

AN ORDINANCE

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A
TEMPORARY OPERATING AGREEMENT WITH LYFT, AND
INDIVIDUAL TRANSPORTATION NETWORK COMPANIES,
FOR A PERIOD OF NINE MONTHS.**

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WHEREAS, Transportation Network Companies (TNCs) have operated in San Antonio, and their use continues to grow in other cities in the United States and the world; and

WHEREAS, City Council wishes to permit the temporary operation and use of City streets by TNCs during a nine month evaluation period, in order to allow City staff additional time to further research and refine the regulations regarding their use and operation; and

WHEREAS, those TNCs wishing to operate in the San Antonio city limits must execute a temporary operating agreement (Attachment II) with the City, for a period of nine months from the date of launching or relaunching its activities in San Antonio, and must comply with the provisions and regulations contained in that agreement; and

WHEREAS, the temporary operating agreement to be executed with each of the TNCs wishing to make special use of City streets does not create any type of business relationship, franchise, joint venture, employment relationship, or otherwise, between the City and the TNCs; and

WHEREAS, those TNCs wishing to operate in the City of San Antonio during the nine month evaluation period must either execute the attached temporary operating agreement with the City, or comply with the regulations set forth in Chapter 33 and Chapter 3, Division 4 of the City Code of San Antonio, Texas; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or her designee, is authorized to execute an operating agreement with Lyft, and every other TNC wishing to operate in the San Antonio City limits. A copy of the Lyft agreement is attached hereto and incorporated herein for all purposes as **Attachment I**. A blank copy of the agreement the City Manager, or her designee, is authorized to execute with other TNCs is attached hereto and incorporated herein for all purposes as **Attachment II**. The terms and conditions set forth in these agreements are hereby approved.

SECTION 2. Enforcement of the provisions in City Code of San Antonio, Texas, ("City Code") Chapter 33, and Chapter 3, Division 4, and the rules and regulations developed pursuant to that chapter, shall be suspended against a TNC that enters into an agreement with the City of San Antonio as stated in Attachment I or II, during the term of the agreement.

SECTION 3. The terms of all agreements entered into between the City and a TNC pursuant to this ordinance shall commence upon execution and shall terminate nine months after the TNC

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begins service under this agreement, unless the agreement is terminated earlier pursuant to the terms of the agreement. If the agreement is terminated early, the TNC wishing to remain in service in the San Antonio city limits must abide by the provisions set forth in Chapter 33 and Chapter 3, Division 4 of the City Code.

SECTION 4. Funds generated by this ordinance from TNC operating permit fees will be deposited into Fund 11001000, Internal Order 217000000009 and General Ledger 4202300.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 13th day of August, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney