

**AMENDMENT TWO
TO AIRPORT ACCESS AND LICENSE AGREEMENT
C09-1741-AP
CRESTVIEW TECHNOLOGY AIRPARK, LLC AT THE
BOB SIKES AIRPORT**

This Amendment Two made and entered into this 17th day of May, 2022, hereby amends contract C09-1741-AP ("Agreement"), between Crestview Technology Airpark, LLC ("Licensee") and Okaloosa County, Florida through its Board of County Commissioners (hereinafter the "County").

WITNESSETH:

WHEREAS, on July 7, 2009, Crestview Technology Park, LLC entered into an Airport Access and License Agreement with the County at the Bob Sikes Airport with an original expiration date of September 30, 2014; and

WHEREAS, on August 3, 2010, the Agreement was assigned from Crestview Technology Park, LLC to Licensee; and

WHEREAS, on September 24, 2014, Amendment One was executed to exercise the option term, extending the expiration date of the Agreement to September 30, 2039; and

WHEREAS, the parties now desire to amend certain sections of the Agreement, including revisions to the rate structure, area exhibit and permitted activities.

NOW THEREFORE, in consideration of the mutual covenants herein and other good and valuable consideration, the parties consent to and agree to the following:

AMENDMENT

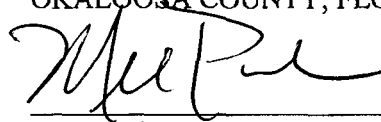
1. Section 4.1 is deleted in its entirety and replaced with the following:

- (a) Licensee shall pay a fee to the County for the privilege of using the Airport. The Licensee shall pay to County an annual activity fee of FIFTEEN THOUSAND DOLLARS (\$15,000). The annual fee shall be paid monthly in equal installments of ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$1,250.00). The installments are due in advance on or before the first day of each month.
- (b) Commencing on October 1, 2022 and thereafter on October 1 of each year, the annual fee shall be increased based upon the percentage increase in the Consumer Price Index (CPI) based on a twelve (12) month September through August average. The CPI shall be the revised Consumer Price Index for all Urban Consumers for all items – U.S. City Average, published by the Bureau of Labor Statistics, U.S. Department of Labor, 1982-84=100 (CPI-U).

- (c) Licensee shall pay to County such other fees and charges as reasonably may be assessed or otherwise required by the FAA, for the granting of access to the Airport by off-site users or tenants or for the use of all other services, privileges or landing and public use facilities used by Licensee at the Airport as established by County.
2. Exhibit A – Designated Premises is deleted and replaced with attached Exhibit A – Designated Premises.
 3. Attachment A - Permitted Activity is deleted and replaced with attached Exhibit B – Permitted Activities.
 4. All other provisions of the Agreement shall remain in full force and effect through the duration of the term and Extension Period. All capitalized terms in this Amendment that are not defined herein have been defined otherwise in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this amendment as of the day and year first written.

OKALOOSA COUNTY, FLORIDA



Mel Ponder
Chairman, Board of County Commissioners
Date: May 17, 2022

ATTEST:



Fan
J.D. Peacock II
Clerk of Circuit Court



CRESTVIEW TECHNOLOGY AIRPARK, LLC

Name: Paul Hsu
Title: Manager
Date: April, 8, 2022

ATTEST:

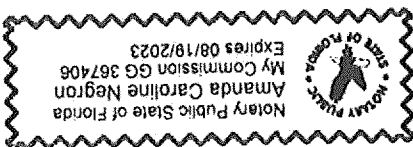
Amanda C. Negron
Witness
Kayla E. Lee
Witness

ACKNOWLEDGMENTS

STATE OF Florida
COUNTY OF Okaloosa

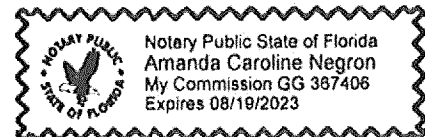
Before me, the undersigned officer duly authorized to take acknowledgments in the COUNTY and STATE aforesaid, personally appeared Paul Hsu who, under oath, deposes and says that he is authorized to execute contracts and lease agreements and that he executed the foregoing instrument for the uses and purposes contained therein.

