

ORDINANCE NO. 2012-O-136

“AMENDING CHAPTER 4, “AIRPORT,” ARTICLE I, “IN GENERAL” OF THE CODE OF ORDINANCES OF THE CITY OF LAREDO, TEXAS TO ADD NEW SECTION 4-14 TO BE TITLED “FIS USER FEE” AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT A USER FEE FOR THE USE OF THE FEDERAL INSPECTION SERVICES (FIS) FACILITY LOCATED AT 4719 MAHER AVENUE AT THE LAREDO INTERNATIONAL AIRPORT; THE FOLLOWING FEES SHALL APPLY,

| Aircraft Certificated Gross Landing Weight (Pounds) | Signatory Fee | Non- Signatory Fee |
|-----------------------------------------------------------|------------------|-----------------------|
| Up to 30,000 | \$ 10.00 | \$30.00 |
| 30,001 to 120,000 | \$ 25.00 | \$75.00 |
| 120,001 to 255,0000 | \$ 50.00 | \$150.00 |
| 255,000 and up | \$ 75.00 | \$225.00 |

AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Airport Manager recommends that the City Council approve the proposed Federal Inspection Services Facility (FIS) User Fees, in furtherance of the development of the Laredo International Airport and as a support to the maintenance and operation of the Laredo International Airport.

WHEREAS, the Airport Advisory Board finds that said ordinance is in the best interest of the Airport and recommends that the City Council approve the proposed ordinance; and

WHEREAS, the City Council of the City of Laredo having heard the recommendations of the Airport Manager and of the Airport Advisory Board agrees with same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: Definitions:

“Laredo International Airport” or “Airport”: That certain area administered by City of Laredo pursuant to Indenture from the United States of America to the City of Laredo, dated February 21, 1975, and consisting of all the area bounded by Saunders Street to the South, McPherson Avenue to the West, Lake Casa Blanca to the East and undeveloped land to the North, and being more particularly described in that certain Deed of Indenture filed in Volume 478 at page 471 of the Deed of Records of Webb County, Texas, this also includes the Airport Director.

User: All Aircraft Operators be it revenue and non-revenue operations, cargo and passenger aircraft, including air charter, air taxi, and private aircraft using the FIS Facility arriving from an international destination and or departing to an international destination. The FIS User Fee is due and payable whether or not the aircraft arrives at, departs from or is repositioned to the immediate FIS Ramp area for clearance by U.S. CBP or Mexican Customs.

Signatory Users: Shall mean those Users that have executed User Agreements with the Airport.

Non-Signatory Users: Shall mean those Users that do not have executed User Agreements with the Airport with respect to paying and reporting FIS User activity.

Aircraft: Any aircraft whether commercial or non-commercial service utilizing U.S. CBP and or Mexican Customs clearance services.

“Maximum certificated gross landing weight” the maximum landing weight approved by the Federal Aviation Administration, or its successor in duties, for landing that aircraft at Airport.

Section 2:

The FIS User Fees shall be determined by the maximum certificated gross landing weight of aircraft and the fee schedule herein after provided.

| Aircraft Certificated Gross Landing Weight (Pounds) | Signatory fee Schedule -User Fee per International Arrival and per International Departure | Non- Signatory fee Schedule - User Fee per International Arrival and per International Departure |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Up to 30,000 | \$ 10.00 | \$30.00 |
| 30,001 to 120,000 | \$ 25.00 | \$75.00 |
| 120,001 to 255,0000 | \$ 50.00 | \$150.00 |
| 255,000 and up | \$ 75.00 | \$225.00 |

Exempt from paying the FIS User Fee are:

- non-commercial/non-revenue aircraft based at the Laredo International Airport, and
- International arriving aircraft clearing U.S. Customs (only) and who purchase aviation fuel at Airport and provided aircraft operator immediately (on the spot) provides proof of fuel purchase.

Section 3: Signatory Users with established and approve credit with the Airport shall furnish to Airport on or before, the fifteenth (15th) day of each month, a written report, in a form approved by Airport, showing User’s FIS activity during the preceding month; such report shall include the number and the type of aircraft and the maximum certificated gross landing weight of each type of aircraft to include detail payment calculation for each type of aircraft and submit payment to Airport along with the monthly activity report.

Section 4: Non-Signatory Users shall be required to immediately pay the Airport the FIS User Fees upon clearance by U.S. CBP and or Mexican Customs, and prior to aircraft departing the Airport.

