

# MEMORANDUM

Agenda Item No. 11(A)(13)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners


**DATE:** October 23, 2012

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

**SUBJECT:** Resolution authorizing up to  
\$2,000 cash allocation to the  
Teatro en Miami Corp. from the  
District 5 FY 2012-13 in-kind  
reserve fund

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

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

RAC/cp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** October 23, 2012

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

**SUBJECT:** Agenda Item No. 11(A)(13)

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)(13)  
10-23-12

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

RESOLUTION AUTHORIZING UP TO \$2,000 CASH ALLOCATION TO THE TEATRO EN MIAMI CORP., A NOT-FOR-PROFIT ORGANIZATION, TO BE FUNDED FROM THE DISTRICT 5 FY 2012-13 IN-KIND RESERVE FUND

**WHEREAS**, Teatro en Miami, Corp., has requested a cash allocation for the “TEMFest 2012”; and

**WHEREAS**, the “TEMFest 2012” is an event which features 69 local artists offering the most representative works of the theater scene; and

**WHEREAS**, an estimated 9,250 children, adults, tourists and family members will make up the audiences for 29 performances featured during “TEMFest 2012”; and

**WHEREAS**, the “2012 TEMFest” will be held during the month of October 2012, and \$2,000 of the cash allocation shall be funded from the District 5 FY 2012-13 In-kind Reserve Fund,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board authorizes a \$2,000 cash allocation to the Teatro en Miami Corp. for the October 2012 TEMFest 2012 to be funded from the District 5 FY 2012-13 In-kind Reserve Fund.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. 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:

- |                      |                                     |
|----------------------|-------------------------------------|
|                      | Joe A. Martinez, Chairman           |
|                      | Audrey M. Edmonson, Vice Chairwoman |
| Bruno A. Barreiro    | Lynda Bell                          |
| Esteban L. Bovo, Jr. | Jose "Pepe" Diaz                    |
| Sally A. Heyman      | Barbara J. Jordan                   |
| Jean Monestime       | Dennis C. Moss                      |
| Rebeca Sosa          | Sen. Javier D. Souto                |
| Xavier L. Suarez     |                                     |

The Chairperson thereupon declared the resolution duly passed and adopted this 23<sup>rd</sup> day of October, 2012. 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

**Application for Allocation of Community-based Organization (CBO) Discretionary Reserve and Office Funds**  
(Application must include completed W-9 Form attached)

06/19/2012 District 5 22-3886641  
Date Commission District Organization Federal Tax ID #

Teatro en Miami Corp.  
Legal Name of Recipient Organization or Name of County Department

TEMFest 2012 (Teatro en Miami Festival)  
Program to be funded/reason for funding support

10302 NW 9 Street Circle #104 Miami 33172  
Address (as listed on corporate papers) City Zip Code

Amount Requested \$ 2,000

**Organization Information:**

Contact Person(s): Sandra Garcia

Telephone Number(s): 305 551-7473 Fax Number: 305 207-9302

e-mail address (if available): sandra@teatroenmiami.net

Event Date or Date work is scheduled for completion: October 1, 2012

By the acceptance of these Discretionary Reserve/Office Funds, the recipient organization agrees to provide the services described on this allocation application form. The recipient organization states that it has read the conditions and terms on the back of this form and agrees to comply with these.

Attest: Lucy Hopis  
Recipient Organization Secretary

By: [Signature] Sandra Garcia 06/19/2012  
Signature of President or Vice President Type or Print Name Date

Attest: Teatro en Miami Corp. (ORGANIZATION SEAL)  
Recipient Organization

Amount Allocated \$ \_\_\_\_\_ at the \_\_\_\_\_ BCC Meeting

Commissioner's Signature and Approval \_\_\_\_\_ Date Approved \_\_\_\_\_

Attest: Harvey Ruvin, Clerk Miami-Dade County, Florida

By: \_\_\_\_\_  
Deputy Clerk

Circle One:  Hold Check for pick-up  Mail Check to Organization

Special Instructions: \_\_\_\_\_

**For Finance Department Use**

Date Received by Finance: \_\_\_\_\_ Check No. Issued: \_\_\_\_\_ Date Issued: \_\_\_\_\_

All checks are to be picked up by an OSBM Budget Analyst (305) 375-5143

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### Terms and Conditions

**S6 Breach of Agreement:** A breach by the Organization shall have occurred under this Agreement if: the Organization fails to fulfill in a timely or proper manner any and all of its obligations, covenants, agreements and stipulations in this Agreement. If the Organization breaches this Agreement, the County may pursue any or all of its legal remedies. The County Manager is authorized to terminate this Agreement on behalf of the County.