Sworn and subscribed before me this 8th day of April, 2022, AD.



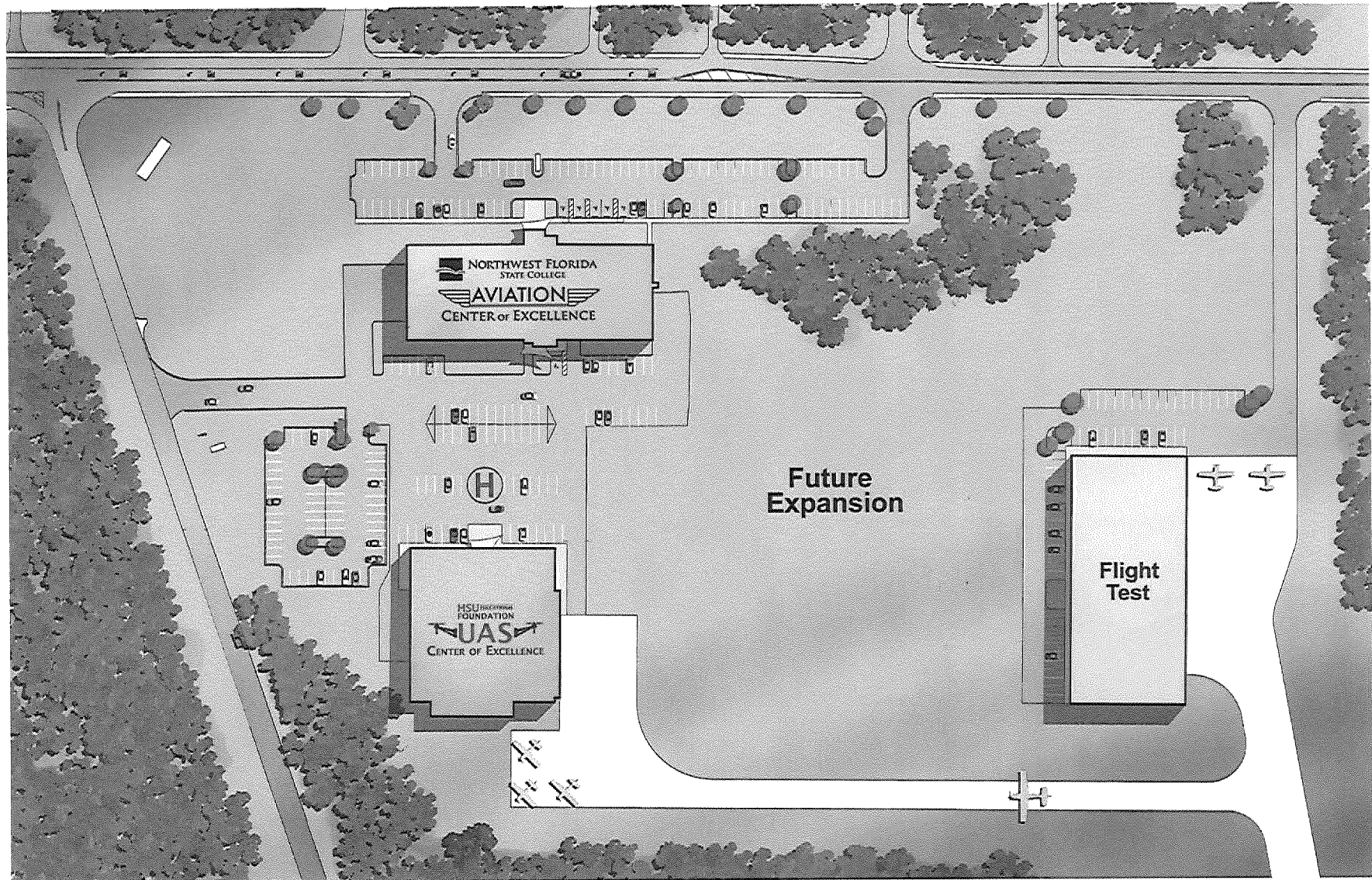
Amanda C. Negron
NOTARY

My Commission Expires: 08/19/2023





HSU Innovation Institute North



jdf+
architecture

PP Public Private Partnership



EXHIBIT B – Permitted Tenants & Activities

Under Sections 3.2 and 8.2

Sunshine Aero Industries, Inc.

