

CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: AIRPORT

AGENDA DATE: February 24 , 2009

CONTACT PERSON/PHONE: Monica Lombraña, A.A.E. – 780-4793

DISTRICT(S) AFFECTED: All

SUBJECT:

AUTHORIZE the City Manager to file an amendment with the Federal Aviation Administration (FAA) regarding Passenger Facility Charge (PFC) Application No. 06-03-C-00-ELP at El Paso International Airport (EPIA). This amendment requests a decrease in the PFC Impose and Use Authority of \$6,154,172 for the Runway 8R-26L Reconstruction Project that was included in the original application.

BACKGROUND / DISCUSSION:

The Runway 8R-26L Reconstruction project cost less than originally anticipated and budgeted for, and additionally, EPIA received more Airport Improvement Program grant funding than originally anticipated.

	Cost	FUNDING SOURCES	
		AIP Entitlements	PFC Funding
Original Application 05-03-C-00-ELP	\$ 20,951,253.00	\$ 7,586,186.00	\$ 13,365,067.00
Actual	\$ 16,657,761.00	\$ 9,446,866.00	\$ 7,210,895.00
Difference	\$ (4,293,492.00)	\$ 1,860,680.00	\$ (6,154,172.00)

PRIOR COUNCIL ACTION:

Application approved by Council on March 4, 2008.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Airport Advisory Board was briefed at the January 15, 2009 meeting.

COUNCIL ACTION REQUIRED:

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

OTHER: Monica Lombraña, A. A. E., Acting Director of Aviation Monica Lombraña

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to file an Amendment to Passenger Facility Charge (PFC) Application No. 06-03-C-00-ELP with the Federal Aviation Administration (FAA), authorizing i) the decrease of \$6,154,172 in the PFC Impose and Use Authority of El Paso International Airport (EPIA) (ii) submission of all and related documentation contained in the amendment or requested by the FAA; and (iii) designate the Acting Director of Aviation as the authorized representative of the City of El Paso to act in connection with the amendment.

ADOPTED THIS ____ DAY OF FEBRUARY 2009.

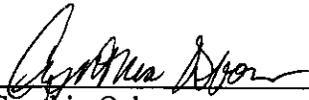
CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
Municipal Clerk

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO FORM:

Monica Lombraña, A. A. E.
Acting Director of Aviation

February 2009

Ms. Kristi Warden
PFC/ACIP/Capacity Program Manager
FAA SW Regional Office
2601 Meacham Blvd.
Fort Worth, TX 76193-0600

RE: Request to Amend Passenger Facility Charge Application No. 06-03-C-00-ELP, City of El Paso

Dear Ms. Warden:

The City of El Paso ("City") is pleased to submit for review and approval by the Federal Aviation Administration (FAA), a request to amend passenger facility charge (PFC) No. 06-03-C-00-ELP at El Paso International Airport (the "Airport" or ELP). This request includes the following:

- Application Form 5500-1
- Attachment B: Project Information

The City requests a decrease in the PFC Impose and Use Authority of \$6,154,172 for the Runway 8R-26L Reconstruction project that was included in the original PFC Application. This project cost less than originally anticipated and additionally, the City received more AIP funding than originally anticipated. **Table 1** presents the original costs and funding sources as well as the actual costs and funding sources.

This project is complete and upon approval of this PFC Application Amendment by the FAA, the City will submit a form to close out the projects and the application.

If you have any questions concerning this application or seek further clarification, please contact me at (915) 780-4793, or our aviation consultant, Bonnie Deger of Ricondo & Associates. Ms. Deger may be reached at (513) 651-4700 extension 211, or by e-mail at b_deger@ricondo.com.

Sincerely,

Monica Lombraña
Acting Director of Aviation

Attachments

Table 1

**City of El Paso, Texas
El Paso International Airport
PFC Application No. 05-03-C-00-ELP**

PROJECT FUNDING - Runway 8R-26L Reconstruction

	Gross Cost	FUNDING SOURCES	
		AIP Entitlements	PFC
Original Application No. 05-03-C-00-ELP	\$20,951,253	\$7,586,186	\$13,365,067
Actual	\$16,657,761	\$9,446,866	\$7,210,895
Difference	(\$4,293,492)	\$1,860,680	(\$6,154,172)

Source: City of El Paso, Texas
Prepared by Ricondo & Associates, Inc.



