OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 7(F)

(Second Reading 10-7-14)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	July 15, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Ordinance creating the Miami-Dade County Marketing Partnerships Program; creating Article CXLIII of the Code; delegating to the Mayor the authority to administer the program and to enter into Marketing Partnership Agreements; providing for Implementing Order Ordinance No. 14-99

The accompanying ordinance was prepared by the Office of Management and Budget and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr., and Co-Sponsors Vice Chair Lynda Bell and Commissioner Sally A. Heyman.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: October 7, 2014

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

From: Carlos A. Gimenez
Mayor

Subject: Establishing the County's New Marketing Partnerships (Countywide Sponsorship) Program

---

Recommendation
It is recommended that the Board of County Commissioners (Board) adopt the attached ordinance establishing the County's New Marketing Partnerships Program (Program). This Countywide Program is designed to create revenue generating opportunities through mutually beneficial "marketing partnerships" that are creative and non-traditional.

Scope
The Program will have a countywide impact.

Fiscal Impact/Funding Source
In 2012, Active Network, a national marketing firm, evaluated Miami-Dade County's strengths for a countywide marketing program and identified marketing opportunity categories with the most appeal to corporate partners and economic benefit to the County. The categories included: (1) Proud Partner Program; (2) Beverage and Snack Vending; (3) Naming Rights; (4) Media Services; (5) WiFi Proximity Marketing; (6) "Daily Deal" ConnectCard; (7) Licencing and Branding; (8) MyCounty Webpage; (9) Public Recycling; and (10) 3-1-1 Marketing Program.

The evaluation proposed that incremental County revenue and cost savings attributable to just these categories above could initially range between $750,000 to $1 million within one year after implementation. These revenues can continue to grow annually as long term contract accelerators kick in and new category segments are phased in and are activated.

Sole authority for the allocation of revenue generated as a result of any and all marketing partnership agreements shall be retained by the Board and will be budgeted through the annual budget process except for certain revenues that may have restricted uses as required by federal law.

Track Record/Monitoring
The Grants Division of the Office of Management and Budget will be responsible for the day-to-day oversight, development, and management of the Program.

However, due to the County's size and scope, it is recommended that the County contract with an experienced external professional marketing research firm/consultant, selected through an open competitive solicitation, to assist internal staff. The services of the external consultant will include: (1) obtaining current valuations of County assets, especially those that can be expected to yield more than $100,000 in revenue; (2) monitoring corporate interest and sponsorship activity on a national level for potential leads; and (3) brokering high-value, long-term. Compensation for such services would be derived directly as a percentage from revenue generated in a successful marketing partnership deal.

An Implementing Order that will be presented for Board consideration when this ordinance is before the Board for final approval will govern the procedure for implementing and managing the Program.

The Implementing Order will establish the roles and responsibilities of the Office of Management and Budget as well as the strategies to engage with qualified private/corporate or public sector organization in marketing partnerships, and the authority to negotiate and award marketing partnership agreements.

Background

As the County continues to face a climate of increasing needs coupled with limited revenues, there is a need to implement innovative and non-traditional strategies to identify alternate revenue sources and/or in-kind support for the continued provision of vital programs and services.

A key strategy of the Program is to leverage County assets (properties, programs, etc.) across departments to enhance the County's position to attract major sponsors/partners. Through the Program, the County will pursue revenue from private corporations and small enterprises; other governmental entities; foundations and charitable groups; and philanthropists and individuals.

The Program will also support and not supplant current private-sector partnership/revenue generation programs that are already active in various departments unless there is a greater potential to increase revenue generation by inclusion in the new program through marketing partnership agreements.

Small and large cities and counties around the nation have initiated and are continuing to develop official and innovative municipal marketing programs aimed at alternative revenue generation. Locales such as: Maricopa County, AZ; San Diego, CA; Santa Clara County, CA; Pinellas County, FL; Broward County, FL; Miami Beach, FL; Durham County, NC; Nassau County, NY; and most recently the City of Chicago and Cook County, IL have launched programs to raise the profile and enhance the marketing of transit assets; naming rights for facilities and parks; beverage and product licensing; and even general support for community programs and services.

