

## MEMORANDUM

Agenda Item No. 11(A)(50)

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**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

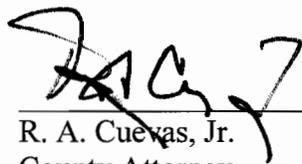
**DATE:** March 3, 2009

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

**SUBJECT:** Resolution retroactively  
authorizing in-kind  
services for the December  
21, 2008 performance of  
the "Nutcracker"

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



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

RAC/jls

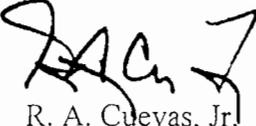


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** March 3, 2009

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

**SUBJECT:** Agenda Item No. 11(A)(50)

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 Mayor'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)(50)  
3-3-09

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

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE DECEMBER 21, 2008 PERFORMANCE OF THE "NUTCRACKER" SPONSORED BY THE CUBAN CLASSICAL BALLET OF MIAMI, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,000.00 TO BE FUNDED FROM THE DISTRICT 6 IN-KIND RESERVE FUND

**WHEREAS**, the Cuban Classical Ballet of Miami, Inc. has requested in-kind services from the Miami-Dade Park and Recreation Department for the December 21, 2008 performance of the "Nutcracker" in an amount not to exceed \$2,000.00 (see attached Fee Waiver/In-kind Service Application); and

**WHEREAS**, the performance of the "Nutcracker" is an enriching cultural event which is especially enjoyed by children; and

**WHEREAS**, the Cuban Classical Ballet of Miami, Inc. is a not-for-profit organization; and

**WHEREAS**, the performance of the "Nutcracker" is a small event, as defined in the attached Fee Waiver/In-kind Service Application, and \$2,000.00 of the in-kind services shall be funded from the District 6 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 for the December 21, 2008 performance of the "Nutcracker" in an amount not to exceed \$2,000.00 to be funded from the District 6 In-kind Reserve Fund.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of March, 2009. 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.

GKS

Gerald K. Sanchez

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:

Dolores 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) 375-5168

12/21  
Parks - 2000

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: \_\_\_\_\_

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.): Padre Pablo Peña, Director  
Cuban Classical Ballet of Miami, 900 SW 1<sup>st</sup> St. Miami 305 549-7711

4. Specify fee waiver or in-kind service requested (quantify, if applicable): Fee Waiver (theater)

5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries):  
Nutcracker, Dec. 21, 2008 8 p.m. & 5 p.m.  
Ballet performance

6. Please select ALL that apply to event:

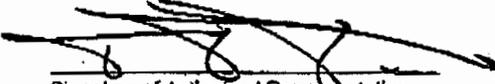
- Economic Development: Event supports vitality or growth of the local economy
- Youth/Education: Event benefits youth of any age and/or offers educational benefits
- Health and Social Services: Event supports health-related causes and/or social programs or institutions that improve quality of life within 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

*Hadi con Padre Peña*  
*10/30/08*  
*Losa (16)*

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

- 7. Physical address of event venues (please specify Commission District(s)): Dade County Auditorium  
2901 West Flagler Street, Commission District 6
- 8. Description of regional or local impact: Enriching cultural event geared for  
the community and especially children to generate  
their interest in the arts.
- 9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable):  
Sunday, Dec. 21, 2 p.m. & 5 p.m.
- 10. Detailed description of event venues (map or schematic of event venues, access points, surrounding roadways and traffic flow diagrams, if applicable): Not available
- 11. Expected number of participants and estimated attendance (per day, if applicable): 3,000
- 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

7/2/08  
Date



## NUTCRACKER

### Performance Budget

Dade County Auditorium  
December 21, 2008

<b>Description</b>	<b>Amount</b>
Theater Labor Union	\$ 5,000
Costumes	25,000
Dancers (Artistic Fee)	25,000
Advertising & Public Relations	15,000
Stage Manager	1,000
Lighting Design	1,700
Music Operator	750
Transportation	500
Miscellaneous Expenses	600
<b>TOTAL</b>	<b><u>\$ 59,550</u></b>

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

DEPARTMENT OF THE TREASURY

Date: MAY 20 2008

CUBAN CLASSICAL BALLET OF MIAMI INC  
900 SW 1ST ST STE 306  
MIAMI, FL 33130

Employer Identification Number:  
20-5713495  
DLN:  
17053306300037  
Contact Person:  
JOANNA YAWNEY ID# 95078  
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:  
October 13, 2006  
Contribution Deductibility:  
Yes  
Advance Ruling Ending Date:  
December 31, 2010  
Addendum Applies:  
No

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.

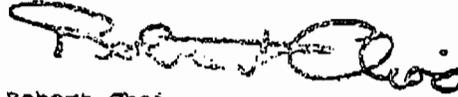
Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

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CUBAN CLASSICAL BALLET OF MIAMI INC

Sincerely,



Robert Choi  
Director, Exempt Organizations  
Rulings and Agreements

Enclosures: Publication 4221-PC  
Statute Extension

**Rodriguez, Nadia (OSBM)**

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**From:** Milian, Lourdes (DIST6)  
**Sent:** Friday, December 05, 2008 12:49 PM  
**To:** Rodriguez, Nadia (OSBM)  
**Cc:** Olmedillo, Jessica (DIST6)  
**Subject:** Re: Ballet In-kind

Nadia as per our conversation the amount the commissioner is approving is \$2,000.

