MEMORANDUM

Agenda Item No. 11(A)(18)

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

DATE: March 4, 2008

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

SUBJECT: Resolution retroactively authorizing in-kind services for the Winter 2008 Residence of the Cleveland Orchestra

---

The accompanying resolution was prepared and placed on the agenda at the request of Chairman Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/cep

/

MEMORANDUM

(Revised)

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

DATE: March 4, 2008

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

SUBJECT: Agenda Item No. 11(A)(18)

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**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(18)
03-04-08

RESOLUTION NO. _____

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE JANUARY 23 – FEBRUARY 3, 2008 WINTER 2008 RESIDENCE OF THE CLEVELAND ORCHESTRA AND AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE MARCH 25-30, 2008 WINTER 2008 RESIDENCE OF THE CLEVELAND ORCHESTRA SPONSORED BY THE MUSICAL ARTS ASSOCIATION OF MIAMI, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $3,425.00 TO BE FUNDED FROM THE DISTRICT 5 IN-KIND RESERVE FUND

WHEREAS, The Musical Arts Association of Miami, Inc. has requested in-kind services from the Miami-Dade Transit Agency for the January 23 – February 3, 2008 and March 25-30, 2008 Winter 2008 Residence of the Cleveland Orchestra in an amount not to exceed $3,425.00 (see attached Fee Waiver/In-kind Service Application); and

WHEREAS, during the Winter 2008 Residence of the Cleveland Orchestra, the Cleveland Orchestra will perform subscription concerts, educational concerts for Miami-Dade County school students, and family concerts; and

WHEREAS, The Musical Arts Association of Miami, Inc. is a not-for-profit organization; and

WHEREAS, the Winter 2008 Residence of the Cleveland Orchestra is a small event, as that term is defined on the attached Fee Waiver/In-kind Service Application, and the in-kind services shall be funded from the District 5 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 Transit Agency for the January 23 – February

3, 2008 Winter 2008 Residence of the Cleveland Orchestra and authorizes in-kind services from the Miami-Dade Transit Agency for the March 25-30, 2008 Winter 2008 Residence of the Cleveland Orchestra in an amount not to exceed $3,425.00 to be funded from the District 5 In-kind Reserve Fund.

The foregoing resolution was sponsored by Chairman Bruno A. Barreiro 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
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of March, 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

TRANSIT
3425

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:

Delores Green
Office of Strategic Business Management
111 N.W. 1st Street, Suite 2200
Miami, FL 33128

Phone: (305) 375-5143
Fax: (305) 375-5168

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 6,000 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 6,000 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: Musical Arts Association, operating The Cleveland Orchestra
2. Applicant Status: (Select one of the choices below)
   - ☒ Not-For-Profit or Tax Exempt
   - ☐ For-Profit
   - ☐ Local Government or Public Entity
   - ☐ Other (specify): _____
3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): Sandi Macdonald, The Cleveland Orchestra/Miami 200 S. Biscayne Blvd. Suite 3300, Miami, FL 33131 Tel: (305) 372-7747 Fax: (305) 372-7749 email is smacdonald@clevelandorchestra.com
4. Specify fee waiver or in-kind service requested (quantify, if applicable): Coaches to provide ground transportation during The Cleveland Orchestra's 2008 Miami Residency during January and March (see attached schedule)
5. Name, date of event, description, and purpose of the event (If event is a fund-raiser, define the beneficiaries): The Cleveland Orchestra - January 23 - February 3, 2008 and March 25-30, 2008. The Cleveland Orchestra will perform Subscription concerts, Education Concerts for Miami/Dade school students, Family Concerts for children and families. The Orchestra will participate in many community outreach programs throughout the Miami/Dade community.
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

5

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

7. Physical address of event venues (please specify Commission District(s)): Knight Concert Hall 1300 Biscayne Blvd.; Lincoln Theatre 541 Lincoln Rd.

8. Description of regional or local impact: _____

9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable): _____

10. Detailed description of event venues (map or schematic of event venues, access points, surrounding roadways and traffic flow diagrams, if applicable): _____

11. Expected number of participants and estimated attendance (per day, if applicable): _____

12. Itemized budget, including total event budget, total budget of host organization, if applicable, and total commitment of resources (attach additional pages as needed): _____

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

Signature of Authorized Representative

Date: Jan 9/08

The Cleveland Orchestra
Miami Residency
January/March 2008
Proposed Bus/Shuttle Schedule
as of January 11, 2008

