

**REGULAR MEETING OF THE BOARD OF
DIRECTORS OF THE MOJAVE AIR AND SPACE PORT**
Administration Building
March 3, 2015
2:00 o'clock p.m.

A G E N D A

Call to Order
Pledge of Allegiance
Roll Call

1. Approval of Agenda

2. Public Comment on Items Not on the Agenda

This portion of the meeting is reserved for persons desiring to address the Board of Directors on any matter not on the agenda, and over which MASP has jurisdiction. Time is limited to 3 minutes. The Board of Directors can take no action on your presentation. Any person desiring to speak on an agenda item will be given an opportunity to do so prior to the Board of Directors taking action on the item.

3. Consent Agenda

All items on the consent agenda are considered routine and non-controversial and will be approved by one motion if no member of the Board, staff or public wishes to comment or ask questions.

- A) Minutes of February 17, 2015

4. Business Items

- A) Check Register 02/25/15
- B) Approval of Resolution amending the Administrative Code regarding Recordings of Meetings
- C) April Fly-in Event Expense Request NTE \$ 5,000.00
- D) Consent to Assignment of Lease from Commercial Aircraft Services to Paxton, Inc.
Environmental Finding: This project is exempt under CEQA title 14CCR
Section 15301 and General Manager is authorized to file a notice of exemption
as necessary

5. Reports/Announcements

- A) Community: Members of the audience may address the Board on items of a community nature.

B) Board Committees

C) CEO/GM Report

D) Board of Directors: This portion of the meeting is reserved for board members to address items not on the agenda

6. Closed Session

1. Potential Litigation per Government Code Section 54956.9
Claim of Flight Test Associates Bankruptcy Estate

7. Closed Session Report

Adjournment

This Agenda was posted on February 26, 2015

By: Debbie

Persons desiring disability-related accommodations should contact the Clerk of the Board no later than ten days prior to the need for the accommodation. A copy of any writing that is a public record relating to an open session of this meeting is available to the public in the office of the Clerk of the Board.

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

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF
MOJAVE AIR AND SPACE PORT
February 17, 2015**

The Board of Directors of the Mojave Air and Space Port duly met for a Regular Meeting at the District Offices in the Administration Building at Mojave Airport, Mojave, California, at the hour of 2:00 o'clock p.m. on Tuesday, February 17, 2015.

The Clerk called the roll and the following Directors were present: Balentine, Deaver, Evans, Painter and Peterson. Also present were the District's Chief Executive Officer, Stuart Witt and District's Counsel, Scott Nave.

President Peterson presented the Agenda. CEO requested to add under Business Items item "4F) JW Griffin Construction." Upon motion by Director Balentine, seconded by Director Evans and unanimously carried, it was:

RESOLVED: That the Board find the need to take action with respect to "JW Griffin Construction" has arisen subsequent to the posting of the agenda and that agenda be approved with the addition of "JW Griffin Construction."

PUBLIC COMMENTS

Mr. Dwayne McNutt of ASB Avionics informed Board that he has been working on payment issues with Pratt & Whitney in Canada and informed the Board that they recently delivered the 747 aircraft after performing modifications to cockpit instrumentation and expect to receive final payment within the next two weeks.

CONSENT AGENDA

President Peterson presented the Consent Agenda and stated the only item for approval was the minutes for the meeting of February 3, 2015. President Peterson commented that there is no policy regarding the length of time audio recordings of the meetings are kept by the District Secretary. He noted that retention of audio tapes is only required until the meeting has been transcribed and approved by the Board.

Director Deaver commented that the public can be charged for the duplication of the tapes. President Peterson also commented that there are storage, maintenance and retrieval protocols regarding tapes that are retained by the Board Secretary. District Counsel Scott Nave responded to a legal question by the directors and stated that as long as the tapes are stored they must be made available to anyone in the public who may request a copy but added that the board could adopt a policy that states how long the tapes are retained after they have been transcribed into formal minutes and approved by the Board. Counsel recommended that a resolution be presented for Board consideration at the next meeting that would amend the Administrative Code as it relates to retention of audio recordings of board meetings. Upon motion by Director Balentine, seconded by Director Evans and unanimously carried, Consent Agenda was approved as submitted.

BUSINESS ITEMS

4A) Check Register 02/12/15

President Peterson presented the General Fund Check Register for February 12, 2015 with the schedule of electronic fund transfers delineated below. Director Balentine disqualified himself from participating in the discussion of this item due to a potential conflict of interest pertaining to check number 053001 in the amount of \$9.12.

SCHEDULED ELECTRONIC FUND TRANSFERS

Calpers Health	02/10/15	\$ 39,643.51
AV Fuel	02/13/15	\$ 17,181.00
AV Fuel	02/24/15	\$ 17,097.62
AV Fuel	02/24/15	\$ 19,738.67
AV Fuel	02/25/15	\$ 17,086.62

Upon motion by Director Evans, seconded by Director Painter and unanimously carried, it was:

RESOLVED: That Board approve check numbers 052982 through 053028 in the amount of \$118,591.42 and Electronic Fund Transfer payments in the amount of \$110,747.42 for a total of \$229,338.84.

4B) Financial Reports

Interim CFO Brouse reviewed the Treasurer's Report for January 2015 which showed an ending balance of \$6,271,122.33 and stated there were no transfers between accounts for January. President Peterson asked Board for input on the Treasurer's Report in terms of when the report is closed and when it is presented. He noted currently the reports are closed from the previous month in time to be presented at the second meeting of the following month and commented that this makes the report timely but not necessarily as accurate if more time was available for preparation. President Peterson said an option could be to delay the report an additional two weeks and be presented at the first meeting of the subsequent month. CFO stated the proposed change would give staff more time to be confident that the report is complete. Director Evans commented that the report should be timely enough to make informed decisions on the previous month's data. President Peterson also asked if the board packets could be made available to the Directors earlier. Director Evans commented that given the recent history this is not the time to relax the current standard for the financial reports to be presented to the Board. Director Painter asked what good it would do to start slipping the reports to a later date and what impact will that have on items that need Board approval that are based on the financial reports. CFO Brouse commented that the Treasurer's Report is a cash basis report and is fairly easy to produce in the current time frame but noted the other report which is a summarized view on an accrual basis and more difficult to report and not as complete. CFO Brouse further commented that we trust the daily processing of accounting transactions to confidently produce this report without review. CFO Brouse stated that the report is not reviewed in any way at this time and he generally works only

one day per week which does not give him the time to review the report. He would feel more comfortable if he could review the information and possibly present the data in a different format and provide more information that the Board is currently receiving. Director Balentine stated that the current reporting schedule should not be altered until the audit is completed. Director Evans commented that this item should have been addressed first in the Audit and Finance Committee before coming to the Board. CFO Brouse continued with discussion of financial report which reflected the January Fuel Inventory at \$170,539.48. Gallons sold for the month was 79,915 and gallons sold year to date was 454,679. CFO Brouse discussed the January 2015 Revenue and Expense Summary and noted that we are beginning to see what looks like a typical month. Chart highlighted Revenue – Fuel Sales (\$275,296) Rents and Leases (\$356,550) and other Revenue (\$69,894) for total revenue of \$701,740. Chart highlighted Expenses – Personnel (\$188,329) Fuel (\$231,152) and Operating (\$161,703) for total expenses of \$581,184. The Year to Date Summary for Revenue: Fuel (\$1,976,783) Rents and Leases (\$2,532,000) and other Revenue (\$2,993,697) for total revenue of \$7,502,480. Year to Date Summary for Expenses: Personnel (\$1,694,733) Fuel (\$1,513,292) and Operating (\$1,515,793) for total expenses of \$4,723,818. Percentages of Revenue for the month were Rents and Leases at 51%, Fuel Sales at 39% and other Revenue at 10%. Percentages of Expenses for the month were Operating at 28%, Personnel at 32% and Fuel at 40%. FY 14-15 Revenue was Rents and Leases at 34%, Fuel Sales at 26% and other Revenue at 40%. FY14-15 Expenses were Operating at 32%, Personnel at 36% and Fuel at 32%. CFO Brouse discussed the Customers over 90 Days Past Due Report which reflected a total AR as of 2/13/15 of \$433,346.45 and commented that two of the accounts (ASK-WI.Com and Dean Soest) are ready to be turned over to a collection agency (HP Sears) and when that occurs the bad debt will be written off. He stated that the two accounts are on hold until the Board has an opportunity to consider whether or not they want to take that action which would conform to the current Administrative Code. Director Balentine stated that it is the Audit and Finance Committee's recommendation that staff obtain Board approval prior to actually sending an account to collections. President Peterson asked District's Counsel if Board action is required prior to sending an account to collections. Counsel responded that since the Board is not initiating litigation and since the Board has already signed a contract with HP Sears the use of the collection agency is authorized and the Administrative Code does not require

Board approval on a case by case basis. Director Evans commented that the Administrative Code cites a policy that gives the Board the responsibility of taking action regarding accounts going to collections but felt that the CEO should be able to take this action up to a certain threshold but at some level it is appropriate that the Board be required to authorize this action. It was consensus of Board that the Customers over 90 Days Past Due Report will highlight accounts that staff recommends turning over to collections and prior to approving the report Board will have the opportunity to remove an account from proceeding to collections. Upon motion by Director Balentine, seconded by Director Evans and unanimously carried, it was:

RESOLVED: That the Financial Reports for January, 2015 be approved as submitted and to send two delinquent accounts (ASK-WI-COM and Dean Soest) to collections and be written off from District's Aged Accounts Receivable.

4C) EnerSource Engineering Agreement R/W 8-26

CEO Witt discussed proposed agreement with EnerSource Engineering to provide design engineering and construction services for Runway 8-26 LED Lighting, Signage and Striping Project. The cost for services outlined in this agreement is \$33,746.00 of which ninety percent is recoverable through FAA grant funding. Upon motion by Director Evans, seconded by Director Deaver and unanimously carried, it was:

RESOLVED: That Consultant Agreement with EnerSource Engineering be approved as submitted and President and Secretary authorized to execute the same on behalf of the District.

4D) Compensation Resolution

CEO Witt reported that during an audit conducted last year by CalPers it was found that District's salary schedule as described in the Administrative Code reflects only minimum

salaries for each approved full-time position. CalPers requires that for each approved full-time position a salary range delineating both minimum and maximum salaries be documented in the Administrative Code. CEO recommended approval of Resolution to amend the District's Administrative Code to add a salary range to employee's compensation. Director Evans commented that he understands the purpose and the need to adopt the resolution to be in compliance with CalPers but stated he was opposed to it in principle because it is an example of how the State of California attempts to tie the hands of districts and local governing boards and the information is received in the state controller's office at the end of each year. Motion was made by Director Evans and seconded by Director Deaver. Ayes: Directors Balentine, Deaver, Painter and Peterson Nays: Director Evans (4-1) it was:

RESOLVED: That **RESOLUTION NO. 15-02-728, A RESOLUTION OF THE BOARD OF DIRECTORS OF MOJAVE AIR AND SPACE PORT AMENDING RESOLUTION NO. 99-1-585 (ADMINISTRATIVE CODE) AS IT RELATES TO COMPENSATION** in the District's Resolution File and by this reference be and the same is incorporated herein and made a part hereof as though fully set forth at length, be adopted.

4E) EP&A Proposal

CEO Witt reported that at the request of the District, representatives from EP&A Envirotac, Inc. met with staff to discuss a proposal to perform a test application of their product on a section of roadbed one mile in length and 24 feet wide. The test will involve application of their product over asphalt grindings to pave an area that is currently native soil commencing at the rail yard and along the perimeter road to the first gate of the rocket test site. CEO reported that he has already authorized purchase of the product for the test and if successful he anticipates that tenants further down the road will want to purchase the product to pave the roadway to their sites. He noted that considerable time is spent by District maintenance personnel to grade and water the roadway and he hopes this will alleviate that need in the future.

4F) JW Griffin Construction

CEO Witt reported that Building 79 has ongoing issues with the roof leaking in the south half of the high bay. He noted that the building is not owned by the District but will revert to District ownership in 2026 and under the terms of the lease the District is responsible for maintenance of the facility. The District receives half of the rent for renting the facility and the other half of the rent is divided equally with the District and the owners of the building. Roof repairs will require removal of six swamp coolers, capping the openings and sealing the entire south facing bay to make it waterproof. The cost of the repairs is estimated at \$59,000 and staff is requesting to use a portion of \$125,000 in unused funds from the pump house project. Upon motion by Director Deaver, seconded by Director Evans and unanimously carried, it was:

RESOLVED: That Board approve Agreement for Services contract with JW Griffin Construction at an amount not to exceed \$60,000.00 and the President and Secretary authorized to execute on behalf of the District.