Flight Test and Flight Test Support services:

Provide aircraft, aircrew, maintenance, hangars, office space, ground support equipment, engineering, and aircraft modifications to conduct flight test and flight test support operations for Government and other Contractor Flight Test Organizations. These services will be provided under contracts with Sunshine Aero.

HSU Educational Foundation

The HSU Educational Foundation provides youth with future workforce development training in science, technology, engineering and math fields, including topics of aviation and unmanned aircraft systems. The HSU Educational Foundation through its HSU Unmanned Aircraft Systems (UAS) Center of Excellence (HSU Center) provides world class training and certification of UAS flight crews, maintainers, and UAS ecosystem developers; provides airspace and mission control for UAS Research and Development; and provides UAS services to aid NW Florida in disaster response efforts. The HSU Educational Foundation provides aircraft, aircrew, maintenance, aviation makerspace, hangars, office space, ground support equipment, engineering, and aircraft modification to conduct UAS flight test and flight test support operations for Government and other Contractor Flight Test Organizations. These services are provided under contracts with HSU Educational Foundation.

Airfield Access

Only individuals and/or aircraft participating in an approved aeronautical activity have authorization to access the airfield. No access to the airfield is approved for any nonaeronautical activity or for any individual without direct involvement in the approved aeronautical activity.

Listing of Approved Aircraft:

Sabre-65 N2265FT; N66GE; N75VC

Sabre-40 N64DH; N265SC; N40GT

Beech Kingair-100 N3606T

Beech-18 N99801

Piper Navajo N271MC

Cessna 172 N20259

Any requests to edit this listing must be submitted in writing to the Airports Director.

Future Development

Any future development must be approved by the County.

**PROCUREMENT/CONTRACT/LEASE
INTERNAL COORDINATION SHEET**

Procurement/Contract/Lease Number: <u>C19-2813-AP</u>		Tracking Number: <u>4526-22</u>	
Procurement/Contractor/Lessee Name: <u>Faber</u>		Grant Funded: YES ___ NO <u>X</u>	
Purpose: <u>Amendment 2</u>			
Date/Term: <u>5-21-2029</u>		1. <input checked="" type="checkbox"/> GREATER THAN \$100,000	
Department #: <u>Revenue</u>		2. <input type="checkbox"/> GREATER THAN \$50,000	
Account #: _____		3. <input type="checkbox"/> \$50,000 OR LESS	
Amount: _____			
Department: <u>Airport</u>		Dept. Monitor Name: <u>Stase</u>	

Purchasing Review	
Procurement or Contract/Lease requirements are met:	
<u>DeRita Mason</u>	Date: <u>2-24-2022</u>
Purchasing Manager or designee	Jeff Hyde, DeRita Mason, Jessica Darr, Angela Etheridge

2CFR Compliance Review (if required)	
Approved as written:	Grant Name: _____
<u>NO Federal funds</u>	Date: _____
Grants Coordinator	Suzanne Ulloa

Risk Management Review	
Approved as written:	
<u>See email attached</u>	Date: <u>2-24-2022</u>
Risk Manager or designee	Kristina LoFria

County Attorney Review	
Approved as written:	
_____	Date: _____
County Attorney	Lynn Hoshihara, Kerry Parsons or Designee

Department Funding Review	
Approved as written:	
_____	Date: _____

IT Review (if applicable)	
Approved as written:	
_____	Date: _____

DeRita Mason

From: Kristina LoFria
Sent: Thursday, February 24, 2022 2:29 PM
To: DeRita Mason
Subject: RE: Faber Amendment #2

DeRita,

Good afternoon, this is approved through Risk.

Thank You

Kristy LoFria

Okaloosa County BCC-Risk Management
Public Records & Contract Specialist
302 N Wilson St Suite 301
Crestview, Florida 32536
klofria@myokaloosa.com
850-689-5979



For all things Wellness please visit:

<http://www.myokaloosa.com/wellness>

"When the winds of adversity blow against your boat, just adjust your sail."

