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### Memorandum

TO: Mayor & Commissioners  
FROM: Shawn D. Smith, City Attorney  
RE: 7 January 2014 agenda item  
DATE: 30 December 2013

Mayor and Commissioners

Commissioner Lopez has an agenda item asking that the Commission's December 3rd vote concerning a proposed ordinance governing vehicles for hire be rescinded. The title of the ordinance was as follows:

"An Ordinance of the City of Key West, Florida, Amending Chapter 78 of the Code of Ordinances entitled "Vehicles For Hire" by adding Sections 78-65, 78-66 78-67 and Amending 78-198 to provide for the conversion of Contract Vehicle for Hire Licenses to Wheelchair Accessible Passenger Vehicle for Hire Licenses, Operations Requirements for such Vehicles and a Revocation Process; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date."

If the motion is successful, a second reading with formal vote on the ordinance will be held on January 22<sup>nd</sup>. A second vote on the substance of the ordinance cannot be held at the same time because of the necessary notice by publication requirements for the second reading of an ordinance. The discussion should therefore be focused only on the motion to rescind and not the substance of the ordinance.

Thanks for your time. I encourage you to contact me with any questions or comments.

A handwritten signature in black ink, appearing to read "Shawn D. Smith", is written over a horizontal line.

Shawn D. Smith