

MEMORANDUM

Agenda Item No. 11(A)(15)

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

DATE: June 3, 2008

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

SUBJECT: Resolution retroactively
authorizing in-kind services
for the April 20, 2008
Earth Fest 2008 Event

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

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

DATE: June 3, 2008

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

SUBJECT: Agenda Item No. 11(A)(15)

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) (15)
6-3-08

RESOLUTION NO. _____

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE APRIL 20, 2008 EARTH FEST 2008 EVENT SPONSORED BY EARTH LEARNING, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,438.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

WHEREAS, Earth Learning, Inc. has requested in-kind services from the Miami-Dade Transit Agency for the April 20, 2008 Earth Fest 2008 event in an amount not to exceed \$2,438.00 (see attached Fee Waiver/In-kind Service Application); and

WHEREAS, the Earth Fest 2008 event is a free celebration of Earth, the greater Everglades, and a sustainable South Florida, and the primary purpose is to promote sustainability and conduct environmental educational workshops to Miami Dade County residents; and

WHEREAS, Earth Learning, Inc. is a not-for-profit organization; and

WHEREAS, the Earth Fest 2008 event is a special 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 Countywide 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 April 20, 2008 Earth Fest 2008 event in an amount not to exceed \$2,438.00 to be funded from the Countywide In-kind Reserve Fund.

The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez 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	

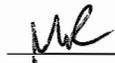
The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



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:

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 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: Earth Learning, Inc.

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.):
MARIO YANEZ 8201 SW 99 st Miami 33173
305 323-8858 305 596-7566 F
MARIO@EARTH-LEARNING.ORG

4. Specify fee waiver or in-kind service requested (quantity, if applicable): Shuttle bus from
Vicaya Metro Station to Crandon Park on 4/20
from 9:30a-8:30p for Earth Fest 2008

MIAMI-DADE COUNTY
FEE WAIVER/IN-KIND SERVICES APPLICATION
Page 2

5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries):

EarthFest 2008 on April 20th is a celebration of Earth, the Greater Everglades, and the promise of a sustainable south Florida. The entire County population is welcome for this Free Event, which will offer non stop performances ^{with a message}, Environmental Education, Demonstrations and Mini Workshops, and Activities for the entire family.

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

7. Physical address of event venues (please specify Commission District(s)):

District 7
6767 Crummer Blvd. Key Biscayne

8. Description of regional or local impact:

Raising Awareness of the Positive Change all residents have the capacity to make, promoting strengthening all things local, especially Food, Renewable Energy, Reduced Waste, Increased Recycling, increased participation and just plain celebration of Life!

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

Tent setup 4/19;
 7-10 pre-event activities and setup; 10-8 Non stop performances;
 5 30 minute sessions of mini-workshops & E. 1000mas; 6p-close
 of booths; 6:30 final performances and 8p (SUNDOWN); Breakdown in 4/21

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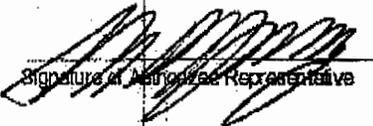
MIAMI-DADE COUNTY
FEE WAIVER IN-KIND SERVICES APPLICATION
Page 3

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

11. Expected number of participants and estimated attendance (per day, if applicable): Last year we had over 4,000 throughout the day, it's possible that at least that many attend this year.

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

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


Signature of Authorized Representative

4/10/08
Date



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Entity Name Search

Detail by Entity Name

Florida Non Profit Corporation

EARTH LEARNING, INC.