Section 5: If User fails to pay said FIS User Fees when due and payable as stated herein then User shall pay a late penalty of Twenty Dollars per FIS use.

Section 6: The City Manager be and is hereby authorized to implement the FIS User Fee at the Laredo International Airport.

Section 7: This Ordinance shall become effective December 01, 2012.

PASSED BY THE CITY COUNCIL AND APROVED BY THE MAYOR ON THIS THE 17th
DAY OF September, 2012.



RAUL G. SALINAS
MAYOR

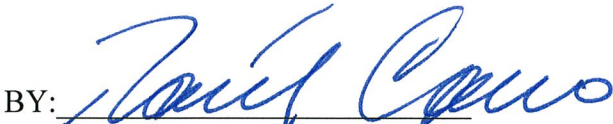
ATTEST:



GUSTAVO GUEVARA, JR.
CITY SECRETARY



APPROVED AS TO FORM:
RAUL CASSO
CITY ATTORNEY



BY: DOANH "ZONE" T. NGUYEN
ASSISTANT CITY ATTORNEY

COUNCIL COMMUNICATION

| <p>DATE: 09/17/12</p> | <p>SUBJECT: Final Reading Ordinance No. 2012-O-136</p> <p>Adopting Federal Inspection Services (FIS) Facility User Fee Ordinance for General Aviation and Cargo clearance facility located at 4719 Maher Avenue at the Laredo International Airport, the following fees shall apply,</p> <table border="1" data-bbox="402 415 1370 642"> <thead> <tr> <th>Aircraft Certificated Gross Landing Weight (Pounds)</th> <th>Signatory Fee</th> <th>Non- Signatory Fee</th> </tr> </thead> <tbody> <tr> <td>Up to 30,000</td> <td>\$ 10.00</td> <td>\$30.00</td> </tr> <tr> <td>30,001 to 120,000</td> <td>\$ 25.00</td> <td>\$75.00</td> </tr> <tr> <td>120,001 to 255,0000</td> <td>\$ 50.00</td> <td>\$150.00</td> </tr> <tr> <td>255,000 and up</td> <td>\$ 75.00</td> <td>\$225.00</td> </tr> </tbody> </table> <p>and providing for an effective date.</p> | | Aircraft Certificated Gross Landing Weight (Pounds) | Signatory Fee | Non- Signatory Fee | Up to 30,000 | \$ 10.00 | \$30.00 | 30,001 to 120,000 | \$ 25.00 | \$75.00 | 120,001 to 255,0000 | \$ 50.00 | \$150.00 | 255,000 and up | \$ 75.00 | \$225.00 |
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| <p>INITIATED BY: Cynthia Collazo Deputy City Manager</p> | <p>STAFF SOURCE: Jose L. Flores Airport Director</p> | | | | | | | | | | | | | | | | |
| <p>PREVIOUS ACTION: On September 19, 2005, Ordinance was introduced by City Council, and Staff was instructed to proceed.</p> | | | | | | | | | | | | | | | | | |
| <p>BACKGROUND: This Ordinance applies to all commercial and non-commercial passenger and cargo airlines, including but not limited to air feeders, air charter and air taxi, using Federal Inspection Services (FIS) Facility arriving from an international airport or departures to international destination from Laredo, Texas. Each international arrival and each international departure by the same aircraft are two operations requiring two fees. The FIS User Fee is due and payable whether or not the aircraft arrives at or is repositioned to the FIS Ramp area.</p> <p>Exempt from paying the FIS User Fee are non-commercial aircraft based in Laredo, Texas and commercial passenger airlines which operate to and from the Commercial Passenger Terminal locate at 5210 Bob Bullock Loop.</p> <p>The FIS User Fee will help the Airport Fund recover its investment of approximately \$3.0 million to construct and equip the FIS Facility and recover future M&O expenses. The Airport is experiencing increased operating expenses to maintain and secure the airport, as well as, fund its capital improvements program. During FY 2012 the Airport's local match to FAA grants will exceed \$1.1 million.</p> | | | | | | | | | | | | | | | | | |
| <p>FINANCIAL IMPACT : Federal Inspection Services (FIS) Facility Revenues Account No. 242-0000-351-1001 Projected Incremental Revenues for FY 2012-2013: \$120,000.00</p> | | | | | | | | | | | | | | | | | |
| <p>COMMITTEE RECOMMENDATION: On August 13, 2012, the Airport Advisory Board considered this item and recommends approval.</p> | <p>STAFF RECOMMENDATION: Approval of this Ordinance.</p> | | | | | | | | | | | | | | | | |