

Mr. Walter F. Perkins, Chairman, Airport Board (cont'd)

of not less than five years from December 31, 1951, as provided in the resolution. You will note, however, that this resolution in no way attempts to direct the Airport Board in its manner of operating the Airport, and hence under Section 138 of the City Charter, your Board's powers and duties to maintain, operate and control all airports owned or leased by the City, and to construct and have charge of all facilities thereon, is in no way infringed. We are of the opinion that this resolution does not bind you to extend the use of Harbor Field, and to enter into agreements with potential users of the Airport for a period beyond December 31, 1952. Should the resolution have directed you to enter into, or renew leases, with the present users, or potential users, of the Airport, we feel that an infringement of your powers would have been effected.

Therefore, we conclude that the policy of the Airport Board need not be changed. Consequently, if after December 31, 1952, you feel that an extension of the use of the field is advisable, you may continue under the present powers granted to you by the Charter. Similarly, should the use of the Airport decline, your Board may make appropriate recommendations based upon the result of your survey as to the future use of the Airport beyond December 31, 1952.

We trust this answers your inquiry, but if not, please write us further.

Very truly yours,

/s/ THOMAS N. BIDDISON
City Solicitor

/s/ F. CLIFFORD HANE
Assistant City Solicitor

FCH/keb