Filing Information

Document Number N03000004981

FEI Number 571170959

Date Filed 06/11/2003

State FL

Status ACTIVE

Effective Date 06/10/2003

Last Event AMENDMENT

Event Date Filed 10/31/2005

Event Effective Date NONE

Principal Address

8201 SW 99 COURT
MIAMI FL 33173

Mailing Address

8201 SW 99 COURT
MIAMI FL 33173

Registered Agent Name & Address

BENITEZ AND ASSOCIATES
122 MINORCA AVENUE
MIAMI FL 33134 US

Officer/Director Detail

Name & Address

Title VP

GONZALEZ, CARLOS
8995 SW 84 CT
MIAMI FL 33156

Title T

BLAZEJACK, DEENA
6450 SW 128 ST
MIAMI FL 33156

Title P

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YANEZ, MARIO M
8201 SW 99 COURT
MIAMI FL 33173

Title S

STOCKER, BRADFORD
5771 SW 50 TERR.
MIAMI FL 33155

Title T

DIBENEDETTO-COLTON, JOYCE
11340 SW 93 ST.
MIAMI FL 33176

Annual Reports

Report Year Filed Date

2005	04/30/2005
2006	04/24/2006
2007	05/22/2007

Document Images

05/22/2007 -- ANNUAL REPORT	View image in PDF format
04/24/2006 -- ANNUAL REPORT	View image in PDF format
10/31/2005 -- Amendment	View image in PDF format
04/30/2005 -- ANNUAL REPORT	View image in PDF format
05/26/2004 -- ANNUAL REPORT	View image in PDF format
03/01/2004 -- Amendment and Name Change	View image in PDF format
06/11/2003 -- Domestic Non-Profit	View image in PDF format

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

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INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **DEC 08 2005**

EARTH LEARNING INC
8201 SW 99 CT
MIAMI, FL 33173

Employer Identification Number:
57-1170959
DLN:
17053126012015
Contact Person:
JOY M HLAVATY ID# 31495
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
June 11, 2003
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
December 31, 2007

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

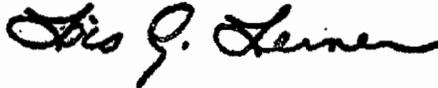
If you distribute funds to other organizations, your records must show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence the funds will be used for section 501(c)(3) purposes.

Letter 1045 (DO/CG)

EARTH LEARNING INC

If you distribute funds to individuals, you should keep case histories showing the recipient's name and address; the purpose of the award; the manner of selection; and the relationship of the recipient to any of your officers, directors, trustees, members, or major contributors.

Sincerely,



Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)
Statute Extension

Letter 1045 (DO/CG)

ORGANIZATIONAL BUDGET

EXPENSES	FISCAL YEAR (MONTH/DAY): CURRENT		JANUARY	TO	DECEMBER
	FY 2008	- 2008	COMPLETED		
			FY 2007	-	2007
PERSONNEL - ADMINISTRATIVE	3,100		1,200		
PERSONNEL - ARTISTIC	0		0		
PERSONNEL - TECHNICAL	0		0		
OUTSIDE ARTISTIC FEES/SERVICES	13,500		3,700		
OUTSIDE OTHER FEES/SERVICES	7,000		18,285		
MARKETING/PUBLICITY	5,800		6203		
PRINTING	750		1589		
POSTAGE	0		31		
IN COUNTY TRAVEL	0		0		
OUT OF COUNTY TRAVEL	0		570		
EQUIPMENT RENTAL	0		7465		
EQUIPMENT PURCHASE	0		0		
SPACE RENTAL	0		100		
INSURANCE	0		0		
UTILITIES	0		0		
SUPPLIES/MATERIALS	8,450		7,983		
REMAINING OPERATING EXPENSES	4,800		13,117		
TOTAL CASH EXPENSES	43,400		60,243		
IN-KIND CONTRIBUTIONS (ATTACH ITEMIZED LIST)	55,600		79,606		
TOTAL EXPENSES	99,000		139,849		
REVENUES					
ADMISSIONS	0		0		
CONTRACTED SERVICES	0		0		
TUITIONS	2,400		2,290		
CORPORATE SUPPORT	5,000		0		
FOUNDATION SUPPORT	14,000		21,000		
PRIVATE/INDIVIDUAL SUPPORT	12,000		32,488		
GOVERNMENT GRANTS - FEDERAL	0				
GOVERNMENT GRANTS - STATE	0				
GOVERNMENT GRANTS - LOCAL	10,000		4,465		
APPLICANT CASH ON HAND	0				
OTHER REVENUES	0				
TOTAL CASH INCOME	43,400		60,243		
IN-KIND CONTRIBUTIONS (ATTACH ITEMIZED LIST)	55,600		79,606		
TOTAL INCOME	99,000		139,849		

