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Office of the City Attorney

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Memorandum

TO: Mayor & City Commissioners
FROM: Shawn D. Smith, City Attorney
RE: Franchise Agreement template ordinance
DATE: 22 January 2015

Mayor & Commissioners

On Wednesday the 28th you will consider the second reading of the franchise ordinances. Future franchise agreements will be based upon this ordinance revision. At the last meeting the Commission commented on individual items, but did not make any motions to add or delete provisions. I was instructed to meet with the franchise operators. I did that on three occasions following the Commission meeting. What is linked to the agenda is the unedited franchise agreement as approved on first reading. Also linked is a document that was prepared by City View, Conch Tour Train & Buggy Bus, which includes their comments to the ordinance approved at first reading. City View's comments are in red. Buggy Bus/ Conch Train's comments are in blue. The original ordinance provisions are in black in the typical format. It is up to the Commission on how to proceed with the franchise operator's comments, as I did not want to interject my comments as a substitute for your decision making process. I believe that at the meeting on the 28th the Commission should go provision by provision determining what to keep, what to remove and what to add. The one provision I suggest adding relates to the height, width, weight & overall dimensions of the vehicles.

Please let me know if you would like to meet individually before the meeting to discuss any of the provisions in greater depth.

Take care

A handwritten signature in blue ink, appearing to be "Shawn D. Smith", is written over the typed name.

Shawn D. Smith
Key West City Attorney