

ORDINANCE NO.

AN ORDINANCE FOR FIRST READING GRANTING A FRANCHISE TO ATX COOP TAXI TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN FOR FOUR YEARS.

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

PART 1. FRANCHISE GRANT.

The City Council grants a franchise to operate a taxicab business on the streets, alleys, and public ways in the City of Austin to ATX Coop Taxi (“franchise holder”) for a four-year period unless, on review, the Council finds that the taxicab franchise is subject to forfeiture or cancellation for good cause.

PART 2. FLEET SIZE.

The franchise holder must maintain an active fleet of at least 25 and not more than 150 taxicabs. This taxicab allocation may be amended during the course of the franchise.

PART 3. FRANCHISE OWNERSHIP INTEREST REQUIREMENTS.

At all times during the franchise period or any periods of extension or renewal of the franchise, the company holding the franchise shall be operated as a cooperative venture in which each member of the venture has equal ownership, an equal vote in decision making, and an equal share in the company’s equity and liability.

PART 4. COMPUTERIZED DISPATCH SYSTEM.

- (A) The franchise holder shall maintain a fully operational Global Information System (GIS) automated computer dispatch system, dispatch service requests in an efficient manner, and correct any GIS dispatch system malfunctions immediately to maintain efficient customer service.
- (B) The franchise holder shall submit a report not later than the 30th day after the end of each calendar quarter documenting the system status and any system failures.
- (C) In the event of a system failure that exceeds four hours, the franchise holder shall:
 - (1) notify the Transportation Department not later than the first business day after the system failure; and

- (2) not later than the fifth business day after a system failure, submit a report documenting the nature and duration of the failure and whether the franchise holder's back-up radio dispatch communication system performed during the system failure.

PART 5. COMPLIANCE WITH CITY CODE.

The franchise holder shall comply with the provisions of the City Code relating to ground transportation services and all amendments to those provisions during the period of the taxicab franchise, and rules promulgated enforce the Code provisions.

PART 6. MAINTENANCE OF RECORDS.

The franchise holder shall maintain complete records of all dispatched calls, all expenses incurred in connection with the operation of the taxicab service business, and all revenues derived from the taxicab business.

PART 7. INSPECTION OF RECORDS.

The franchise holder shall permit the Austin Transportation Department to inspect all records of this franchise in accordance with Section 13-2-406(D) (*Recordkeeping Requirements*) of the City Code.

PART 8. TAXICAB OWNERSHIP, LEASE, OR CONTROL.

The franchise holder shall own, lease, or contract for control of each taxicab used in the taxicab franchise.

PART 9. ANNUAL FRANCHISE PERMIT FEE.

The franchise holder shall pay an annual franchise permit fee of \$450 for each vehicle authorized in this franchise to the City of Austin at the office of the Director of the Transportation Department. This fee may be amended by the Council during the effective period of the franchise.

PART 10. FORFEITURE.

The franchise is subject to forfeiture if:

- (A) the franchise holder is convicted of a violation of a provision of the City Code relating to ground transportation services during the period of the taxicab franchise;
- (B) it is shown that the taxicab franchise holder has substantially breached the terms of this franchise; or
- (C) the franchise holder fails to pay an outstanding final judgment against the franchise holder that arises out of circumstances related to ground transportation service.

PART 11. FRANCHISE ACCEPTANCE.

The franchise holder shall file its written acceptance of the terms of this ordinance with the city clerk not later than August 11, 2016.

PART 12. EFFECTIVE DATE.

This ordinance becomes effective on August 12, 2016, unless the franchise holder fails to file its written acceptance of this ordinance as required by Part 11 (*Franchise Acceptance*). If the franchise holder fails to file the written acceptance, this ordinance is void.

PASSED AND APPROVED

_____, 2016

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Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk