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May 25, 2012

BY HAND

The Honorable Carlos A. Gimenez
Mayor, Miami-Dade County
Stephen P. Clark Center, 29th Floor
111 NW First Street
Miami, FL 33128

Re: Shame on The Miami Herald . . . But Who Will Enforce the Law?

Dear Mayor Gimenez:

As you may be aware, last month *The Lion King* became Broadway's all-time highest grossing show, surpassing *Phantom of the Opera* with a revenue total approaching \$854 million. This is a classic Walt Disney Company blockbuster: an outstanding product pitched to the public via an aggressive, commercial advertising campaign.

So it was when *The Lion King* road show arrived in Miami earlier this month. As the attached photograph copies attest, virtually everywhere one turns in Greater Miami today that iconic, yellow marketing message looms large and loud . . . on expressway billboards . . . on streetlight poles . . . on bus shelters . . . even, horrifically, on a giant frame strapped onto a boat motoring around our beautiful Biscayne Bay.

Then there is the same ad, a mural, attached to the south face of One Herald Plaza. That one is manifestly illegal - as proven by the final attachment, the official City of Miami list of building walls where commercial mural ads may legally be installed.

On a regular basis since 2000, The Miami Herald has brazenly violated the governing Sign Code of Miami-Dade County by posting giant mural ads on its south face. The first illegal Herald mural there advertised an outboard motorboat engine. *The Lion King* mural is merely the latest flagrant violation of the law by The Miami Herald, which has earned windfall profits by flouting the County Code for more than a dozen years.

A member of our organization was in The Herald's advertising offices not long ago and was told that the rental rate was \$15,000 per month for each of the two ad locations on the building's south face. And that was the fee for a not-for-profit organization managing a major, free, community event in Bicentennial Park. Who knows what The Herald charged Disney to advertise a product that has grosses \$854 million?

Mr. Mayor, the issue here is not the money. It's the principle. And that principle is called "The Rule of Law." Our County has a Sign Code. It authorizes legal mural ads only in specific locations. The south face of One Herald Plaza is not (and, I believe, never has been) on the City-approved list of legal locations.

What do you intend to do about this?

Sincerely,



Barbara K. Bisno, Esq.

Attachments

cc: The Hon. Joe A. Martinez, Chairman, Board of County Commissioners
The Hon. Audrey Edmonson, Vice Chair, Board of County Commissioners
The Hon. Barbara J. Jordan, Member, Board of County Commissioners
The Hon. Jean Monestime, Member, Board of County Commissioners
The Hon. Sally A. Heyman, Member, Board of County Commissioners
The Hon. Bruno A. Barreiro, Member, Board of County Commissioners
The Hon. Rebeca Sosa, Member, Board of County Commissioners
The Hon. Xavier L. Suarez, Member, Board of County Commissioners
The Hon. Lynda Bell, Member, Board of County Commissioners
The Hon. Dennis C. Moss, Member, Board of County Commissioners
The Hon. Senator Javier D. Souto, Member, Board of County Commissioners
The Hon. Jose "Pepe" Diaz, Member, Board of County Commissioners

The Hon. Esteban L. Bovo, Jr., Member, Board of County Commissioners
Mr. Jack Osterholt, County Deputy Mayor
Ms. Inson Kim, County Director of Policy and Legislative Affairs
Ms. Lourdes Gomez, Assistant to Deputy Mayor Jack Osterholt
Mr. Charles Danger, P.E., County Permitting, Environment
and Regulatory Affairs Department
Robert A. Cuevas, Jr., Esq., County Attorney
Craig Coller, Esq., Assistant County Attorney
Thomas Robertson, Esq., Assistant County Attorney
The Hon. Tomas P. Regalado, Mayor, City of Miami
The Hon. Francis Suarez, Chairman, Miami City Commission
The Hon. Marc D. Sarnoff, Vice Chairman, Miami City Commission
The Hon. Frank Carollo, Member, Miami City Commission
The Hon. Michelle Spence-Jones, Member, Miami City Commission
The Hon. Wifredo "Willy" Gort, Member, Miami City Commission
Mr. Johnny Martinez, P.E., City Manager
Julie O. Bru, Esq., City Attorney
Ms. Myriam Marquez, Editorial Page Editor, The Miami Herald
Ms. Patricia Mazzei, Staff Writer, The Miami Herald
Ms. Kathleen McGrory, Staff Writer, The Miami Herald
Mr. Charles Rabin, Staff Writer, The Miami Herald
Mr. Andres Viglucci, Staff Writer, The Miami Herald
Mr. Michael Lewis, Publisher, Miami Today
Ms. Jacquelyn Weiner, Staff Writer, Miami Today
Mr. Tim Elfrink, Managing Editor, New Times
Ms. Beatriz Baldan
William D. Brinton, Esq.
Murray H. Dubbin, Esq.
Mr. Adam Dunshee
Mr. Peter R. Ehrlich, Jr.
Ms. Barbara Falsey
Mr. Herb Frank
Ms. Sallye Jude
Mr. Nathan Kurland
Mr. Ernest Martin
William S. Pollak, Esq.
Ms. Grace Solares

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Disney presents
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LION KING**

