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Memorandum

TO: Mayor & Commissioners

FROM: Shawn D. Smith, City Attorney

RE: Franchise template ordinance

DATE: 25 September 2015

Mayor and Commissioners

The City Manager and I met with Code and Parking Department representatives to review the template franchise ordinance which passed on first reading. We also reviewed the comments each of you made at the public meetings, along with the public and private meeting comments made by current franchise holders. What follows this memo are staff suggested changes which we believe serve the public's interest, while still allowing for the viable operation of business by prospective franchise holders. Any actual franchise agreement passed by the Commission would require two readings under the City Charter and contain greater detail as contemplated by the template ordinance.

The reference material for second reading contains three distinct items.

ITEM 1

Item 1 is staff's recommendations for alterations to be made at second reading, which follows this memo. For the sake of clarity, item 1 contains only staff recommendations, without comments from the current franchise holders.
Words that are not underline or struck through or are brought forward from the template ordinance the Commission passed in 2009.
Items with a single ~~strike through~~ or single underline are either deletions or additions that you made when the ordinance passed on first reading.
Words that are underlined twice or ~~struck through twice~~ are recommendations by staff for adoption at second reading. All of these alterations for second reading are in red.

ITEM 2

Item 2 are requested changes and comments to the ordinance you passed at first reading from the current franchise holders.

ITEM 3

Item 3 is the ordinance the Commission passed at first reading.

Thanks for your time. Please let me know your thoughts and if you would like to discuss in greater detail.

Shawn D. Smith