**S6 Civil Rights:** The Organization agrees to abide by Chapter 11A of the Code of Miami-Dade County ("County Code"), as amended, which prohibits discrimination in employment, housing and public accommodations; Title VII of the Civil Rights Act of 1968, as amended, which prohibits discrimination in employment and public accommodation; the Age Discrimination Act of 1975, 42 U.S.C., as amended, which prohibits discrimination in employment because of age; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which prohibits discrimination on the basis of disability; the Americans with Disabilities Act, 42 U.S.C. § 12103 et seq., which prohibits discrimination in employment and public accommodations because of disability; the Rehabilitation Act; the Federal Transit Act, 49 U.S.C. § 1612; the Fair Housing Act, 42 U.S.C. § 3601 et. seq.; and the Domestic Violence Leave Ordinance, codified as § 11A-60 et. seq. of the Miami-Dade County Code.

**S6 Payment Procedures:** The County agrees to pay the Organization for the services described in this agreement. The Organization shall keep on file all invoices and payment documentation associated with this agreement for a period of no less than three (3) years from the date of acceptance of this agreement.

**S6 Prohibited Use of Funds:** The Organization shall not utilize County funds to retain legal counsel for any action or proceeding against the County or any other of its agents, instrumentalities, employees, or officials. The Organization shall not utilize County funds to provide legal representation, advice or counsel to any client in any action or proceeding against the County or any of its agent, instrumentalities, employees, or officials.

**S6 Records, Reports, and Audits:**

- A. **Supporting Documentation.** The Organization shall submit proof of active corporate status by providing, as part of this agreement, a completed W-9 form.
- B. **Office of Miami-Dade Inspector General.** Miami-Dade County has established the Office of Inspector General, which is empowered to perform random audits on all County contracts throughout the duration of each agreement. Grant recipients are exempt from paying the cost of the audit, which is normally ¼ of 1% of the total agreement amount.
- C. **Independent Private Sector Inspector General Review.** Pursuant to Miami-Dade County Administrative Order 3-20, the Organization is aware that the County has the right to retain the services of an Independent Private Sector Inspector General (hereinafter "IPSIG"), whenever the County deems it appropriate to do so and at the County's expense. The Organization shall make available to the IPSIG retained by the County, all requested records and documentation pertaining to this Agreement for inspection and copying, including documents held by sub consultants or assignees. The County may conduct other audits or investigations, as it deems reasonable. The terms of this Section shall not impose any liability on the County by the Organization or any third party.

Pursuant to Miami-Dade County Budget Ordinance #04-166 through #04-171, notwithstanding any other provision of the County Code, resolution or administrative order to the contrary, non-profit entities allocated County monies shall not be required to complete affidavits of compliance with the various policies or requirements applicable to entities contracting or transacting business with the County.

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MIAMI-DADE COUNTY  
FEE WAIVER/IN-KIND SERVICES APPLICATION  
FY-2008-09

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:

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.\*\*

Commissioner sponsoring event Commissioner Bruno Barreiro

1. Full legal name of the requesting organization: Teatro en Miami Corp.

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.): \_\_\_\_\_

Sandra Garcia - President, Teatro en Miami Corp.

Phone: 305 551 7473 / Fax: 305 207 9302

Email: Sandra@teatroenmiami.net / www.teatroenmiami.org

4. Specify fee waiver or in-kind service requested (quantify, if applicable): \_\_\_\_\_

\$ 2,000

MIAMI-DADE COUNTY  
FEE WAIVER/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): \_\_\_\_\_

TENFest 2012

Calendar and Venues: October 11 to October 28<sup>th</sup>, 2012.

Venues: Miami Dade County Auditorium, Teatro en Miami Studio, Havanafama and Centro Cultural Español.

Purpose: The first local theatre festival that brings together and promote our own artists and create an invaluable partnership between Miami's cultural organizations, businesses and our community.

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)): \_\_\_\_\_

Miami Dade County Auditorium: 2901 Flagler Street

Teatro en Miami Studio: 2500 SW, 8 Street

Havanafama: 752 SW, 10 Avenue

Centro Cultural Español: 1490 Gscayne Blvd.

8. Description of regional or local impact: \_\_\_\_\_

An estimated of 9,250 children, adults, tourists and family members will make up the audiences for the 29 performances. TENFest will host 69 local artists, offering the most representative works of our theater scene

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

Monday to Sunday from 4pm to 12pm

Special Events at schools and community centers on Wednesdays and Thursdays from 10 am to 1:00 pm

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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):

Miami Dade County Auditorium: 8 events  
Teatro en Miami Studio: 12 events  
Centro Cultural Español: 2 events  
Havanafama Theatre: 7 events


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

We estimated an attendance per day of 425 spectators in the different venues.

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

FENFest General Budget: \$65,275

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

  
Signature of Authorized Representative

06/19/2012  
Date



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Entity Name Search

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No Name History

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## Detail by Entity Name

### Florida Non Profit Corporation

TEATRO EN MIAMI CORP.

#### Filing Information

**Document Number** N02000009061  
**FEI/EIN Number** 223886641.  
**Date Filed** 11/22/2002  
**State** FL  
**Status** ACTIVE  
**Last Event** AMENDMENT  
**Event Date Filed** 12/30/2003  
**Event Effective Date** NONE

#### Principal Address

10302 NW 9TH STREET CIRCLE UNIT 104  
MIAMI FL 33172

#### Mailing Address

10302 NW 9TH STREET CIRCLE UNIT 104  
MIAMI FL 33172

#### Registered Agent Name & Address

GARCIA, ERNESTO  
10302 NW 9TH STREET CIRCLE UNIT 104  
MIAMI FL 33172

#### Officer/Director Detail

##### Name & Address

Title PD

GARCIA, SANDRA  
10302 NW 9TH STREET CIRCLE UNIT 104  
MIAMI FL 33172

Title VD

HERNANDEZ, MERCERDES  
3900 SW 88 PL APT 20

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MIAMI FL 33165

Title SD

LLOPIS, LUCY  
2655 COLLINS AVE NO 1504  
MIAMI BEACH FL 33140

Title CFO

GOMEZ, WILLIAM  
5245 SW 99 COURT  
MIAMI FL 33165

Title GM

MARTINEZ, ANNIAMARY  
6436 SW 10 TERR  
MIAMI FL 33144

**Annual Reports**

**Report Year Filed Date**

|      |            |
|------|------------|
| 2010 | 04/01/2010 |
| 2011 | 04/26/2011 |
| 2012 | 03/20/2012 |

**Document Images**

- [03/20/2012 -- ANNUAL REPORT](#)
- [04/26/2011 -- ANNUAL REPORT](#)
- [04/01/2010 -- ANNUAL REPORT](#)
- [04/20/2009 -- ANNUAL REPORT](#)
- [04/29/2008 -- ANNUAL REPORT](#)
- [04/27/2007 -- ANNUAL REPORT](#)
- [04/25/2006 -- ANNUAL REPORT](#)
- [04/28/2005 -- ANNUAL REPORT](#)
- [04/09/2004 -- ANNUAL REPORT](#)
- [12/30/2003 -- Amendment](#)
- [04/07/2003 -- ANNUAL REPORT](#)
- [11/22/2002 -- Domestic Non-Profit](#)

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


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# Memorandum

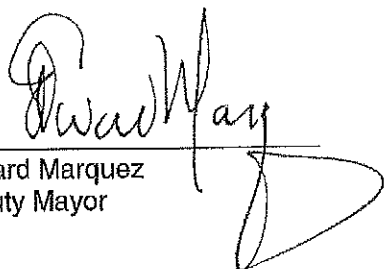


**Date:** October 23, 2012  
**To:** Honorable Chairman, Joe A. Martinez  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez  
Mayor   
**Subject:** District Specific In-Kind Request

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A cash allocation for in-kind services is being requested by Teatro En Miami, Inc., for their "TEMFest 2012" event held during the month of October 2012.

In-kind services have been requested through a cash allocation up to an amount not to exceed \$2,000 for the event to be held during the month of October 2012. This event will be funded from the balance of District 5 FY 2012-13 In-Kind Reserve Fund.

  
Edward Marquez  
Deputy Mayor

Inkind012046