



Legislation Text

File #: 981647, Version: 1

981647
SUBSTITUTE 1

THE CHAIR

Substitute resolution establishing management procedures for use of City cable television related trust funds.

- Analysis -

This resolution establishes new procedures for the use of a \$50,000 cash deposit, held by the City Treasurer as segregated trust funds, made by the City's cable television franchisee under the 1983 City Cable Television Franchise Agreement. These new procedures will be applicable during the term of the Renewal Cable Television Franchise and will allow the City Clerk, under guidelines established by the City Comptroller, to withdraw amounts from that trust fund, including accumulated interest, to fund the cost of retaining consultant(s) to assist the City in its review of a proposed transfer of the cable television franchise. Any amounts remaining in the trust fund at the expiration of a 17 year term of the Renewal Cable Television Franchise will be returned to the franchisee.

Whereas, Via Common Council Resolution File No. 79-1592-4z, adopted July 12, 1983, the Common Council established procedures for the administration of a \$50,000 cash deposit ("Cash Deposit") made by the City's cable television franchisee as a part of the security fund required under the 1983 Cable Television Franchise Agreement ("1983 Franchise"); and

Whereas, The successor in interest to the franchisee under the 1983 Franchise has entered into a Renewal Cable Television Franchise Agreement ("Renewal Franchise") with the City and has consented via a communication from its president (a copy of which is attached to this file) to redirect the use of the Cash Deposit, currently being held by the City Treasurer as a trust fund, in accordance with the procedures set forth in this resolution; and

Whereas, The new use of the Cash Deposit would allow the City Clerk, under guidelines established by the City Comptroller, to withdraw amounts from that trust fund including accumulated interest, to fund the cost of retaining a consultant to assist the City in its review of proposed transfer(s) of the Renewal Franchise; now, therefore, be it

Resolved, That trust fund(s) shall be established to be known as the Cable Franchise Consultant Trust Fund(s) and the funding for those trust fund(s) shall come from funds currently held in trust by the City Treasurer under the provisions of the resolution adopted via Common Council File No. 79-1592-4z; and be it

Further Resolved, That the City Treasurer is authorized to segregate and invest earnings accruing to the trust fund(s) with interest earnings accruing to this trust and not accruing to the general fund interest on temporary investments account; and be it

Further Resolved, That no expenditure or commitment be made from these trust funds, plus accumulated interest on the trust funds, unless authorized by the City Clerk for the purpose of funding the cost of retaining a consultant to assist the City in its review of a proposed transfer of the Renewal Franchise; and be it

Further Resolved, That the administrative procedures and accounts necessary to implement this resolution be established and promulgated by the City Comptroller; and be it

Further Resolved, That upon the expiration of the Renewal Franchise, any funds remaining in trust fund(s) be returned to the City's cable television franchisee.

City Attorney's Office
PBMcd:dms
11/15/99
26318

1

2