Item No: 6d Attach 1
Date of Meeting: March 5, 2013

RESOLUTION NO. 3253

A RESOLUTION of the Port Commission of the Port of Seattle, Washington, Authorizing Passenger Facility Charges for 1998-2022

WHEREAS, the Port of Seattle owns and operates Seattle-Tacoma International Airport ("STIA") located in King County, Washington; and

WHEREAS, STIA promotes a strong economic base for the community, assists and encourages world trade opportunities, and provides a vital national and international transportation link for all citizens of the State of Washington; and

WHEREAS, the Congress of the United States has authorized the adoption of a Passenger Facility Charge program by local airports pursuant to the Aviation Safety and Capacity Expansion Act of 1990 (Pub. L. 101-508, Title IX Subtitle B, November 5, 1990, hereinafter the "Act"); and

WHEREAS, STIA is a commercial service airport as that phrase is defined in 14 Code of Federal Regulations Part 158, as adopted by the Federal Aviation Administration ("FAA"), being a public airport enplaning 2,500 or more scheduled air passengers per year; and

WHEREAS, the Port will require substantial expenditure for capital development of STIA facilities to meet the future projected demand for passenger air travel; and

WHEREAS, the Congress of the United States has prohibited collection of Passenger Facility Charges from frequent flyer award passengers pursuant to the Federal Aviation Administration Re-authorization Act of 1994 (Pub. L. 103-260);

NOW THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Seattle as follows:

Section 1. It is in the Port's best economic interest and in the interest of airline passengers that the Port continue the Passenger Facility Charge program first authorized by the Commission by adoption of Resolution No. 3099 on December 10, 1991, further extended by adoption of Resolution No. 3143 on May 25, 1993 and No. 3199 on July 25, 1995, as identified in the Act to preserve and enhance capacity, safety, security, reduce-mitigate noise, and enhance airline competition at STIA; and

Section 2. The fees to be implemented pursuant to Resolution No. 3253 are reasonable for the use of the STIA facilities by the general traveling public; and

Section 3. There shall be implemented a Passenger Facility Charge program at STIA. Port staff is hereby authorized to make any necessary application for, and to take all steps required to continue implementing the Passenger Facility Charge Program in accordance with the Act and applicable FAA rules and regulations, which Program shall impose upon each enplaned passenger at STIA a Passenger Facility charge of $3.00, provided that no Passenger Facility charge is imposed upon any frequent flyer award passenger.

Section 4. The Passenger Facility Charge Program authorized by this Resolution shall commence the first day of April 1, 1998, following the approval by the FAA, or on such date thereafter as the Managing Director, Aviation, determines the Passenger Facility Charge can first be collected.

Section 5. The Passenger Facility Charge authorized herein shall be collected and disbursed pursuant to the rules and regulations adopted by the FAA pursuant to such statute.

Section 6. All Passenger Facility Charges collected pursuant to Resolution No. 3253 shall be expended for projects separately authorized in accordance with Port policies and determined by the FAA to be eligible under the Act and applicable rules and regulations.

Section 7. The Passenger Facility Charge authorized herein shall expire on December 31, 2022 unless subsequently extended or amended by this Commission.

ADOPTED by the Port Commission of the Port of Seattle this 28th day of October, 1997, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

Paige R Miller

Patricia Davis

Port Commissioners

Item No: 6d Attach 2
Date of Meeting: March 5, 2013

RESOLUTION NO. 3464

A RESOLUTION of the Port Commission of the Port of Seattle, Washington, amending Resolution No. 3253 and authorizing an increase in the passenger facility charge imposed at Seattle – Tacoma International Airport at the level of $4.50 per enplaned passenger, effective October 1, 2001.

WHEREAS, the Port of Seattle ("Port") owns and operates Seattle-Tacoma International Airport ("Sea - Tac") located in King County, Washington; and

WHEREAS, Sea - Tac promotes a strong economic base for the community, assists and encourages world trade opportunities, and provides a vital national and international transportation link for all citizens of the State of Washington; and

WHEREAS, the Congress of the United States has authorized the adoption of a Passenger Facility Charge program by local airports pursuant to the Aviation Safety and Capacity Expansion Act of 1990, Pub. L. 101-508, Title IX Subtitle B, November 5, 1990 ("Act"); and

WHEREAS, Congress has prohibited collection of Passenger Facility Charges from frequent flyer award passengers pursuant to the Federal Aviation Administration Reauthorization Act of 1994, Pub. L. 103-260; and

WHEREAS, on April 5, 2000, President Clinton signed into law the "Wendell H. Ford Aviation Investment and Reform Act for the 21st Century" which allows a public agency to apply to the FAA to increase the PFC level that it may charge to $4.00 or $4.50; and

WHEREAS, Sea - Tac is a commercial service airport as that phrase is defined in Title 14 of the Code of Federal Regulations Part 158, as adopted by the Federal Aviation Administration ("FAA"), being a public airport enplaning 2,500 or more scheduled air passengers per year; and

WHEREAS, the Port will require substantial expenditure for capital development of Sea - Tac facilities to meet the future projected demand for passenger air travel; and

WHEREAS, on July 23, 2001, the FAA approved an amendment to Sea - Tac's PFC application 95-03-C-02-SEA, allowing Sea – Tac to collect PFC's at the $4.50 level effective October 1, 2001.

NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Seattle as follows:

Section 1. It is in the Port's best economic interest and in the interest of airline passengers that the Port continue the Passenger Facility Charge program first authorized by the Commission by adoption of Resolution No. 3099 on December 10, 1991, further extended by adoption of Resolution No. 3143 on May 25, 1993, Resolution No. 3199 on July 25, 1995, and Resolution No. 3253 on October 28, 1997, and as identified in the Act to preserve and enhance capacity, safety, security, reduce-mitigate noise, and enhance competition at Sea - Tac; and

Section 2. The fees to be implemented pursuant to Resolution No. 3464 are reasonable for the use of the Sea - Tac facilities by the general traveling public; and

Section 3. There shall be implemented a Passenger Facility Charge program at Sea - Tac. Port staff is hereby authorized to make any necessary application for, and to take all steps required to continue implementing the Passenger Facility Charge Program in accordance with the Act and applicable FAA rules and regulations, which Program shall impose upon each enplaned passenger at Sea - Tac a Passenger Facility Charge of $4.50, as approved by the FAA, provided that no Passenger Facility charge is imposed upon any frequent flyer award passenger.

Section 4. The Passenger Facility Charge Program authorized by this Resolution shall commence the first day of October 2001.

Section 5. The Passenger Facility Charge authorized herein shall be collected and disbursed pursuant to the rules and regulations adopted by the FAA pursuant to such statute.

Section 6. All Passenger Facility Charges collected pursuant to Resolution No. 3464 shall be expended for projects separately authorized in accordance with Port policies and determined by the FAA to be eligible under the Act and applicable rules and regulations.

Section 7. The Passenger Facility Charge authorized herein shall expire on December 31, 2022 unless subsequently extended or amended by this Commission.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 25th day of September, 2001, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

CLARE NORDQUIST

BOB EDWARDS

PATRICIA DAVIS

JACK BLOCK

PAIGE MILLER

Port Commission