



**AUSTIN AIRPORT ADVISORY COMMISSION MEETING
SPECIAL CALLED MEETING
TUESDAY, JUNE 26, 2012 AT 5:00 PM
ROOM No. 160
2716 SPIRIT OF TEXAS DRIVE
AUSTIN, TEXAS**

CURRENT BOARD MEMBERS:

Dale Murphy, Chair
George Farris
Rose Marie Klee

Steven Hart, Vice Chair
James Kelsey

D'Ann Johnson, Secretary
Ernest Saulmon

AGENDA

CALL TO ORDER

1. CITIZEN COMMUNICATION: GENERAL

Speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

2. ACTION ITEMS

- a) Authorize award, negotiation, and execution of a 24 -month requirements service contract with SIEMENS INDUSTRY, INC. to provide services to create a temporary customs and immigration processing facility at the Austin-Bergstrom International Airport (ABIA) for the Aviation Department, in an estimated amount not to exceed \$5,000,000, with three 12-month extension options in an estimated amount not to exceed \$150,000 for repair, maintenance, and additional components per extension option, for a total estimated contract amount not to exceed \$5,450,000.
- b) Approve an ordinance authorizing the defeasance and redemption of all outstanding Airport System Variable Rate Revenue Notes, Series A; amending the Fiscal Year 2011-2012 Airport Capital Fund Operating Budget of the Aviation Department (Ordinance No. 20110912-005) by increasing transfers out by \$28,000,000 to the Airport Variable Rate Bond Debt Service Fund, amending the Airport Variable Rate Bond Debt Service Fund (Ordinance No. 20110912-005) increasing transfers in by \$28,000,000, and appropriating these funds and authorizing all other actions to be taken for the defeasance and redemption of all outstanding Airport System Variable Rate Revenue Notes, Series A.

3. ADJOURNMENT

SET THE MEETING DATE AND AGENDA FOR NEXT COMMISSION MEETING

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Becky Nagel, Aviation Department, at (512) 530-6614 for additional information; TTY users route through Relay Texas at 711.

For more information on the Austin Airport Advisory Commission, please contact Shane Harbinson at (512) 530-6652.

AGENDA



Recommendation for Council Action (Purchasing)

Austin City Council	Item ID:	16305	Agenda Number	<ITEM_OUTLINE>
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Meeting Date:	June 28, 2012
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Department:	Purchasing
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Subject

Authorize award, negotiation, and execution of a 24 -month requirements service contract with SIEMENS INDUSTRY, INC. to provide services to create all the interdependent system and a temporary customs and immigration processing facility at the Austin-Bergstrom International Airport for the Aviation Department, in an amount not to exceed \$5,000,000, with three 12-month extension options for repair, maintenance and additional components in an amount not to exceed \$150,000 per extension option, for a total contract amount not to exceed \$5,450,000.

Amount and Source of Funding

Funding in the amount of \$5,450,000 is available in the Fiscal Year 2011-2012 Capital Budget of the Aviation Department.

Fiscal Note

A fiscal note is attached.

Purchasing Language:	Sole Source.
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Prior Council Action:	
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For More Information:	Sai Xoomsai Purcell, Buyer II, 974-2133
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Boards and Commission Action:	
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MBE / WBE:	This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
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Related Items:	
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Additional Backup Information

This contract is to provide a temporary customs and immigration processing facility at the ABIA. This contract will allow ABIA to erect a temporary facility capable of processing international arrivals anticipated during special events. Siemens is the only provider in the United States that can install, disassemble, and repair a temporary facility with the required infrastructure for customs and immigration within an airport terminal. This facility's infrastructure will include, but not be limited to, passenger information systems, passport control booths, luggage conveyor and checking devices, x-ray apparatus, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus for recording, transmission or reproduction of sound or images, data processing equipment, and computers—all together as one unit. The facility is a turn-key, temporary, and fully functional passenger terminal designed to meet ABIA's specific needs to handle temporary, high-volume passenger peaks. The high flexibility of the Siemens facility product allows for customized solutions because it is scalable and adaptable to local infrastructure. Furthermore, the facility will provide U.S. Customs and Border Protection (CBP) with the equipment and space to perform both primary and secondary processing of international arrivals in accordance with International Civil Aviation Organization's recommended practices. The facility must also meet CBP design criteria by November 12, 2012.

Additionally, the temporary facility will allow ABIA to modify the existing customs and immigration facility to meet current Federal Standards as required by CBP. The existing customs and immigration facility allows the processing of 90 to 120 international passengers per hour while the temporary facility will allow the processing in excess of 400 international passengers per hour.

The temporary facility will also allow ABIA to modify the existing customs and immigration facility to meet current Federal Standards as required by CBP. The existing customs and immigration facility allows the processing of 90 to 120 international passengers per hour while the temporary facility will allow the processing in excess of 400 international passengers per hour.

Siemens Industry, Inc. is the sole provider providing the installation, disassembly, and repair of a temporary airport terminal facility and infrastructure in the United States and does not have any authorized distributors in the United States.

CIP EXPENSE DETAIL

DATE OF COUNCIL CONSIDERATION:
CONTACT DEPARTMENT(S):

6/28/12
Aviation

SUBJECT: Authorize award, negotiation, and execution of a 24-month requirements service contract with SIEMENS INDUSTRY, INC. to provide services to create all the interdependent system and a temporary customs and immigration processing facility at the Austin-Bergstrom International Airport (ABIA) for the Aviation Department, in an estimated amount not to exceed \$5,000,000, with three 12-month extension options in an estimated amount not to exceed \$150,000 per extension option, for a total estimated contract amount not to exceed \$5,450,000.

Funding in the amount of \$5,450,000 is available in the Fiscal Year 2011-2012 Capital Budget of the Aviation Department.

CURRENT YEAR IMPACT:

Department:	Aviation
Project Name:	Temporary Customs Facility
Fund/Department/Unit:	4910-8107-3229
	Department of Aviation
Funding Source:	Airport Capital Fund
Current Appropriation:	0.00
Unencumbered Balance:	5,500,000.00
Amount of This Action:	<u>(5,450,000.00)</u>
Remaining Balance:	<u>50,000.00</u>
Total Amount of this Action	<u><u>5,450,000.00</u></u>

ANALYSIS / ADDITIONAL INFORMATION:

This contract is to provide a temporary customs and immigration processing facility at the ABIA. This contract will allow ABIA to erect a temporary facility capable of processing international arrivals anticipated during special events. This facility will contain baggage carousels, primary processing booths, secondary processing booths, and supporting space. This contract will provide U.S. Customs and Border Protection (CBP) the equipment and space to perform both primary and secondary processing of international arrivals in accordance with International Civil Aviation Organization's recommended practices.

The temporary facility will also allow ABIA to modify the existing customs and immigration facility to meet current Federal Standards as required by CBP. The existing customs and immigration facility allows the processing of 90 to 120 international passengers per hour while the temporary facility will allow the processing in excess of 400 international passengers per hour.

Siemens Industry, Inc. is the sole provider of this service in the United States and does not have any authorized distributors in the United States.

Staff researched Airport Industry Associations and vendors listed in the Airport Council International membership directory to find a solution to our capacity deficiency to support large aircraft international arrivals (customs activities). Specifically, staff was targeting a temporary solution that meets all interdependent airport system requirements. Such system requirements include: baggage claim devices, flight information, public address, communications, access security control, fire detection and HVAC. Siemens is a prime contractor and supplier of the interdependent systems needed to mobilize and assemble a fully functional terminal. The Siemens Capacity Plus terminal is a product that collaboratively integrates the interdependent systems to a fully functional terminal. Staff research found that other temporary terminals that have been installed at other international airports required multiple contracts and suppliers to assemble the terminal structure. This inefficiency is removed with the Capacity Plus single source offer by Siemens.

Additionally, the other temporary airport terminals researched by staff were assembled as a tent structure with fabric material and all four walls; and in 2007 staff explored this fabric terminal tent concept of to accommodate the low cost airline terminal located on the south side of the airport. This tent structure was not supported by staff for passenger operations due to the life safety concerns and structure support of a full fabric tent structure. The Capacity Plus terminal has aluminum and glass wall siding, with a translucent fabric roof, which is structurally solid and protective for a longer term solution for an airport terminal structure.

Finally, Siemens has mobilized their Capacity Plus terminal package at eight (8) other international airport locations that required a compressed delivery schedule with great success, therefore staff is confident that this international arrivals terminal solution will solve ABIA's Customs deficiency to support large aircraft international arrivals for the anticipated F1 and COTA events. Lastly, Siemens mobilization efforts will include contracting with and hiring local trades to assemble the terminal, in July they will be coordinating with DSMBR for DBE trade opportunities.

International passenger arrivals for COTA events

Original planning assumptions were:

- Majority of International guests would fly commercial and clear customs in Dallas or Houston.
- International charters would consist of aircraft which would have less than 25 passengers each. These are typically handled by our on-site FBO's and are cleared by Customs at their facility.
- Planning for an increased demand in clearing of these charters, we developed an alternative plan to clear all International charters at the South Terminal. This would allow for quick, convenient clearance for both Customs and our guests. The aircraft would be parked on the maintenance ramp adjacent to the South Terminal.
- The maximum number of anticipated International charters was 25 to 50 for the first three day event (Formula One).

With recent inquiries, information received from Customs and FBO's, and research it is now evident that we will see an increased demand in Customs operations due to the size of anticipated aircraft and number of International guests arriving from charter operations. This new information requires a significant change in our planning assumptions and requires immediate decisions to determine how we move forward with the inquiries, planning and staffing.

Current planning assumptions:

- We can anticipate from 6 to 10 design group 5/6 aircraft. This information is based on recent inquiries and information gathered by staff from other airports in cities that have hosted F-1 events. These charters have capacity for 200 to 400 passengers each.
- We can anticipate 10 to 30 design group 3 aircraft. This aircraft group has the capacity for 100 to 140 passengers each
- We can anticipate in excess of 150 charters with less than 100 passengers.
- ICAO recommends an airport have the ability to process international arrivals in less than 45 minutes. (see attached presentation, attachment #1). The US has set a standard of 60 to 90 minutes as acceptable standards.

Current Customs Facility capabilities:

- ABIA's Customs facility can process approximately 60 to 80 passengers per hour with their current configuration.
- Using the 3 minute per passenger processing time, it will take 4 to 5 hours to process the large charters using our current facility and configuration.
- It will take approximately 1 ½ to 2 hours to process design group 3 aircraft. This is a typical 737, similar to the current SWA Cancun flight. Customs is currently processing in 1 to 1 ½ hours. Most arrivals on the typical flights we receive currently have US citizens which process more quickly than foreign guests.

- Current configuration requires a two-step process for clearing. The guest queues and clears immigration, obtains luggage, and then queues a second time for customs.

We have identified three options to address the new information.

- Option 1 Make no modifications to the existing terminal. Notify Customs, FBO's, and airlines to direct inquiries for charters and scheduled aircraft in excess of our current capabilities to contact San Antonio, Dallas, or Houston for clearance into the US.

Impact to Customer	Impact to Operation	Cost	Benefit
<ul style="list-style-type: none"> • Inconvenience • Multiple aircraft changes • Increased travel time 	<ul style="list-style-type: none"> • Managing arrivals • Capacity issues • Increased curbside congestion 	<ul style="list-style-type: none"> • \$ • Negative impact on City's reputation • Potential loss of non-airline revenue • Loss of revenue from landing fees. • Loss of revenue to FBO's and other tenants 	<ul style="list-style-type: none"> • Plan for future modifications to accommodate large arrival numbers • No immediate interaction with CBP officials required • Possible increase in scheduled airline operations from HUB airports

- Option 2 Make no modifications to the existing terminal. Notify charter inquiries that it will take up to 5 hours to clear Customs. Telling them up front of the anticipated wait times will allow them to prepare and notify their customers. This would potentially minimize the negative reactions upon arrival

Impact to Customer	Impact to Operation	Cost	Benefit
<ul style="list-style-type: none"> • Inconvenience • Increased travel time 	<ul style="list-style-type: none"> • Managing arrivals • Capacity issues • Increased curbside congestion • Irritable customers at curbside • Charters choose other location in lieu of wait 	<ul style="list-style-type: none"> • \$ • Negative impact on City's reputation • Potential loss of non-airline revenue • Loss of revenue to FBO's and other tenants due to poor customer service. 	<ul style="list-style-type: none"> • Plan for future modifications to accommodate large arrival numbers • No immediate interaction with CBP officials required • Possible increase in scheduled airline operations from HUB airports

- Option 3 Add temporary terminal facility next to main terminal. This is the most costly from a financial standpoint, but the only option that allows us to immediately meet capacity issues. This option requires coordination, cooperation, and approvals from multiple city departments, federal agencies, and contractors to accomplish.

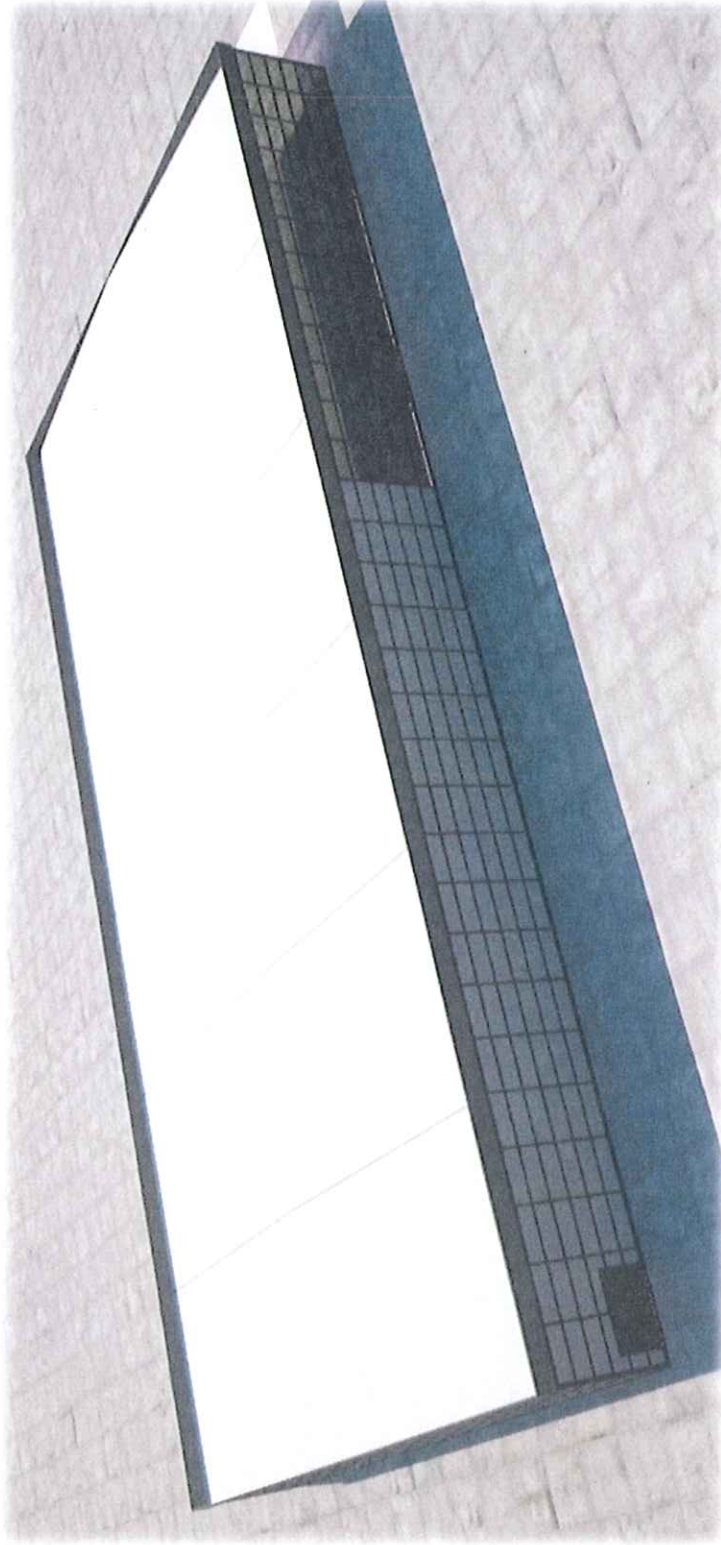
Impact to Customer	Impact to Operation	Cost	Benefit
<ul style="list-style-type: none"> • No inconvenience • Positive first impression of Austin • Quickest most convenient entry into US 	<ul style="list-style-type: none"> • Managing arrivals • Capacity issues • Increased curbside congestion • All international charters would be cleared at main terminal • Mixes small GA aircraft with commercial aircraft 	<ul style="list-style-type: none"> • \$\$\$\$ • Temporary facility cost. • Commitment by ABIA to make upgrades to existing Customs facility in the near term. • Staffing 	<ul style="list-style-type: none"> • Reputation • Convenience • Staffing and maintenance in one location • Allows for the planning of permanent modifications to existing terminal without disruption in service. • Allows ABIA to accommodate International traffic for future events .