Date	Bus/Shuttle	Pick-up or DepartureTime/Pickup location/drop off location	Notes
Wednesday, January 23	3 buses	2:10 p.m. pick-up time at Miami Int'l. Airport - buses to Miami Marriott Biscayne Bay	Orchestra arriving on American Airlines # 1530
Sunday, February 3	3 buses	11:00 a.m. departure time from Miami Marriott Biscayne Bay - buses to Ft. Lauderdale Airport	Orchestra departing on a Continental flight at 1:15 p.m.
Tuesday, March 25	3 buses	2:10 p.m. pick-up time at Miami Int'l. Airport - buses to Miami Marriott Biscayne Bay	Orchestra arriving on American Airlines # 1530
Saturday, March 29	2 buses	8:30 a.m. departure time from Miami Marriott Biscayne Bay - buses to Lincoln Theater, Miami Beach	Orchestra has rehearsal with New World Symphony
	2 buses	12:30 p.m. pick-up time at Lincoln Theater - buses to Miami Marriott Biscayne Bay	from 10:00a.m.-12:30 p.m. at Lincoln Theater
Sunday, March 30	3 buses	10:00 a.m. departure time from Miami Marriott Biscayne Bay- buses to Miami Int'l. Airport	Orchestra departing on Miami Air Charter flight at 12:00 noon

Agenda Item # : Cleveland Orchestra			
Legislative Timeline			
Transit Committee		CITT Project/Finance Committee	N/A
BCC		CITT Full Trust	N/A

WHAT: Transportation for the Cleveland Orchestra

WHEN: Wednesday, January 23, 2008
Sunday, February 3, 2008
Tuesday, March 25, 2008
Saturday, March 29, 2008
Sunday, March 30, 2008

WHERE: Miami International Airport, Miami Marriott Biscayne Bay, Lincoln Theater, Ft. Lauderdale Airport

COMMISSIONER SPONSOR: Barriero

DETAILS: Provide service for participants to and from the events. The cost is as follows:

Wednesday, January 23, 2008 3 buses @ $63.30 each for 4 hours $762.00
Travel miles $104.16
Sunday, February 3, 2008 3 buses @ 68.40 each for 3 hours $206.00
Travel miles $133.92
Tuesday, March 25, 2008 3 buses @ 63.30 each for 4 hours $762.00
Travel miles $104.16
Saturday, March 29, 2008 2 buses @ 68.40 each for 4.5 hours $616.00
Travel miles $ 89.28
Sunday, March 30, 2008 3 buses @ 68.40 each for 2.5 hours $513.00
Travel miles $133.92
Total $3,425.00

Sylvia Person Special Event Coordinator

00007

DEPARTMENT OF REVENUE

Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14
R. 04/05
03/28/06

Certificate Number	Effective Date	Expiration Date	Exemption Category
85-8012531667C-8	02/02/2006	02/28/2011	501(C)(3) ORGANIZATION

This certifies that

THE MUSICAL ARTS ASSOCIATION
CLEVELAND ORCHESTRA
11001 EUCLID AVE
CLEVELAND OH 44106-1713

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

DEPARTMENT OF REVENUE

Important Information for Exempt Organizations

DR-14
R. 04/05

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, 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 PO BOX 6480, Tallahassee, FL 32314-6480.

Detail by Entity Name

Florida Non Profit Corporation

THE MUSICAL ARTS ASSOCIATION OF MIAMI, INC.

Filing Information

Document Number	N06000007333
FEI Number	205196415
Date Filed	07/07/2006
State	FL
Status	ACTIVE

Principal Address

200 S BISCAYNE BLVD SUITE 3300
MIAMI FL 33131

Mailing Address

200 S BISCAYNE BLVD SUITE 3300
MIAMI FL 33131

Registered Agent Name & Address

C T CORPORATION SYSTEM
1200 SOUTH PINE ISLAND ROAD
PLANTATION FL 33324 US

Officer/Director Detail

Name & Address

Title D

LEWIS, DANIEL R
200 S BISCAYNE BLVD SUITE 3300
MIAMI FL 33131

Title D

BRAMAN, NORMAN
200 S BISCAYNE BLVD SUITE 3300
MIAMI FL 33131

Title D

FORTUN, HECTOR
200 S BISCAYNE BLVD SUITE 3300
MIAMI FL 33131

Title D

10

HANSON, GARY
200 S BISCAYNE BLVD SUITE 3300
MIAMI FL 33131

Title D

MENGER, JAMES E
200 S BISCAYNE BLVD SUITE 3300
MIAMI FL 33131

Annual Reports

Report Year	Filed Date
2007	09/10/2007

Document Images

09/10/2007 -- ANNUAL REPORT [View image in PDF format]

07/07/2006 -- Domestic Non-Profit [View image in PDF format]

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

Previous on List **Next on List** **Return To List**

No Events **No Name History**

[Entity Name Search]

Copyright © 2007 State of Florida, Department of State.

11

Date: March 4, 2008

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

From: George M. Burgess
County Manager

Subject: District Specific In-Kind Reserve Request Recommendation

---

Recommendation

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 reserve balance allows for the funding of this request.

Background

A retroactive waiver for in-kind services is being requested by a not-for-profit organization The Musical Arts Association of Miami, Inc for the MDC Schools/Community Outreach Concert performed by The Cleveland Orchestra held on January 23 – February 3, 2008 and scheduled for March 25-30, 2008.

In-kind services have been requested in an amount not to exceed $3,425 from the Miami-Dade Transit Agency for use of 14 shuttle buses for transportation services. This event will be funded from the District 5 in-kind reserve fund.

In FY 2007-08, the Musical Arts Association of Miami, Inc. has received no County funding for this event.

Inkind4508