"Don't aim for success if you want it; just do what you love and believe in, and it will come naturally." David Frost

Please note: Due to Florida's very broad public records laws, most written communications to or from county employees regarding county business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

From: DeRita Mason <dmason@myokaloosa.com>
Sent: Thursday, February 24, 2022 1:54 PM
To: Lynn Hoshihara <lhoshihara@myokaloosa.com>
Cc: Kerry Parsons <kparsons@myokaloosa.com>; Kristina LoFria <klofria@myokaloosa.com>
Subject: FW: Faber Amendment #2

Good afternoon,
Please review and approve the attached.
Thank you,

DeRita Mason

From: Lynn Hoshihara
Sent: Thursday, March 17, 2022 1:52 PM
To: DeRita Mason
Cc: Kerry Parsons; Kristina LoFria
Subject: Re: CTAP C09-1741-AP Amendment 2
Attachments: CTAP Amendment #2 3.17.22.docx

Attached are my changes to this amendment. With these changes, this is approved as to legal sufficiency.

Lynn M. Hoshihara
County Attorney
Okaloosa County, Florida

Please note: Due to Florida's very broad public records laws, most written communications to or from County employees regarding County business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

From: DeRita Mason
Sent: Friday, March 4, 2022 9:28:43 AM
To: Lynn Hoshihara
Cc: Kerry Parsons; Kristina LoFria
Subject: FW: CTAP C09-1741-AP Amendment 2

Good morning,
Please review and approve. The airport would like to take this to the next board meeting.

Thank you,

DeRita Mason



DeRita Mason, CPPB, NIGP-CPP
Senior Contracts and Lease Coordinator
Okaloosa County Purchasing Department
5479A Old Bethel Road
Crestview, Florida 32536
(850) 689-5960
dmason@myokaloosa.com



U.S. Department
of Transportation
**Federal Aviation
Administration**

Orlando Airports District Office
8427 South Park Circle, St. 524
Orlando, FL 32819
Phone: (407) 487-7223
FAX: (407) 487-7135

March 31, 2022

Tracy Stage, A.A.E.
Airports Director
Okaloosa County Airports
1701 State Rd 85 N
Eglin AFB, FL 32542-1498
Via Email to tstage@myokaloosa.com

RE: Okaloosa County—Crestview Technology Airpark Access Agreement Review

Dear Mr. Stage:

Thank you for the airport access agreement information submitted to the Federal Aviation Administration's (FAA) Orlando Airports District Office (ADO) on behalf of Okaloosa County, FL on March 17, 2022. The information was provided in order for FAA to review the proposed amendment two to the Bob Sikes Airport access agreement for airport tenant Crestview Technology Airpark, LLC. The original agreement was entered into on July 7, 2009, it was assigned on August 3, 2010, and amendment one was executed on September 24, 2014. The parties now desire to amend certain sections of the agreement, including revisions to the rate structure, area exhibit, and permitted activities, via amendment two.

Based on the information provided verbally and in writing, the FAA has no objection to the proposed lease agreement amendments. This means that the ADO has reviewed the draft lease and has determined that it does not appear to violate any Federal compliance obligations. The FAA conducted this lease review as a service to help identify any provisions that could be considered inconsistent with the City's Federal obligations. The FAA does not, however, approve or disapprove airport-tenant lease agreements, nor does it endorse or become a party to such agreements. *See* FAA Order 5190.6B, *FAA Airport Compliance Manual*, §12.4.

Please provide the ORL-ADO with an electronic copy of the final executed lease amendment (including all complete exhibits) within 45 days of final execution, and please do not hesitate to contact me at stephen.wilson@faa.gov if you have any questions.

Sincerely,

STEPHEN A WILSON Digitally signed by STEPHEN A WILSON
Date: 2022.03.31 16:18:17 -04'00'

Stephen Wilson
Planner
Orlando Airports District Office

Cc:

Chastity Clark, Airport Program Manager, Orlando ADO

Verned Jackson, Manager, FAA Airports Division, Southern Region, Safety and Standards Branch

Keturah Pristell, Airport Compliance Specialist, FAA Airports Division, Southern Region, Safety and Standards Branch