Reports/Announcements

5A) **Community:** None

5B) **Board Committee Reports**

Audit/Finance Committee

Director Balentine stated the committee met but had nothing to report at this time. He commented that Director Evans asked CFO Brouse how the audit preparation was progressing and he responded that staff was on schedule. CEO Witt commented that CFO Brouse has reviewed every bank statement for the last four years and went line by line on each statement and District is now current and reconciled for all four years. CFO Brouse also stated that the District's inventory of fixed assets is now complete but would like to see the process reorganized.

5C) **Board of Directors**

Director Deaver reported on the Plane Crazy event of February 21st introducing guest speaker Douglas Castleman an aviation artist who will give a presentation at 11:00 a.m.

in the MASP board room. Director Balentine noted the AV Board of Trade 2015 Business Outlook Conference will be held on February 27th. Director Evans commented that last year after the departure of the CFO the Board made a number of changes as to how accounting and finance is handled. He complimented staff in getting the finances in order but cautioned everyone not to relax the standard to make it easier so we don't wind up back where we started. Director Painter reported that funeral service for Fitz Fulton will be held on Saturday, February 28, 2015 at 1:00 p.m. at the First United Methodist Church at 918 West Avenue J in Lancaster, CA.

5D) CEO/GM Approved Expenditures/Reports

1. CEO Witt approved Mojave Chamber of Commerce membership renewal NTE \$225.00
2. ICAO/UNOOSA AeroSPACE Symposium Sponsorship: CEO Witt approved sponsorship in the amount of \$3,500.00. The joint International Civil Aviation organization (ICAO) United Nations Office of Outer Space Affairs (UNOOSA) Aerospace Symposium will be held from March 18, 2015 to March 20, 2015 in Montreal, Quebec, Canada. The symposium will bring together for the first time both aviation and space communities from around the world. Attendees will review existing regulations and practices, safety management and systems engineering methods with regard to civil aviation, suborbital flights and developments in space transportation.

CLOSED SESSION

Board adjourned to Closed Session per Government Code Section 54956.9 (Claim of Flight Test Associates Bankruptcy Estate) and Government Code Section 54957 (CEO Personnel Review).

CLOSED SESSION REPORT

In closed session the board conducted a performance evaluation of the CEO. The FTA potential litigation was not discussed. No other items were discussed.

ADJOURNMENT

There being no further business to come before the Board, the chair adjourned the meeting at 3:18 p.m.

RESOLVED: That the regular meeting of February 17, 2015 be and the same is hereby adjourned.

President

ATTEST:

Secretary

(SEAL)

Date: Wednesday, February 25, 2015
 Time: 11:03AM
 User: LCALICA

Mojave Air & Space Port

Page: 1 of 4
 Report: 03630.rpt
 Company: EKAD

Check Register - Standard

Periods: 08-15 Through 09-15 As of: 2/25/2015

Check Nbr	Check Type	Check Date	Vendor ID	Vendor Name	Ref	Ref Nbr	Doc Type	Invoice Number	Invoice Date	Discount Taken	Amount Paid
Company: EKAD											
Acct / Sub:	101000		1200								
053029	CK	3/3/2015	0109	AT&T	033309	033309	VO	2342713412/FEB	2/7/2015	0.00	124.39
053029	CK	3/3/2015	0109	AT&T	033310	033310	VO	2342812383/FEB	2/7/2015	0.00	124.39
Check Total											248.78
Telecommunications											
053030	CK	3/3/2015	0158	Ameripride Uniform Services	033306	033306	VO	2100420989	2/13/2015	0.00	163.67
053030	CK	3/3/2015	0158	Ameripride Uniform Services	033307	033307	VO	2100420981	2/13/2015	0.00	57.95
053030	CK	3/3/2015	0158	Ameripride Uniform Services	033308	033308	AD	2110016904	2/6/2015	0.00	-452.27
053030	CK	3/3/2015	0158	Ameripride Uniform Services	033335	033335	VO	2100422526	2/20/2015	0.00	57.95
053030	CK	3/3/2015	0158	Ameripride Uniform Services	033336	033336	VO	2100422532	2/20/2015	0.00	197.01
Check Total											24.31
Uniform Svc.											
053031	CK	3/3/2015	0173	Allied Security Holdings LLC	033334	033334	VO	6029374	2/12/2015	0.00	5,367.36
053031	CK	3/3/2015	0173	Allied Security Holdings LLC	033351	033351	VO	6035244	2/19/2015	0.00	5,202.56
Check Total											10,569.92
Security Svc.											
053032	CK	3/3/2015	0187	AFLAC	033333	033333	VO	960333/02-2015	2/19/2015	0.00	696.78
Employee Paid Benefits											
053033	CK	3/3/2015	0284	Michael L. Brouse	033340	033340	VO	FEB 10, 2015	2/14/2015	0.00	1,150.00
053033	CK	3/3/2015	0284	Michael L. Brouse	033353	033353	VO	FEB 17, 2015	2/21/2015	0.00	1,125.00
Check Total											2,275.00
Accounting Consultant											

