

SANTA MONICA AIRPORT COMMISSION

RECOMMENDATION 2012-03

Pursuant to the Municipal Proprietor Powers under the Federal Aviation Act, the Santa Monica Airport Commission recommends that the Santa Monica City Council take the following non-discriminatory action to regulate airport operations to reduce the City's exposure to liability for nuisance and to enhance the community's human environment.

The Airport Commission believes this recommendation falls within the City's proprietor powers, similar to the City's 1981 actions that were upheld by the courts and are still in existence today which include the City's: 1) nighttime curfew, 2) banned helicopter training, 3) SENEL limit, 4) banned weekend and holiday 'touch and go' and 'stop and go' operations, and 5) banned low approaches.

REMOVE THE 1949 QUITCLAIM PARCEL FROM AVIATION USE. The City should determine its rights, whether by declaratory relief or legislative action, to remove from aviation use as soon as practicable after July 1, 2015, should it so desire, the westerly 18.629 acre parcel quitclaimed to the City in 1949 that is not a part of the General Aviation Parcel and not governed by the 1948 Instrument of Transfer. The 1984 Agreement requires that the City to maintain a 5,000 foot runway but upon its expiration on July 1, 2015, that obligation expires and the City, as the owner of the 1949 quitclaim parcel, can remove it from aviation use.