

**MEMORANDUM**

Agenda Item No. 11(A)(5)

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**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

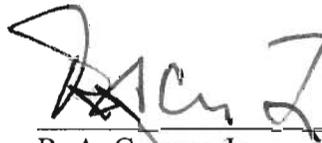
**DATE:** February 19, 2008

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution retroactively  
authorizing in-kind services  
for the American Heart Walk  
sponsored by the American  
Heart Association, Inc.

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The accompanying resolution was prepared and placed on the agenda at the request of Senator Javier D. Souto.



\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/dcp



# MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

DATE: February 19, 2008

FROM: R. A. Cuevas, Jr.  
County Attorney

SUBJECT: Agenda Item No.11(A)(5)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

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Approved \_\_\_\_\_ Mayor

Agenda Item No. 11(A) (5)

Veto \_\_\_\_\_

02-19-08

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT, THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE SEPTEMBER 8, 2007 AMERICAN HEART WALK SPONSORED BY THE AMERICAN HEART ASSOCIATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$13,909.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND

**WHEREAS**, the American Heart Association, Inc. has requested in-kind services from the Miami-Dade Park and Recreation Department, the Miami-Dade Police Department and the Miami-Dade Fire Rescue Department for the September 8, 2007 American Heart Walk event in an amount not to exceed \$13,909.00 (see attached Fee Waiver/In-kind Service Application); and

**WHEREAS**, the purpose of the American Heart Walk is to promote awareness in the community on cardio vascular disease and proper health; and

**WHEREAS**, the American Heart Association, Inc. is a not-for-profit organization; and

**WHEREAS**, the American Heart Walk is small event, as that term is defined in the attached Fee Waiver/In-kind Service Application, and \$13,219.00 of the in-kind services shall be funded from the Countywide In-kind Reserve Fund and \$690.00 of the in-kind services shall be funded from the non-ad valorem portion of the Fire Rescue In-kind Reserve Fund,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board retroactively authorizes in-kind services from the Miami-Dade Park and Recreation Department, the Miami-Dade Police Department and the Miami-Dade Fire Rescue Department for the September 8, 2007 American Heart Walk in an amount not to exceed \$13,909.00 to be funded in part from the Countywide In-kind Reserve Fund and in part from the non-ad valorem portion of the Fire Rescue In-kind Reserve Fund.

The foregoing resolution was sponsored by Senator Javier D. Souto and 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:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of February, 2008. 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. MR

Monica Rizo

**MIAMI-DADE COUNTY  
FEE WAIVER/IN-KIND SERVICES APPLICATION**

COUNTY FEE WAIVERS OR IN-KIND SERVICES REQUESTED THROUGH THIS PROCESS ARE NOT EFFECTIVE UNTIL APPROVED BY ACTION OF THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO THE MIAMI-DADE COUNTY HOME RULE CHARTER

Please complete the following form and submit completed form along with requested materials, if applicable, to:

Debra Green  
Office of Strategic Business Management  
111 N.W. 1<sup>st</sup> Street, Suite 2200  
Miami, FL 33128

Phone: (305) 375-5143  
Fax: (305) 375-5188

Type of Event/Application (select one of the following):

- District Event** - Event of minimal impact related to specific commission district (Complete questions 1-7, sign and date; copy will be submitted to the appropriate District Commissioner within two days of receipt of application.)
  - Small Event** - Event of minimal impact not necessarily related to a specific commission district. (Complete questions 1-7, sign and date.)
  - Special Event** - Event with expected attendance of less than 5,000 with localized impact limited to an individual community or municipality (Complete questions 1-12, sign, date and submit form no later than 60 days prior to event date.)
  - Major Event** - Large Event with expected attendance of over 5,000 or significant probability of protests, controversy, violence or vandalism (Complete questions 1-12, sign, date and submit form no later than 120 days prior to event date.)
- Note: Event budget must be included for "Special" and "Major" event types.*

1. Full legal name of the requesting organization: American Heart Association

2. Applicant Status: (Select one of the choices below)

- Not-For-Profit or Tax Exempt
- For-Profit
- Local Government or Public Entity
- Other (specify): \_\_\_\_\_

Brooke.gonzalez@heart.org

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): Jessica Irish  
2600 SW 3rd Ave, Suite 900 33129 305-856-4449  
305-860-6750 (Fax)

4. Specify fee waiver or in-kind service requested (quantity, if applicable): Tropical Park Fees Waiver,  
MPD / Police Services & MDER/EMS Services  
Showmobile

5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries): American  
Heart Walk to raise awareness in the  
community about CVD + health choices  
Sept. 8, 2007 8:00AM

6. Please select ALL that apply to event:

- Economic Development:** Event supports vitality or growth of the local economy
- Youth/Education:** Event benefits youth of any age and/or offers educational benefits
- Health and Social Services:** Event supports health-related causes and/or social programs or institutions that improve quality of life within the community
- Arts and Culture:** Event supports music, theatre, literature, art or culture
- Environmental:** Event benefits environmental concerns or promotes conservation
- Sports and Athletics:** Event supports/promotes organized sports or recreational participation

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MIAMI-DADE COUNTY  
FEE WAIVER/KIND SERVICES APPLICATION

7. Physical address of event venues (please specify Commission District(s)): 7900 SW 40th Street
8. Description of regional or local impact: na
9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable): 5:30am - 2:00pm
10. Detailed description of event venues (map or schematic of event venues, access points, surrounding roadways and traffic flow diagrams, if applicable): would only have the walk go thru the park not on public streets
11. Expected number of participants and estimated attendance (per day, if applicable): 4000
12. Itemized budget, including total event budget, total budget of host organization, if applicable, and total commitment of resources (attach additional pages as needed): 8% of annual money raised

I hereby certify that all the statements made in this application are true and correct.

  
Signature of Authorized Representative

4.13.07  
Date

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[Previous on List](#)

[Next on List](#)

[Return To List](#)

[Events](#)

[No Name History](#)

Entity Name Search

## Detail by Entity Name

### Foreign Non Profit Corporation

AMERICAN HEART ASSOCIATION, INC.

### Filing Information

**Document Number** F95000000136  
**FEI Number** 135613797  
**Date Filed** 01/09/1995  
**State** NY  
**Status** ACTIVE  
**Last Event** MERGER  
**Event Date Filed** 09/04/1998  
**Event Effective Date** NONE

### Principal Address

7272 GREENVILLE AVE  
DALLAS TX 75231

### Mailing Address

7272 GREENVILLE AVE  
DALLAS TX 75231

### Registered Agent Name & Address

CAPITOL CORPORATE SERVICES, INC.  
155 OFFICE PLAZA DR.  
SUITE A  
TALLAHASSEE FL 32301 US

Name Changed: 10/16/2000

Address Changed: 11/09/2006

### Officer/Director Detail

#### **Name & Address**

Title BM

SOSA, JOSE F  
7272 GREENVILLE AVENUE  
DALLAS TX 75231

Title P

JONES, DANIEL W MD  
7272 GREENVILLE AVE  
DALLAS TX 75231

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Title IPP

ECKEL, ROBERT H MD  
7272 GREENVILLE AVENUE  
DALLAS TX 75231-5696

Title COB

BUROKER, ANDREW B ESQ  
7272 GREENVILLE AVE  
DALLAS TX 75231

Title BM

JOSSERAND, DAVID  
7272 GREENVILLE AVE  
DALLAS TX 75231

Title BM

SPINA, DAVID A  
7272 GREENVILLE AVE  
DALLAS TX 75231

## **Annual Reports**

### **Report Year Filed Date**

<b>2005</b>	05/02/2005
<b>2006</b>	01/17/2006
<b>2007</b>	05/02/2007

## **Document Images**

[05/02/2007 -- ANNUAL REPORT](#)  
[01/17/2006 -- ANNUAL REPORT](#)  
[05/02/2005 -- ANNUAL REPORT](#)  
[02/02/2004 -- ANNUAL REPORT](#)  
[07/21/2003 -- ANNUAL REPORT](#)  
[08/05/2002 -- ANNUAL REPORT](#)  
[08/16/2001 -- ANNUAL REPORT](#)  
[10/16/2000 -- Reg. Agent Change](#)  
[03/08/2000 -- ANNUAL REPORT](#)  
[10/27/1999 -- ANNUAL REPORT](#)  
[09/04/1998 -- Merger](#)  
[08/04/1998 -- ANNUAL REPORT](#)  
[08/22/1996 -- ANNUAL REPORT](#)

**Note:** This is not official record. See documents if question or conflict.

00025

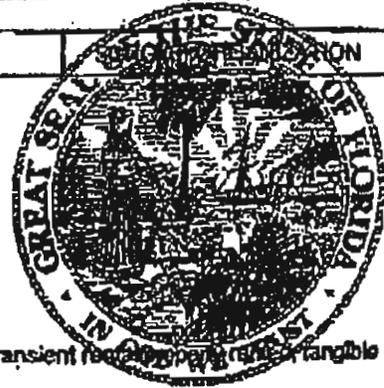


### Consumer's Certificate of Exemption

DR-14  
R. 01/02

Issued Pursuant to Chapter 212, Florida Statutes

65-0012621870C-8 Certificate Number	11/16/2003 Effective Date	11/30/2008 Expiration Date
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This certifies that

FLORIDA/PUERTO RICO AFFILIATE  
AMERICAN HEART ASSOCIATION INC  
9900 DR MARTIN LUTHER KING JR ST. N  
SAINT PETERSBURG FL 33716-3801

is exempt from the payment of Florida sales and use tax on real property rented, transient real property rented, tangible personal property purchased or rented, or services purchased.