Mojave Air & Space Port

Check Register - Standard

Periods: 08-15 Through 09-15 As of: 2/25/2015

Check Nbr	Check Type	Check Date	Vendor ID	Vendor Name	Period To Post	Period Closed	Ref Nbr	Doc Type	Invoice Number	Invoice Date	Discount Taken	Amount Paid
053034	CK	3/3/2015	0350	Clark's Pest Control	09-15	09-15	033311	VO	910258/02-15	2/17/2015	0.00	41.00
053034	CK	3/3/2015	0350	Clark's Pest Control	09-15	09-15	033312	VO	972309/02-15	2/17/2015	0.00	42.00
053034	CK	3/3/2015	0350	Clark's Pest Control	09-15	09-15	033313	VO	1058810/02-2015	2/17/2015	0.00	60.00
053034	CK	3/3/2015	0350	Clark's Pest Control	09-15	09-15	033314	VO	922714/02-15	2/17/2015	0.00	41.00
Check Total												
053035	CK	3/3/2015	0430	Desert Truck Service, Inc.	09-15	09-15	033315	VO	1306987	2/10/2015	0.00	30.02
<u>Equipment Svc.</u>												
053036	CK	3/3/2015	0605	Farmer Brothers Company	09-15	09-15	033316	VO	61413351 SO	2/17/2015	0.00	35.60
<u>Coffee & Tea Svc.</u>												
053037	CK	3/3/2015	0615	Federal Express	09-15	09-15	033317	VO	2-938-05480	2/13/2015	0.00	36.17
<u>Maintenance Shipping</u>												
053038	CK	3/3/2015	0657	Flight Light	09-15	09-15	033300	VO	00486655-IN	2/11/2015	0.00	419.19
<u>Runway/Taxiway Lights</u>												
053039	CK	3/3/2015	0751	The Gibbons Family LLC	09-15	09-15	033330	VO	JAN 2015/INVEST	1/31/2015	0.00	4,516.35
<u>Jan. 2015 Investor Pmt.</u>												
053040	CK	3/3/2015	0842	J. Hitchcock Riverwest Fam Ptr	09-15	09-15	033331	VO	JAN 2015/IVESTO	1/31/2015	0.00	3,010.90
<u>Jan. 2015 Investor Pmt.</u>												

Mojave Air & Space Port

Check Register - Standard
Periods: 08-15 Through 09-15 As of: 2/25/2015

Date: Wednesday, February 25, 2015
Time: 11:03AM
User: LCALICA

Check Nbr	Check Type	Check Date	Vendor ID	Vendor Name	Period To Post	Period Closed	Ref Nbr	Doc Type	Invoice Number	Invoice Date	Discount Taken	Amount Paid
053041	CK	3/3/2015	0939	lboa~Martin	09-15	033347	VO	K-SWISS/BOOTS	2/16/2015	0.00	80.00	
<u>Boot Reimbursement</u>												
053042	CK	3/3/2015	1106	Robert W. Karpe, Trustee	09-15	033332	VO	JAN 2015/INVEST	1/31/2015	0.00	7,527.24	
<u>Jan. 2015 Investor Pmt.</u>												
053043	CK	3/3/2015	1122	Kelley~Randall	09-15	033337	VO	10172	2/16/2015	0.00	79.24	
053043	CK	3/3/2015	1122	Kelley~Randall	09-15	033338	VO	10180	2/19/2015	0.00	577.88	
053043	CK	3/3/2015	1122	Kelley~Randall	09-15	033339	VO	10185	2/19/2015	0.00	42.69	
											Check Total	699.81
053044	CK	3/3/2015	1146	Kern Economic Dev. Corp.	09-15	033318	VO	5947	7/1/2014	0.00	2,500.00	
<u>2015 Membership—BOD approved</u>												
053045	CK	3/3/2015	1154	Kieffe & Sons Ford	09-15	033319	VO	16211	2/13/2015	0.00	555.25	
053045	CK	3/3/2015	1154	Kieffe & Sons Ford	09-15	033355	VO	15558	12/31/2014	0.00	89.00	
											Check Total	644.25
053046	CK	3/3/2015	1182	Kern Plumbing & Backflow Srv.	09-15	033352	VO	4669	2/14/2015	0.00	377.50	
<u>Bldg. 75/Backflow Annual Permit</u>												
053047	CK	3/3/2015	1200	L & L Construction	09-15	033320	VO	WK END 02/15/15	2/15/2015	0.00	2,090.00	
<u>Contractor Consultant</u>												

