

MEMORANDUM

Agenda Item No. 11(A)(1)

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

DATE: December 1, 2020

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Resolution relating to the Miami-
Dade County Television, Film
and Entertainment Production
Incentive Program; amending
Resolution No. R-783-17;
modifying minimum application
requirements and procedures as a
result of coronavirus disease
2019 (COVID-19)

Resolution No. R-1226-20

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



Geri Bonzon-Keenan
Successor County Attorney

GBK/uw



MEMORANDUM

(Revised)

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

DATE: December 1, 2020

FROM: 
Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Agenda Item No. 11(A)(1)

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
- ☐ Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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)(1)
12-1-20

RESOLUTION NO. R-1226-20

RESOLUTION RELATING TO THE MIAMI-DADE COUNTY
TELEVISION, FILM AND ENTERTAINMENT PRODUCTION
INCENTIVE PROGRAM; AMENDING RESOLUTION NO. R-783-
17; MODIFYING MINIMUM APPLICATION REQUIREMENTS
AND PROCEDURES AS A RESULT OF CORONAVIRUS
DISEASE 2019 (COVID-19)

WHEREAS, Miami-Dade County has been a world class production hub for film, television, television commercials and digital media and is home to 200 production companies, 15 soundstages, 15 recording studios, three Spanish-language production facilities and many businesses that support motion pictures and videos; and

WHEREAS, the film, television and digital industry supports direct and indirect jobs and wages in many companies, such as hotels, restaurants, caterers, dry cleaners, for-hire transportation companies, florists and landscapers, vehicle and truck rental companies, furniture companies, hardware and lumber suppliers, lighting and grip rental companies, clothing stores, private and public office spaces, location rentals, digital equipment suppliers, tent suppliers, and portable air suppliers, among others; and

WHEREAS, unfortunately, Florida's Film Incentive Program expired in 2016 leading to a decline in films being produced in Miami-Dade County and throughout the state, and an increase in films being shot in other states, such as Georgia; and

WHEREAS, in the absence of state incentives, other counties in Florida such as Broward, Palm Beach, Hillsborough, Duval, Pinellas, and Manatee created their own programs; and

WHEREAS, recognizing the need to implement a local incentive program, on July 18, 2017, this Board passed Resolution No. R-783-17 which created the Miami-Dade County Television, Film and Entertainment Production Incentive Program (the “Program”); and

WHEREAS, thereafter, this Board passed Resolution No. R-615-19, amending the Program to allow small and medium production companies with small budgets to apply and meet Program requirements; and

WHEREAS, since its inception, the Program has enticed 12 productions to apply for incentives and film their shows and movies in Miami-Dade County; and

WHEREAS, despite the Program’s success, some additional modifications are necessary particularly now in light of the effects of coronavirus disease 2019 (COVID-19), an infectious disease of the respiratory system that spread worldwide killing approximately 1 million people since its discovery in December 2019; and

WHEREAS, the COVID-19 pandemic has redesigned how movies and television projects are produced; and

WHEREAS, the cost of productions have increased at least 25 percent because of the required testing and personal protection equipment for cast and crew, and

WHEREAS, production work days are shorter and the overall length of production is longer due to required social distancing, working at 50 percent capacity and mask wearing policies; and

WHEREAS, these added costs must be compensated somewhere else in the production budget in order to meet the financial bottom line; and

WHEREAS, budgets need to adjust for these added costs by condensing crew size but extending each of their job functions crew; and

WHEREAS, because of this, productions spending at least \$500,000.00 in Miami-Dade County are finding it difficult to meet the requirement that no less than 20 County residents are hired as principal cast and crew; and

WHEREAS, similarly, productions spending at least \$1,000,000.00 in Miami-Dade County find it difficult to meet the requirement that no less than 40 County residents are hired as principal cast and crew; and

WHEREAS, this Board would like to address these concerns to ensure that the County continues to compete with other jurisdictions and earn greater direct and indirect returns by requiring that no less than 70 percent of principal cast and crew are Miami-Dade County residents,

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

Section 1. The foregoing recitals are hereby approved and incorporated herein.

Section 2. Section 6 of Resolution No. R-783-17 is amended and restated to read:

Application Procedure. The County Mayor or County Mayor's designee is directed to develop an application to be completed by any Production seeking film and entertainment production rebates from Miami-Dade County. Such application may be administratively modified by the County Mayor or County Mayor's designee from time to time, but must at a minimum incorporate the following requirements:

1. Require that no less than 70 percent of the entire Production be produced/filmed in Miami-Dade County.
2. Require that no less than 70 percent of hired vendors/contractors be Miami-Dade County Registered Businesses for days produced or filmed in Miami-Dade County.
3. Require that no less than 70 percent of qualified Miami-Dade County residents are hired as principal cast or crew for the days produced or filmed in Miami-Dade County.

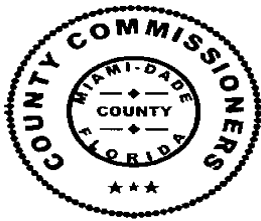
4. Require that Miami-Dade County residents are paid, at a minimum, the same rate as provided in Miami-Dade County Code Section 2-8.9, as may be amended from time to time, as if the Production were a covered service contractor.
5. Require a per project return of investment of at least \$10.00 for every \$1.00 provided by Miami-Dade County as part of the Program. Project return of investment shall be calculated by dividing the total of salaries paid to Miami-Dade County residents and amount paid to Miami-Dade County Registered Businesses hired as vendors and contractors for every dollar of support from Miami-Dade County.
6. Require a minimum amount of spending of \$500,000.00 in Miami-Dade County for a maximum grant of \$50,000.00.
7. Require a minimum amount of spending of \$1,000,000.00 in Miami-Dade County for a maximum grant of \$100,000.
8. Require that a Production showcase Miami-Dade County to the extent that the Production has a sense of place in Miami-Dade County as determined by the County Mayor or County Mayor's designee.
9. Require that a Production hire students and recent graduates from local colleges or universities as determined by the County Mayor or County Mayor's designee.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman.

It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Acting Chairwoman	aye	
Jose "Pepe" Diaz	aye	Sen. René García	aye
Oliver G. Gilbert, III	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Eileen Higgins	aye
Joe A. Martinez	aye	Kionne L. McGhee	aye
Jean Monestime	aye	Raquel A. Regalado	aye
Sen. Javier D. Souto	aye	District 8 - Vacant	vacant

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of December, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



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

HARVEY RUVIN, CLERK

By: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

APP

Altanese Phenelus