### Important Information for Exempt Organizations

DR-14  
R. 01/02

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.039, Florida Administrative Code (FAC).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others by your organization of tangible personal property, sleeping accommodations or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, FAC).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third degree felony. Any violation will necessitate the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Central Registration at 850-487-4130. The mailing address is 5050 West Tennessee Street, Tallahassee, FL 32399-0100.

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2007 Miami Dade Heart Walk  
Saturday, September 8, 2007  
Tropical Park

Requests:

Miami Dade Police  
7:00 AM - 1:00 PM

- 1 Lieutenant
- 4 Sergeants
- 35 Officers

Miami Dade Fire Rescue  
7:00 AM - 1:00 PM

- 1 rescue unit

Miami Dade ~~Stage~~ ShowMOBILE

- 1 Show mobile stage to use for the Heart Walk

Setup 7:00  
Breakdown 1:00

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Internal Revenue Service  
District Director

Department of the Treasury

P.O. Box 2508  
Cincinnati, OH 45201

Date: March 22, 1999

Person to Contact:  
Felicia Johnson 31-04013  
Customer Service Representative  
Telephone Number:  
877-829-3500  
Fax Number:  
513-684-5936  
Federal Identification Number:  
33-5613797

American Heart Association, Inc.  
7271 Grinnville Ave  
Dallas, TX. 75231

Dear Sir or Madam:

This is in response to your request for an updated determination letter of for your organization.

In July 1949, we issued a determination letter that recognized your organization as exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on the information supplied, we recognized the subordinates named on the list your organization submitted as exempt from federal income tax under section 501(c)(3) of the Code. Additionally, we have classified the subordinates your organization operates, supervises, or controls, and which are covered by written notification to us, as organizations that are not private foundations because they are organizations of the type described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code.

Donors may deduct contributions to your organization's subordinates as provided in section 170 of the Code. Bequests, legacies, devises, transfers or gifts to the subordinates or for their use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Your organization and its subordinates are required to file Form 990, Return of Organization Exempt from Income Tax, only if the gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

Your organization and its subordinates are not required to file federal income tax returns unless subject to the tax on unrelated business income under section 511 of the Code. If subject to this tax, the organization must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your organization or its subordinates' present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

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American Heart Association  
13-861377

f. The information required by Revenue Procedure 75-50, 1975-2 C.B. 587 for each subordinate that is a school claiming exemption under section 501(c)(3). Also include any other information necessary to establish that the school is complying with the requirements of Revenue Ruling 71-447, 1971-2 C.B. 230. This is the same information required by Schedule A, Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.

4. If applicable, a statement that your organization's group exemption roster did not change since the previous report.

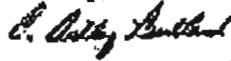
The above information should be sent to the following address:

Internal Revenue Service Center  
Attn: Entity Control Unit  
Opden, OR 94403

Your organization's Group Exemption Number is 1049.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



C. Ashley Bullard  
District Director

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# Memorandum



**Date:** February 19, 2008

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager 

**Subject:** Countywide In-Kind Request Recommendation

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The Office of Strategic Business Management (OSBM) has reviewed the attached in-kind request and recommends for the item to move forward to the Board of County Commissioners for consideration. The district specific in-kind reserve balance allows for the funding of this request.

## Background

A retroactive waiver for in-kind services has been requested by a not-for-profit organization the American Heart Association event held on September 8, 2007 for their American Heart Walk.

In-kind services have been requested in an amount not to exceed \$8,115 from the Miami-Dade Park and Recreation Department for waiver of Tropical Park fees, clean-up services and use of the large showmobile, \$5,104 from the Miami-Dade Police Department for police services and \$690 from the Miami-Dade Fire Rescue Department for fire rescue personnel and emergency medical services for a total in-kind amount of \$13,909. This event will be funded in part from the countywide in-kind reserve fund and in part from the non-ad valorem portion of the Fire Rescue District Budget.

In FY 2006-07, the American Heart Association has not received any County funding for this event.

Inkind12107