Austin Bergstrom International Airport

GateOne - CapacityPlus

Presented by
Siemens Industry, Inc.

Project overview



Turn-key solution for a arrivals only passengers terminal with an overall processing capacity of 440 Pax/h. The concept presents a modular building structure for 5 years operations that includes:

- HVAC, lighting, CCTV, FIDS, Communications, PA system and fire extinguishers
- Sanitary facilities and office space
- BHS reclaim carousels
- Customs Board Patrol and Federal Inspection Services counters

Terminal exterior design

Modular panel
installation

Easy to assemble/
disassemble

Light weight with reduced
impact on the Apron

Project according to
IBC regulation

Comfort and
functionality

- Anodized al. frame
- Elevated floor
- Acoustic insulation

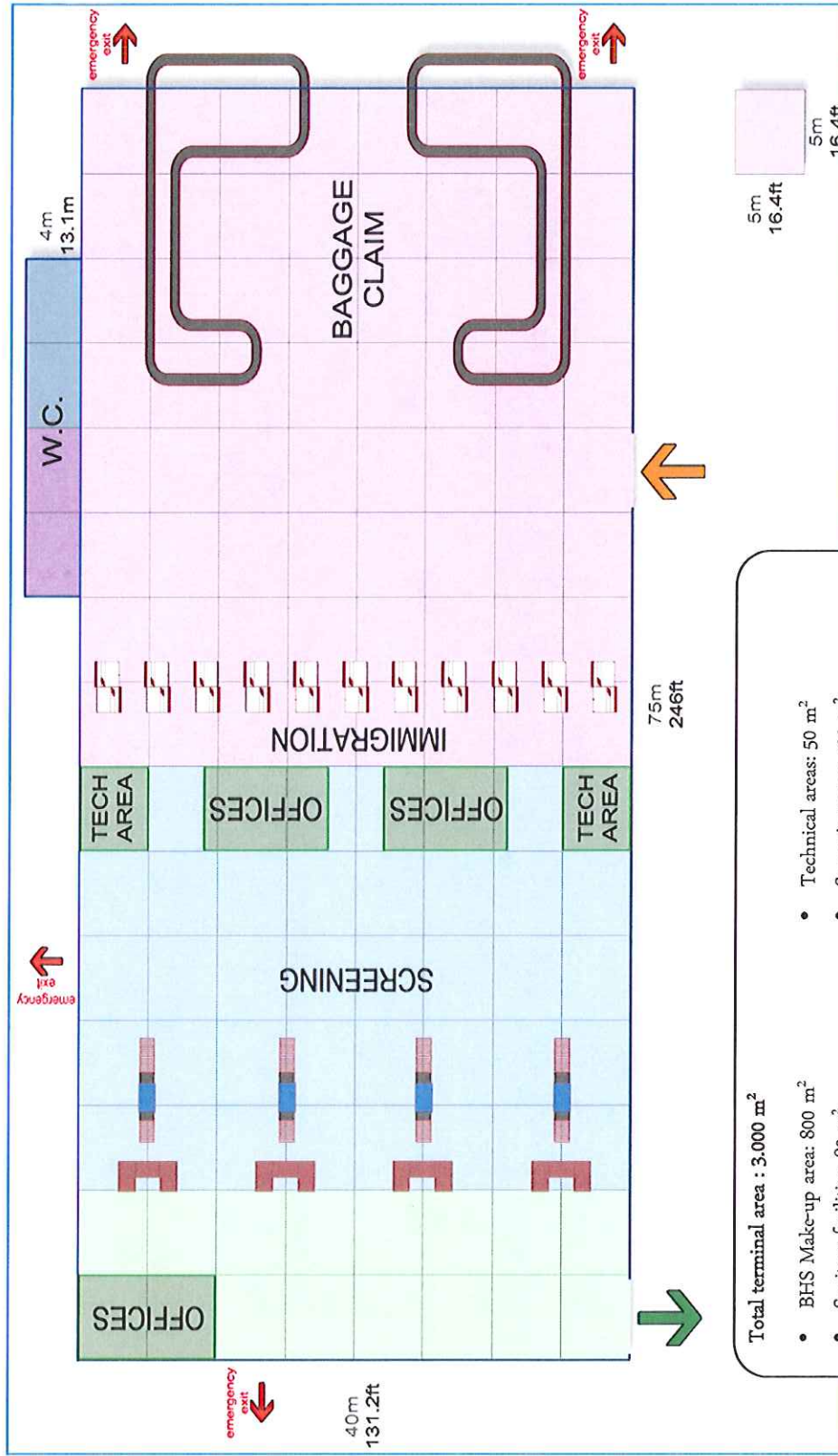


Terminal – Key dimensions

Aluminum structure
<ul style="list-style-type: none">• Width: 131.23 ft• Length: 262.47 ft• Side-height: 19.69 ft• Center high: 25.33 ft• Bay-distance: 16.40 ft• Roof pitch: 5 °
Frame
<ul style="list-style-type: none">• Extruded anodized aluminum profiles
Cover
<ul style="list-style-type: none">• PVC white