Federal Aviation Administration
U. S. Department of Transportation

PASSENGER FACILITY CHARGE (PFC) APPLICATION

1. Application Type (Check all that apply)

- a. Impose PFC Charges
- b. Use PFC Revenue
- c. Amend PFC No. 06-03-C-00-ELP

FAA USE ONLY

Date Received _____

PFC Number _____

PART I

2. Public Agency Name, Address, and Contact Person

Agency Name El Paso International Airport
Address 6701 Convair Road
City, State, ZIP El Paso, TX 79925
Contact Person Monica Lombrana 915.780.4793

3. Airport(s) to Use

El Paso International Airport

4. Consultation Dates

- a. Date of Written Notice to Air Carriers:
December 2, 2008
- b. Date of Consultation Meeting with Air Carriers:
January 13, 2009
- c. Date of Public Notice
December 22, 2008

PART II

5. Charges

a. Airport to Impose	b. Level	c. Total Estimated PFC Revenue by Level	d. Proposed Effective Date:	e. Estimated Expiration Date:
El Paso International Airport	<input type="checkbox"/> \$1.00 <input type="checkbox"/> \$2.00 <input checked="" type="checkbox"/> \$3.00	Impose (6,154,172) Use (6,154,172)	N/A	N/A
	<input type="checkbox"/> \$4.00 <input type="checkbox"/> \$4.50	Impose Use		

PART III

6. Attachments (Check all that Apply)

Attached	Submitted with Application Number	Document
a. <input type="checkbox"/>	<input type="checkbox"/>	Airport Capital Improvement Plan
b. <input checked="" type="checkbox"/>	<input type="checkbox"/>	Project Information (Attachment B)
c. <input type="checkbox"/>	<input type="checkbox"/>	Air Carrier Consultation and Public Notice Information
d. <input type="checkbox"/>	<input type="checkbox"/>	Request to Exclude Class(es) of Carriers
e. <input type="checkbox"/>	<input type="checkbox"/>	Alternative Uses/Projects
f. <input type="checkbox"/>	<input type="checkbox"/>	Competition Plan/Update
g. <input type="checkbox"/>	<input type="checkbox"/>	ALP/Airspace/Environmental
h. <input type="checkbox"/>	<input type="checkbox"/>	Notice of Intent Project Information
i. <input type="checkbox"/>	<input type="checkbox"/>	Assurances

PART IV

7. With respect to this PFC application I hereby certify as follows:

To the best of my knowledge and belief, all data in this application are true and correct;
This application has been duly authorized by the governing body of the public agency;
The public agency will comply with the assurances (Appendix A to Part 158) if the application is approved;
For those projects for which approval to use PFC revenue is requested, all applicable ALP approvals, airspace determinations, and environmental reviews required by the National Environmental Policy Act have been completed.
If required, the public agency has submitted a competition plan in accordance with 49 U.S.C. 47106(f); and
If required by 49 U.S.C. 40117(d)(4), adequate provision for financing the airside needs, including runways, taxiways, aprons, and gates, has been made by the public agency.

a. Typed Name of Authorized Representative <u>Monica Lombrana</u>	b. Title <u>Acting Director of Aviation</u>	c. Telephone Number <u>915.780.4793</u>
	d. E-mail Address <u>monica.lombrana@elpasotexas.gov</u>	e. Fax Number <u>915.779.5452</u>
f. Signature of Authorized Representative		g. Date Signed

Paperwork Reduction Act Statement: This form is the FAA's primary source for collecting information for the authority to collect PFC revenue for airport development. This information is used to determine the eligibility and justification of airport development projects regarding safety, security, or capacity of the national air transportation system; or which reduce noise or mitigate noise impacts resulting from an airport; or furnish opportunities for enhanced competition between or among air carriers. It is estimated that it will take approximately 5-80 hours to fill out the application depending on the complexity. The use of the form is required to obtain FAA approval of authority to collect PFC revenue (49 U.S.C. 40117(c)). No assurance of confidentiality is necessary or provided. It should be noted that an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number associated with this collection of information is 2120-0557. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW, Washington, DC, 20591, Attn: Information Collections Clearance Officer, AIO-20.

ATTACHMENT B: PROJECT INFORMATION

____ FOR FAA USE _____

PFC Application number: _____

1. AIRPORT WHERE PROJECT IS LOCATED:

El Paso International Airport

2. CHECK ONE: IMPOSE[] **IMPOSE AND USE[X]** USE[]

3. PROJECT TITLE (And Public Agency Project Number, If Appropriate):

Runway 8R-26L Reconstruction

4.a. PROJECT DESCRIPTION:

This Project includes the design and reconstruction of Runway 8R-26L including the following:

- **Analysis and recommendation of concrete vs. asphalt reconstruction of the entire length of Runway 8R-26L (length = 9,025 SF)**
- **Investigation and inventory of utilities that will affect the project**
- **Surveying services**
- **Design documents for bid letting**
- **Air quality analysis of the proposed construction (required by FAA)**
- **Development of Storm Water Pollution Prevention Plan**
- **Development of construction phasing plan**
- **Coordination with the Federal Aviation Administration, Air Traffic Control Tower, Airlines, and Airport staff, and any other affected agencies, to include utility agencies, if applicable.**
- **Construction costs including inspections, testing and construction management fees.**
- **Reconstruction of a portion of Taxiway E**

b. If applicable for terminal projects,

1. Prior to this project, number of ticket counters ____, gates ____, and baggage facilities ____.
2. Number of ticket counters ____, gates ____, and baggage facilities ____ to be constructed or rehabilitated.
3. Net change in ticket counters ____, gates ____, and baggage facilities ____.

____ FOR FAA USE _____

- a. Description adequate not adequate (indicate deficiencies below)

- b. If the project involves the construction of a new runway or modification of an existing runway, the requirements of Order 5200.8, with regard to runway safety areas have been met. YES NO .

- c. For terminal projects, information regarding ticket counters, gates, and baggage facilities for construction and/or rehabilitation indicated. YES NO N/A

- d. Comments: _____

5. PROJECT JUSTIFICATION:

A core study performed in 1999-2000 of Runway 8R / 26L determined that the 9000 foot runway is deteriorating from the bottom up and that the runway would need to be replaced within 10 years. If the runway reconstruction is not undertaken, runway safety may be compromised.

____ FOR FAA USE _____

- a. Is justification adequate? YES NO .

- b. Comments: _____

6. LEVEL OF COLLECTION: \$1.00 \$2.00 **\$3.00** (go to 8)
\$4.00 \$4.50 (public agencies of medium and large hub airports go to 7, all others go to 8)

7. SIGNIFICANT CONTRIBUTION:

Not Applicable to Small-Hub Airport

____ FOR FAA USE _____

- a. Air safety. Part 139 Other (explain) _____
Certification Inspector concur. Yes No Date _____
 - Air security. Part 107 Part 108 Other (explain) _____
CASFO concur. Yes No Date _____
 - Competition. Competition Plan Other (explain) _____
 - Congestion. Current or Anticipated
LOI FAA BCA FAA Airport Capacity Enhancement Plan
Other (explain) _____
 - Noise. 65 LDN Other (explain) _____

 - Project does not qualify under "significant contribution" rules. (explain and go to 6. Project Justification - FOR FAA USE - for analysis).
- b. Comments: _____

8. PFC OBJECTIVE:

This project maintains the safety of the runway system at the Airport.

____ FOR FAA USE _____

- a. Safety, Preserve [] Enhance []
- Security, Preserve [] Enhance []
- Capacity, Preserve [] Enhance []
- Furnish opportunity for enhanced competition between or among air carriers at the airport
- Mitigate noise impacts resulting from aircraft operations at the airport
- Project does not meet any PFC objectives (explain)

b. Comments: _____

9. FOR FAA USE (Public Agencies go to 10) _____

- a. Project Eligibility:
 - 1) Indicate project eligibility by checking the appropriate category below.
 - Development eligible under AIP criteria (paragraph ____ of Order 5100.38_ or PGL ____);
 - Planning eligible under AIP criteria (paragraph ____ of Order 5100.38_ or PGL ____);
 - Terminal development as described in 49 U.S.C. 47110(d);
 - Noise compatibility planning as described in 49 U.S.C. 47505;
 - Noise compatibility measures eligible under 49 U.S.C. 47504. Check one of the following - project approved in an approved Part 150 noise compatibility plan [] ; or, project included in a local study[]. Include Title and Date of local study:
 - Terminal development as described in 49 U.S.C. 40117(a)(3)(C);
 - Shell of a gate as described in 49 U.S.C 40117(a)(3)(F) (air carrier _____, percentage of annual boardings _____); or
 - Project does not meet PFC eligibility (explain).

b. Comments: _____

10. ESTIMATED PROJECT IMPLEMENTATION DATE: **July 2010**
ESTIMATED PROJECT COMPLETION DATE: **September 2013**

____ FOR FAA USE _____

- a. For IMPOSE AND USE or USE-ONLY project, project will begin within 2 years of 120-day approval date? YES [] NO []
- b. For IMPOSE ONLY project, project will begin within 5 years of the charge effective date or approval date, whichever is sooner? YES [] NO []

c. Comments: _____

11. For an IMPOSE ONLY project, estimated date USE application will be submitted to the FAA (Month and Year):

Not Applicable to this Impose and Use Application

____ FOR FAA USE _____

- a. Is the date within 3 years of the estimated charge effective date or approval date, whichever is sooner? YES [] NO [] .
- b. Comments:

12. a. LIST CARRIERS CERTIFYING AGREEMENT:

Continental Airlines, Inc.

b. LIST CARRIERS CERTIFYING DISAGREEMENT:

Recap of Disagreements: **Not Applicable**

Public Agency Reasons for Proceeding: **Not Applicable**

13. a. LIST RESPONDENTS CERTIFYING PUBLIC NOTICE AGREEMENT:

Not applicable

b. LIST RESPONDENTS CERTIFYING DISAGREEMENT: **Not Applicable**

Recap of Disagreements:

Public Agency Reasons for Proceeding:

____ FOR FAA USE _____

a. Comments:

14. FINANCING PLAN:

PFC FUNDS: Pay-as-you-go **\$7,210,895**

Bond Capital \$

Bond Financing & Interest \$

***** SUBTOTAL PFC FUNDS: \$7,210,895**

If the amount of PFC requested is over \$10,000,000, follow directions found in the attached instructions.

EXISTING AIP FUNDS:

Grant # 3-48-0077-023-2006 Grant Funds in Project \$9,446,865.83

***** SUBTOTAL EXISTING AIP FUNDS: \$9,446,865.83**

ANTICIPATED AIP FUNDS (List Each Year Separately):

Fiscal Year:	Entitlement \$	Discretionary \$	Total \$
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***** SUBTOTAL ANTICIPATED AIP FUNDS: \$**

OTHER FUNDS:

State Grants \$

Local Funds \$

Other (please specify) \$

***** SUBTOTAL OTHER FUNDS: \$**

*** TOTAL PROJECT COST: \$16,657,760.92

*** FOR EACH PROJECT PROPOSING PFC FUNDING IN EXCESS OF \$10,000,000: the public agency provided detailed basis of cost information. This detailed information should, at a minimum, provide detail regarding the cost of each major project component. YES [] NO []

***PROJECT REQUESTING PFC FUNDING LEVELS OF \$4.00 AND \$4.50:

a. Project costs cannot be paid for from funds reasonably expected to be available through AIP funding. YES [] NO []

b. If the FAA determines that the project may qualify for AIP funding, the public agency would prefer that the FAA approve the amount of the local match to be collected at a \$4.50 PFC level [] OR the entire requested amount at a \$3.00 PFC level [].

c. Terminal and surface transportation projects. The public agency has made adequate provision for financing the airside needs of the airport, including runways, taxiways, aprons, and aircraft gates. YES [] NO [] N/A []

d. Comments.

_____ FOR FAA USE _____

a. The amount of PFC recommended for approval will not result in revenue that exceeds the amount necessary to finance this project.

b. Does the project include a proposed LOI? YES [] NO [] If YES, does the Region support? YES [] NO []. If YES, list the schedule for implementation:

c. For any proposed AIP discretionary funds, does the Region intend to support? YES [] NO []

d. For any proposed AIP funds, is the request within the planning levels for the Region's five year CIP? YES [] NO []

e. For project requesting PFC funding levels of \$4.00 and \$4.50: Project costs cannot be paid for from funds reasonably expected to be available through AIP funding. YES [] NO []

Terminal and surface transportation projects. The public agency has made adequate provision for financing the airside needs of the airport, including runways, taxiways, aprons, and aircraft gates. YES [] NO [] N/A []

f. Comments.

15. BACK-UP FINANCING PLAN:

Not Applicable to this Impose and Use Application

_____ FOR FAA USE _____

a. Is the back-up financing/phasing plan viable? Yes [] No [].

B1: Runway 8R-26L Reconstruction

b. Comments:

_____ **FOR FAA USE** _____

ADO/RO RECOMMENDATION: Approve [] Partially Approve [] Disapprove []

I have examined the cost estimates provided by the public agency for this project within the confines of the project's purpose and in relation to the project's scope and find that based on the FAA's past experience with similar projects, the estimated amount for this project is [] is not [] reasonable.

ADDITIONAL INFORMATION (If appropriate, include explanation of recommendation, congressional interest, pertinent background, etc.):

Application Reviewed by:

_____	_____	_____
Name	Routing Symbol	Date