MEMORANDUM

Agenda Item No. 11(A)(22)

TO:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners	**DATE:**	December 1, 2009
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution retroactively authorizing in-kind services for the October 24, 2009 "Step Forward" event

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

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

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

DATE: December 1, 2009

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

SUBJECT: Agenda Item No. 11(A)(22)

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

✓ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(22)
12-1-09

RESOLUTION NO. _____

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT AND THE MIAMI-DADE POLICE DEPARTMENT FOR THE OCTOBER 24, 2009 "STEP FORWARD" SPONSORED BY TUBEROUS SCLEROSIS ALLIANCE, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $1,962.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 7 FY 2008-09 IN-KIND RESERVE FUND

WHEREAS, Tuberous Sclerosis Alliance, has requested in-kind services from the Miami-Dade Park and Recreation Department and the Miami-Dade Police Department for the October 24, 2009 "Step Forward" in an amount not to exceed $1,962.00 (see attached Fee Waiver/In-kind Service Application); and

WHEREAS, the "Step Forward" is a walkathon to raise funds for tuberous sclerosis research and provide family support services; and

WHEREAS, Tuberous Sclerosis Alliance, is a not-for-profit organization; and

WHEREAS, the "Step Forward" is a small event, as that term is defined on the attached Fee Waiver/In-kind Service Application, and $1, 962.00 of the in-kind services shall be funded from the unspent balance of the District 7 FY 2008-09 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 and the Miami-Dade Police Department for the October 24, 2009 "Step Forward" in an amount not to

exceed $1, 962.00 to be funded from the unspent balance of the District 7 FY 2008-09 In-kind Reserve Fund.

The Prime Sponsor of the foregoing resolution is Commissioner Carlos A. Gimenez. 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-Chairwoman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of December, 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

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: Tuberous Sclerosis Alliance

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.): 305-498-2366
   Vanessa Vazquez
   12249 SW 121 Terrace
   Miami, FL 33186
   vanessavazquez@bellsouth.net

4. Specify fee waiver or in-kind service requested (quantify, if applicable):
   Please consider in-kind waiver of park fees, security, and or street signage.

5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries):
Step Forward to Cure TSC is a fund-raising walk athon scheduled for October 24, 2009 at Crandon Park in Miami, FL. The funds raised will provide for research and family support services to the 50,000 people nationwide that suffer from tuberous sclerosis complex.

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 9
Crandon Park
4000 Crandon Blvd
Key Biscayne, FL 33149

8. Description of regional or local impact: The funds raised helps provide research and support services for the thousands of patients in Southern Florida.

9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable):
Set up at 8:00 am
registration 10:00 am
walk starts 11:00 am
12:00-1:30 wrap up party
1:30-2:30 clean up

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

11. Expected number of participants and estimated attendance (per day, if applicable): 150

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

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

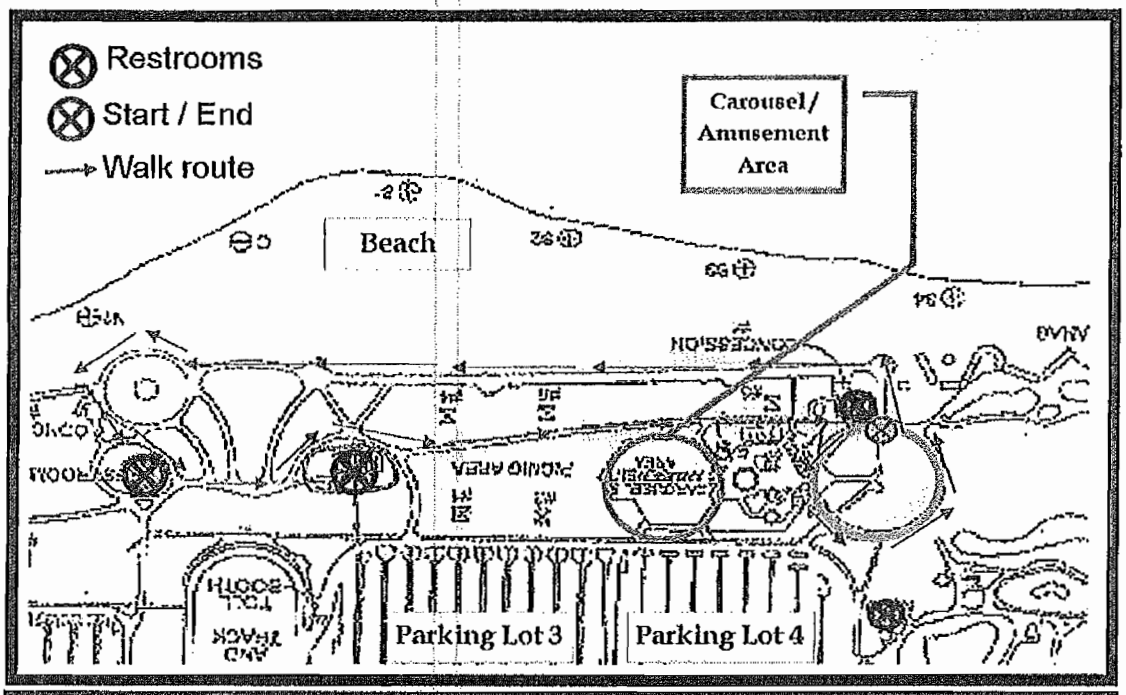
Signature of Authorized Representative
President & CEO

