

NOTICE OF RULES ADOPTION

ADOPTION DATE: } 11/10/08
POSTING DATE:

AUSTIN CITY CLERK
POSTING: DATE/TIME
2009 NOV 10 PM 1:55

By: Jim Smith, Executive Director
Department of Aviation

Adoption of Rules and Effective Date.

The Executive Director of the Department of Aviation hereby adopts amendments to the following rules, effective as of **November 10, 2008**: Rules for Ground Transportation Service Providers. The text of the rules is available for public inspection and copying from Ms. Patti Edwards, director of Operations and Maintenance, Department of Aviation, Austin-Bergstrom International Airport, 3600 Presidential Blvd., #411, Austin, Texas 78719, (512) 530-2242. There is a duplication charge of ten cents per page. The text of the rules is also available on the City of Austin Airport web site, <http://www.abia.org>. The amendments to the Rules:

1. Reflect and implement certain recent amendments to Chapter 13-1 Aviation of the City Code (Ordinance No. 20080410-008) regarding responsibility for security and operation functions at the Airport;
2. Revise procedures and the fees to obtain and replace access cards to the Airport Ground Transportation Staging Area (GTSA);
3. Establish operating procedures for ground transportation service providers at the new South Terminal at the Airport;
4. Prohibit the storage of personal property, and the engaging in sporting activities, at the GTSA by ground transportation service providers;
5. End the granting of preferences in Ground Transportation operating procedures for operators returning to the Airport from a short trip;
6. Implement a number of non-substantive changes to improve understanding and readability of the Rules; and

Comments from the public were solicited by the Notice of Proposed Rules. This Notice of Rules Adoption is issued pursuant to Section 1-2-8 of the City Code. Adoption of one or more of these rules may be appealed pursuant to Section 1-2-10, et seq., as explained below.

Changes from Proposed Rules

The adopted Rules contain no changes from the proposed Rules.

Comments on Proposed Rules

No written comments on the proposed rules were received from the public.

Authority for Adoption of Rules

The authority and procedure for adoption of rules is set forth in Chapter 1-2 of the City Code. These rules are to assist in the implementation, administration, or enforcement of the City Aviation Code (Chapter 13-1 of the City Code).

Appeal of Adopted Rule to City Manager

Any person may appeal the adoption of a rule to the City Manager. AN APPEAL MUST BE FILED WITH THE CITY CLERK NO LATER THAN 30 DAYS AFTER THE DATE THE NOTICE OF RULE ADOPTION IS POSTED. If the 30th day is Saturday, Sunday, or official city holiday, an appeal may be filed on the next day which is not a Saturday, Sunday, or official city holiday.

An appeal is initiated by filing a written statement with the City Clerk that states the name, mailing address, and telephone number of the person filing the appeal, identifies the rule being appealed, and includes a statement of specific reasons why the rule should be modified or withdrawn. An appeal form is available from the City Clerk

Notice that an appeal has been filed will be posted by the City Clerk and copies of the appeal will be provided to the City Manager, Executive Director of Aviation and the City Council. The adopted rule will be suspended pending the City Manager's decision. The City Manager may affirm, modify, or withdraw the adopted rule. If the City Manager fails to render a decision within 60 days after the date the notice of rule adoption was posted, the rule is withdrawn. Notice of the City Manager's decision in the appeal will be posted by the City Clerk.

The City Manager may reconsider the decision no later than 16 days after the City Clerk has posted notice of the City Manager's decision, and shall complete reconsideration no later than 31 days after giving notice of the intent to reconsider.

Certification by City Attorney

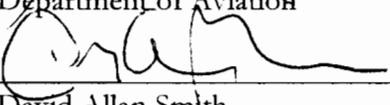
By signing this notice, the City Attorney certifies that the adopted rules have been reviewed by the Law Department and are valid exercises of the Director's administrative authority.

REVIEWED AND APPROVED:

11' 

Jim Smith, Executive Director
Department of Aviation

Date: 11/3/08



David Allan Smith
City Attorney

Date: 11/6/08

This NOTICE OF RULE ADOPTION was posted on a central bulletin board at City Hall at the following date and time:

Date: 11/10/08 Time: 1:31 p.m.



Shirley A. Gentry, City Clerk

EFFECTIVE DATE OF ADOPTED RULES

Date: November 10, 2008