As a major metropolitan area, an international destination, and the "gateway to the Americas," Miami-Dade County could take advantage the initiative before other jurisdictions'/entities' assets become available by launching an official countywide sponsorship program. However, ensuring that the County is properly prepared and fully knowledgeable to implement the program is critical.

As reported by IEG, LLC, a global sponsorship industry leader, launching a first-time, large-scale or national sponsorship program takes time and can only be successful when done with a "measured approach to ensure internal buy-in, proper preparation for implementation (with policies and guidelines), and salable marketable packages of assets." It is important to also note that a recurring theme among municipal marketing consultants for actually securing successful corporate sponsorship involves the need for speed, ease, and efficiency when dealing with local government assets, especially from the time when corporate interest is initially expressed and a final deal developed. Therefore it will be critical that the County be both nimble and strategic if it is to be successful. The proposed program is the result of much research and discussion with national experts in the field and is responsive to the needs of being flexible and expeditious.

Edward Marquez
Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: October 7, 2014

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

SUBJECT: Agenda Item No. 7(F)

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. 7(F)
10-7-14

ORDINANCE NO. 14-99

ORDINANCE CREATING THE MIAMI-DADE COUNTY MARKETING PARTNERSHIPS PROGRAM; CREATING ARTICLE CXLIII OF THE CODE OF MIAMI-DADE COUNTY; DELEGATING TO THE MAYOR OR MAYOR'S DESIGNEE THE AUTHORITY TO ADMINISTER THE PROGRAM AND TO ENTER INTO MARKETING PARTNERSHIP AGREEMENTS; PROVIDING FOR IMPLEMENTING ORDER; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Article CXLIII Section 1-5 of the Code of Miami-Dade County, Florida (the "Code"), is hereby created to read as follows:

Marketing Partnerships Program

(1) Definitions.

(a) **Marketing Partnerships Program** - The Marketing Partnerships Program is a countywide sponsorship program whereby a third party will provide a financial benefit to the County in the form of non-tax revenue and/or in-kind fees (products or services) in exchange for the access to the marketing commercial potential associated with select County assets for the use in strategies to promote, sell, or distribute a product or service. Marketing partnerships will vary depending on County assets and corporate goals, but can incorporate certain marketing privileges such as naming and sales rights, facility and event signage, program advertising, and an exclusive proud product/services provider to the County.

(b) **Marketing Partnership Agreement** - A Marketing Partnership Agreement is an agreement with a third party to provide a financial benefit to the County in the form of non-tax revenue and/or in-kind fees (products or services) in exchange for the access to the marketing commercial potential associated with select County assets for the use in strategies to promote, sell, or distribute a product or service. Marketing Partnership Agreements may

incorporate but not be limited to certain marketing privileges such as advertising, exclusivity rights, naming rights, and other revenue-generating methodologies.

(2) The Marketing Partnerships Program is hereby created to generate revenue for the County by using the commercial marketable value of county assets.

(3) The Board of County Commissioners retains the authority for the allocation of any revenue generated by this Program.

(4) The County Mayor or his designee is hereby delegated the following authority:
   (a) to develop, implement, and manage the Marketing Partnerships Program;
   (b) to enter into Marketing Partnership Agreements with an aggregate estimated value of less than $1 million. Agreements with an aggregate estimated value of $1 million or more and non-event naming rights require Board of County Commissioners approval;
   (c) to provide guidance to County departments regarding the proper application of the criterion of the program;
   (d) to provide assistance and consultation to departments regarding prospective marketing partnership activities and opportunities; and
   (e) to review and assist in the creation and negotiation of Marketing Partnership Agreements.

* * *

Section 2. The County Mayor is hereby authorized to present to this Board for approval an Implementing Order to give effect to this Ordinance.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: October 7, 2014

Approved by County Attorney as
to form and legal sufficiency:

Prepared by: D.F.

Daniel Frastai