

ORDINANCE NO. 051179

Amending Chapter 6, Section 6-49 of the Code of Ordinances, imposing a fee upon certain KCI rental car transactions at the Kansas City International Airport.

WHEREAS, in accordance with Section 27 of Article VI of the Constitution of Missouri, the Charter of Kansas City, and ordinances passed by the City, an election was duly held in the City on August 8, 2000, at which election there was submitted to the qualified voters of the City the following question:

QUESTION

Shall Kansas City, Missouri, issue revenue bonds in the amount of \$395,000,000.00 to be payable solely from the revenues derived by the City from the operation of its airports and related facilities, including all future extensions and improvements thereto, for the purpose of acquiring land, and for constructing, extending, improving and equipping the City's airports and related facilities, the cost of operation and maintenance of said airports and related facilities and the principal of and interest on said revenue bonds?

WHEREAS, pursuant to the ordinance and statutes of the state of Missouri, notice of the special election was duly prepared, executed and published and the special election was duly held in the City on August 8, 2000 (the Election); and

WHEREAS, the votes cast of the Election on this question were duly canvassed as provided by law and it was found and determined that a majority of the qualified voters of the City voting on the questions and voted in favor of the question; and

WHEREAS, the imposition of user fees on those using the Consolidated Rental Car Facilities and transportation system (the Project) at Kansas City International Airport is necessary to pay the cost of interest and principal on the bonds to be issued for the Project, Project costs, and the cost of maintenance and operation of the transportation segment of the Project; and

WHEREAS, the City also has authority under Section 305.210, R.S.Mo. to impose user fees at its airports; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 6, Code of Ordinances of the City of Kansas City, Missouri is hereby amended by repealing Section 6-49, User fee on certain rental car transactions, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 6-49. User fee on certain rental car transactions.

(a) *Definitions.* For purposes of this section, the following definitions apply:

- (1) *Customer.* A person who rents a passenger vehicle from an on-airport rental car agency or a person who rents a passenger vehicle from an off-airport rental car agency and accesses Kansas City International Airport.
- (2) *Customer facility charge.* That portion of the user fee imposed herein for payment of debt service on any revenue bonds issued for the project and any other expenses related to debt service requirements.
- (3) *Off-airport rental car agency.* Business entity which accesses Kansas City International Airport, either directly or indirectly, for the purpose of supplying rental car services to persons using Kansas City International Airport.
- (4) *On-airport rental car agency.* Business entity which provides rental car services from a facility on Kansas City International Airport.
- (5) *Passenger vehicles.* Motor vehicles designed primarily for the carriage of passengers, including but not limited to, vehicles commonly classified as sedans, coupes, convertibles, station wagons, sport utility vehicles, passenger vans, "Suburban"-type vehicles or pick-up trucks.
- (6) *Project.* The consolidated rental car facility and an interim and a consolidated customer transportation system or service at Kansas City International Airport.
- (7) *Rental car agency.* On-airport rental car agency and Off-airport rental car agency.
- (8) *Transportation facility charge.* That portion of the user fee imposed herein for payment of the reasonably expected expenses of the transportation system or service segment of the project.

(b) *Establishment of user fees.* Pursuant to section 305.210 RSMo, Section 27 of Article VI of the Missouri Constitution, and the Charter of Kansas City, the following user fees are hereby imposed:

- (1) *Initial user fee.* A user fee of \$3.00 per rental day upon the rental of a passenger vehicle by a rental car agency customer is imposed for the period from January 1, 2001, until December 31, 2001, for the purpose of paying a portion of the cost of constructing, equipping and financing the project and for the payment of debt service on the revenue bonds issued for the project.

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- (2) Subsequent user fee. A subsequent user fee per rental day upon the rental of a passenger vehicle is hereby imposed in an amount determined by the director of aviation as follows:
- (a) For each one year period beginning January 1, 2002, on on-airport rental car agency customers using KCI, the customer facility charge.
 - (b) Beginning on the date a transportation system or service is operational, on rental car agency customers using the transportation system or service, the transportation facility charge.
- (3) The director of aviation is authorized to increase the initial or subsequent user fee to provide funds to pay costs associated with the transportation system or service that was not included in calculating the initial user fee.
- (c) *Collection of fee.* Each rental car agency must collect and remit the user fee to the director of aviation in accordance with the rules established by the director. All user fees will be deposited by the city in the Kansas City Airports Fund.

Approved as to form and legality:

Dorothy L. Campbell
Assistant City Attorney