

MEMORANDUM

IMFR
Agenda Item NO. 2N

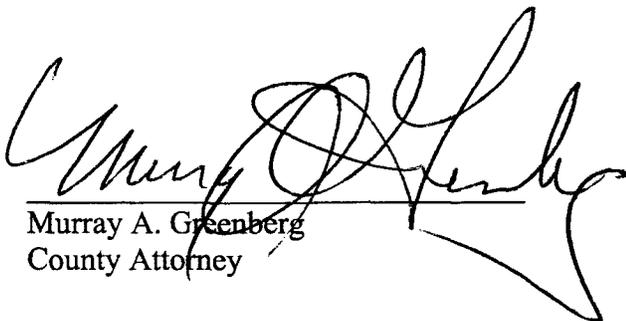
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: September 15, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution directing County
Manager to prepare a report
with recommendations for
improving the Community
Periodical advertising
program

The accompanying resolution was prepared and placed on the agenda at the request of Senator Javier D. Souto.



Murray A. Greenberg
County Attorney

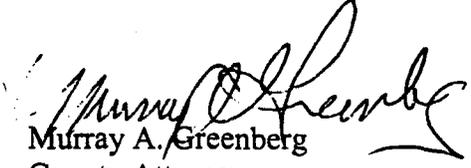
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MEMORANDUM

(Revised)

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

FROM: 
Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No.

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

Agenda Item No.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MANAGER TO
PREPARE A REPORT WITH RECOMMENDATIONS FOR
IMPROVING THE COMMUNITY PERIODICAL
ADVERTISING PROGRAM SO THAT IT COMPLIES WITH
ITS ORIGINAL GOAL

WHEREAS, the Miami-Dade County Community Periodical Advertising Program was established in 1993 under Resolution No. R-1679-93 to inform our poor, elderly and disadvantaged residents who cannot afford to buy daily newspapers or subscribe to a newspaper; and

WHEREAS, the Board of County Commissioners recognizes that community periodicals, although they do not qualify for legal advertisements, provide a valuable and complementary source of information to Miami-Dade County residents, particularly the poorest residents of our community who depend on these free periodicals that cater directly to Miami-Dade County's multi-ethnic, multi-national and multi-lingual population; and

WHEREAS, many County residents depend on weekly community periodicals as a means to be informed of the activities of their County government; and

WHEREAS, the 2000 Population Census indicates that almost 80 percent (79.33%) of Miami-Dade County's population is comprised of ethnic minorities - 57.32% Hispanic, 18.96% black and 3% other ethnic minorities; and

WHEREAS, the Board of County Commissioners recognizes that in a community with 1,787,000 minority residents from diverse cultural, national, language and racial ethnicities, it is

essential to provide them with information concerning their local government services and programs; and

WHEREAS, in 1998 under Resolution No. R-678-98 the Board of County Commissioners established minimum standards and guidelines for the Community Periodical Advertising Program in order to protect the integrity of the program; and

WHEREAS, the Board of County Commissioners recognizes that the establishment of appropriate standards and guidelines for the Community Periodical Advertising Program will help the program achieve the intended goals established by the Board of County Commissioners in 1993 of allowing the County to reach out to the poorest residents of our community with public service announcements, information on social service programs, information on employment opportunities with Miami-Dade County, and general information from their local government,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Manager is directed to prepare a report in 30 days with the following recommended criteria for improving the Community Periodical Advertising Program:

- 1) The report will examine the establishment of a centralized mechanism for County advertisements through the Communications Department, which will be responsible for monitoring, creating and placing all County advertisements provided by the County's various departments to certified periodicals participants in the Community Periodical Program. The report will reflect that community periodicals normally do not qualify as newspapers of general circulation for purposes of advertisements that are legally required.

2) The report shall indicate the percentage of the County's total advertising budget for fiscal years 2003-2004, 2004-2005, and 2005-2006, and further indicate the percentage of these budgets expended in the Community Periodical Advertising Program.

3) The report shall indicate the percentage and dollar amount by category of County employment opportunities, public housing opportunities and programs, social service assistance opportunities and programs, and public auctions advertised in these community periodicals that are distributed in the community free of charge to the poor, elderly and disadvantaged residents who cannot afford to buy daily newspapers or subscribe to a newspaper.

4) The report shall recommend program guidelines for improving the Community Periodical Advertising Program and at a minimum examine the following policy questions:

a. Are the program participants meeting the original intent of the program as established by the Board of County Commissioners under Resolution No. R-1679-93 to serve and inform our poor, elderly and disadvantaged residents who cannot afford to buy daily newspapers or subscribe to a newspaper?

b. Is the periodical available free of charge to the general public at local news stands?

c. Is the periodical providing news and information to one of the cultural, ethnic or geographic communities within Miami-Dade County?

d. Is the periodical following a "general news" format with news and articles that appeal to the general public, as opposed to a professional trade or business publication that does not cater to the poor, elderly and disadvantaged residents who cannot afford to buy daily newspapers or subscribe to a newspaper?

e. Is the percentage of space related to local news and happenings significantly greater than the space dedicated exclusively for advertisement? Is it a newspaper or an advertising flyer?

f. Does the periodical regularly publish in most of its editions County and community related press releases from the County Manager's Office, County departments, County Commissioners or the Mayor's office, or does the periodical publish mostly paid advertisements from the County?

g. Is the periodical in fact a community periodical with most, if not all, its circulation within Miami-Dade County and with most of its content related to news and happenings within Miami-Dade County?

h. Is the volume of news content and frequency of publication sufficient to classify the periodical as a newspaper or magazine and not a brochure or newsletter?

i. Has the periodical maintained proof of continuous publication for a minimum of three years as required by County regulations and as recommended by the Audit and Management Services Department in 2003?

The foregoing resolution was sponsored by Senator Javier D. Souto 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
Jose "Pepe" Diaz
Sally A. Heyman
Dorin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

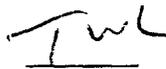
The Chairman thereupon declared the resolution duly passed and adopted this 8th day of September, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Thomas W. Logue