Regular	25	45,863.19
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
Total:	25	45,863.19

Company Disc Total	0.00	Company Total	45,863.19
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Date: Wednesday, September 25,
 Time: 09:14AM
 User: CPANKO

Mojave Air & Space Port
Check Register - Standard
 Period: 03-25 As of: 9/25/2024

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 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
Company: MASP										
Acct / Sub:	101000		1200							
070165	CK	9/25/2024	0000 Sidney Bauguess	03-25	057419	VO	0100226/087944	9/23/2024	0.00	140.96
070166	CK	9/25/2024	0557 Amazon Capital Services, Inc.	03-25	057412	VO	11VTQ9DGPYHQ	9/23/2024	0.00	159.52
070166	CK	9/25/2024	0557 Amazon Capital Services, Inc.	03-25	057423	VO	1KGJQMP4QV9H	9/19/2024	0.00	294.97
070166	CK	9/25/2024	0557 Amazon Capital Services, Inc.	03-25	057424	VO	1KFDGKGQVGJV	9/23/2024	0.00	14.39
070167	CK	9/25/2024	1097 Kaseya US, LLC	03-25	057426	VO	CI_1389421	9/23/2024	0.00	468.88 367.66
070168	CK	9/25/2024	1161 Kern Auto Parts Inc	03-25	057420	VO	004892	9/16/2024	0.00	35.70
070168	CK	9/25/2024	1161 Kern Auto Parts Inc	03-25	057421	VO	004943	9/17/2024	0.00	337.69
070169	CK	9/25/2024	1369 Mojave Desert News	03-25	057418	VO	091124	9/23/2024	0.00	373.39 101.14
070170	CK	9/25/2024	1670 Linde Gas & Equipment Inc.	03-25	057416	VO	45331950	9/22/2024	0.00	195.36
070171	CK	9/25/2024	1952 Southern California Edison	03-25	057422	VO	870730749/0924	9/18/2024	0.00	21,066.68
070172	CK	9/25/2024	2093 Kirstin Rutan	03-25	057417	VO	w-127	9/17/2024	0.00	300.00
070173	CK	9/25/2024	2136 UNUM Life Ins. Co.	03-25	057427	VO	1024	10/1/2024	0.00	3,690.69
070174	CK	9/25/2024	2237 Westside Body and Paint	03-25	057414	VO	092324	9/23/2024	0.00	1,544.53
070175	CK	9/25/2024	2343 David Smith	03-25	057413	VO	092324	9/23/2024	0.00	399.06

Date: Wednesday, September 25,
 Time: 09:14AM
 User: CPANKO

Mojave Air & Space Port
Check Register - Standard
 Period: 03-25 As of: 9/25/2024

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 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
070176	CK	9/25/2024	2367 Armando Quintero Jr.	03-25	057428	VO	083024	9/25/2024	0.00	2,476.00
070177	CK	9/25/2024	3027 Nicole Altman	03-25	057415	VO	091824	9/18/2024	0.00	153.90
070177	CK	9/25/2024	3027 Nicole Altman	03-25	057429	VO	091524	9/15/2024	0.00	82.08
Check Total										235.98
070178	CK	9/25/2024	3031 Floyd Vanwey	03-25	057425	VO	091824	9/23/2024	0.00	384.00

Check Count: 14

Acct Sub Total: 31,744.33

Check Type	Count	Amount Paid
Regular	14	31,744.33
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
Total:	14	31,744.33

Company Disc Total 0.00 Company Total 31,744.33