

**MEMORANDUM**

Agenda Item No. 11(A)(26)

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

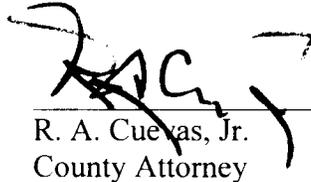
**DATE:** July 8, 2010

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

**SUBJECT:** Resolution retroactively authorizing  
in-kind services for the April 10,  
"Relay for Life of Lakes of the  
Meadow"

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

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

RAC/cp



# MEMORANDUM

(Revised)

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

**DATE:** July 8, 2010

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

**SUBJECT:** Agenda Item No. 11(A) (26)

**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)(26)  
7-8-10

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

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE ELECTIONS DEPARTMENT FOR THE APRIL 10, 2010 "RELAY FOR LIFE OF LAKES OF THE MEADOW" SPONSORED BY AMERICAN CANCER SOCIETY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$370.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 11 FY 2008-09 IN-KIND RESERVE FUND

**WHEREAS**, American Cancer Society, Inc. has requested in-kind services from the Miami-Dade Elections Department for the April 10, 2010 "Relay for Life of Lakes of the Meadow" in an amount not to exceed \$370.00 (see attached Fee Waiver/In-kind Service Application); and

**WHEREAS**, the purpose of the "Relay for Life of Lakes of the Meadow" is to raise funds for research, education, advocacy and patient services regarding the fight against cancer; and

**WHEREAS**, American Cancer Society, Inc. is a not-for-profit organization; and

**WHEREAS**, the "Relay for Life of Lakes of the Meadow" is a district event, as that term is defined on the attached Fee Waiver/In-kind Service Application, and \$370.00 of the in-kind services shall be funded from the unspent balance of the District 11 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 Elections Department for the April 10, 2010

“Relay for Life of Lakes of the Meadow” in an amount not to exceed \$370.00 to be funded from the unspent balance of the District 11 FY 2008-09 In-kind Reserve Fund.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. 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    |
| Barbara J. Jordan               | Joe A. Martinez    |
| Dorin D. Rolle                  | Natacha Seijas     |
| Katy Sorenson                   | Rebeca Sosa        |
| Sen. Javier D. Souto            |                    |

The Chairperson thereupon declared the resolution duly passed and adopted this 8<sup>th</sup> day of July, 2010. 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

Electronics-330  
4/10

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: The American Cancer Society

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.): ERIKA KRYSLE GAETA  
209S NW 12 St. Suite 200 - 786.877.6666 - erika.gaeta@cancer.org

4. Specify fee waiver or in-kind service requested (quantify, if applicable): donation of 30 tables / 60 chairs  
from electronics dept.

5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries):  
relay for life of LAKES of the MEADOW  
12 hour community event  
raise money for research, education, advocacy and patient services.

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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Martinez

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

- 7. Physical address of event venues (please specify Commission District(s)): 00 4450 SW 152 Ave. Miami, FL 33185
- 8. Description of regional or local impact: Supports cancer patients in their home community.
- 9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable): Saturday: April 10, 2010 9:45 - 10:00 delivery  
Sunday: April 11<sup>th</sup>, 2010 → pick-up @ 10:00 a.m.
- 10. Detailed description of event venues (map or schematic of event venues, access points, surrounding roadways and traffic flow diagrams, if applicable): N/A.
- 11. Expected number of participants and estimated attendance (per day, if applicable): 24 teams → approx. 250 people.
- 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]  
Signature of Authorized Representative

4.09.10  
Date

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**Miami-Dade Elections Department  
Tables Chairs Rental Agreement**

<b>Delivery Date:</b>	Saturday April 10, 2010	<b>Return Date:</b>	Sunday April 11, 2010
<b>Delivery Time:</b>	10:00am	<b>Return Time:</b>	6:00am
<b>Name:</b>	Lakes of the Meadow Relay for Life		
<b>Office/Agency:</b>	Commissioner Martinez		
<b>Address:</b>	4450 SW 152 Ave		
<b>Telephone:</b>	786-877-6666 Erika Gaeta	<b>Fax:</b>	
<b>Dept. Index Code:</b>			

Items Needed:	Item Type	# of Items	Unit Price	Item Sub-Total	Delivery Charge (\$50.00)	Pickup Charge (\$50.00)	Order Total	Damaged Items		Total Charges for Damaged Items
								# of Items	Charges	
Chairs		60	\$0.25	\$ 15.00	\$ 50.00	\$ 50.00	\$ 370.36			
Tables		30	\$0.75	\$ 22.50						

I understand that the requested items are to be used and stored indoors and are not to be used to serve or consume food or beverages. Nails, tacks, staples or similar types of items are not to be inserted on tables or chairs. My Department/Agency will be responsible for the payment of rental fees as well as any lost or damaged items. Charges will be applied to the Department Index Code listed above.