Mojave Air & Space Port

Check Register - Standard
Periods: 08-15 Through 09-15 As of: 2/25/2015

Company: EKAD

Date: Wednesday, February 25, 2015
Time: 11:03AM
User: LCALICA

Check Nbr	Check Type	Check Date	Vendor ID Vendor Name	Perfod To Post	Ref Closed	Doc Type	Invoice Number	Invoice Date	Discount Taken	Amount Paid
053048	CK	3/3/2015	1254 Lincoln Nat'l Life Ins. Co.	09-15	033325	VO	231732/03-2015	2/10/2015	0.00	596.71
<u>Insurance</u>										
053049	CK	3/3/2015	1328 Mellor Printing	09-15	033342	VO	13036	2/20/2015	0.00	3,207.35
053049	CK	3/3/2015	1328 Mellor Printing	09-15	033343	VO	13689	2/19/2015	0.00	123.63
<u>Signs & Business Cards</u>										
053050	CK	3/3/2015	1406 Napa Auto Parts	09-15	033301	VO	816111	2/13/2015	0.00	53.79
<u>Auto Parts</u>										
053051	CK	3/3/2015	1501 Office Depot	09-15	033341	VO	FEB 2015	2/13/2015	0.00	57.18
<u>Office Supplies</u>										
053052	CK	3/3/2015	1666 Pitney Bowes Global Financial	09-15	033321	VO	6945828-JA15	2/13/2015	0.00	567.47
<u>Printer Rental & Usage</u>										
053053	CK	3/3/2015	1670 Praxair	09-15	033354	VO	E22 51864386	2/20/2015	0.00	255.76
<u>Tank Rental/Acetylene</u>										
053054	CK	3/3/2015	1705 QT Petroleum on Demand	09-15	033302	VO	53698	2/3/2015	0.00	83.15
<u>Self-Serve Parts</u>										

Check Total

Mojave Air & Space Port

Check Register - Standard
 Periods: 08-15 Through 09-15 As of: 2/25/2015

Date: Wednesday, February 25, 2015
 Time: 11:03AM
 User: LCALICA

Check Nbr	Check Type	Check Date	Vendor ID	Vendor Name	Period To Post	Period Closed	Ref Nbr	Doc Type	Invoice Number	Invoice Date	Discount Taken	Amount Paid
053055	CK	3/3/2015	1952	So. Calif. Edison	09-15	09-15	033344	VO	2340063106/FEB	2/19/2015	0.00	1,179.64
Utility												
053056	CK	3/3/2015	1978	Security Benefit	09-15	09-15	033303	VO	PPE 02/08/15	2/13/2015	0.00	2,441.91
Employee Paid Benefits												
053057	CK	3/3/2015	1986	SunDog Pictures	09-15	09-15	033329	VO	REFUND/EVENT CE	11/1/2014	0.00	1,250.00
Event Center Refund												
053058	CK	3/3/2015	2136	UNUM Life Ins. Co.	09-15	09-15	033324	VO	05580360012/MAR	2/18/2015	0.00	1,553.09
Insurance												
053059	CK	3/3/2015	2230	Verizon Wireless	09-15	09-15	033345	VO	271903400-1/FEB	2/12/2015	0.00	371.31
053059	CK	3/3/2015	2230	Verizon Wireless	09-15	09-15	033346	VO	271903400-2/FEB	2/12/2015	0.00	456.53
Telecommunications												
053060	CK	3/3/2015	2333	Wojtkiewicz~Kevin	09-15	09-15	033356	VO	AAAE CONF/REIMB	1/16/2015	0.00	623.84
Reimbursement / AAEE Conf.												
053061	CK	3/3/2015	3012	Fauble~Richard	09-15	09-15	033322	VO	59571/2/12/15	2/12/2015	0.00	154.00
053061	CK	3/3/2015	3012	Fauble~Richard	09-15	09-15	033323	VO	3372840/2-12-15	2/12/2015	0.00	285.80
Employee Benefit / Reimbursement												
											Check Total	827.84
											Check Total	439.80

MOJAVE
AIR AND SPACE PORT
STAFF MEMORANDUM

TO: Board of Directors
FROM: Scott Nave
SUBJECT: Destruction of Audio Recordings
MEETING DATE: March 3, 2015

Background:

The District makes audio recordings of Board meetings for the purpose of helping the Secretary draft written minutes of meetings. The District does not wish to retain the recordings indefinitely, but to erase them after the minutes are approved. Government Code section 54953.5 allows the audio recording to be destroyed no earlier than 30 days after the recording was made.

Impacts:

Fiscal: None
Environmental: None
Legal: Must keep recording for 30 days (Govt Code 54953.5)

Recommended Action:

Motion to approve Resolution # _____ to amend Administrative Code section 2-1.11 to authorize the destruction of the District's audio recordings of Board and committee meetings (1) no earlier than 30 days after the recording was made, and (2) the written minutes have been approved and executed.

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
MOJAVE AIR AND SPACE PORT
AMENDING THE ADMINISTRATIVE CODE
REGARDING RECORDINGS OF MEETINGS**

Whereas, Mojave Air and Space Port (the “District”) is a California special district organized and existing pursuant to California Public Utilities Code section 22,000, et seq.;

Whereas, the District desires to amend its Administrative Code regarding the retention of audio recordings of Board meetings;

Now, therefore, be it resolved by the Board of Directors of Mojave Air and Space Port as follows:

1. Amendment of Section 2-1.11.

Section 2-1.11 of the Administrative Code is amended to read as follows:

“Section 2-1.11 Record of Proceedings

(a) The Secretary shall record minutes showing action taken by the Board in open session and by each advisory body. The minutes shall be available for public inspection when approved by the Board. If meetings are recorded on audio tape, the tape shall be available for public inspection for thirty days after its recording and the written minutes are approved and executed, after which the recording shall be erased.

(b) Any person attending an open meeting of the Board may record the proceeding on audio or video media, unless the Board finds the recording cannot continue without noise, illumination, or obstruction of view constituting a persistent disruption of proceedings.”

2. Other.

Except as provided herein, Resolution No. 99-1-585 is reaffirmed and readopted.

PASSED, APPROVED AND ADOPTED on March _____, 2015.

Dr. Allen Peterson, President

ATTEST:

Bill Deaver, Secretary

(SEAL)

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF DIRECTORS OF
MOJAVE AIR AND SPACE PORT
AMENDING THE ADMINISTRATIVE CODE
REGARDING RECORDINGS OF MEETINGS

Whereas, Mojave Air and Space Port (the "District") is a California special district organized and existing pursuant to California Public Utilities Code section 22,000, et seq.;

Whereas, the District desires to amend its Administrative Code regarding the retention of audio recordings of Board meetings;

Now, therefore, be it resolved by the Board of Directors of Mojave Air and Space Port as follows:

1. **Amendment of Section 2-1.11.**

Section 2-1.11 of the Administrative Code is amended to read as follows:

"Section 2-1.11 Record of Proceedings

(a) The Secretary shall record minutes showing action taken by the Board in open session and by each advisory body. The minutes shall be available for public inspection when approved by the Board. If meetings are recorded on audio tape, the tape shall be available for public inspection **until the minutes are approved and executed, after which the recording shall be erased.** ~~for at least thirty days before the tape is erased on a tape player provided by District.~~

(b) Any person attending an open meeting of the Board may record the proceeding on audio or video media, unless the Board finds the recording cannot continue without noise, illumination, or obstruction of view constituting a persistent disruption of proceedings."

2. **Other.**

Except as provided herein, Resolution No. 99-1-585 is reaffirmed and readopted.

PASSED, APPROVED AND ADOPTED on March __, 2015.

Dr. Allen Peterson, President

ATTEST:

Bill Deaver, Secretary

(SEAL)

MOJAVE

AIR AND SPACE PORT

STAFF MEMORANDUM

TO: Board of Directors
FROM: Stuart Witt
SUBJECT: April flyin event
MEETING DATE: March 3, 2015

Background:

Elliot Seguin is organizing the annual flyin event April 17-18 at Mojave Air & Space Port. The flyin is an opportunity to market the airport on a larger scale than a standard event as well as an opportunity for the tenants to participate with recruiting. There will be several record breaking attempts similar to last year.

