# MEMORANDUM

Agenda Item No. 11(A)(14)

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| **TO:** | Honorable Chairwoman Rebeca Sosa<br>and Members, Board of County Commissioners | **DATE:** | February 5, 2013 |
| **FROM:** | R. A. Cuevas, Jr.<br>County Attorney | **SUBJECT:** | Resolution retroactively authorizing in-kind services for the September 22, 2012 "Miami Step Forward To Cure TSC 5K Walk" event |

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

# MEMORANDUM
**(Revised)**

**TO:** Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

**DATE:** February 5, 2013

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

**SUBJECT:** Agenda Item No.11(A)(14)

**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 Mayor'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)(14)
2-5-13

RESOLUTION NO. _____

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE SEPTEMBER 22, 2012 "MIAMI STEP FORWARD TO CURE TSC 5K WALK" EVENT SPONSORED BY TUBEROUS SCLEROSIS ALLIANCE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $1,455.00 TO BE FUNDED FROM THE DISTRICT 10 FY 2012-13 IN-KIND BALANCE

**WHEREAS**, Tuberous Sclerosis Alliance, Inc. has requested in-kind services from the Parks, Recreation and Open Spaces Department for the September 22, 2012 Miami Step Forward To Cure TSC 5K Walk ("2012 Miami Step Forward To Cure TSC 5K Walk") in an amount not to exceed $1,455.00 (see attached Fee Waiver/In-kind Service Application); and

**WHEREAS**, the "2012 Miami Step Forward To Cure TSC 5K Walk" is a walkathon to raise funds for tuberous sclerosis research and provide family support services; and

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

**WHEREAS**, the "2012 Miami Step Forward To Cure TSC 5K Walk" is a special event, as that term is defined in the attached Fee Waiver/In-kind Service Application, and $1,455.00 of the in-kind services shall be funded from the balance of District 10 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 retroactively authorizes in-kind services from the Parks, Recreation and Open Spaces Department for the September 22, 2012 "2012 Miami Step Forward To Cure TSC 5K Walk" sponsored by Tuberous Sclerosis Alliance, Inc. in an amount not to exceed $1,455.00 to be funded from the balance of District 10 FY 2012-13 In-Kind Reserve Fund.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

| | |
|---|---|
| Bruno A. Barreiro | Esteban L. Bovo, Jr. |
| Jose "Pepe" Diaz | Audrey M. Edmonson |
| Sally A. Heyman | Barbara J. Jordan |
| Jean Monestime | Dennis C. Moss |
| Sen. Javier D. Souto | Xavier L. Suarez |
| Juan C. Zapata | |

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of February, 2013. 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**
**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 Javier D. Souto

1. Full legal name of the requesting organization: TS Alliance - or 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.):
   Vanessa Vazquez
   12249 SW 121 terrace miami FL 33186
   (305) 498-2366 vanessavazquez@bellsouth.net

4. Specify fee waiver or in-kind service requested (quantity, if applicable): Please in-kind park permit and stage fees as follows:

2011 $676 permit for park
2012 $685 permit for park
2011 $790 stage fee
2012 $790 stage fee

$2921 Total for 2011 & 2012
Miami Step Forward to Cure TSC 5K walk

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**FEE WAIVER/IN-KIND SERVICES APPLICATION**
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5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries):
2011 & 2012 miami Stepforward to cure TSC 5K walk. Walk organized to ~~fundr~~raise awareness and funds to find a cure for TSC. It is also an event where local families get to meet each other and create support groups for those affected. Beneficiaries include all families in Florida affected by TSC.

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)):
Tropical Park Stadium and surrounding area 7900 SW 40th Street (Bird Road) