

TEXT OF PROPOSED ORDINANCE PROPOSITION I

ORDINANCE PROVIDING FOR THE EXTENSION OF RAPID TRANSIT SERVICE INTO SAN FRANCISCO INTERNATIONAL AIRPORT

An ordinance providing for the extension of transportation services by the San Francisco Bay Area Rapid Transit District to and within San Francisco International Airport, together with provisions for funding thereof, and providing a severability clause.

Be it ordained by the People of the City and County of San Francisco:

Section 1. It is hereby declared that the most efficient, effective and economical means of improving rapid transit services to and from the San Francisco International Airport (Airport) is by means of an extension of the rail service provided by the San Francisco Bay Area Rapid Transit District (BART) to a passenger station located within the Airport terminal area. Such an extension will best serve the residents of both San Francisco and other Bay Area communities, Airport workers, airline customers, tourists and persons traveling between the Airport, San Francisco and other Bay Area locations served by BART. The people of the city and county find and declare that the extension of such rapid transit services to a point within the Airport terminal

area is in the best interest of said city and county and the entire San Francisco Bay Area and that the actual station location within the Airport terminal area shall be one which attracts the most passengers.

Section 2. It shall be and is the law of the city and county that a BART passenger station be constructed within the area of the Airport terminals and that all necessary actions be taken by the city and county to secure extension of BART rail service directly into the Airport terminal area. To implement such law, the Mayor, the Board of Supervisors, and all city officers and agencies, including airport commissioners, with any authority over any aspect of the extension of the San Francisco Bay Area Rapid Transit District into the Airport shall adopt such further ordinances and resolutions and take all other actions as necessary to effectuate the direct extension of BART service into the San Francisco International Airport terminal area as a part of BART expansion.

Section 3. The San Francisco airports commission shall take all appropriate actions to generate the revenue necessary to finance the BART extension and station construction referred to herein, which shall first include the utilization of available Airport, regional, state and federal

funds, and may include the adoption of a passenger facility charge as authorized by Section 1513(e), Title 49 (Appendix) of the United States Code. Any imposition of a federally authorized passenger facility charge shall not exceed a period of five years unless necessary to complete the aforementioned construction and unless extended upon a two-thirds vote by the Board of Supervisors.

Section 4. Any adoption of a passenger facility charge may occur only if the airports commission has applied for and secured federal authorization to spend the revenue therefrom for the construction of BART into the terminal area.

Section 5. If any section, subsection, subdivision, paragraph, clause or phrase in this Ordinance or any part thereof is for any reason held unconstitutional, invalid or ineffective by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. It is hereby declared that this Ordinance and each section, subsection, subdivision, paragraph, clause or phrase thereof, would have been passed irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, clauses or phrases had been declared unconstitutional, invalid or ineffective. □