**PROPOSED**

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO TELEVISION, FILM, AND ENTERTAINMENT INCENTIVE PROGRAMS; AMENDING SECTIONS 13.43 AND 13.45 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, at its meeting of November 4, 2021 (Item No. 45), the Broward County Board of County Commissioners ("Board") created an Office of Film, and established film, television, and entertainment production project incentive programs ("Incentive Programs") to provide funding to film, television, and entertainment production companies that bring their activities to Broward County;

WHEREAS, Sections 13.43 and 13.45 of the Broward County Administrative Code ("Administrative Code") prescribe the manner in which film, television, and entertainment production project incentives are awarded; and

WHEREAS, based on input received from the Film Commissioner, the Board desires to amend the Administrative Code to modify the execution authority for agreements awarded pursuant to the Incentive Programs, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 13.43 of the Broward County Administrative Code is hereby amended to read as follows:

**13.43. General Information for Television, Film, and Entertainment Incentive Program.**

(a) *Incentives Generally.* To incentivize television, film, and entertainment production projects in Broward County ("County") and South Florida more generally, and subject to the provisions of this section and other policies adopted by the County pursuant hereto, the County authorizes the creation of various programs to award monetary incentives to fund eligible Productions ("Incentives"). All incentive programs referenced below are collectively referred to as "Incentive Programs." The Incentive Programs offered may be modified from time to time as determined to be in the County's best interest by the Film Commissioner and approved by the County Administrator.

(b) *Maximum Incentive Amounts.* The aggregate maximum amount of Incentives ~~and the maximum individual amount for each Incentive that may be awarded to a Production, as defined in this section,~~ shall be established by the Board for each fiscal year as part of the annual budget process. The maximum individual award amount for any Incentive Program shall not exceed Five Million Dollars ($5,000,000).

. . .

Section 2. Section 13.45 of the Broward County Administrative Code is hereby amended to read as follows:

**13.45. Agreements; Reports to the Board.**

. . .

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.

(b) *Execution of Incentive Agreements.* Unless otherwise authorized by the Board, ~~T~~the authority for execution of Incentive Agreements is as follows: (i) the Film Commissioner may execute Incentive Agreements up to Twenty-five Thousand Dollars ($25,000); (ii) the County Administrator may execute Incentive Agreements up to ~~One~~ Five Hundred Thousand Dollars ~~($100,000)~~ ($500,000); and (iii) all Incentive Agreements ~~over~~ more than ~~One~~ Five Hundred Thousand Dollars ~~($100,000)~~ ($500,000) require Board approval for execution.

. . .

Section 3. Severability.

If any portion of this Administrative Code Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Administrative Code Resolution. If any court determines that this Administrative Code Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Administrative Code Resolution to any other individual, group, entity, property, or circumstance.

Section 4. Inclusion in the Broward County Administrative Code.

It is the intention of the Board of County Commissioners that the provisions of this Administrative Code Resolution become part of the Broward County Administrative Code as of the effective date. The sections of this Administrative Code Resolution may be renumbered or relettered and the word "resolution" may be changed to "section," "article,"

or such other appropriate word or phrase to the extent necessary to accomplish such intention.

Section 5. Effective Date.

This Administrative Code Resolution is effective upon adoption.

ADOPTED this day of , 2024. **PROPOSED**

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: */s/ Javier Navas* 04/01/2024
Javier Navas (date)
Assistant County Attorney

By: */s/ Sandy Steed* 04/01/2024
Sandy Steed (date)
Assistant County Attorney

JN/jc
Entertainment Incentive Program Resolution
04/01/2024
iManage file#1092957

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