10/6/09
Date

	Miami
	81-250
Budget	$ 2,250.00
Permit / Facility Charges	$ 50.00
Run Management Companies	
Rental Fees	
Conference Calls	$ 53.16
Meetings	
Postage	$ -
Office Supplies	
Brochures	$ 52.82
T-shirts (walk)	$ 503.50
T-shirts (run)	
Incentives (Mugs)	$ 129.00
Incentives (Gym Bags)	$ 121.50
Merchandise	$ 294.97
Food and Drink	
Signs and Banners	
Duplicating Services	
Awards	
Security	
Entertainment	
Total	$ 1,204.95
Over/Under	$(1,045.05)

Miami *Step Forward* to cure TSC Walk, Oct. 24th, 2009

Walk - 5K or 3.1 miles / Water station per mile marker (3) / Restroom ADA compliant



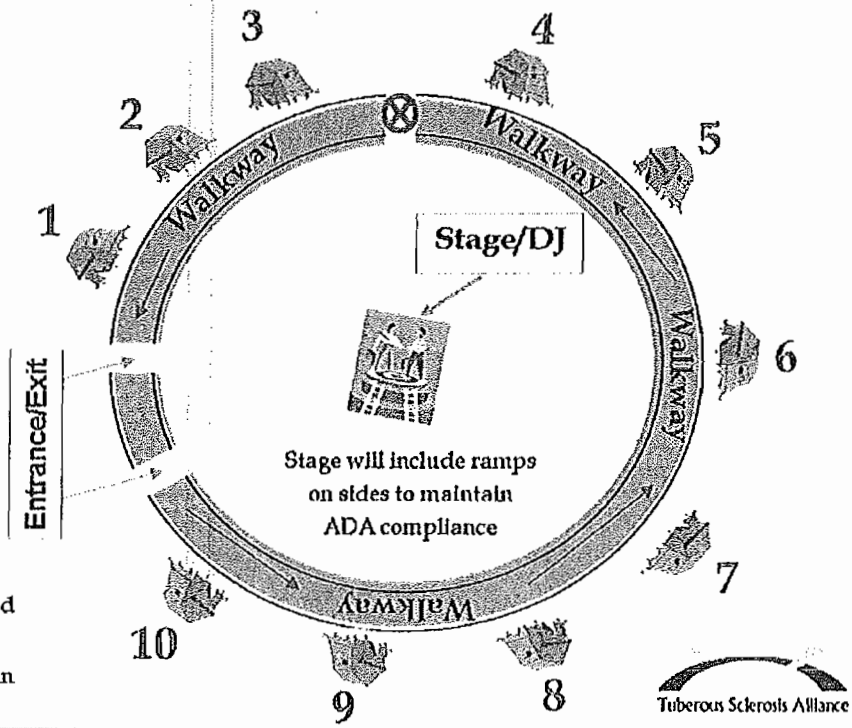
Tents

1. TSC items
2. VIP
3. Registration
4. Sponsor
5. Sponsor
6. Kids Zone
7. Kids Zone
8. Sponsor
9. Sponsor
10. Sponsor

Start/End

Note: Tents placed at edge of concrete walkway to maintain ADA compliance

Lay-out for Event / Staging Area



Internal Revenue Service

Department of the Treasury

P. O. Box 2508
Cincinnati, OH 45201

Date: January 24, 2003

Person to Contact:
Kaye Keyes 31-07416
Customer Service Specialist
Toll Free Telephone Number:
8:00 a.m. to 6:30 p.m. EST
877-829-5500
Fax Number:
513-263-3756
Federal Identification Number:
95-3018799

National Tuberous Sclerosis Association, Inc.
Tuberous Sclerosis Alliance
801 Roeder Road Suite 750
Silver Spring, MD 20910

Dear Sir or Madam:

This is in response to your request of January 24, 2003, regarding your organization's tax exempt status.

Our records indicate that a determination letter issued in October 1975 granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its 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.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of $100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its 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.

National Tuberous Sclerosis Association, Inc
Tuberous Sclerosis Alliance
95-3018799

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

The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. If your organization had a copy of its application for recognition of exemption on July 15, 1987, it is also required to make available for public inspection a copy of the exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of $20 a day for each day you do not make these documents available for public inspection (up to a maximum of $10,000 in the case of an annual return).