Thank you, Have a Great Day!  
Lourdes G. Milian, District Office Manager  
Commissioner Sosa, District 6  
305-267-6377 Office  
[e-mail: lmilian@miamidade.gov](mailto:lmilian@miamidade.gov)

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.

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**Rodriguez, Nadia (OSBM)**

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**From:** Jayska, Amanda (OSBM)  
**Sent:** Monday, December 08, 2008 1:31 PM  
**To:** Rodriguez, Nadia (OSBM)  
**Subject:** FW: Dade County Auditorium

FYI.

**Amanda Jayska**, Budget Analyst  
**Miami-Dade County**

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**From:** Gazitua, Luis Andre (Mayor's Office)  
**Sent:** Monday, December 08, 2008 1:21 PM  
**To:** Galvez, Barbara (OSBM); Jayska, Amanda (OSBM)  
**Cc:** Garcia-Navarro, Millie (Mayor's Office); Morales, Denis (Mayor's Office); Triana, Josefina C. (Mayor's Office)  
**Subject:** Dade County Auditorium

Ladies: Pursuant to our conversation this morning, our Chief of Staff has authorized a \$4,202.78 distribution of discretionary reserve funds in support of the Nutcracker event. The funds will be pledged at the first BCC meeting of 2009.

Warmest regards,

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records.

**Luis Andre Gazitua, Esq.**  
*Senior Advisor*

**Office of the Mayor of Miami Dade County**  
111 NW First Street, Suite 2910  
Miami, Fl. 33128

[gazitua@miamidade.gov](mailto:gazitua@miamidade.gov)  
<http://www.miamidade.gov/mayor/>

tel: 305-375-4245  
fax: 305-375-3618

Want to always have my latest info?

Want a signature like this?

 Please consider the environment before printing this e-mail.



Miami-Dade County Auditorium

Final Settlement For: THE NUTCRACKER
Cuban Classical Ballet of Miami
Event Date: Sunday December 21, 2008 at 2PM

Promoter: Cuban Classical Ballet
ATTN: Pedro Pablo Peña

Miami-Dade County Auditorium
2901 West Flagler Street
Miami, Florida 33135

Tax Exempt:

Phone: 305-547-5414

Flat Rate Rental: \$ Deposit: \$ Balance: \$

Table with 3 columns: DAILY BASE RENT, RENTAL, BALANCE. Rows include Base Rent, Rent Reductions, Set-up/Reh., Ticket Printing, Dance Floor, Spotlights, Sound Equipment, Lamp Usage, Misc. Rental, Additional Equipment/Activity, Tax @7%, Surcharge, PBO Receipts, and Total Due.

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**Rodriguez, Nadia (OSBM)**

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**From:** Milian, Lourdes (DIST6)  
**Sent:** Friday, December 12, 2008 12:45 PM  
**To:** Rodriguez, Nadia (OSBM)  
**Cc:** Jayska, Amanda (OSBM)  
**Subject:** RE: Re: Ballet In-kind

The Commissioner is only doing the \$2,000.00

Thank you, Have a Great Day!  
Lourdes G. Milian, District Office Manager  
Commissioner Sosa, District 6  
305-267-6377 Office  
e-mail: [lmilian@miamidade.gov](mailto:lmilian@miamidade.gov)

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**From:** Rodriguez, Nadia (OSBM)  
**Sent:** Wednesday, December 10, 2008 9:50 AM  
**To:** Milian, Lourdes (DIST6)  
**Cc:** Navarro, Lubby (Office of the Chair)  
**Subject:** RE: Re: Ballet In-kind

Lourdes,  
I spoke to Lubby in regards to the in-kind and she stated that they were not aware of this event. Apparently, district 5 and the Mayor's office are splitting the costs of 1,000 tickets. Let me know if you have any questions. Thanks.

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**From:** Milian, Lourdes (DIST6)  
**Sent:** Friday, December 05, 2008 12:49 PM  
**To:** Rodriguez, Nadia (OSBM)  
**Cc:** Olmedillo, Jessica (DIST6)  
**Subject:** Re: Ballet In-kind

Nadia as per our conversation the amount the commissioner is approving is \$2,000.

Thank you, Have a Great Day!  
Lourdes G. Milian, District Office Manager  
Commissioner Sosa, District 6  
305-267-6377 Office  
e-mail: [lmilian@miamidade.gov](mailto:lmilian@miamidade.gov)

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# Memorandum



**Date:** March 3, 2009

**To:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

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

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of the County Manager.

**Subject:** District Specific In-Kind Reserve 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 Cuban Classical Ballet of Miami, Inc. for their "Nutcracker" event held on December 21, 2008.

In-kind services have been requested in an amount not to exceed \$2,000.00 from the Miami-Dade Park and Recreation Department to waive in-part the rental fee for the Miami-Dade County Auditorium. This event will be funded from the District 6 in-kind reserve fund.

In FY 2008-09, the Cuban Classical Ballet of Miami, Inc. has currently received no county funding for this event.

Inkind04009

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