

MEMORANDUM

Agenda Item No. 11(A)(16)

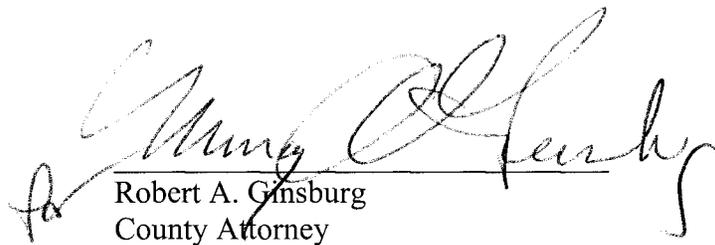
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 5, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution authorizing the
County Manager to execute an
Interlocal Agreement with
City of North Miami relating
to issuance of film permits

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Sally A. Heyman.


Robert A. Ginsburg
County Attorney

RAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 5, 2005

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(16)
4-5-05

RESOLUTION NO. _____

RESOLUTION AUTHORIZING COUNTY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF NORTH MIAMI ALLOWING THE MIAMI-DADE COUNTY OFFICE OF FILM AND ENTERTAINMENT TO ISSUE PERMITS ON BEHALF OF THE CITY AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN

WHEREAS, the Miami-Dade County Office of Film and Entertainment has provided one-stop film permitting services for most of Miami-Dade County municipalities since 1991; and

WHEREAS, one-stop permitting allows the Office of Film and Entertainment to facilitate film, television and still photography authorizations quickly and efficiently, which helps create a "film friendly" environment within Miami-Dade County for film and television production, and encourages more production as a result; and

WHEREAS, one-stop permitting is one of the single most effective enticements we have to attract an increasing number of film, television and still photography shoots to our community; and

WHEREAS, one-stop permitting is accomplished by entering into interlocal agreements with municipalities in Miami-Dade County; and

WHEREAS, the City of North Miami now desires to enter into such an interlocal agreement with Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the County Manager to execute an interlocal agreement between Miami-Dade County and the

City of North Miami allowing the Miami-Dade County Office of Film and Entertainment to issue permits on behalf of the City, in substantially the form attached, after review and approval by the County Attorney's Office, and to exercise all rights conferred therein.

The foregoing resolution was sponsored by Commissioner Sally A. Heyman and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|----------------------|-------------------------------|
| | Joe A. Martinez, Chairman |
| | Dennis C. Moss, Vice-Chairman |
| Bruno A. Barreiro | Dr. Barbara Carey-Shuler |
| Jose "Pepe" Diaz | Carlos A. Gimenez |
| Sally A. Heyman | Barbara J. Jordan |
| Dorrin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairman thereupon declared the resolution duly passed and adopted this 5th day of April, 2005. This resolution, if not vetoed, shall become effective in accordance with Resolution No. 377-04.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency. 

Jess M. McCarty

**INTERLOCAL AGREEMENT FOR
FILM PERMITTING BETWEEN
MIAMI-DADE COUNTY AND CITY OF NORTH MIAMI**

WHEREAS, the Board of County Commissioners adopted Ordinance 91-50, in order to effect a one stop permitting process within the Miami-Dade Office of Film and Entertainment (Film Office); and

WHEREAS, the Ordinance allows for the County to enter into interlocal agreements with the various municipalities within Miami-Dade County in order for the Miami-Dade Film Office to permit for use of municipal property and services; and

WHEREAS, the various municipalities have expressed willingness to enter into agreement with Miami-Dade County to perform this function on their behalf.

NOW THEREFORE, Miami-Dade County and the City of North Miami agree as follows:

1. Purpose: The City of North Miami authorizes the County, through its Film Office, to issue permits to film and still photography production companies, allowing them to utilize City facilities and services as authorized by the City.
2. Term: The City grants authorization to the County, through its Film Office, to issue permits for the period of five years, commencing ten (10) days from the date of approval of this agreement by both parties.
3. Cancellation: This agreement may be canceled by either party by providing written notice of intention to terminate, with 30 days prior notice, with or without cause. Any permits which may have been issued prior to termination, but covering dates after the termination date, will be honored.
4. Liaison: The City of North Miami will appoint a representative to act as liaison to the Film Office, and who will coordinate facilities and services, and who shall have the authority to authorize the issuance of permits by the County on behalf of the City.
5. Advance Notice: The County agrees to provide written notice to the City of North Miami, via facsimile and U.S. mail, of requests for City facilities or services within five (5) working day of receipt of the request from a production company for such service. The City retains the right to deny issuance of a permit based on insufficient advance notice.
6. Insurance: The County, through its Film Office, agrees to obtain from any production company issued a permit for the City, an insurance certificate, naming the City as a loss payee and an additional insured, in the amount of one million dollars (\$1,000,000.00) for film production and for still photography, providing for comprehensive general liability coverage. In the event that the County fails to verify the required insurance, and the City has not waived this requirement, the County shall assume liability under state tort law, within limitations described by Sec.768.28, Florida Statutes. Verifying insurance means that the County obtains a copy of the production company's liability insurance policy naming the

City as a loss payee and an additional insured in the amounts described above.

7. Refusal: The City Manager maintains the right to reject any permit application if the City Manager determines that it would not be in the best interest of the City to approve the permit application and the granting of the permit would not serve to promote the general welfare of the community.

8. Non Exclusive Rights: The City of North Miami retains the right to issue authorization to any production company directly and without notice to the Film Office.

9. Priority Service Consideration: The County agrees that City services will be given first right to provide support service to production companies which are utilizing City property.

10. Facilities: The City agrees to provide in writing, a schedule of facilities, services and associated fees and required deposits, which it wishes to make available for use. Further, the County agrees to forward any requests for special facilities which the City may own or control and may be requested by a production company.

11. Collections: The County agrees that they will be responsible for the billing and collection of any fees or charges assessed to a production company for use of facilities and/or services and the City will in no way be liable for such charges, if unpaid. The County shall not issue permits to film and still photography production companies that have unpaid fees or charges assessed by the County and the City under this section.

12. Cooperative Marketing: The County agrees to include the City in any cooperative marketing material which may be issued from the Film Office. Further, the County agrees to list the City by name in any reference to "one stop Permitting and it's participating municipalities."

13. Facility Photo File: The City agrees to provide the County with photographs of available areas or facilities which the City wishes to promote for the use of film production and the County agrees to make this material available to production companies, in an effort to market the City, County and South Florida to the film industry.

14. Notice: All legal notices regarding this agreement must be sent to the following address:

Miami - Dade County
County Manager
Attn: Office of Film & Entertainment
111 NW 1st Street, Suite 2540
Miami FL 33128

City of North Miami
City Manager
776 NE 125th Street
North Miami FL 33161

15. This agreement may be amended only by the mutual written consent of both parties.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their appropriate officials, as of the date first above written.

ATTEST:

Harvey Ruvlin, Clerk

MIAMI-DADE COUNTY BOARD

OF COUNTY COMMISSIONERS

BY _____
Deputy Clerk

BY _____
Assistant County Manager

Approved as to form _____
County Attorney

ATTEST:

City of North Miami

Pursuant to

Resolution R-2004-169

BY Jacqui Vieira
City Clerk

BY Clarence Patterson
City Manager

Deputy

Approved as to form SR C 2004/A 9/1/04
City Attorney