



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#13-0675**

**TO:** Honorable Mayor & Members of the Fort Lauderdale City Commission

**FROM:** Lee Feldman, ICMA-CM, City Manager

**DATE:** May 21, 2013

**TITLE:** Motion to approve the return of security fund deposit to Comcast of Florida, LLC - \$217,148.79

**Recommendation**

It is recommended that the City Commission approve the return of security fund deposit to Comcast of Florida, LLC in the amount of \$217,148.79 and also approve the return of any subsequent interest earned up to date of payment.

**Background**

When the Consumer Choice Act of 2007 was passed by the Florida Legislature on July 1, 2007, local franchise agreements were no longer required for cable service providers. As part of the City's previous local cable franchise agreement, there was a provision for the franchisee to provide a security fund deposit in the amount of \$175,000. Now that the franchise agreement has ended, Comcast of Florida, LLC, is entitled to the refund of this deposit along with interest accrued.

Comcast has provided all necessary documentation to show the ownership history and name-change history of the City's original franchise agreement with District Cablevision Limited Partnership. In addition, they have provided a letter indemnification agreement (Exhibit 1) to assure that Comcast of Florida, LLC, is the party rightfully entitled to the return of the security deposit.

At the April 16, 2013 City Commission meeting, the Commission voted to defer this item to the May 21, 2013 Commission meeting due to concerns brought forward by Commissioner Rogers regarding duplicate utility poles.

**Resource Impact**

There will be a fiscal impact to the City in the amount of \$217,148.79.

FUNDS AVAILABILITY LOCATION:								
FISCAL YEAR	FUND	SUB FUND	FUND NAME	GL	GL NAME	SUBSIDIARY	SUBSIDIARY NAME	AMOUNT
2013	01	001	General	219	DEPOSITS - TRUST	0000059	AT&T Broadband Security Fund	\$ 217,148.79
							<b>TOTAL</b>	<b>\$ 217,148.79</b>

**Attachment**

Exhibit 1 – Indemnification Letter from Comcast

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Prepared by: Diana Scott, Administrative Assistant II

Department Director: Mike Maier, Information Technology Services Director/CTO