We have utilized \$1,410 in our event expense category to date, with \$3,590 remaining. A \$5,000 contribution to this event will leave us \$1,410 over in this expense category.

Impacts:

Fiscal: \$5,000 in sponsorship
Environmental: None
Legal: None

Recommended Action:

Recommending approving the sponsorship expenditure for this local event.

ASSIGNMENT OF LEASE

THIS ASSIGNMENT OF LEASE ("Assignment") is made as of March __, 2015 between Commercial Aircraft Services ("Assignor"), Paxton, Inc. ("Assignee"), and Mojave Air and Space Port ("Landlord").

Recitals

A. Mojave Air and Space Port, as landlord, and Assignor, as Tenant, executed a lease dated as [date of lease] ("Lease"), a copy of which is attached and incorporated by reference as Exhibit A, pursuant to which Landlord leased to Tenant, and Tenant leased from Landlord, that certain property described in the Lease (the "Premises").

B. Assignor desires to assign the Lease to Assignee, and Assignee desires to accept the assignment of the Lease from the Assignor, and assume the obligations under the Lease.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are acknowledged, Assignor and Assignee agree as follows.

Terms

Section 1. Assignment

Assignor assigns and transfers to Assignee all right, title, and interest in the Lease and Premises, and Assignee accepts from Assignor all right, title, and interest, subject to the terms and conditions set forth in this Assignment.

Section 2. Assumption of Lease Obligations

Assignee represents and warrants that:

(a) It is a duly organized corporation in good standing in the State of its incorporation, is registered with the California Secretary of State, and is authorized to do business in the County of Kern and State of California.

(b) All necessary corporate approvals for the assumption of this Lease have been obtained by Assignee.

(c) Assignee agrees to perform and fulfill all the terms, covenants, conditions, and obligations required to be performed by Assignor under the Lease, including the making of all payments due or payable to Landlord under the Lease as they become due and payable.

Section 3. Assignor's Covenants

(a) Assignor covenants that the copy of the Lease attached as Exhibit A is a true and accurate copy of the Lease as currently in effect, and that there exists no other agreement affecting Assignor's tenancy under the Lease.

(b) Assignor covenants that the Lease is in full effect and no default exists under the Lease, nor any acts or events which, with the passage of time or the giving of notice or both, could become defaults.

Section 4. Consent of Landlord

Landlord consents to this Assignment of the Lease to Assignee, subject to the following conditions:

(a) Notwithstanding this Assignment and Landlord’s consent to this Assignment, Assignor shall remain primarily obligated as Tenant under the Lease.

(b) Landlord does not waive or relinquish any rights under the Lease against Assignor or Assignee.

Section 5. Conditions Precedent to Effectiveness of Assignment.

This Assignment shall not be effective unless and until Assignor pays to Landlord all amounts due and owing, which currently total \$76,130.65, as follows:

- (a) \$42,157.02 in rent, and
- (b) \$33,973.63 in obligations other than base rent.

Section 6. Attorney Fees

In any legal action or proceeding between Assignor, Assignee, and/or Landlord arising out of this Assignment, the non-prevailing party shall pay to the prevailing party the prevailing party’s costs, expenses, and attorney and expert fees, including, without limitation, those incurred on appeal and/or in the enforcement of a judgment.

Section 7. Indemnification

Assignor and Assignee jointly and severally shall indemnify Landlord from and against any loss, cost, or expense, including attorney’s fees and court costs, relating to the failure of Assignor or Assignee to fulfill their obligations under this Assignment and/or the Lease.

Section 8. Successors and Assigns

This Assignment shall be binding on and inure to the benefit of the parties to it, their heirs, executors, administrators, successors in interest, and assigns.

Section 9. Governing Law

This Assignment shall be governed by and construed in accordance with laws of the State of California, without regard to its conflicts of law provisions.

IN WITNESS WHEREOF, the parties have executed this Assignment as of the date first above written.

Assignor, Commercial Aircraft Services

Landlord, Mojave Air and Space Port

By _____
[name, title]

By _____
Dr. Allen Peterson, President

Assignee, Paxton, Inc.

Attest

By _____
[name, title]

By _____
Bill Deaver, Secretary