
This document is a text-only reovery of the original PDF file. Any graphics that were in the original PDF are not included here.
If you need the original document, please contact the Commission Clerk at the Port of Seattle.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43

Item Number:
Meeting Date:

10e_reso
November 29, 2022

**PORT OF SEATTLE
RESOLUTION NO. 3809**

A RESOLUTION of the Port of Seattle Commission amending resolution
No. 3464 authorizing extension of the Passenger Facility
Charge Program at Seattle-Tacoma International Airport,
effective January 1, 2023.

WHEREAS, the voters of King County authorized and approved the formation of a port
district coterminous with King County to be known as the Port of Seattle in a special election on
September 5, 1911; and

WHEREAS, the Port of Seattle Commission (Commission) is the legally constituted

governing body of the Port of Seattle; and
WHEREAS, the Port of Seattle (Port) owns and operates Seattle-Tacoma International Airport (SEA) located in King County, Washington, and
WHEREAS, pursuant to Section 40117 of Title 49 of the United States Code (as amended, the "Act"), certain airports, including SEA, are authorized to impose and use a passenger facility charge (PFC) on eligible enplaned passengers at the airport with approval of the Federal Aviation Administration (FAA); and
WHEREAS, the Commission has authorized the submission to the FAA of applications to impose and use PFCs for eligible passengers enplaning at SEA and the FAA has granted the Port authorization to impose and use PFCs at SEA; and
WHEREAS, Congress has prohibited collection of PFCs 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 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 FAA, being a public airport enplaning 2,500 or more scheduled air passengers per year; and

Resolution No. 3809, Passenger Facility Charge Program SEA

Page 1 of 3

44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82

83
84
85
86
87

WHEREAS, the FAA has approved certain amendments to SEA's PFC applications allowing SEA to collect PFCs at the \$4.50 level; and

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

WHEREAS, the Port anticipates continuing to use PFC revenue in funding the capital development of SEA in accordance with the Act and applicable FAA rules and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Port of Seattle Commission 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 (PFC) Program first authorized by 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, Resolution No. 3253 on October 28, 1997, and Resolution No. 3464 on September 25, 2001, and as identified in the Act to preserve and enhance capacity, safety, security, reduce-mitigate noise, and enhance competition at SEA; and

SECTION 2. Notwithstanding the collection expiration date of December 31, 2022, set forth in Resolution No. 3464, the Commission resolves that there shall continue to be implemented a Passenger Facility Charge (PFC) Program at SEA consistent with the FAA-approved PFC applications for SEA. Port staff is hereby authorized to make any necessary application for, and to take all steps required to continue implementing the PFC Program in accordance with the Act and applicable FAA rules and regulations, which PFC Program shall impose a PFC of \$4.50 upon each eligible enplaned passenger at SEA, in accordance with the Act and applicable FAA rules and regulations, as approved by the FAA.

SECTION 3. The fees to be implemented pursuant to this Resolution No. 3809 are reasonable for the use of the SEA facilities by the general travelling public; and

SECTION 4. The PFC authorized herein shall be collected and disbursed at SEA pursuant to the Act and the rules and regulations adopted by the FAA pursuant to such statute; and

SECTION 5. All PFCs collected pursuant to this Resolution No. 3809 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 for financing with PFCs.

SECTION 6. The PFC Program authorized herein shall continue in effect unless and until modified or terminated by action of this Commission, or the earlier termination or expiration of the Port's authority, as issued by the FAA, to impose and/or use PFCs.

Resolution No. 3809, Passenger Facility Charge Program SEA

Page 2 of 3

88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103

ADOPTED by the Port of Seattle Commission at a duly noticed public meeting thereof, held this 29th day of November 2022, and duly authenticated in open session by the signatures of

the commissioners voting in favor thereof and the seal of the commission.

Port of Seattle Commission

Resolution No. 3809, Passenger Facility Charge Program SEA

Page 3 of 3