

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Rickelle Williams, Interim Executive Director

DATE: July 24, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE PROPOSED AMENDMENTS TO THE FILM AND PRINT REQUIREMENTS AND GUIDELINES IN ORDER TO INCORPORATE OPERATIONAL CHANGES RECOMMENDED BY THE PRODUCTION INDUSTRY COUNCIL AND VARIOUS CITY DEPARTMENTS.

### **RECOMMENDATION**

The Administration recommends the Mayor and City Commission accept and approve the proposed amendments to the Film and Print Requirements and Guidelines to update various city department regulations.

### **BACKGROUND/HISTORY**

The City of Miami Beach has historically been a desirable location for film and print production and has been the backdrop of many iconic films and TV shows, including Miami Vice, Burn Notice, Magic City, Bird Cage, the Bad Boys franchise, Iron Man 3, and the Academy Award-winning Moonlight.

Through the years, various incentive programs have attracted film productions to other cities and states throughout the Country. In an effort to attract productions back to Miami Beach, the City has implemented initiatives and has previously revised the Film and Print Requirements and Guidelines ("Guidelines").

At the April 26, 2017 Commission Meeting, the Mayor and Commission approved via Resolution 2017-29883 amending the Guidelines to support a more film-friendly landscape for the industry on a local level. In addition, the Commission approved through the budget process a \$100,000 cash incentive fund to be used to support local film and print productions, considering the cash incentive moonlighting from the State funding stream.

At the March 7, 2018 Commission Meeting, the Mayor and City Commission accepted via Resolution 2018-30211 the recommendation of the Finance and Citywide Projects Committee and the City's Production Industry Council, and approved the Film Incentive Guidelines and criteria with respect to the award of film incentive grants for productions taking place within the City of Miami Beach.

At the April 10, 2019 Commission Meeting, the Mayor and City Commission accepted via Resolution 2019-30785 the recommendation of the Finance and Citywide Projects Committee, made at its February 22, 2019 meeting, to accept the motion passed by the Production Industry Council to adopt changes to the current Film Incentive Guidelines.

At the May 12, 2021 Commission Meeting, the Mayor and City Commission accepted via Resolution 2021-31704 the recommendation of the Production Industry Council, and approved the proposed amended Film Incentive Program Guidelines to maximize the Program's impact,

diversity qualifying productions, increase benefits to the local workforce, expand industry related opportunities, provide COVID-19 support, and foster the development of homegrown talent.

## **ANALYSIS**

Continuing the Administration's goal of making Miami Beach more film-friendly, the Tourism and Culture Department (TCD) has worked to amend the current Film and Print Requirements and Guidelines, to address formatting and grammatical issues. The amendments include revised language for requirements, making them easier to understand for production companies.

Additionally, TCD led a multi-disciplinary review of the Guidelines with departments affected by Film and Print, including Building, Code, Fire, Ocean Rescue, Parking, Parks and Recreation, Police, Transportation, and the revised Film and Print Guidelines include edits received from said departments, with pertinent changes highlighted below.

### **Code Compliance**

The Department added examples of Film & Print permit violations to include:

- Violation of the issued film and print permit conditions and use, operating a special event under the guise of a Film and Print permit.

### **Parks and Recreation**

The Department added Tennis Centers as possible filming locations for site-specific film permits.

### **Police**

The Department added the following language:

- In the case of Special Events that already have staffing and would like to add a film/photography/drone etc. component to the event, the film component will be independently reviewed and staffed by the off-duty film coordinator to ensure compliance with policy and procedures.
- Off-duty staffing requests must include the load-in, production and load-out times at all times.

### **Public Works**

The Department amended the deadline to apply for a street or lane closure permit no less than 2 weeks prior to the production date. This is in line with current practice, as it allows for proper review.

The following language was added based on recommendations from the Public Works ADA Manager:

- Site plans must be reviewed and approved by the Public Works ADA manager when cables are placed on public right of ways.
- ADA compliant crossovers with ramp edges must be used to safely cover all cables placed on streets and sidewalks, and other pedestrian access ways.
- When filming occurs where pedestrians who are not associated with the production will be present, proper wayfinding signage and barriers to cordon the space must be provided by the production company and off-duty officers shall be stationed throughout.

As part of the Temporary Structure Sanitation Plan, the following to be included:

- The production shall be responsible for removing all litter and shall be responsible for removing all refuse and waste generated by their operation. All litter, refuse, and waste shall be removed from City property for proper disposal at their expense. The City shall charge for the costs of special clean up necessary should the applicant fail to reasonably perform.

- Any security deposit collected will be retained to cover repair costs for damages to various public property amenities such as municipal buildings, bridges, monuments, ornamental water fountains, swimming pools, beach walks, parks, lifeguard stands, parking lots, and parking garages. If a permit is issued for activities on public property and damage occurs, the Facilities Management Department will assist with quantifying the damage. They will then oversee the scheduling and management of necessary repair work through vendors approved by the city.
- Production applying for a film and print permit to shoot on the beach will undergo a review to determine if sand sifting services are necessary both before and after the equipment load-out. They are required to provide proof of sand sifting confirmation to the Film Office at least five (5) days before the scheduled shoot. This is to ensure that the beach area is maintained in a clean and presentable condition before and after filming activities take place.

### **Tourism and Cultural Development**

The Department added the following language:

- Drone shows applications must be submitted for review at least 45 days prior to the show.
- Large-scale productions may be required to provide a security deposit of at least \$5,000, which will be refunded following the after-action review.
- Vehicle Beach Access passes are limited to a maximum of 10 per production. Exceptions may be considered on a case-by-case basis depending on the production's footprint and city resource needs.
- Additional Film permit categories added: Extended City Wide, Site Specific, and Drone shows.
- FDOT/street/lane closure timelines have been revised to a minimum of 2 weeks for City of Miami Beach requests and 3 weeks if approval is required from outside agencies prior to the production start date.
- Clarification for Residential shoots (Low impact & Standard)
  - Production requests for residential properties within Homeowners Associations (HOAs) must receive prior approval from the HOA before obtaining the necessary Signature Survey Forms.
  - For residential properties hosting between one (1) and ten (10) consecutive days of production activity within a 30-day period, the production must obtain signature approval from abutting properties and may require notification of additional areas.
  - In cases where a residential location intends to host more than ten (10) consecutive production days, regardless of the type of activity, the production must obtain 90% signature approval from properties within 200 feet of the main Picture House and any Support House(s) used during the duration. Additionally, signature approval from abutting properties is required before presenting to the Internal Review Board.

The amendments to the Guidelines were presented to the Production Industry Council (PIC) for their review at their June 27, 2024, and July 11, 2024, meetings. At each meeting, PIC members made motions to approve the amendments to the Guidelines.

### **FISCAL IMPACT STATEMENT**

N/A

### **Does this Ordinance require a Business Impact Estimate?** (FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on . See BIE at:  
<https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

**FINANCIAL INFORMATION**

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**CONCLUSION**

The Administration recommends the Mayor and City Commission accept and approve the proposed amendments to the Film and Print Requirements and Guidelines to update various city department regulations.

**Applicable Area**

Citywide

**Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?**

No

**Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

**Department**

Tourism and Culture

**Sponsor(s)**

**Co-sponsor(s)**