Because this letter could help resolve any questions about your organization's exempt status and foundation status, you should keep it with the organization's permanent records.

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

This letter affirms your organization's exempt status.

Sincerely,

John E. Ricketts

John E. Ricketts, Director, TE/GE
Customer Account Services

Rodriguez, Nadia (OSBM)

From: Balzebre, Frank (DIST7)
Sent: Monday, October 19, 2009 2:06 PM
To: Byrnes, Timothy (MDPR); Rodriguez, Nadia (OSBM)
Cc: Gonzalez, Ana (MDPR); Abreu, Mary (MDPR); Morgan, Tom (MDPR); Weitzel, Alan (MDPR); Jayska, Amanda (OSBM); Gonzalez-Cao, Vivian (OSBM); 'vanessavazquez@bellsouth.net'; Aleman, Jorge (MDPR); McCaffrey, Michael (MDPR); Seymour, Kesha (MDPR)
Subject: RE: Tuberous Scleroses Alliance Event at Crandon Park 10/24/09

Nadia,
Commissioner Gimenez would like to sponsor these in-kind costs as related in e-mail below.
Please contact me for any further questions or information.
Thank you,

Frank Balzebre
Office of Commissioner Gimenez

From: Byrnes, Timothy (MDPR)
Sent: Sunday, October 18, 2009 12:06 PM
To: Rodriguez, Nadia (OSBM)
Cc: Gonzalez, Ana (MDPR); Abreu, Mary (MDPR); Morgan, Tom (MDPR); Weitzel, Alan (MDPR); Jayska, Amanda (OSBM); Gonzalez-Cao, Vivian (OSBM); Balzebre, Frank (DIST7); 'vanessavazquez@bellsouth.net'; Aleman, Jorge (MDPR); McCaffrey, Michael (MDPR); Seymour, Kesha (MDPR)
Subject: RE: Tuberous Scleroses Alliance Event at Crandon Park 10/24/09

Nadia,
After further review of the file for this event we did locate a locate a Equipment Confirmation Form, forwarded to Ms. Vazquez at TS Alliance on 10/14/09 for a 24' X 40' open stage for the aforementioned event. So the $1,362.00 estimate that I supplied you with in my e-mail yesterday should be the current estimate to go with for the event, pending any additional changes.
Tim

Tim Byrnes, Tropical Park/Trail Glades Range/Showmobile Service Area Manager
Miami-Dade County Park and Recreation Department
Tropical Park 7900 SW 40th Street, Miami, FL 33155
305-226-8315 Phone, 305-553-8511 Fax
www.miamidade.gov/parks
"Delivering Excellence Every Day"

From: Byrnes, Timothy (MDPR)
Sent: Saturday, October 17, 2009 12:07 PM
To: Rodriguez, Nadia (OSBM)
Cc: Gonzalez, Ana (MDPR); Abreu, Mary (MDPR); Morgan, Tom (MDPR); Weitzel, Alan (MDPR); Jayska, Amanda (OSBM); Gonzalez-Cao, Vivian (OSBM); Balzebre, Frank (DIST7); 'vanessavazquez@bellsouth.net'; Aleman, Jorge (MDPR); McCaffrey, Michael (MDPR)
Subject: Tuberous Scleroses Alliance Event at Crandon Park 10/24/09

Nadia,
We have put on hold the open 24' X 40' stage for this event, after speaking to the staff at Crandon Park please find below the cost estimate for the stage and the park charges:

- Stage 24' X 40' $ 790.00
- Open Area Rental Fee $ 260.00
- Park Personnel Cost $ 312.00
- Total Event Estimate $1,362.00

Feel free to contact me if you need any additional information,
Tim

Tim Byrnes, Tropical Park/Trail Glades Range/Showmobile Service Area Manager
Miami-Dade County Park and Recreation Department
Tropical Park 7900 SW 40th Street, Miami, FL 33155
305-226-8315 Phone, 305-553-8511 Fax
www.miamidade.gov/parks
"Delivering Excellence Every Day"

Memorandum

MIAMI-DADE COUNTY

Date: December 1, 2009

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

From: George M. Burgess
County Manager

Subject: District Specific In-Kind Reserve Request Recommendation

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

Background

A retroactive waiver for in-kind services has been requested by a not-for-profit organization, Tuberous Sclerosis Alliance, for their "Step Forward" event held on October 24, 2009.

In-kind services have been requested in an amount not to exceed $1,362 from the Miami-Dade Park and Recreation Department for the use of a 24'X40' stage and open area rental fee at Crandon Park; and $600 from the Miami-Dade Police Department for police services for a total in-kind of $1,962. This event will be funded from the District 7 FY 2008-09 in-kind reserve fund unspent balance.

In FY 2009-10, the Tuberous Sclerosis Alliance has received no county funding for this event.

Inkind01310