Legislation Details (With Text)

File #:	O2018-8113		
Type:	Ordinance	**Status:**	Failed to Pass
File created:	10/31/2018	**In control:**	City Council
		Final action:	
Title:	Amendment of Municipal Code Section 2-20-040 requiring Commissioner of Aviation to provide semi-annual report detailing payments, goods and services provided by City of Chicago to Gary Chicago International Airport		
Sponsors:	Burke, Edward M.		
Indexes:	Ch. 20 Dept. of Aviation		
Attachments:	1. O2018-8113.pdf		

Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
10/31/2018	1	City Council	Referred	

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6 (a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, on April 17, 1995 the City of Chicago and the City of Gary, Indiana, entered into an interstate airport compact (Compact) that established the Chicago-Gary Regional Airport Authority (CGRAA); and

WHEREAS, the Compact provides that among its purposes is to assure the continued management and operation of the Chicago Airports (as defined in the Compact) by the City of Chicago and of the Gary Regional Airport by the City of Gary (through the Gary Regional Airport Authority); and

WHEREAS, the purpose of the CGRAA is to create an interstate body politic with powers set forth in the Compact to jointly oversee and support the bi-state regional airports; and

WHEREAS, aside from detailing the circumstances and requirements for establishing new airports in the area, a chief Compact purpose is to facilitate the Gary Regional Airport's (Gary Airport) purpose of functioning as a reliever cargo airport for the Chicago airports, thereby "alleviating congestion at Chicago O'Hare International Airport, reducing operational delays and associated costs for air carriers and air travelers and promoting the efficient use ofthe local airport system;" and

WHEREAS, pursuant to the Compact, the Commissioner of Chicago's Department of Aviation (Commissioner of Aviation), the City's Comptroller, and the Corporation Counsel are Chicago's ex officio members of the CGRAA's board of directors (the Board); and

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WHEREAS, as a member of this authority's board, these City officials are authorized to take or approve the necessary or desirable measures to fulfill Chicago's Compact obligations; and

WHEREAS, to further this purpose, the Compact requires Chicago to help fund capital projects, which the Board approves as part of the five year Gary Airport capital development plans that the Compact requires; and

WHEREAS, to meet its Compact obligation to fund these projects, Chicago submits a portion of the passenger facility charges that it collects (PFC funds) to Gary Airport; and

WHEREAS, these PFC funds are derived from ticket fees paid by passengers arriving to and departing from Chicago's O'Hare International Airport; and

WHEREAS, the Compact dictated that Chicago would give Gary Airport an initial amount of approximately $1.2 million and then up to 1.5% of collected passenger facility charges (PFCs) per year thereafter; and

WHEREAS, from 1995 to about mid-2018, Gary Airport has received more than $26.5 million from Chicago's PFC funds; and

WHEREAS, in addition to providing PFC fund proceeds, Chicago makes direct payments to Gary Airport for certain daily operations such as $370,000 per year to pay for three rescue and firefighting personnel to help Gary keep its FAA 139 status; and

WHEREAS, in addition to financial funds, the Compact dictates that Gary Airport is to receive direct marketing and other support from Chicago; and

WHEREAS, in addition to providing direct funding to Gary Airport, Chicago funds approximately 99% of the CGRAA's annual operating budget, with funds totaling approximately $ 15 million since 1995; and

WHEREAS, Chicago meets its Compact funding obligations through funds overseen by the Commissioner of Aviation; and

WHEREAS, in light of the multiple funding sources, purposes, and payments issuing under the color of the Compact's authority, the members of this City Council find it advisable to require its ex-officio members to report to it the nature of these expenditures and confirm the authority pursuant to which they issue; and

WHEREAS, such reports are necessary to ensure transparency and adherence to the Compact's purpose and to demonstrate to the elected leadership of this City the Compact's ongoing significance to it; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 2-20-040 ofthe Municipal Code of Chicago is hereby amended by inserting the

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underscored language as follows:

2-20-040 Commissioner - Reports to city council.

The commissioner of aviation shall submit to the city council from time to time such reports as may be required, and shall annually prepare and submit to the mayor and city council on or before the first day of May of each year a report of the preceding year showing in a true and complete manner the financial standing and results of the operation of each airport.

The commissioner of aviation shall provide a semi-annual report to, and appear to present it before, a joint committee of the committee on finance and committee on aviation (or such successor committees as may have the subject matter jurisdiction of those committees) that shall

detail payments, goods, and services transmitted from the City of Chicago to the Gary Chicago International Airport directly or through the Gary Chicago International Airport Authority, and to the Chicago Gary Regional Airport Authority established pursuant to an ordinance adopted by the City Council on April 17, 1995 and published in the as Journal of Proceedings of the City Council of such date at pages 68345 through 68349 and including exhibits and amendments thereto.

SECTION 3. This ordinance shall be in in full force and effect immediately upon passage and approval.

Edward M. Burke Alderman, 14th
Ward

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