

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor’s Legislative Team

at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. Contact the Mayor’s Legislative team with questions

Date of Request: **July 9, 2018**

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
- Dedication/Vacation Appropriation/Supplemental DRMC Change

X **Other:**

2. Title: (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

An ordinance to authorize the adoption of a Passenger Facility Charges (PFCs) Supplemental Ordinance, allowing for changes to the treatment and administration of Passenger Facility Charges, all in connection with the Airport facilities of the City.

3. Requesting Agency: Finance, on behalf request made by the Manager of Aviation as set forth in the Executive Summary and Recital (5) of the Supplemental Ordinance.

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Guadalupe Gutierrez-Vasquez	Name: Guadalupe Gutierrez-Vasquez
Email: lupe.gutierrez@denvergov.org	Email: lupe.gutierrez@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:
The proposed ordinance would allow for changes to the administration of PFCs currently authorized in a PFC supplemental ordinance set to expire in 2018. The intended changes would provide DEN the flexibility to use PFCs for purposes other than strictly paying debt service, such as PFC eligible projects.

6. City Attorney assigned to this request (if applicable): Everett Martinez

7. City Council District: Council District 11, Stacie Gilmore

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

To be completed by Mayor’s Legislative Team:

Resolution/Bill Number: BR18 0776

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):
A ordinance providing for the administration of DEN Passenger Facility Charges

Vendor/Contractor Name: N/A

Contract control number: N/A

Location: Passenger Facility Charges may only be collected and used by DEN, which is located in Council District 11

Is this a new contract? Yes No Is this an Amendment? Yes No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):N/A

Contract Amount (indicate existing amount, amended amount and new contract total): N/A

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

Was this contractor selected by competitive process? N/A If not, why not?

Has this contractor provided these services to the City before? N/A Yes No

Source of funds: N/A

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): N/A

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Who are the subcontractors to this contract? N/A



CITY AND COUNTY OF DENVER

DEPARTMENT OF FINANCE

BRENDAN J. HANLON
MANAGER OF FINANCE

201 W. COLFAX AVE.
DEPT. 1010
DENVER, COLORADO 80202

Executive Summary

An Ordinance to Authorize the Adoption of Provisions Concerning the Administration of Passenger Facility Charges (PFCs), all in connection with Airport Facilities of the City

The proposed PFC Supplemental Ordinance authorizes the continued use and pledge of PFC's currently set to expire in 2018, and is being adopted in accordance with provisions outlined in the General Bond Ordinance.

Passenger Facility Charges are fees imposed by the City as approved by the Federal Aviation Administration (FAA) currently equal \$4.50 per enplaned passenger at the Airport. Pursuant to the existing PFC Ordinance, \$3.00 of the \$4.50 PFC is defined as Committed PFC and is pledged to the Senior Bonds of the Airport through 2018. The remaining \$1.50 portion of the \$4.50 PFC is referred to as Designated Passenger Facility Charges and is also pledged to be used by the City to pay DEN debt service requirements. Unlike Committed PFC's, Designated PFC's can also be used for eligible Airport projects if they are not used to pay debt service. The use of PFC revenues is regulated by the FAA.

The Manager of Aviation has requested that the provisions relating to the administration of Passenger Facility Charges be revised and supplemented as provided in this PFC Supplemental Ordinance as follows: commencing with the Fiscal Year beginning January 1, 2019, (a) the Committed Passenger Facility Charges and the related irrevocable commitments to the payment of Debt Service Requirements of Bonds provided for in Prior PFC Ordinances shall not be continued or extended, (b) the definition of "Committed Passenger Facility Charges" be considered to have been deleted from the General Bond Ordinance, including any applicable supplements thereto, (c) the definition of "Designated Passenger Facility Charges" shall be revised and supplemented to include "amounts received by the City from all PFCs received by the City from time to time pursuant to all existing and future PFC applications of the City, net of amounts that collecting air carriers are entitled to retain for collecting, handling and remitting such passenger facility charge revenues as provided in the FAA PFC Regulations, and (d) Designated Passenger Facility Charges, as defined herein, shall be included in Gross Revenues of the Airport System for purposes of the Authorizing General Bond Ordinances commencing Fiscal Year 2019 and each Fiscal Year thereafter until such time as the Manager of Aviation shall give written notice to the Manager of Finance that the Designated Passenger Facility Charges or any portion thereof shall no longer continue to be included in Gross Revenues for purposes of the Authorizing General Bond Ordinances.

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Revised 03/02/18

The intended changes to the administration of PFCs allow DEN greater flexibility in use of PFCs for purposes other than debt service, such as eligible PFC projects.

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