Requestor's Name	Approver's Name (Elections Department)
Requestor's Job Title	Approver's Job Title
Requestor's Signature / Date	Approver's Signature / Date

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00013



## Consumer's Certificate of Exemption

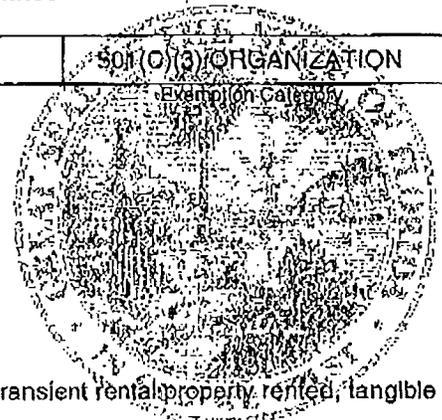
Issued Pursuant to Chapter 212, Florida Statutes

DR-14  
R. 04/05  
04/16/09

85-8012646593C-1	04/30/2009	04/30/2014	501(C)(3) ORGANIZATION
<small>Certificate Number</small>	<small>Effective Date</small>	<small>Expiration Date</small>	<small>Exemption Category</small>

This certifies that

AMERICAN CANCER SOCIETY FLORIDA  
DIVISION INC  
3709 W JETTON AVE  
TAMPA FL 33629-5111



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.



## 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.

FORM W-3441 (REV. 6-40)



U. S. TREASURY DEPARTMENT  
INTERNAL REVENUE SERVICE  
WASHINGTON 25, D. C.

AUG 13 1962

IN REPLY REFER TO  
T:R:EO:6  
CSG

American Cancer Society, Inc.  
521 West 57th Street  
New York 19, New York

DATE OF ORIGINAL GROUP RULING
November 5, 1962
PURPOSE:
Educational, scientific and charitable
FORM 990-A REQUIRED
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Gentlemen:

Based upon the information presented, it is held that all of the new subordinate units whose names appear on the lists recently submitted are exempt from Federal income tax as organizations described in section 501(c)(3) of the Internal Revenue Code as they are organized and operated exclusively for the purpose noted above. Any questions concerning taxes levied under other subtitles of the Code should be submitted to the appropriate District Director.

Your new subordinate units are not required to file Federal income tax returns, so long as they retain a tax exempt status, unless they are subject to the unrelated business tax imposed by section 511 of the Code and are required to file Form 990-T in order to report unrelated business taxable income. This is also applicable to you and your pre-existing subordinate units. Your new subordinate units are or are not required to file the annual information return, Form 990A, as indicated above. Such returns, if required, must be filed with the appropriate District Director after the close of the annual accounting period of each subordinate unit, unless you include the subordinate units in a group return filed by you.

Contributions made to your listed subordinate units are deductible by donors as provided in section 170 of the Code. Bequests, legacies, devises, transfers or gifts to or for the use of the listed subordinate units are deductible for Federal estate and gift tax purposes as provided in section 2055, 2106 and 2522 of the Code.

You and your exempt subordinate units are not liable for the taxes imposed under the Federal Insurance Contributions Act (social security taxes) unless waiver of exemption certificates are, or have been, filed as provided in such Act. Inquiries about the waiver of exemption certificates should be addressed to your District Director. You and your exempt subordinate units are not liable for the tax imposed under the Federal Unemployment Tax Act.

We have noted our records of any change in the names, addresses, character, purposes or method of operation of pre-existing subordinate units or those which ceased to exist of which you currently notified us.

Please send us the following information annually not later than 45 days after the close of your annual accounting period.

1. Lists showing the names and mailing addresses of your new subordinate units and the names and addresses of any units which have ceased to exist or have changed their names or addresses. The names should be arranged in alphabetical or numerical order. In lieu of the lists referred to above you may furnish us with a copy of your published directory. Please send us one copy of the list or directory for this office and one copy for each district in which your subordinate units are located.

# Memorandum



**Date:** July 8, 2010

**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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## Recommendation

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 specific 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, American Cancer Society, Inc., for their "Relay for Life of Lakes of the Meadow" event held on April 10, 2010.

In-kind services have been requested in an amount not to exceed \$370 from the Miami-Dade Elections Department for the use of a tables and chairs. This event will be funded from the unspent balance of the District 11 FY 2008-09 in-kind reserve fund.

In FY 2009-10, the American Cancer Society has received \$8,000 from the following districts: \$1,000 from District 2 discretionary, \$2,000 from District 6 office funds, and \$5,000 from District 12 office funds. In addition, as part of Resolution 274-10, they received \$2,978 from the District 6 in-kind reserve and additionally requested \$2,500 from the District 1 in-kind reserve for the Relay for Life of Northwest Dade.

Inkind05410