

Austin American-Statesman

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Account Name: AUSTIN CITY CLERKS
OFFICE

AUSTIN CITY OF CLERKS OFFICE
PO BOX 1088
AUSTIN, TX 78767

ORDINANCE NO. 20050609-019
FRANCHISE GRANTING A
FRANCHISE TO GREATER AUS-
TIN TRANSPORTATION COM-
PANY D/B/A YELLOW CAB
TAXICAB SERVICE IN THE CITY
OF AUSTIN FOR FIVE YEARS
AND PROVIDING AN EFFECTIVE
DATE.
BE IT ORDAINED BY THE CITY
COUNCIL OF THE CITY OF AUS-
TIN:
PART 1. FRANCHISE GRANT.
The City Council grants a fran-
chise to operate a taxicab busi-
ness on the streets, alleys, and
public ways in the City of Austin
to Greater Austin Transportation
Company doing business as Yellow
Cab Company Franchise
Limited for a five year period.
PART 2. FLEET SIZE.
The Franchise Holder must main-
tain an active fleet of at least 25
and not more than 301 taxicabs.
The City Council in awarding this
franchise shall require the Franchise
Holder to provide evidence of com-
pliance with
PART 3. COMPLIANCE WITH
CITY CODE.
The Franchise Holder shall com-
ply with the provisions of the
City Code relating to insured
taxicabs and shall and all

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis,
State of Texas, on this day personally appeared:

Shary Fowler

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published
in said County and State that is generally circulated in Bastrop, Bell, Blanco, Brazos,
Burleson, Burnet, Caldwell, Colorado, Comal, Coryell, Fayette, Gillespie, Gonzales,
Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Nueces, San Saba, Travis, Washington
and Williamson Counties, who being duly sworn by me, states that the attached advertisement
was published in said newspaper on the following date(s), to wit:

First Published: 6/17/2005

Last Published: 6/17/2005

Times Published: 1

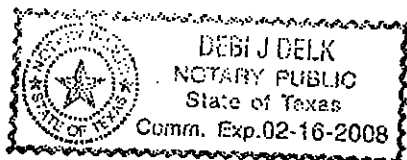
Classification: Legal Notices (9980)

Lines: 184

Cost: \$980.88

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this 17 day of June, 2005.



Debi J. Delk
Notary Public in and for
TRAVIS COUNTY, TEXAS

Austin American-Statesman
305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3832

shall be the owner of the taxicab franchise.

PART 4. MAINTENANCE OF RECORDS.

The Franchise Holder shall maintain complete records of all disbursements and all expenses incurred in connection with the operation of the taxicab service business, and all revenues derived from the taxicab business.

PART 5. INSPECTION OF RECORDS.

The Franchise Holder shall permit the Public Works Department to inspect all records of this franchise in accordance with Section 13-2-300, D) (Recordkeeping Requirements) of the City Code.

PART 6. TAXICAB OWNERSHIP, LEASE, OR CONTROL.

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

PART 7. ANNUAL FRANCHISE PERMIT FEE.

The Franchise Holder shall pay an annual franchise permit fee of \$400 for each vehicle authorized in this franchise to the City of Austin at the office of the Director of the Public Works Department. This fee may be amended by the City Council during the effective period of the franchise.

PART 8. SUSPENSION.

(A) The City Manager may suspend this franchise upon a determination that the Franchise Holder has:

(1) substantially breached the terms of this franchise;

(2) failed to comply with the provisions of the City Code relating to ground transportation services;

(3) become delinquent in the payment of any fees or charges required by law in connection, directly or indirectly, with the operation of the Franchise Holder's taxicab business;

(4) failed to comply with a correction order issued to the Franchise Holder within the time specified in the order; or

(5) intentionally or knowingly impeded the City Manager or a law enforcement agency in the performance of their duties.

If the City Manager suspends this franchise, the Franchise Holder may submit a written request to the City Manager requesting reinstatement of the franchise, stating the grounds supporting a reinstatement. After receipt of a request for reinstatement, the City Manager shall inspect the suspended Franchise Holder's operation to determine if the Franchise Holder has corrected the deficiency that is the basis of the suspension. The City Manager may approve or deny reinstatement after the inspection.

(C) If the City Manager denies reinstatement of the franchise, the Franchise Holder may appeal the City Manager's decision to the City Council by filing a notice of appeal with the City Clerk not later than the 14th day after notice of the denial. The City Clerk shall place the appeal on the next City Council agenda.

PART 9. FORFEITURE.

(A) The franchise is subject to forfeiture if:

(1) 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;

(2) it is shown that the taxicab Franchise Holder has substantially breached the terms of this franchise; or

(3) the Franchise Holder fails to pay an outstanding final judgment against the Franchise Holder that arises out of circumstances related to ground transportation services.

(B) On receipt of a report from the City Manager that probable cause exists for the forfeiture of the franchise, the City Council shall hold a hearing, after a 30-day notice to the Franchise Holder, to determine if cause exists to cancel the franchise. If the City Council finds at the hearing that cause exists to cancel the franchise, it may cancel the franchise after the hearing.

PART 10. FRANCHISE ACCEPTANCE.

The Franchise Holder shall file its written acceptance of the terms of this ordinance with the City Clerk not later than the 60th day after the City Council's adoption of this ordinance.

PART 11. EFFECTIVE DATE.

This ordinance becomes effective on the 61st day after the City Council's adoption of this ordinance, unless the Franchise Holder fails to file its written acceptance of this ordinance as required by Part 10. If the Franchise Holder fails to file the written acceptance, this ordinance is void.

PART 12. This ordinance takes effect on August 8, 2005.

PASSED AND APPROVED

June 9, 2005

David Wynn, Mayor

APPROVED:

David Allan Smith, City Attorney

ATTEST:

Shirley A. Brown, City Clerk