

St. Louis City Ordinance 63524

FLOOR SUBSTITUTE
BOARD BILL NO. [95] 108

INTRODUCED BY ALDERMAN MARY ROSS

An Ordinance recommended by the Airport Commission and the Board of Estimate and Apportionment finding that it is in the best interests of the City of St. Louis (the "City") and in the interests 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") 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; providing for the deposit and expenditure of funds received from the PFCs to be deposited in the PFC Fund established in Ordinance 62501 approved February 10, 1992; 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 interests of the City of St. Louis (the "City") and in the best interests 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. Airport Noise Land Acquisition/Relocation Program. This project will fund the first five years of the noise mitigation measures recommended in the Part 150 Noise Program Update, including the acquisition of land within the 1999 70 DNL noise contour, voluntary relocation of residents within these areas, obtaining noise easements, and the acquisition of noise monitors.
2. Obstruction Removal - Washington Park. This project will fund the increased costs for this program due to the necessity to relocate 12,812 graves versus the original estimate of 9,000 graves, a higher than estimated cost per grave and additional court-mandated program costs.

3. East Terminal Expansion. This project will fund the increased costs for this program due to unanticipated cost increases and an increase in the number of new gates from eight to twelve.
4. High Speed Exits Off Runway 12L-30R. This project will fund the construction of angled taxiways from Runway 12L-30R to Taxiway P which will increase the capacity of the existing airfield by reducing the amount of time an aircraft occupies the runway.
5. Differential GPS For Non-Precision Approaches. This project will fund the installation of a Global Positioning System which enables aircraft to determine their position in all weather conditions and which will be used for non-precision approaches.
6. Handicap Rest Rooms for Main Terminal Upper Level. This project will fund the addition of disabled-accessible rest rooms to the west end of the terminal building.
7. Nursery At Gate 63. This project will fund a new nursery/family room which will be a service for travelers with children and disabled persons using Gates 60 through 67.
8. Concourses A, B & C and East Terminal Check Points. This project will fund the installation of access corridors that are removed from the "line of site" of the existing checkpoints. This will allow screening of checkpoint lines more efficiently by eliminating the requirement for hand searches of employees.
9. Upgrade Fire Alarm System. This project will fund the installation of an updated fire alarm monitoring system that will give exact locations for the smoke, flow and tamper alarms that are sent. This will allow a better response by the Fire Department and will reduce man hours spend when attempting to locate fault in the system.
10. As-Built Drawings For Fire Protection System. This project will fund the field verification of the existing piping, valves and supervisory devices and entering the collected information on computer aided drafting (CAD) software. Correct information will aid in determining future design criteria, assist with responding to problems in the system and allow identification of areas that are potentially without protection.
11. Install Phase Protection. This project will fund the installation of single-phase protection for all three-phase motors to prevent motor failure.

12. Airfield Lighting Controls For FAA Tower. This project will fund an airfield lighting control panel and associated wiring for the new Air Traffic Control Tower scheduled to open in June of 1997.
13. Hearing Impaired Messages. This project will fund the installation of a visual message system for passengers who are hearing impaired.
14. Visual Alarms For Emergency Notification, Public Areas. This project will fund the installation of building fire alarm and public address evacuation message devices required by the Americans with Disabilities Act ("ADA").
15. Seismic Risk Reduction. This project will fund a study to identify areas of risk and provide the disaster planning staff with information necessary for a thorough disaster plan.
16. Canopies For Exits 6 & 14. This project will fund the construction of canopies to keep passengers out of the rain and snow.
17. Commuter Holdrooms - ADA Access. This project will fund the construction of better and more efficient access for commuter passengers and will also meet the ADA Aircraft Access requirements.
18. Modify Traffic Distribution - Main Terminal. This project will fund improved signage and diversion of roadway traffic at the exits from both the Baggage Claim and Ticketing Drives at the Main Terminal.
19. 800 MHz Radio Communication System. This project will fund the final phase of the installation of a 800 MHz radio system which will satisfy the FCC requirements for a 5-channel system and allow for future system improvements and growth.
20. Taxiway Connectors From R/W 12R-30L to T/WP. This project will fund the construction of a connection between Taxiways P and D and will provide operational efficiency and ground maneuvering flexibility.
21. "C" Taxi Connector. This project will fund the construction of an additional taxiway entrance to Runway 12L which will enhance the capacity for aircraft departing on this runway.
22. Part 150 Noise Compatibility Study Update. This project will fund a new study to develop 1999 noise contour maps and recommend a noise mitigation program. More than seven years have elapsed since the completion of the 1987

Part 150 Noise Compatibility Study, and the FAA has requested that it be updated.

23. Security Card Access System. This project will fund the purchase and installation of an integrated computer-based card access system which, combined with strict programs for issuance, updating, reporting and user education, will be capable of meeting the performance standards in FAR Section 107.14

24. East Apron I B And Glycol Recovery System. This project will fund the construction of approximately 20,000 square yards of aircraft apron including full strength shoulders, the demolition of the old Midcoast terminal and two hangars, the construction of a glycol collection and storage facility and glycol distillation plant.

25. West Apron At Taxiway A South. This project will fund the construction of approximately 36,650 square yards of additional aircraft apron pavement.

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. The deposit and expenditure funds received from the PFCs and interest therein shall be deposited in the PFC Fund established in Ordinance 62501, approved February 10, 1992 and shall be expended, upon appropriations by subsequent ordinance, 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
06/09/95	06/09/95	T&C		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
06/16/95			06/23/95	07/21/95
ORDINANCE	VETOED		VETO OVR	
63524				