



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File ID: 2018-2102

Walk-On Item

5/22/2018

Public Hearing: YES NO

Department: Chief Executive Office

SUBJECT: Comcast Franchise Agreement Extension

Commission District(s): All

Costs are pursuant to Contract.

Information Contact: Diamond M. Lewis, Director, DCTV

Phone Number: 404-371-2083

PURPOSE:

To consider approving an amendment to extend the current Cable Franchise Agreement (the "Agreement") between Comcast of Georgia/Virginia, Inc. and/or Comcast of Georgia I, LLC (collectively, "Comcast") and the County for one (1) year, for a total contract term of six (6) years.

NEED/IMPACT:

The current Franchise Agreement is set to expire in June of 2018. The proposed amendment will extend the Agreement and continue the relationship between the County and Comcast through June of 2019, including the collection of franchise fees, and to continue to support the public broadcasting ("PEG") services provided by the County.

FISCAL IMPACT:

Pursuant to Contract.

RECOMMENDATION:

To approve an extension of the Agreement for one (1) additional year in a final form acceptable to the County Attorney and authorize the Chief Executive Officer to execute all necessary documents.



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May 22, 2018

Andy Macke
Vice President, Government & Community Affairs
Comcast Cable Communications
2925 Courtyards Drive
Norcross, GA 30071

Re: Extension of Cable Television Franchise in the DeKalb County, GA

Dear Mr. Macke:

This letter addresses the status of the Cable Television Franchise between Comcast of Georgia I, LLC (“Comcast”) and DeKalb County of Georgia (the “County”).

As you are aware, the County and Comcast entered into a five year “Cable Franchise Agreement” known as DeKalb County Contract No. 13-902661 (the “Agreement”), dated June 1, 2013 that will expire on May 31, 2018. While the County and Comcast have been meeting regularly and negotiating in good faith, both parties believe that it is necessary to extend the period of negotiations in hopes of reaching a mutually agreed upon cable franchise renewal.

Therefore by way of signature below, the parties hereinafter agree as follows:

- Comcast and the County are prepared to continue to negotiate in good faith with the goal of reaching agreement on a Renewal Franchise by June 1, 2019.
- The parties agree to a 12 month extension of the existing Franchise to further negotiate the terms and conditions for a Renewal Franchise. This letter amends the Agreement, Contract No. 13-902661, to extend its term to 11:59 on May 31, 2019.
- The signatures of the County and Comcast below reflect that each shall consider the existing Renewal Franchise in full force and effect for those 12 months, which the parties agree shall end at 11:59 p.m. on May 31, 2019.
- Because this is an extension of the existing Franchise and not a renewal, Comcast and the County reserve all rights under both the informal and formal process of Federal Law, and acknowledge that both the County and Comcast have preserved and retain all rights afforded to each party under Section 626 of the Cable Act, 47 U.S.C. § 546. Comcast shall not be required to file a new Section 626 letter with the County.

Thank you for your attention to this matter.

Acknowledged and Accepted by the Issuing
Authority by authorized designee:

Michael L. Thurmond
(*by Direction/Designation*)
Chief Executive Officer
DeKalb County, Georgia

Date

Acknowledged and Accepted by:

Andy Macke
Vice President,
Government & Community Affairs
Comcast Cable Communications
2925 Courtyards Drive
Norcross, GA 30071

Date

cc: Viviane Ernstes, Interim County Attorney