

St. Louis City Ordinance 62501

FLOOR SUBSTITUTE

BOARD BILL NO. [91] 318

INTRODUCED BY ALDERMAN JOANNE WAYNE

An ordinance recommended by the Airport Commission and the Board of Estimate and Apportionment finding that it is in the best interest of the City of St. Louis (the "City") and in the interest of airline passengers that the City adopt a Passenger Facility Charge ("PFC") program as provided in the Aviation Safety and Capacity Expansion Act of 1990 (the "Act") in order to preserve and enhance the safety, capacity and security of the transportation facilities and mitigate noise impacts at Lambert-St. Louis International Airport (the "Airport"); adopting a PFC (the "Airport PFC") in an amount not to exceed three dollars upon approval by the Federal Aviation Administration, Department of Transportation, United States of America (the "FAA") of the Airport PFC and PFC program and providing for the expiration of the Airport PFC; designating the projects under consideration on which revenues collected by the Airport PFC are to be expended if approved by the FAA; authorizing the Director of Airports (the "Director") to file such applications with the FAA and perform any such other acts as are necessary for the purpose of receiving authority from the FAA for the adoption and implementation of the Airport PFC and PFC program in accordance with the Act and subject to such rules, regulations and assurances as required by the United States Secretary of Transportation under authority of the Act (the "Regulations"); authorizing and designating the Director to be the Official Representative of the City to provide any information and perform such other acts for the City pertaining to or required for the adoption and implementation of PFCs at the Airport for the City as provided under the Act and Regulations; establishing a special account known as the Passenger Facility Charge Fund Account for the deposit, expenditure, and transfers to other Airport Fund Accounts of funds received from PFCs; and containing an emergency clause.

WHEREAS, it is in the best interest of the City and airline passengers that the City adopt a PFC program as provided in the Act and Regulations in order to preserve and enhance the safety, capacity and security of the transportation facilities at the Airport and mitigate Airport noise impacts.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. It is in the best interest of the City of St. Louis (the "City") and in the interest of airplane passengers that the City adopt a Passenger Facility Charge ("PFC") program as provided in the Aviation Safety and Capacity Expansion Act of 1990 (the "Act") enacted by the United States Congress and subject to such rules, regulations and assurances as required by the United States Secretary of Transportation under authority of the Act (the "Regulations") in order to preserve and enhance the safety, capacity and security of the transportation facilities and mitigate noise impacts at Lambert-St. Louis International Airport (the "Airport").

SECTION TWO. Commencing no earlier than sixty days after the approval by the Federal Aviation Administration, Department of Transportation, United States of America (the "FAA") and appropriate notification of the Airlines of the City's application for authority to impose a PFC at the Airport (the "Airport PFC") and to expend revenues according to the PFC program authorized by this Ordinance, or on such date thereafter as the Airport PFC can be collected as determined by the Director of Airports (the "Director"), there shall be imposed upon each Enplaned Passenger, as that term is defined in the Regulations, at the Airport a PFC in an amount not to exceed three dollars, provided, if permitted by the Regulations and approved by the FAA, that On Demand Air Taxi/Commercial Operators, operating exclusively under CFR Part 135 Certification shall not be required to collect the PFC from their passengers. The Airport PFC authorized by this Ordinance shall expire on the date determined pursuant to the Regulations.

SECTION THREE. The PFC revenues collected pursuant to the Airport PFC and PFC program shall be expended for the following projects which are under consideration for application to the FAA or for such alternate projects as may be designated pursuant to this Ordinance in accordance with the Regulations:

1. The Lambert-St. Louis International Airport Noise Land Acquisition/Relocation Program. This project will fund the acquisition cost of land acquired to mitigate noise impacts resulting from the Airport and to pay the relocation expenses related to the program.
2. Expansion of the East Terminal. This project will fund the expansion of the existing facility as necessary for the operation of an existing airline, providing additional gates and related support systems.
3. Light Rail Station. This project will fund the construction of a Light-Rail Station at the Airport Terminal. The light rail will provide passenger service from East St. Louis through downtown St. Louis to the Airport.

4. Land Acquisition for the Right-of-Way for the Light Rail System and for an Avigation Obstruction. This project will provide funds for the acquisition of land required for the right-of-way for the Metro Light Rail System as it approaches the Airport, and provide funds to acquire land and pay the costs to remove an Avigation Obstruction.

5. Access Roadway. This project will fund the construction of a new access roadway from the Cypress Road exit to the Airports' ticketing drive at the main terminal.

6. Apron Rehabilitation-Phase VI-C. This project will fund the cost to rehabilitate an apron area between Concourse C and Concourse D.

SECTION FOUR. The Director is authorized to file such applications with the FAA and perform any such other acts as are necessary for the purpose of receiving authority from the FAA for the adoption and implementation of the Airport PFC and PFC program in accordance with the Act and subject to the Regulations. The Director is further authorized to certify that the City will comply with all assurances and understandings required by the Act and Regulations and to submit amendments to PFC applications, as appropriate, and to designate alternative projects approved by the Airport Commission as necessary to assure full use of the City's authority to impose PFCs and expend revenues the City receives from PFCs.

SECTION FIVE. The Director is hereby designated to be the Official Representative of the City to provide any information and perform such other acts for the City pertaining to or required for the adoption and implementation of PFCs at the Airport for the City as provided under the Act and Regulations.

SECTION SIX. There is hereby established a special account known as the Passenger Facility Charge Fund Account (the "PFC Fund") for the deposit and expenditure of funds received from PFCs. All revenues received from PFCs and interest thereon shall be deposited in the PFC Fund and shall be expended, upon appropriations by subsequent ordinances, for projects approved by the Director of Airports and determined to be eligible and approved by the FAA under the Act and the Regulations.

Transfers from the PFC Fund may be made to reimburse other Airport Fund Accounts for monies previously appropriated and expended or to be expended for projects that are eligible and approved by the FAA for payment from revenues received from PFCs and/or to reimburse any Airport Fund Accounts for the eligible debt service relating to such projects.

SECTION SEVEN. This being an Ordinance necessary for the immediate preservation of the public health and safety and providing funds for the implementation of public work and improvement, it is hereby declared to be an emergency measure as defined in Article IV, Section 20, of the City Charter and shall become effective immediately upon its approval by the Mayor of the City of St. Louis.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
01/24/92	01/24/92	T&C		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
01/31/92			02/07/92	02/07/92
ORDINANCE	VETOED		VETO OVR	
62501				