

MEMORANDUM

Agenda Item No. 11(A)(21)

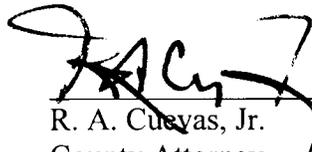
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: December 7, 2010

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

SUBJECT: Resolution retroactively authorizing
in-kind services for the October 23,
2010 "Step Forward" event

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



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

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

DATE: December 7, 2010

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

SUBJECT: Agenda Item No. 11(A) (21)

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)(21)
12-7-10

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 23, 2010 "STEP FORWARD" EVENT SPONSORED BY TUBEROUS SCLEROSIS ALLIANCE, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,946 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 7 IN-KIND RESERVE FUND

WHEREAS, the 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 23, 2010 "Step Forward" event in an amount not to exceed \$1,946 (see attached Fee Waiver/In-kind Service Application); and

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

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

WHEREAS, "Step Forward" is a small event, as that term is defined on the attached Fee Waiver/In-kind Service Application, and \$1,946 of the in-kind services shall be funded from the unspent balance of the District 7 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 23, 2010 "Step Forward" event in an amount not to exceed \$1,946 to be funded from the unspent balance of the District 7 FY 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-Chairman	
Bruno A. Barreiro	Lynda Bell
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of December, 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

Revis -
Police -

10/23

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.

National Tuberculosis Sclerosis Assn. Inc D/B/A

1. Full legal name of the requesting organization: Tuberculosis 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.): _____

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

4. Specify fee waiver or in-kind service requested (quantity, if applicable): Requesting waiver/in-kind services on the following: (see attached also)

\$790.00 for 24' x 40' stage \$400 off duty Police Service
\$612.28 for event fees (park mgr, maintenance super aid, early entry, permit fee) Total estimated request at \$1802.28

5

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 scheduled for October 23, 2010 at Crandon Park is a fundraising walk a thon. The funds raised are vital for TSC research, awareness and family support programs. Tuberosus Sclerosis Complex (TSC) is a genetic disorder that causes tumors to grow throughout the body, primarily in the brain, heart, kidneys skin and lungs.

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 6

Crandon Park
4000 Crandon Blvd.
Kay Biscayne, FL 33149

8. Description of regional or local impact This event provides an opportunity for families living with TSC to meet with others, learn from each other and socialize. The biggest impact is the hope and rejuvenation the event brings to families living with this devastating disorder.

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

8am- volunteers arrive for set-up; 10am registration opens; 11am walk begins. Upon completion of the walk participants enjoy gathering, announcements of prizes, fundraising totals and refreshments. Clean-up would commence about 1-1.30pm.

MIAMI-DADE COUNTY
FEE WAIVER/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): Please see attached lay-out and route map.

11. Expected number of participants and estimated attendance (per day, if applicable): 200-250

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.

K. L. Rosbeck
Signature of Authorized Representative

10/10/10
Date



Crandon Park Estimated Special Event Fee Schedule



"Delivering Excellence Every Day"

10/23/2010 TSA Walk

Estimated Attendance \$ - Estimated # of cars (2.5 per car) 0

Description	Fee	Areas	Cost	Notes
Area fee	\$ 273.00	1	\$ 273	
Shelters				

Personnel	Rate	People	Hrs	Cost	
Park Manager	\$ 40.00	0	2	\$ 80	
Park Facility Supervisor	\$ 40.00	0	0	\$ -	
Maintenance Supervisor	\$ 32.52	1	2	\$ 65	
Maintenance Operator	\$ 24.09	0	0	\$ -	
Park Service Aid	\$ 13.03	2	4	\$ 104	
Toll Operator	\$ 13.03	0	0	\$ -	
Biologist	\$ 35.00			\$ -	
Early Gate Entry	\$ 40.00	1	1	\$ 40	
Overtime				\$ -	
Other permit fee	\$ 50.00	1		\$ 50	
Parking	Fee	# Cars		Cost	
Parking	\$ 6.00	0		\$ -	Cars will pay as they enter.

Damage Deposit		\$ -
Park Improvement Surcharge		\$ -
Deposit		\$ -
Tax	0%	\$ -
Total		\$ 612.28

Damage Deposit

The Event Organizer will be responsible for remitting a damage deposit that will be held by the Park and Recreation Department until the conclusion of an inspection of the condition of the Park and Recreation Facility where the Special Event was held. This deposit shall be required one day prior to the Event.

- Class "A" Event \$5,000.00
- Class "B" Event \$3,000.00
- Class "C" Event \$1,500.00

This deposit will be returned in full within 14 days after the Event to the Event Organizer if no extraordinary damage to a Facility is determined. If damage is detected, the full cost of repairs will be subtracted from the deposit amount. If the damage exceeds the deposit amount, the Event Organizer will be billed for the remaining costs associated with the repair of the damage.

IMPORTANT NOTE: This is an estimate. Actual Park Facility usage and manpower may be applied to invoice.

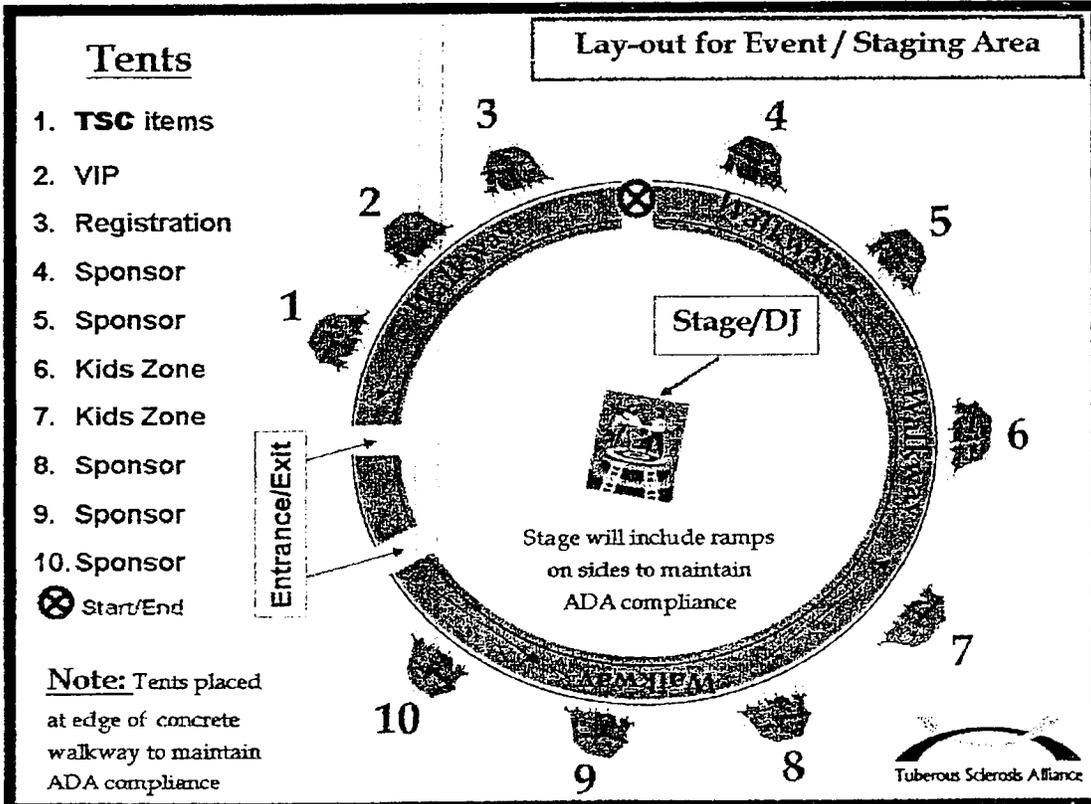
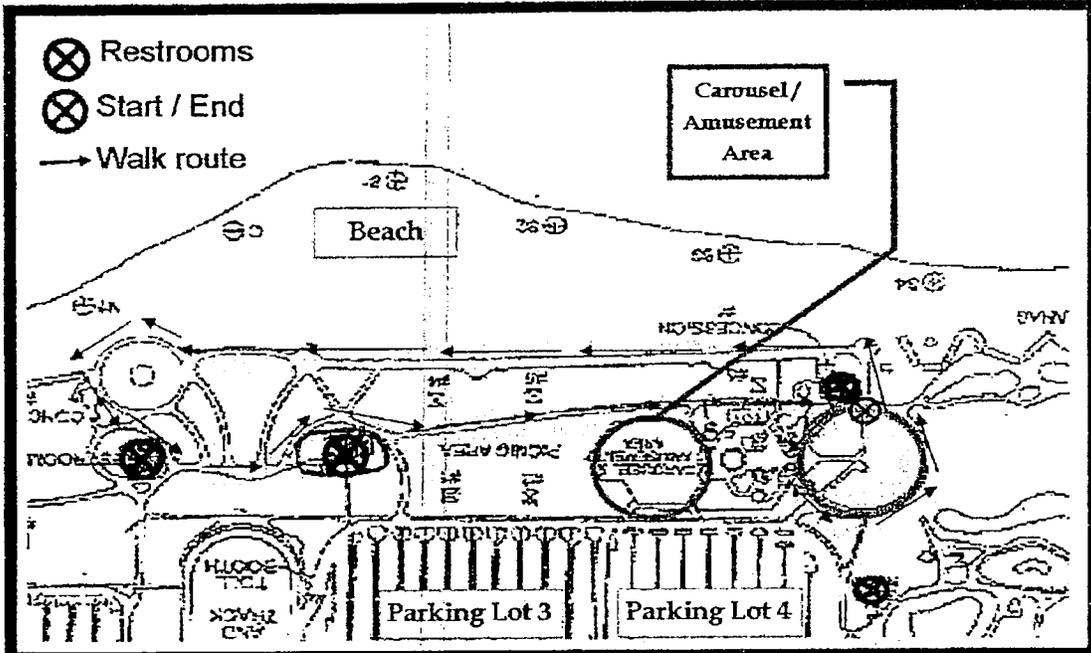
Waivers

Any and all waivers of fees or surcharges must be approved by a majority of the Board of County Commissioners members present, and shall be granted only if the Event Organizer can provide evidence that such fees and surcharges exact an undue burden on Event guests.



Miami Step Forward to cure TSC Walk, Oct. 23th, 2008

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



Internal Revenue Service

Date: January 24, 2003

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

Department of the Treasury

**P. O. Box 2508
Cincinnati, OH 45201**

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

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.

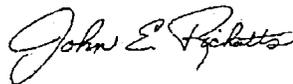
The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. If your organization had a copy of its application for recognition of exemption on July 15, 1987, it is also required to make available for public 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, Director, TE/GE
Customer Account Services



**SHOWMOBILES, STAGES, BLEACHERS,
AND SOUND PRODUCTION**
(305) 226-8315 Ext. 224/(305) 553-8511 (Fax)

EQUIPMENT (S) CONFIRMATION FORM

ORGANIZATION/AGENCY: T.S. Alliance

EQUIPMENT REQUESTED: Stage 24' x 40'

NAME OF PERSON RESPONSIBLE FOR THIS BILL: Commissioner Carlos Gimenez,
Commission District #7

OR INDEX CODE (MIAMI-DADE AGENCIES ONLY): N/A

BILLING ADDRESS/ZIP CODE: 111 NW 1st Street Suite 220 Miami, FL 33128

NAME/TITLE OF THE EVENT: Tuberous Scleroses Alliance

ADDRESS OF EVENT: Crandon Park 4000 Crandon Blvd

TODAY'S DATE: 09/14/10 DATE (S) & TIME OF EVENT: 10/23/10 9AM - 2PM

SET-UP TIME & DAY: 7 A M 10/23/10

TAKE-DOWN TIME & DAY: 4 P M 10/23/10

CONTACT PERSON/PHONE: Vanessa Vazquez (305) 348-7495/(305) 498-2366

AT SITE CONTACT/CELL PHONE#: _____

SPECIAL INSTRUCTIONS: **Direction item(s) are to be placed, maps, diagrams, etc.**

OTHER INFORMATION: Include additional equipment if needed.

We, the users, understand that we assume full responsibility for any damage, theft, or loss to said equipment and its accessories between the time the Miami-Dade Park and Recreation Department completes setting up and the time it takes down. We, the users, also agree to adhere to the requests set forth in the rental policy. We do have a copy of the rental policy and fully understand the requirements set forth in renting the equipment requested as out-lined in the rental policy. **We also understand that the total fee is to be remitted (15) fifteen working days before the event.**

*Fee: **\$790.00** In-kind District #7

Signature: _____

*(SEE FEE SCHEDULE FOR EXACT CHARGES)

Vanessa Vazquez

Agency/Group: T. S. Alliance

**CANCELLATIONS MUST BE MADE 72 HOURS IN ADVANCE OF THE
EVENT BY FAX OR EMAIL OTHERWISE EXPECT TO BE CHARGED**

**½ (HALF) OF RENTAL FEE. *There will be no completed reservation on the schedule unless the
confirmation Form is filled out completely and signed.**

Late equipment arrivals, please call (786) 235-7926

12

STEP FORWARD TO CURE TSC MIAMI

	Miami
Event Date	10/23/2010
Project Code	250
Budget	\$ 3,000.00
Permit / Facility Charges	
Run Management Companies	
Rental Fees	
Conference Calls	
Meetings	
Postage	\$ 234.20
Office Supplies	
Brochures	\$ 729.89
T-shirts (walk)	\$ 556.50
Incentives (500)	
Incentives (1000)	\$ 88.81
Incentives (3000)	\$ 56.03
Merchandise	
Food and Drink	
Signs and Banners	
Duplicating Services	
Awards	
Security	
Entertainment	
Total	\$ 1,665.43
Over/Under	\$ (1,334.57)
Revenue Target	\$ 25,000.00

Memorandum



Date: December 7, 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

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, Tuberous Sclerosis Alliance, for their "Step Forward" event held on October 23, 2010.

In-kind services have been requested in an amount not to exceed \$1,402 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 \$544 from the Miami-Dade Police Department for police services for a total in-kind of \$1,946. This event will be funded from the unspent balance of the District 7 in-kind reserve fund.

In FY 2010-11, Tuberous Sclerosis Alliance received no funding for this event.