

RESOLUTION R - 04-84

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING THE SALE AND TRANSFER TO THE MANATEE COUNTY U.S. CABLE TELEVISION FRANCHISE TO COMCAST SUBSIDIARY; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, Manatee County is a “franchising authority” under federal law governing cable television; and

WHEREAS, pursuant to this status, Manatee County has from time to time entered into non-exclusive cable television franchises with cable television providers; and

WHEREAS, 47 U.S.C. § 537 authorized franchising authorities to review and approve of applications to transfer or sell cable television franchises; and

WHEREAS, pursuant to that authority U.S. Cable submitted, on January 9, 2004, a request to sell and transfer its cable television system within Manatee County to Comcast of Georgia/South Carolina, LLC; and

WHEREAS, upon request of the County, U.S. Cable submitted supporting documentation concerning the transfer deal as well as the qualifications of the intended transferee/purchaser; and

WHEREAS, Comcast, through its Comcast of West Florida, Inc., currently operates a cable television system within southern areas of Manatee County; and

WHEREAS, Comcast of West Florida, Inc., has indicated that the initial housing of the franchise within Comcast of Georgia/South Carolina, LLC, is a tax strategy and that no operational or service difference will be evident to County subscribers; and

WHEREAS, Comcast of West Florida, Inc., has assured the County that the franchise/system being purchased from U.S. Cable will be folded into the current holdings of Comcast of West Florida, Inc., at the same time that entity completes franchise renewal efforts with the County; and

WHEREAS, the County Attorney’s Office and the County administration have concluded Comcast of West Florida, Inc., has the financial, legal and technical capabilities to operate a cable television system within Manatee County; and

WHEREAS, it is in the best interests of the County’s subscribers to have this transfer occur as it will result in enhancements to the level of cable television service delivery to County citizens.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

1. The request to sell and transfer the Manatee County U.S. Cable television franchise and system to Comcast of Georgia/South Carolina, LLC, to eventually be transferred to Comcast of West Florida, Inc., is hereby granted.
2. This action shall not have the effect of altering the term of franchise of Comcast West Florida, nor of resulting in lower technical or service standards of its Manatee County subscribers.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

BE IT FURTHER RESOLVED that any existing Resolution or portion thereof of the Board of County Commissioners which contains terms or provisions which are in direct conflict with and cannot be harmonized with the provisions of this Resolution shall, as to such terms or provisions, be deemed as superseded by this Resolution.

BE IT FURTHER RESOLVED that the provisions of this Resolution are severable such that the invalidity of any one provision shall not operate to invalidate any other provision.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, this 10th day of March, 2004.

ATTEST:
R.B. SHORE
CLERK OF THE CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: Susan Bonnie
Jane vonHahmann
Jane vonHahmann, Chairman

