

RESOLUTION No. 15-59

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, URGING THE FLORIDA LEGISLATURE TO FUND THE FLORIDA ENTERTAINMENT INDUSTRY FINANCIAL INCENTIVE PROGRAM AND TO MAKE THE ATTRACTION OF FILM, TELEVISION, AND ENTERTAINMENT PROJECTS A LEGISLATIVE PRIORITY; SUPPORTING MIAMI-DADE COUNTY'S LEGISLATIVE OUTREACH REGARDING SAME; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, during the 2010 legislative session, the Florida Legislature passed Senate Bill 1752, codified as section 288.1254, Florida Statutes, which created the Florida Entertainment Industry Financial Incentive Program ("FEIFIP"); and

WHEREAS, the FEIFIP offers tax credit to qualifying film, television, and other entertainment industry projects to attract businesses and job creation in the State of Florida; and

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

WHEREAS, section 288.1254 provided that the program was a six-year program schedule to begin on July 1, 2010 and 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 its 2011 session and an additional \$42 million during the 2012 legislature, according to the Florida Office of Film and Entertainment; and

WHEREAS, the FEIFIP credits amassed during 2011 and 2012 were exhausted by early 2013, and the Legislature has not since provided any additional funding to the program; and

WHEREAS, as a result, there are no tax credits available to attract new film, television, and entertainment projects to the state, putting the City, Miami-Dade County, and the State at a competitive disadvantage; and

WHEREAS, Miami-Dade County recognizes the efforts of the FEIFIP as a critical component to the County's future economic development and has made it's funding a legislative priority; (see attached "A") and

WHEREAS, given the existing film, television, and entertainment activities already occurring in the City, the City is directly and detrimentally impacted by the lack of funding in the FEIFIP and similar finds its work of critical importance; and

WHEREAS, expansion of funding for the FEIFIP would almost certainly benefit the City by fostering economic development and job creation; and

WHEREAS, the City endorses the work of the FEIFIP and requests that the State make a long term commitment to fund the FEIFIP.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Recommended Position. The Florida Legislature is hereby strongly urged to fund the Florida Entertainment Industry Financial Incentive Program to such an extent as is necessary to perpetuate a program that is sustainable from year to year and to otherwise make the attraction of film, entertainment, and other entertainment production a legislative priority. The City hereby strongly supports the legislative outreach efforts of Miami-Dade County as it seeks the funding of the FEIFIP as one of its legislative priorities.

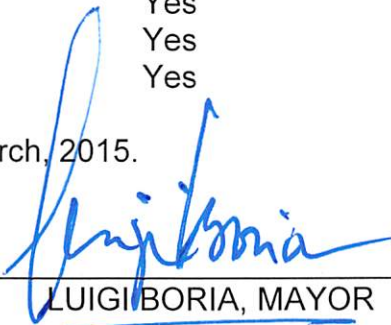
Section 3. Transmittal. The City Clerk is hereby directed to transmit this Resolution to the Speaker of the Florida House of Representatives, the President of the Florida Senate, the Governor of the State of Florida, and such individuals of the Florida legislature and staff as deemed appropriate by the City Manager, to ensure that the City's position with this regard is clearly received and understood.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Vice Mayor Ruiz who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED this 18 day of March, 2015.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, INTERIM CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE USE
OF THE CITY OF DORAL



WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL
CITY ATTORNEY

EXHIBIT “A”

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/Imp



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

Agenda Item No. 11(A)(11)

Veto _____

9-16-14

Override _____

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 priorities 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