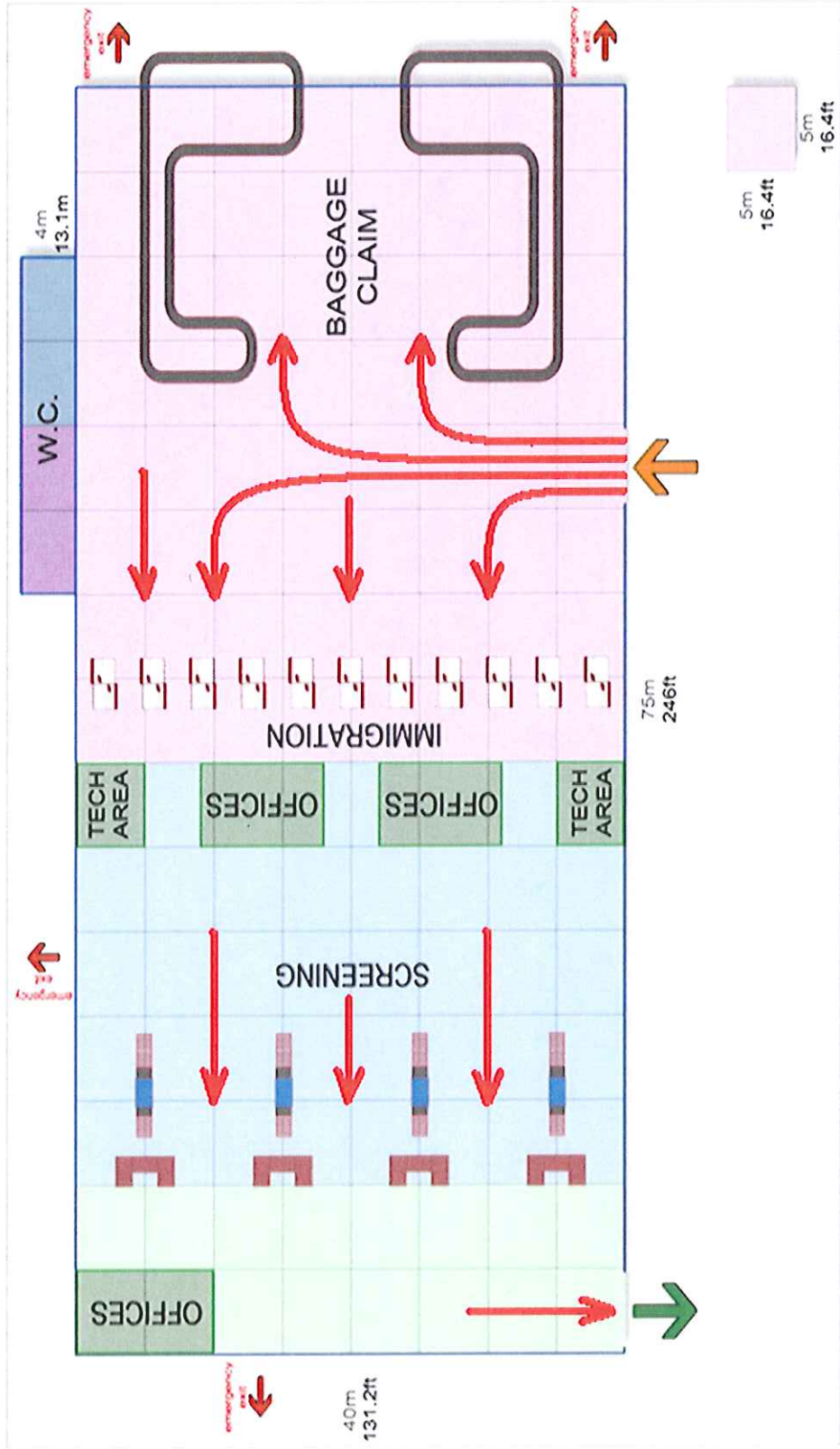


Terminal layout

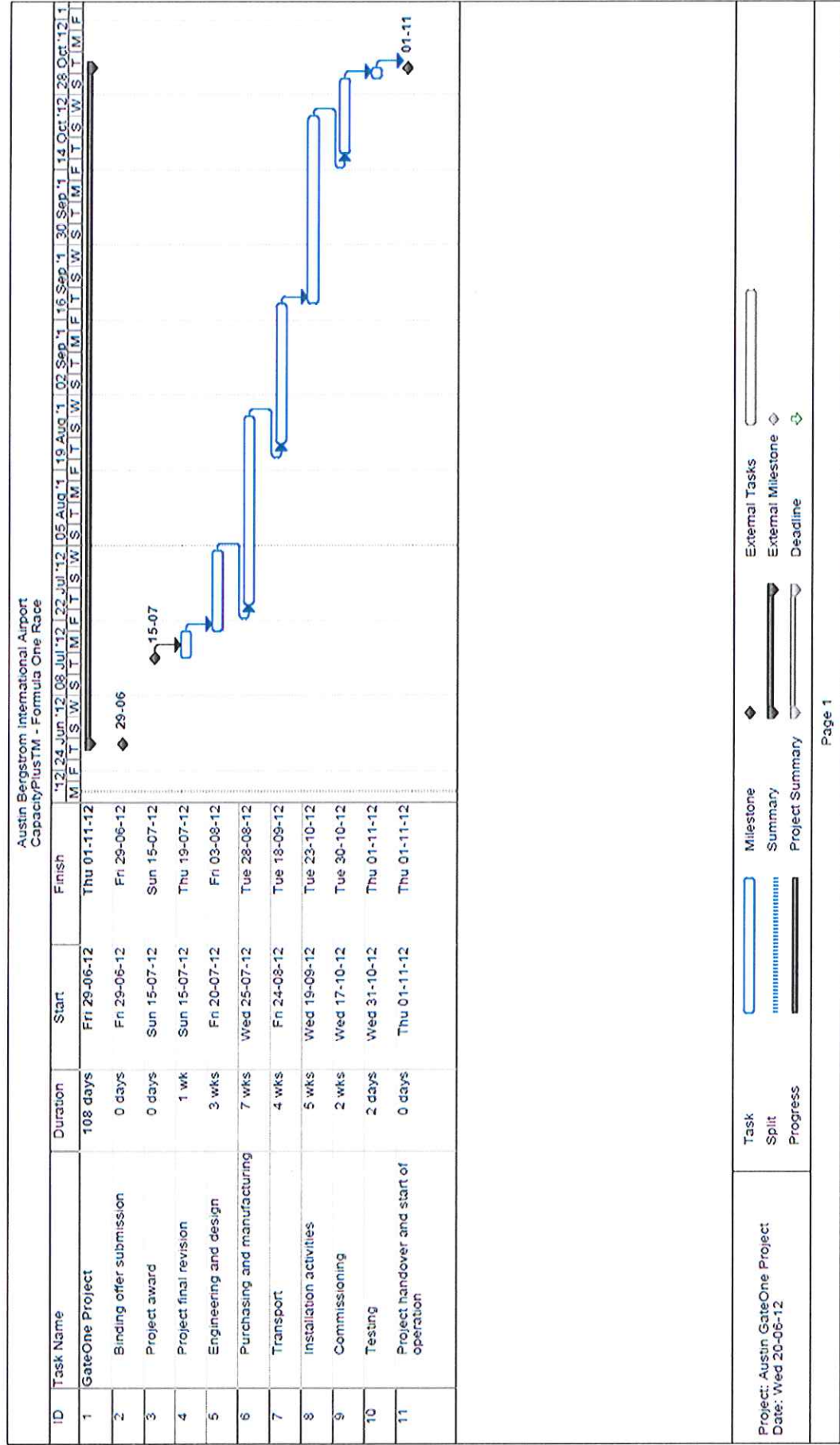


- Total terminal area : 3,000 m²**
- BHS Make-up area: 800 m²
 - Sanitary facilities: 80 m²
 - Office space: 150 m²
 - Technical areas: 50 m²
 - Screening area: 400 m²

Passenger flow



Project timeline



AGENDA



Recommendation for Council Action

Austin City Council	Item ID	16294	Agenda Number	<ITEM_OUTLINE>
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Meeting Date:	6/28/2012	Department:	Aviation
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Subject

Approve an ordinance authorizing the defeasance and redemption of all outstanding Airport System Variable Rate Revenue Notes, Series A; amending the Fiscal Year 2011-2012 Airport Capital Fund Operating Budget of the Aviation Department (Ordinance No. 20110912-005) by increasing transfers out by \$28,000,000 to the Airport Variable Rate Bond Debt Service Fund, amending the Airport Variable Rate Bond Debt Service Fund (Ordinance No. 20110912-005) increasing transfers in by \$28,000,000, and appropriating these funds and authorizing all other actions to be taken for the defeasance and redemption of all outstanding Airport System Variable Rate Revenue Notes, Series A.

Amount and Source of Funding

Funding is available through the Airport Capital Budget.

Fiscal Note

A fiscal note is attached.

Purchasing Language:	
Prior Council Action:	The City of Austin, Texas Airport System Variable Rate Revenue Refunding Notes, Series A were approved by Council on February 5, 1998.
For More Information:	David Arthur, Aviation Assistant Director and Chief Financial Officer, 530-6688.
Boards and Commission Action:	To be reviewed by the Austin Airport Advisory Commission on June 26, 2012.
MBE / WBE:	
Related Items:	

Additional Backup Information

The Revenue Series A Notes were issued on February 24, 1998. The issuance of \$28.0 million in variable rate notes provided funding, in conjunction with other sources of funds, for the construction of the terminal complex, air cargo apron, ARFF facility and other miscellaneous support facilities at the Austin-Bergstrom International Airport. The original maturity of the notes was November 2017.

The principal and interest for the Revenue Series A Notes are payable solely from the net revenues of the Airport System and funds held in the Debt Service Fund and the Debt Service Reserve Fund. The ability to pay debt service on the Revenue Series A Notes depends solely on the receipt of sufficient Airport System Gross Revenues. The airport has been amortizing principal related to the variable rate notes through the airline rate base since FY 2002, and has sufficient funds to repay the variable rate notes in full at this time.

The Revenue Series A Notes have a credit enhancement in the form of an irrevocable direct-pay Letter of Credit issued by State Street Bank and Trust Company. The Letter of Credit will expire on August 18, 2012. Due to the Letter of Credit expiring this year, the Airport has determined to redeem the Revenue Series A Notes in whole at a redemption price of 100% of the principal amount thereof without premium. The redemption of the Revenue Series A Notes will eliminate risk and uncertainty for the Airport in the current unpredictable market for variable rate debt and supporting Letters of Credit.

OPERATING BUDGET FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
CONTACT DEPARTMENT(S):
FUND:

6/28/12
Aviation Department
Airport Capital Fund

SUBJECT: Approve an ordinance amending the Fiscal Year 2011-2012 Airport Capital Fund Operating Budget of the Aviation Department (Ordinance No. 20110912-005) by increasing transfers out by \$28,000,000 to the Airport Variable Rate Bond Debt Service Fund; amend the Airport Variable Rate Bond Debt Service Fund (Ordinance No. 20110912-005) increasing transfers in by \$28,000,000 and appropriating expenditures by \$28,000,000 for the defeasance of outstanding Airport System Variable Rate Revenue Notes, Series A.

CURRENT YEAR IMPACT:

	2011-12 Approved	This Action	2011-12 Amended
Beginning Balance	59,696,975	0	59,696,975
Total Revenue	352,000	0	352,000
Total Transfers In	16,501,916	0	16,501,916
Total Appropriated Funds	16,853,916	0	16,853,916
Transfer Out			
Airport CIP	20,702,000	0	20,702,000
Airport Fund	7,828,333	0	7,828,333
Airport Variable Rate Bond Debt Service Fund	0	28,000,000	28,000,000
Total Operating Requirements	28,530,333	28,000,000	56,530,333
Excess (Deficiency) of Total Available Over Total Requirements	(11,676,417)	(28,000,000)	(39,676,417)
Ending Balance	48,020,558	(28,000,000)	20,020,558

FIVE-YEAR IMPACT:

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Beginning Balance	0	0	0	0	0
Total Revenue	0	0	0	0	0
Total Requirements	28,000,000	0	0	0	0
Net Budget Impact	(28,000,000)	0	0	0	0

ANALYSIS / ADDITIONAL INFORMATION: This action amends the Airport Capital Fund reducing the ending balance by \$28,000,000 transferring out the same amount to the Airport Variable Rate Bond Debt Service Fund. The Airport Variable Rate Bond Debt Service Fund will increase revenue by the \$28,000,000 and appropriate the same amount to increase debt service payments for the defeasance of outstanding Airport System Variable Rate Revenue Notes, Series A.

OPERATING BUDGET FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
CONTACT DEPARTMENT(S):
FUND:

6/28/12
Aviation Department
Airport Variable Rate Bond Debt Service Fund

SUBJECT: Approve an ordinance amending the Fiscal Year 2011-2012 Airport Capital Fund Operating Budget of the Aviation Department (Ordinance No. 20110912-005) by increasing transfers out by \$28,000,000 to the Airport Variable Rate Bond Debt Service Fund; amend the Airport Variable Rate Bond Debt Service Fund (Ordinance No. 20110912-005) increasing transfers in by \$28,000,000 and appropriating expenditures by \$28,000,000 for the defeasance of outstanding Airport System Variable Rate Revenue Notes, Series A.

CURRENT YEAR IMPACT:

	2011-12 Approved	This Action	2011-12 Amended
Beginning Balance	11,848,927	0	11,848,927
Transfers In			
Passenger Facility Charge	8,883,461	0	8,883,461
Airport Fund	13,619,925	0	13,619,925
Airport Capital Fund	0	28,000,000	28,000,000
Total Transfers In	22,503,386	28,000,000	50,503,386
Requirements			
Principal	12,050,000	28,000,000	40,050,000
Interest Expense	11,352,974	0	11,352,974
Other	4,477,588	0	4,477,588
Total Operating Requirements	27,880,562	28,000,000	55,880,562
Excess (Deficiency) of Total Available Over Total Requirements	(5,377,176)	0	(5,377,176)
Ending Balance	6,471,751	0	6,471,751

FIVE-YEAR IMPACT:

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Beginning Balance	0	0	0	0	0
Total Revenue	28,000,000	0	0	0	0
Total Requirements	28,000,000	0	0	0	0
Net Budget Impact	0	0	0	0	0

ANALYSIS / ADDITIONAL INFORMATION: This action amends the Airport Capital Fund reducing the ending balance by \$28,000,000 transferring out the same amount to the Airport Variable Rate Bond Debt Service Fund. The Airport Variable Rate Bond Debt Service Fund will increase revenue by the \$28,000,000 and appropriate the same amount to increase debt service payments for the defeasance of outstanding Airport System Variable Rate Revenue Notes, Series A.

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ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE DEFEASANCE AND REDEMPTION IN WHOLE OF ALL OUTSTANDING AIRPORT SYSTEM VARIABLE RATE REVENUE NOTES, SERIES A OF THE CITY; AND ENACTING OTHER RELATED PROVISIONS.

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

PART 1. FINDINGS.

(A) Pursuant to Ordinance No. 98-0205-A adopted on February 5, 1998 (Note Ordinance), the City of Austin (City) previously issued and has outstanding its Airport System Variable Rate Revenue Notes, Series A (Notes) in the aggregate principal amount of \$28,000,000.

(B) The Note Ordinance contains some capitalized terms that are used in this ordinance. Those terms have the same meaning in this ordinance as they do in the Note Ordinance.

(C) Pursuant to the provisions of Chapter 1207, Texas Government Code (Chapter 1207), the City may deposit available funds directly with a paying agent for any of the obligations which it wishes to pay or redeem, in whole or in part, in an amount sufficient to provide for the payment or redemption of such obligations.

(D) Pursuant to Chapter 1207, such a deposit constitutes the making of firm banking and financial arrangements for the discharge and final payment or redemption of the obligations to be paid or redeemed.

(E) To provide such firm financial and banking arrangements for the payment and discharge of the Notes in whole, council desires to (i) authorize lawfully available funds to be deposited directly with the Paying Agent/Registrar for the Notes in an amount sufficient to provide for the payment and discharge of the principal of and interest on the Notes as they become due and payable and (ii) amend the fiscal year 2011-2012 Airport Capital Fund Operating Budget of the Aviation Department to accommodate such payment and discharge of the Notes.

(F) Such deposit with the Paying Agent/Registrar shall constitute the making of firm banking and financial arrangements for the payment of the Notes in whole, and upon such deposit the Notes shall be deemed paid and shall no longer be regarded as outstanding except for the purpose of receiving payment from the funds provided for such purpose.

43
44 (G) Council has determined to call all outstanding Notes for redemption prior to their
45 scheduled maturities.

46
47 (H) Council has determined that it is necessary and desirable to authorize the Paying
48 Agent/Registrar of the Notes to provide written notice of redemption to the registered
49 holders of the Notes and to any other parties requiring notice thereof in accordance with
50 the terms of the Note Ordinance.

51
52 **PART 2. AUTHORIZATION.**

53
54 (A) The making of firm banking and financial arrangements for the discharge and
55 payment of the Notes is approved. The mayor, any designee of the mayor, the city
56 manager, any designee of the city manager, the chief financial officer of the City, the city
57 clerk, the Aviation Director and the city treasurer (each, an Authorized Officer) are
58 authorized and directed to use any lawfully available funds of the City and to take all
59 actions necessary or desirable to make such firm banking and financial arrangements and
60 to pay all costs incurred by the City in connection therewith.

61 (B) The Fiscal Year 2011-2012 Airport Capital Fund Operating Budget of the Aviation
62 Department (Ordinance No. 20110912-005) is amended by increasing transfers into and
63 out of the Airport Variable Rate Bond Debt Service Fund by \$28,000,000 for the making
64 of the firm banking and financial arrangements and payment of the costs associated with
65 the discharge and payment of the Notes.

66 (C) The City irrevocably calls all outstanding Notes for redemption prior to maturity
67 on the first optional redemption date for which all of the notice requirements for
68 redemption can reasonably be met, at the redemption price set forth in the Note
69 Ordinance. Each Authorized Officer is authorized and directed to take all actions
70 necessary or desirable to effect the redemption in whole of the Notes, all in accordance
71 with the provisions of the Note Ordinance and this ordinance at the times and in the
72 manner as they decide are appropriate.

73 (D) The Paying Agent is authorized and directed to take all actions and give all notices
74 as may be necessary or desirable to effect the redemption of the Notes in accordance with
75 the terms of the Note Ordinance.

76
77 **PART 3. FURTHER PROCEDURES.** Each Authorized Officer is authorized and
78 directed to do any and all things necessary or convenient to carry out the terms of this
79 ordinance.
80

81 **PART 4. SEVERABILITY.** The provisions of this ordinance are severable. If any
82 provision of this ordinance or its applications to any person or circumstance is held
83 invalid, the invalidity does not affect other provisions or applications of this ordinance.
84

85 **PART 5. OPEN MEETING.** The City posted sufficient written notice of the date,
86 hour, place, and subject of the meeting of the city council at which this ordinance was
87 adopted at a place convenient and readily accessible at all times to the general public at
88 the Austin City Hall for the time required by the Open Meetings Law, Chapter 551,
89 Texas Government Code. This meeting has been open to the public as required by law at
90 all times during which this ordinance and its subject matter were discussed, considered,
91 and formally acted upon. The city council ratifies, approves, and confirms such written
92 notice, its contents, and its posting.
93

94 **PART 6. REPEALER.** All orders, resolutions, and ordinances (other than the Note
95 Ordinance), or their parts that are inconsistent with this ordinance are repealed only to the
96 extent needed to eliminate the inconsistency.
97

98 **PART 7. EFFECTIVE IMMEDIATELY.** This ordinance takes effect immediately
99 on its passage pursuant to Section 1201.028, Texas Government Code.
100

101 **PASSED AND APPROVED**

102 §
103 §
104 §
105 §

106 _____
107 Lee Leffingwell
Mayor

108 **APPROVED:** _____
109 Karen M. Kennard
110 City Attorney
111

108 **ATTEST:** _____
109 Shirley A. Gentry
110 City Clerk
111
112