

Spaceport America Regional Spaceport District

February 27, 2009

Hatch, NM

The meeting was called to order at 10:00am by Chairman Walter C. Armijo. Roll call was taken with five members present. Officials and guests present included: Steve Landeene, NMSA, Aaron Prescott, Spaceport America, MaryAnn Myers, NMSA, Belinda Lucero, NMSA, Mayor Judd Nordyke, Village of Hatch, Jim Hayhoe, James Webb, Rob Spence, and J. Hopkins.

Members Present:

Walter C. Armijo, Chair
Leticia Duarte-Benavidez
Alvin J. Campbell
Sandy Jones
Dolores Connor

Members Not Present:

Scott Krahling

Approval of Agenda

Motion: Director Alvin J. Campbell moved to approve the agenda. Director Leticia Duarte-Benavidez seconded the motion. Motion carried.

Approval of Minutes

Motion: Director Alvin J. Campbell moved to approve the minutes from the January 23, 2009 meeting. Director Leticia Duarte-Benavidez seconded the motion. Motion carried.

Public Comment

Chairman Walter C. Armijo stated he would like to limit public comments to 3 minutes. No public comment.

Review of SARSD Function and Objectives

Aaron Prescott reviewed the purpose and role of the Spaceport America Regional Spaceport District (SARSD) to include powers and limitations. He advised the basic principle is to oversee and facilitate the use of GRT revenue for the construction of Spaceport America.

Powers:

1. Request via resolution that NMSA issue bonds
2. Pledge revenues to the payment of the NMSA bonds
3. Vote to include additional governmental units and associated property into SARSD

Limitations:

1. No power to impose taxes
2. No power of eminent domain

3. No power of zoning
4. SARSD does not issue bonds
5. SARSD cannot be terminated while bonds are outstanding

Mr. Prescott continued with a review of the District process map and what has been completed to this point. He also stated the steps that still need to be completed which include:

1. Senate confirmation of Governor appointments
2. Discussion of legal/financial counsel for SARSD
3. Analysis of GRT revenue stream
4. Request to NMSA to pledge funds
5. Entertain NMSA request to issue bonds in pledged amount

Mr. Prescott reviewed the funding process which includes: the collection of GRT, GRT disbursement to the counties with 25% remaining in the counties and 75% to the SARSD fund which will be kept separate by county. He advised that New Mexico Spaceport Authority (NMSA) will request SARSD pledge GRT revenues for bond issuance, SARSD will analyze GRT revenues and determine amount to pledge, SARSD will issue a resolution requesting NMSA sell bonds in accordance with analysis, NMSA will then sell the bonds.

Bond Counsel & Financial Advisor

Mr. Prescott advised that the purpose of the bond counsel is to oversee and assure that all legal requirements in issuing bonds are met. He also advised that NMSA will engage in bond counsel services. He discussed the purpose of the financial advisor which is to analyze the GRT revenue stream. He discussed several options available to include SARSD conducting the analysis internally, engaging outside assistance or engaging a bond counsel who will also conduct the GRT revenue stream analysis. MaryAnn Myers advised the financial advisor needs to be an investment banker/underwriter. She stated that RBC – Kevin Powers was recommended since he has handled most of the revenue bonds for the state. Director Dolores Connor advised that RBC is bond counsel for the City of Las Cruces and they are a very reputable firm. Discussion followed on the different options available for securing bond counsel and time frames involved.

Motion: Director Dolores Connor moved to give direction for MaryAnn Myers to contact Kevin Powers with RBC and report back to the Board with the information obtained from this contact. Director Leticia Duarte-Benavidez seconded the motion. Motion carried.

Spaceport Update

Steve Landeene provided the Board with an update on Spaceport America. He advised that a group of students from Yale visited and will be working on an architectural master plan project and will expect results from them by April. He stated that a detailed design review meeting was held with Virgin Galactic, NMSA, AECOM and URS/Fosters. Mr. Landeene advised that a groundbreaking event would possibly take place in May. He also discussed how the area of environmental impact has been reduced, the firm conducting the environmental study is Zia Engineering from Las Cruces. Mr. Landeene advised that

the Sierra County Community Council meeting was held and was a great success with many elected officials and members of the public in attendance. These meetings will be used to create a standardized information flow from NMSA to the public. He advised that a similar type of meeting is being organized in Dona Ana County. He continued, stating that an educational launch is scheduled for April 25th. This event is being organized by Pat Hynes on the educational side with development of payloads by the students participating and Aaron Prescott is coordinating with WSMR and UP Aerospace. Discussion followed on the traffic flow that will be generated by construction at the spaceport and potential traffic delays with the Ash Canyon construction project. Mr. Landeene also gave an update on the legislature stating that the name change legislation passed, SB37, which is the limited liability legislation did not make it out of judiciary. This includes language which states that passengers will participate on an informed consent basis. He also stated that the confidentiality legislation is still in process.

Next Meeting

Motion: Director Alvin J. Campbell moved that the next meeting be held at the Sierra County Commission Chambers on March 27, 2009 at 10:00am. Director Sandy Jones seconded the motion. Motion carried.

Motion: Director Alvin J. Campbell moved that the April 24th meeting be held in Las Cruces at the Dona Ana County Commission Chambers. Director Leticia Duarte-Benavidez seconded the motion. Motion carried.

Motion: Director Alvin J. Campbell moved to adjourn the meeting. Director Leticia Duarte-Benavidez seconded the motion. Motion carried.

Approved: _____ Date: _____
Chairman Walter C. Armijo