

## **MEMORANDUM**

Agenda Item No. 11(A)(4)

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**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** February 5, 2008

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

**SUBJECT:** Resolution urging retailers  
of television sets to accept  
Federal Government \$40  
coupons in full payment  
of digital-to-analog  
converter boxes

**Resolution R-156-08**

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The accompanying resolution was prepared and placed on the agenda at the request of Senator Javier D. Souto and Vice-Chairwoman Barbara J. Jordan.



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R. A. Cuevas, Jr.  
County Attorney

RAC/bw



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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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)(4)  
2-5-08

RESOLUTION NO. **R-156-08**

RESOLUTION URGING RETAILERS OF TELEVISION SETS TO ACCEPT THE FEDERAL GOVERNMENT COUPONS OF \$40 AS FULL PAYMENT BY CONSUMERS FOR THE DIGITAL-TO-ANALOG CONVERTER BOXES THAT WILL BE REQUIRED AFTER FEBRUARY 17, 2009 TO RECEIVE OVER-THE-AIR TELEVISION SIGNALS

**WHEREAS**, Congress has mandated that, after February 17, 2009, television stations must stop broadcasting analog signals and begin broadcasting digital signals only; and

**WHEREAS**, after these changes occurs, television sets designed to receive analog signals will not be able to receive over-the-air broadcast signals unless they are equipped with special digital-to-analog converter boxes; and

**WHEREAS**, the Department of Commerce's National Telecommunications and Information Administration has launched the Digital-to-Analog Converter Box Coupon Program as authorized in the Digital Television Transition and Public Safety Act of 2005 which provides that, starting January 1, 2008, all U.S. households will be eligible to request up to two coupons, worth \$40 each, to be used toward the purchase of up to two, digital-to-analog converter boxes; and

**WHEREAS**, it appears that the \$40 value of the coupons may not be sufficient to pay for the market cost of the digital-to-analog converter boxes, which means that many persons on fixed incomes, including the elderly, may not be able to afford the converter boxes and therefore will be deprived of access to over-the-air television signals and services,

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

Section 1. The stores and retailers in the business of selling television sets and converter boxes are urged to accept the \$40 coupon as full and complete payment of the converter box as a community service to the many persons on fixed incomes, including the elderly, who are not be able to afford the converter boxes and therefore will be deprived of access to over-the-air television signals; and further that it is reasonable to request such a public service from these businesses since they will be a major benefactor of the sales of new digital televisions which are replacing the analog televisions being phased out pursuant to the change in federal law. Information regarding the change in signals from analog to digital and the issuance of coupons is available from resources such as the Federal Communications Commission website [www.dtv.gov](http://www.dtv.gov).

Section 2. To ensure the consumer is held harmless from any additional out-of-pocket expenses, the Board of County Commissioners urges the Florida Legislature to provide a sales tax exemption for the purchase by a consumer of a digital-to-analog converter box.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 4. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in section 2 above, and directs the Office of Intergovernmental Affairs to include this item in the 2008 State Legislative Package.

The foregoing resolution was sponsored by Senator Javier D. Souto and Vice-Chairwoman Barbara J. Jordan and offered by Commissioner **Joe A. Martinez** , who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman	<b>aye</b>	
	Barbara J. Jordan, Vice-Chairwoman	<b>aye</b>	
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson	<b>aye</b>
Carlos A. Gimenez	<b>aye</b>	Sally A. Heyman	<b>aye</b>
Joe A. Martinez	<b>aye</b>	Dennis C. Moss	<b>absent</b>
Dorrin D. Rolle	<b>aye</b>	Natacha Seijas	<b>aye</b>
Katy Sorenson	<b>absent</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>aye</b>		

The Chairman thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of February 2008. 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: **Kay Sullivan**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

TWL

Thomas W. Logue

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