# MEMORANDUM

Agenda Item No. 11(A)(11)

---

**TO:** Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

**DATE:** September 16, 2014

**FROM:** R. A. Cuevas, Jr.
County Attorney

**SUBJECT:** Resolution urging the Florida Legislature to enact legislation that would fund film, television and entertainment incentives that foster economic development and create jobs; preliminarily identifying this issue as a critical County priority for the 2015 session; urging the Florida Association of Counties to identify this issue as one of its priorities for the 2015 session

---

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

# MEMORANDUM
**(Revised)**

**TO:** Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

**DATE:** September 16, 2014

**FROM:** R. A. Cuevas, Jr.
County Attorney

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

**Please note any items checked.**

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____ ) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(11)
9-16-14

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD FUND FILM, TELEVISION AND ENTERTAINMENT INCENTIVES THAT FOSTER ECONOMIC DEVELOPMENT AND CREATE JOBS; PRELIMINARILY IDENTIFYING THIS ISSUE AS A CRITICAL COUNTY PRIORITY FOR THE 2015 SESSION; URGING THE FLORIDA ASSOCIATION OF COUNTIES TO IDENTIFY THIS ISSUE AS ONE OF ITS PRIORITIES FOR THE 2015 SESSION

**WHEREAS,** during the 2010 legislative session, the Florida Legislature enacted Chapter No. 2010-147, Laws of Florida (SB 1752), which created the Florida Entertainment Industry Financial Incentive Program, codified as Section 288.1254, Florida Statutes; and

**WHEREAS,** the Florida Entertainment Industry Financial Incentive Program offers tax credits to qualifying film, television and other entertainment industry projects to attract business to and create jobs in the State of Florida; and

**WHEREAS,** the 2010 legislation initially allocated $242 million in tax credits for the program; and

**WHEREAS,** Section 288.1254 provided that the program was a six year program, scheduled to begin on July 1, 2010 and to sunset on July 1, 2016; and

**WHEREAS,** due to the success of the program, the Florida Legislature added an additional $12 million in funding during the 2011 session and an additional $42 million during the 2012 session for a total of $296 million; and

**WHEREAS,** going into the 2013 session, all of the tax credits under the program, totaling the entire $296 million, had been claimed as conditionally certified by current projects; and

**WHEREAS,** during the 2013 session, the Florida Legislature did not add funding to the Florida Entertainment Industry Financial Incentive Program, despite substantial lobbying efforts; and

**WHEREAS,** going into the 2014 session, again, there were no tax credits available to attract new film, television and entertainment projects to Miami-Dade County and the State of Florida, other than credits that might be returned by discontinued projects; and

**WHEREAS,** in July of 2013, the County urged the Florida Legislature to make a long-term commitment to fund film, television and entertainment incentives that foster economic development and create jobs, and set forth the issue as a critical County priority for the 2014 state legislative session, pursuant to Resolution No. R-602-13; and

**WHEREAS,** in April of 2014, the County adopted Resolution No. R-366-14 supporting legislation that would fund film, television and entertainment incentives that foster economic development and create jobs; and

**WHEREAS,** again during the 2014 session, the Florida Legislature did not add funding to the Florida Entertainment Industry Financial Incentive Program, despite substantial lobbying efforts; and

**WHEREAS,** currently, no funding remains available under Florida's Entertainment Industry Financial Incentive Program; and

**WHEREAS,** the amount of direct spending in Miami-Dade County by the entertainment industry increased by approximately $500 million during the four year period in which the Florida Entertainment Industry Financial Incentive Program was funded; and

**WHEREAS,** since the funding was depleted, Miami-Dade County and the State of Florida have been operating at a competitive disadvantage to the approximately 40 states that

offer incentives to attract film, television, commercials and other production companies to their state; and

**WHEREAS,** direct spending by the entertainment industry in Miami-Dade County has decreased by over 50 percent this year as a result of the lack of film incentives, and is anticipated to decrease at a greater rate as projects that previously received incentives complete the production process; and

**WHEREAS,** many production companies no longer even consider bringing business to the State of Florida or Miami-Dade County, making it impossible to calculate the actual number of entertainment productions that would have been produced in Miami-Dade County but for the lack of incentives; and

**WHEREAS,** businesses and individuals working in industries related to film production are relocating out of Miami-Dade County and the State of Florida to states that are committed to attracting the entertainment industry; and

**WHEREAS,** this Board would like to strongly encourage the Florida Legislature to make a long-term commitment to fund film, television and entertainment incentives so as to reverse the recent trend of the State of Florida losing opportunities for economic development and job creation that is a product of such productions; and

**WHEREAS,** on September 17, 2013, this Board approved Resolution No. R-764-13, revising the process by which the federal and state legislative packages are presented to the Board and the Board decides its federal and state priorities; and

**WHEREAS,** this Board would like to preliminarily identify film, television and entertainment incentive funding as one of Miami-Dade County's critical priorities for the 2015

session and also urge the Florida Association of Counties to identify this issue as one of its critical priorities for the 2015 session,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that this Board:

**Section 1.** Urges the Florida Legislature to enact legislation that would fund film, television and entertainment incentives that foster economic development and create jobs.

**Section 2.** Preliminarily identifies the issue set forth in Section 1 above as a critical County priority for the 2015 state legislative session.

**Section 3.** Urges the Florida Association of Counties to include long-term funding for film, television and entertainment incentives as one of its critical priories for the 2015 session.

**Section 4.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation and the Executive Director of the Florida Association of Counties.

**Section 5.** Directs the County's state lobbyists to advocate for the passage of the legislation as set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2015 State Legislative Package when it is presented to the Board and to preliminarily identify this item as a critical priority when the Board determines priorities for the 2015 session as provided in Resolution No. R-764-13.

The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa. It was 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata
Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of September, 2014. 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. MP

Matthew Papkin