

# Recommended 2015 City of Santa Monica Airport Policies

## **A** End “Gifts of Public Funds”; Commercial Leases at Market Rates on Month-to-Month Basis.

### **Goal:**

- End unlawful “gifts of public funds” to commercial tenants who pay below market rent, and then sublease their space at full market rent to sub-tenants.

### **Actions:**

- Allow all current leases to expire. Limit current tenants to actual space used. Enter into direct landlord-tenant relationships with major sub-tenants.
- Move to month-to-month leases until FAA litigation resolved. **No voluntary leases to aviation tenants.**
- Require all commercial tenants to pay 100% FMV rent equivalent to similar office space in Santa Monica. Non-profits and artists are largely on non-aviation land.
- Beginning January 1, 2016, remove commercial tenants whose use is not compatible with surrounding neighborhoods and zoning.

### **Impact:**

- Ends unlawful “gifts of public funds”. Minimizes litigation risks and landlord-tenant disputes.
- \$60+ million in new City revenue over next 10 years. Atlantic Aviation and Gunnell buildings, Barker Hangar and flight schools revert to City ownership. Buildings worth over \$10 million.
- Airport uses will be limited to those compatible with surrounding neighborhoods and zoning.

## **B** Declare “Permanent Closure” of Western Parcel Other Than Runway; Begin Runway Redesign.

### **Goal:**

- Implement Measure LC, by declaring 35-acre “Western Parcel” and “Non-Aviation Parcel” to be “permanently closed to aviation use”, with “no new development” except parks and open space.
- Create buffer areas on east and west ends of runway. Mitigate risk of jet crashes.

### **Actions:**

- 35-acre “Western Parcel” and “Non-Aviation Parcel” are not subject to FAA claims and should be “permanently closed to aviation use”.
- Exempt for 7 months the existing runway pavement only, to allow time for new runway redesign.
- Begin effort to redesign current runway to meet existing FAA safety standards, including safety buffers on east and west ends. Apply for FAA approval of new design.
- Begin planning process for future parks, playing fields, and open space on 35-acre “Western Parcel” and “Non-Aviation Parcel”.
- Maintain existing cultural, arts, and education uses.

### **Impact:**

- Begins transformation of Airport land to parks and open space immediately. Begins effort to establish runway buffer areas immediately.
- Minimizes litigation risk from future jet crashes, similar to current wrongful death lawsuit against City for September 2013 jet crash and 4 deaths.
- Minimizes risk of federal injunction by leaving current runway intact for 7 months only.
- Recognizes that FAA’s only power is 1948 Instrument of Transfer requirement to keep minimal runway open. Sets stage for City’s legal challenge to 1948 Instrument of Transfer after January 1, 2016.

## **C** End Fuel Sales and Follow Through on Other March 25, 2014 Council Decisions.

### **Goal:**

- Follow through with landmark City Council decisions made on March 25, 2014. These decisions caused the November 2014 ballot initiative battle, which we won.
- Harness City staff to public opinion and City Council oversight.

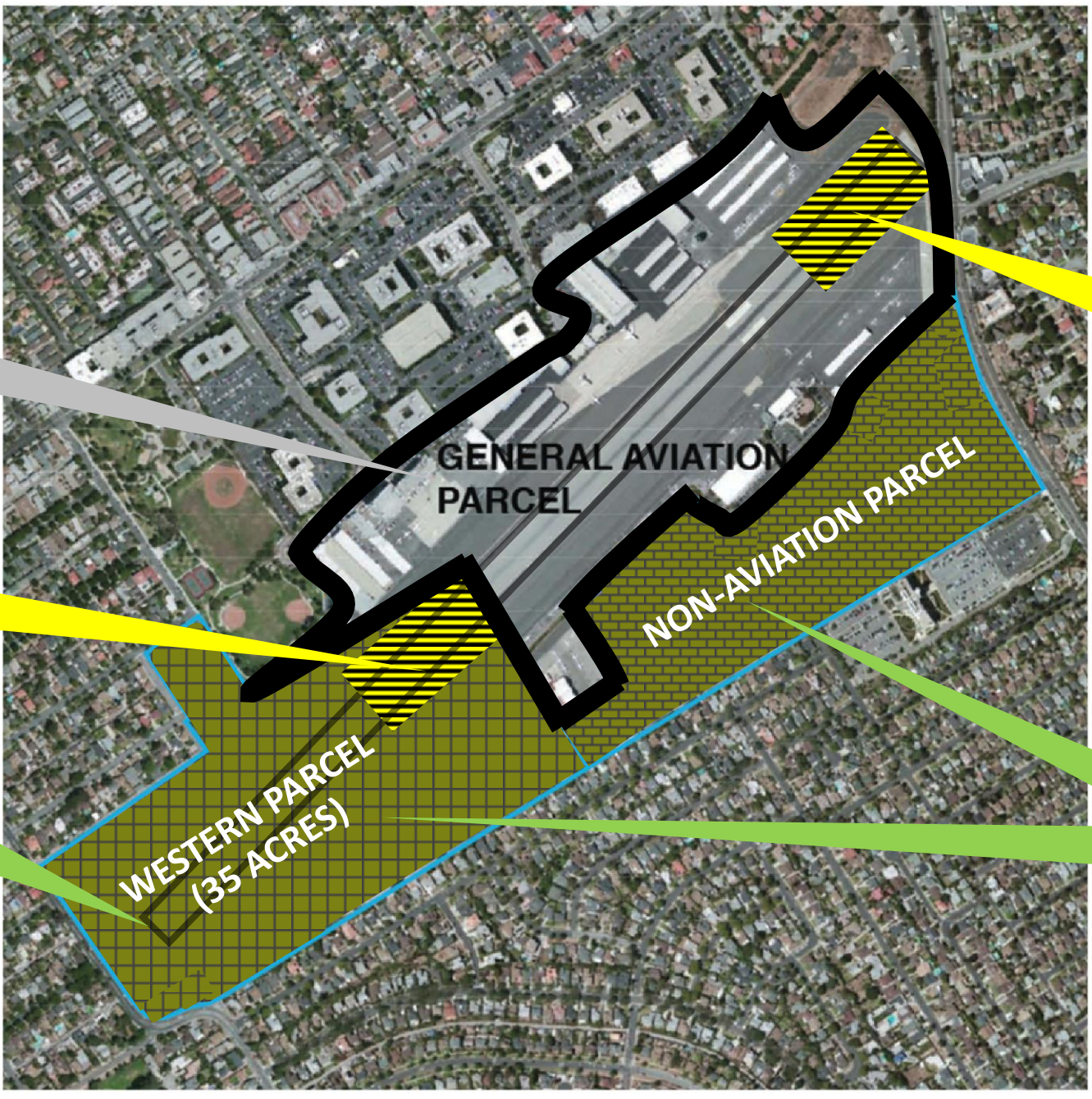
### **Actions:**

- End fuel sales at Airport effective August 1, 2015.
- Repay the 2003 grant adjustment of \$250,000 immediately.
- Adopt 2015 Airport Layout Plan by official City Council action. Reflect “permanent closure to Airport use” of Western Parcel and Non-Aviation Parcel with 7-month exemption for current runway pavement.
- Begin environmental remediation of Western Parcel.
- Define clear deliverables dates for environmental impact report (EIR) required to convert all Airport land to parks, playing fields, and open spaces.
- Consider proposed ordinance limiting emissions for aircraft using SMO.
- Create City website that provides dashboard view of Airport initiatives, timelines, leases, and flight operations.

### **Impact:**

- Reduces lead pollution and ultrafine particulate pollution in Santa Monica and the region.
- Begins EIR and planning process to convert all Airport land to parks and playing fields.
- Increases transparency and accountability at Airport to increase public trust in City government.

# Recommended 2015 City of Santa Monica Airport Layout Plan



Only General Aviation Parcel is subject to FAA claims under 1948 Instrument of Transfer.

Easterly safety buffer area. Planes fly higher over West Los Angeles neighborhood.

Westerly safety buffer area. Part of Western Parcel.

Existing runway left in place until December 2016.

Western Parcel and Non-Aviation Parcel are not subject to FAA claims.

**7-01-15**

- 1984 Agreement ends.
- All long-term leases end.
- \$10 million in buildings become City-owned.

**08-01-15**

- Fuel sales end.
- Leases automatically go month-to-month.
- City enters direct landlord-tenant relationships with sub-tenants.
- Start FMV lease rates yielding \$60+ million to City over 10 years.
- Maintain existing cultural, arts and education uses.

**09-01-15**

- Western Parcel and Non-Aviation Parcel “permanently closed to aviation use” and “no new development” other than parks and playing fields.
- Begin EIR for closing entire Airport and establishing parks and open space.
- Begin runway re-design.
- Begin environmental remediation.

**01-01-16**

- Begin removing incompatible commercial uses and tenants.

**02-01-16**

- Begin legal challenge to FAA claims under 1948 Instrument of Transfer.

July 2015 | August 2015 | September 2015 | October 2015 | November 2015 | December 2015 | January 2016 | February 2016