

ORIGINAL

(R-2000-275REV.)
(Corrected Copy 1)

RESOLUTION NUMBER R-292180

ADOPTED ON SEPTEMBER 14, 1999

RESOLUTION DENYING APPEAL OF MONTGOMERY
FIELD AIRPORT TIE-DOWN FEE INCREASES.

WHEREAS, Mr. James Aldridge and Mr. Bruce Ellis have timely filed appeals opposing the newly instituted fee increases for tie-down spaces at Montgomery Field Airport; and

WHEREAS, the appeal was set for a public hearing to be conducted by the Council of The City of San Diego; and

WHEREAS, the Council of The City of San Diego considered the issues and evidence presented by appellants and the City department responsible for the operation of the airport, Real Estate Assets. NOW THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that Montgomery Field Airport is one of the busiest general aviation airports in the nation; that the Airports Division of the Real Estate Assets Department operates as a user-funded enterprise fund and receives no general fund subsidy; that City Administrative Regulation No. 95.25 provides for an annual review of the fees and charges that the City departments may administer to recover the costs of providing services; that City Municipal Code Section 68.0119 grants the City Manager authority to charge and collect fees associated with the City airports; that Council Policy 100-5 formalized the process of notifying the public when changes to fee structures are made; that

federal statutes require airports to have rate structures that make airports as self-sustaining as possible.

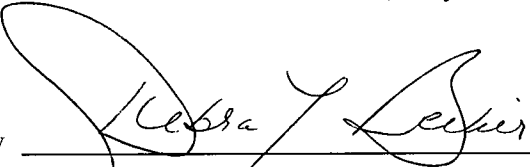
BE IT FURTHER RESOLVED, that the last tie-down fee increase at Montgomery Field Airport was implemented in 1989; that the City's fees prior to the increase were below market rate; that the Airports Advisory Committee (AAC) was actively involved in the negotiations of the tie-down fees which lasted over seven (7) months; that the nine (9) members of the AAC are elected as representatives of the aviation industry and the AAC is charged with providing advice and recommendations to the City Manager on matters relating to the City airports.

BE IT FURTHER RESOLVED, that all procedures to implement a fee increase, except one, were initially followed by the Airports Division; that Airports Division sent the required notice of fee increase to all tie-down tenants thirty (30) days prior to implementation of the fee increase, but failed to specifically state in that notice that the tenants had the right to appeal the fee increase to the City Council; that upon notification of such error, the Airports Division extended a new ten (10) day appeal period utilizing proper procedures.

BE IT FURTHER RESOLVED, that the evidence presented substantiates the need for additional revenue for the operation of the airport; that such substantiation requires increased fees at the airport, which include the need for increased fees for tie-down spaces; that the appeals are therefore denied, affirming a fee increase, with one-half of the amount proposed for the fee increase to take effect this year and the other one-half of the amount proposed for the fee increase to take effect next year.

BE IT FURTHER RESOLVED, that the Manager is directed to investigate utilizing a multi-year financing plan for Montgomery Field Airport; that the Manager is also directed to investigate having Fixed Based Operators (FBOs) take over management of the tie-down spaces currently managed by Montgomery Field Airport.

APPROVED: CASEY GWINN, City Attorney

By 
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