THE WORLD'S #1 MUSICAL

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MAY 15 - JUNE 10**

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THE **WORLD'S #1 MUSICAL**
COMES TO **MIAMI**



Disney presents

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4 WEEKS ONLY!
MAY 15 - JUNE 10

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 **THE**
LION KING
MAY 15 - JUNE 10
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THE **WORLD'S #1 MUSICAL**
COMES TO **MIAMI**



Disney PRESENTS

THE LION KING

4 WEEKS ONLY!
MAY 15 - JUNE 10

arshtcenter.org



MIAMI PALACE OF THE ARTS

Adrienne Arsht Center

APPROVED MURAL SITES

| Company / Sites | Approved | Permit # | Square Footage |
|--------------------------------|----------------|----------|-----------------|
| Fuel | | | |
| 1 Herald Plaza, E Face | YES-6/23/08 | 08-0101 | 9,796 sq. ft. |
| 100 N Biscayne Blvd. , N Face | YES-6/23/08 | 08-0104 | 6,431 sq ft |
| 12-14 SW 2nd Avenue., N Face | YES-6/23/08 | 08-0102 | 4,000 sq ft |
| 1040 Biscayne Blvd, S Face | YES-7/1/08 | 08-0119 | 3,300 sq. ft. |
| 20 NE 11 Street, N/W Face | YES-6/23/08 | 08-0099 | 2,646 sq. ft. |
| 130 N Biscayne Blvd., E Face | YES-6/23/08 | 08-0100 | 2,400 sq. ft. |
| 200 NW 1 Street, S Face | Yes 2010 | 10-00001 | 2,920 sq. ft. |
| 900 Biscayne Blvd., W Face | Yes 10/21/2010 | 10-0053 | 9,960 sq. ft |
| 1 Herald Plaza, W Face | Yes-6/2/09 | 09-0060 | 3,049.8 sq. ft. |
| 444 SW 2nd Avenue, W Face | Yes 1/4/2011 | 11-00001 | 2,500 sq. ft |
| 1236 N Miami Ave. E Face | YES-2/6/08 | 09-0012 | 1,500 sq. ft. |
| 1040 Biscayne Blvd, W Face | YES-7/1/08 | 08-0115 | 4,000 sq.ft. |
| 200 SE 1 Street, S Face | YES-7/1/08 | 08-0113 | 2,226 sq.ft. |
| 888 Biscayne Blvd., S Face | YES-2/2/10 | 09-0132 | 6,455 sq. ft. |
| City Outdoor | | | |
| 1400 NW 10 Ave, E Face | YES-10/13/09 | 09-0087 | 5,328 sq. ft. |
| 111 SW 3rd Sreet, N/W Face | YES-9/1/08 | 08-0158 | 3687.5 sq.ft. |
| 640 SW 2nd Ave, W Face | YES-9/18/08 | 08-0161 | 6,500 sq.ft. |
| 1021 NW Sunnybrook Road W Face | Yes-5/5/2011 | 11-00005 | 7,074 sq. ft. |
| Van Wagner/WWRAM | | | |
| 3601 N Federal Hwy, W Face | YES-7/1/08 | 08-0117 | 1,650 sq. ft. |
| 3601 N Federal Hwy, E Face | YES-7/1/08 | 08-0118 | 2,100 sq. ft. |
| 1236 N Miami Ave, S/W Face | YES-7/1/08 | 08-0116 | 1,400 sq. ft. |
| 1100 Biscayne Blvd, W Face | Yes-3/7/2011 | 11-00002 | 4,320 sq. ft. |
| 1100 Biscayne Blvd, N Face | Yes-8/1/10 | 10-0029 | 7200 sq. ft. |
| 3704 NE 2nd Ave, Wrap | YES-8/12/08 | 10-0038 | 2,825 sq. ft. |
| 1360 NW 1 Court, S/W/Face | YES-7/25/08 | 08-0127 | 3,200 sq. ft. |
| 33 SW 2nd Ave, S/W Face | YES-9/2/08 | 08-0153 | 6,400 sq. ft. |
| 1311 NW 10th Avenue, W Face | Yes-3/21/11 | 11-00003 | 2,345 sq. ft. |
| 1311 NW 10th Avenue, E Face | Yes-3/21/11 | 11-00004 | 1,288 sq. ft. |
| Trilogic | | | |
| 1334 N Miami Ave., S / W Face | YES-11/20/09 | 09-0096 | 9,900 sq. ft. |
| 1035 N Miami Ave., N / W Face | YES-11/6/09 | 09-0090 | 2,100 sq. ft. |
| 230 E Flagler Street N/E Face | YES-8/31/09 | 09-0082 | 5,904 sq. ft. |
| 150 SE 2nd Ave W Face | YES-11/12/08 | 08-0219 | 4,333 sq. ft. |
| 1050 NW 14th Streey., S Face | YES-12/16/08 | 08-0254 | 1,134 sq. ft. |
| 120 SW 8th Street W Face | YES-11/12/08 | 08-0218 | 1,020 sq. ft. |
| 1050 NW 14th Street E Face | YES-8/18/09 | 09-0080 | 1,134 sq. ft. |