

RESOLUTION NUMBER 11026 (CCS)

(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA  
IMPLEMENTING THE CONSENT DECREE AND AUTHORIZING ALL ACTIONS  
NECESSARY TO ENSURE THE CLOSURE OF SANTA MONICA AIRPORT  
EFFECTIVE AS OF MIDNIGHT ON DECEMBER 31, 2028, AND THE SHORTENING  
OF THE SANTA MONICA AIRPORT RUNWAY PENDING CLOSURE

WHEREAS, on January 30, 2017, the United States of America, acting through the Federal Aviation Administration (FAA) and the city of Santa Monica (City) filed a Settlement Agreement/Consent Decree (Consent Decree) with the Federal District Court for the Central District of California in *City of Santa Monica v. United States of America, et al.*, Case No. 13-CV-8046-JFW (C.D. Cal.); and

WHEREAS, on February 1, 2017, the Court approved the Consent Decree and entered it as the judgment in *City of Santa Monica v. United States of America, et al.*, Case No. 13-CV-8046-JFW (C.D. Cal. Feb. 1, 2017); and

WHEREAS, pursuant to the terms of the Consent Decree, the City may, in its sole discretion at any time after December 31, 2028, cease to operate the Santa Monica Airport (SMO) as an airport and may close the Airport to all aeronautical use forever; and

WHEREAS, pursuant to the terms of the Consent Decree, the City has agreed to operate SMO with a runway of 3,500 feet until December 31, 2028, unless an earlier date is agreed to by the FAA and City; and

WHEREAS, initiation of the shortening of the Airport's runway to 3500 feet may commence upon 30-day prior notice to the FAA in accordance with 14 C.F.R. Part 157.5(b)(2); and

WHEREAS, the City Council desires that the City take all actions necessary to comply with the Consent Decree so that SMO will close effective as of midnight on December 31, 2028.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Manager, City Attorney and their staffs, consistent with the terms of the Consent Decree, shall take all actions necessary and proper to ensure that SMO will cease to operate as an airport and shall be closed to all aeronautical use forever effective as of midnight on December 31, 2028.


SECTION 2. The City shall not enter into any future agreements with the U.S., FAA, or any other party, that may have the effect of requiring the City to continue to operate SMO after December 31, 2028.

SECTION 3. The City Council directs the City Manager to ensure that the City provides 30-day prior notice to the FAA in accordance with 14 C.F.R. Part 157.5(b)(2) of

the City's intent to initiate shortening of SMO's runway to an operational length of 3500 feet at the earliest feasible opportunity.

SECTION 4. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JOSEPH LAWRENCE  
Interim City Attorney

Adopted and approved this 28<sup>th</sup> day of February, 2017.

  
\_\_\_\_\_  
Ted Winterer, Mayor


I, Denise Anderson-Warren, City Clerk of the City of Santa Monica, do hereby certify that Resolution No. 11026 (CCS) was duly adopted at a meeting of the Santa Monica City Council held on the 28<sup>th</sup> day of February, 2017, by the following vote:

AYES: Councilmembers McKeown, Himmelrich, O'Connor, O'Day, Vazquez,  
Mayor Pro Tem Davis, Mayor Winterer

NOES: None

ABSENT: None

ATTEST:

  
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Denise Anderson-Warren, City Clerk