

ORDINANCE

APPROVING AN OPERATING AGREEMENT WITH RAISER LLC DBA UBER TECHNOLOGIES, INC., FOR THREE YEARS WITH THE OPTION TO EXTEND FOR TWO ADDITIONAL ONE-YEAR PERIODS, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO SUBSTANTIALLY SIMILAR OPERATING AGREEMENTS WITH TRANSPORTATION NETWORK COMPANIES (ALSO KNOWN AS RIDESHARE COMPANIES) AT THE SAN ANTONIO AIRPORT SYSTEM.

* * * * *

WHEREAS, in May 2017, the Texas Legislature passed House Bill 100 which prohibited cities, but not city-owned airports, from regulating Transportation Network Companies and their operations; and

WHEREAS, in November 2017, the Texas Department of Licensing and Regulations adopted rules for how airports could regulate and set rates for TNCs operating at the airport; and

WHEREAS, in April 2018, City Council authorized changes to Chapter 3, Airports, of the San Antonio Municipal Code through Ordinance No. 2018-04-12-0266, which authorized the Aviation Director to set applicable rates following the methodology approved under TDLR; and

WHEREAS, Aviation Department staff has negotiated an operating agreement with Raiser LLC, DBA Uber Technologies, Inc. establishing rates and procedures for operating within the San Antonio Airport System, which has been reviewed and accepted by the two other TNCs operating at the airport; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee is authorized to execute an operating agreement with Raiser LLC, DBA Uber Technologies, Inc. for three years with the option to extend for two additional one-year periods, and a materially and substantially same agreement with every other TNC wishing to operate within the San Antonio Airport System. A Copy of the Uber Technologies, Inc. agreement is attached and incorporation with other TNCs is attached and incorporated for all purposes as **Attachment 2**. The terms and conditions set forth in these agreements are approved.

SECTION 2. Funds generated by this ordinance will be deposited into Fund 51001000, Internal Order 233000000162, and General Ledger Account 4405921.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this 7th day of November, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

MAT
11/07/19
Item No. ____

THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.

ATTACHMENT 1

TRANSPORATION NETWORK COMPANY OPERATING AGREEMENT WITH RAISER LLC, DBA UBER TECHNOLOGIES, INC.

DRAFT

MAT
11/07/19
Item No. ____

THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.

ATTACHMENT 2

TEMPLATE TRANSPORTATION NETWORK COMPANY OPERATING AGREEMENT

DRAFT