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**Earth Learning
Budget 2008 (January - December)**

	GREEN	EF 2007	Total	In-Kind
Income				
Revenues				
Donations/Sponsorships	-	3,300.00	3,300.00	-
Grants				
Private	8,000.00	-	8,000.00	-
Grants - Other	-	5,918.00	5,918.00	-
Total Grants	8,000.00	5,918.00	13,918.00	-
In-Kind Revenues	-	-	-	30,800
Total Revenues	8,000.00	9,218.00	17,218.00	30,800
Total Income	8,000.00	9,218.00	17,218.00	30,800
Expense				
Banking	-	-	-	-
Contractual Services				
Artist's Fee	-	5,000.00	5,000.00	-
Production Fees	-	-	-	16,000
Metro Shuttle	-	-	-	1,800
Promotions	-	800.00	-	-
Web Services	-	-	-	2,000
Total Contractual Services	-	5,800.00	5,800.00	19,800
Equipment Rental	-	1,000.00	1,000.00	-
Local Travel	-	18.00	18.00	-
Media				
Outdoor	1,500.00	400.00	1,900.00	3,000
Print	3,000.00	-	3,000.00	3,000
Radio	2,000.00	-	2,000.00	1,000
Total Media	6,500.00	400.00	6,900.00	7,000
Permits & Fees	-	-	-	-
Personnel	-	2,000.00	2,000.00	4,000
Postage & Freight	-	-	-	-
Printing & Reproduction				
Design	200.00	-	200.00	-
Printing & Reproduction - Other	1,100.00	-	1,100.00	-
Total Printing & Reproduction	1,300.00	-	1,300.00	-
Supplies				
Computer	-	-	-	-
Food	200.00	-	200.00	-
Gear/Equipment	-	-	-	-
Library Resources	-	-	-	-
Office	-	-	-	-
Total Supplies	200.00	-	200.00	-
Total Expense	8,000.00	9,218.00	17,200.00	30,800

Agenda Item # :			
2nd Annual EarthFest Celebration			
Legislative Timeline			
Transit Committee		CITT Project/Finance Committee	N/A
BCC		CITT Full Trust	N/A

WHAT: Bus transportation

WHEN: Sunday, April 20, 2008
Contact: Mario Yanez 305-323-8858

WHERE: Crandon Park on Key Biscayne

COMMISSIONER SPONSOR: Commissioner Gimenez

DETAILS: Provide shuttle service to and from Vizcaya Metro station to the event from 9:30 am to 8:30 pm continuously.

2 shuttle buses @ 99.00 per hour for 11 hours each	\$1,998.00
1 TOS supervisor @ 40.00 per hour for 11 hours	<u>440.00</u>
	\$2,438.00

Memorandum



Date: June 3, 2008

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

From: George M. Burgess
County Manager 

Subject: Countywide 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 countywide in-kind reserve balance allows for the funding of this request.

Background

A retroactive fee waiver for in-kind services is being requested by a not-for-profit organization Earth Learning, Inc. for the Earth Fest 2008 event held on April 20, 2008.

In-kind services have been requested in an amount not to exceed \$2,438 from the Miami-Dade Transit Agency for shuttle transportation services. This event will be funded from the countywide in-kind reserve fund.

In FY 2007-08, Earth Learning, Inc. has received no County funding for this event.

Inkind9908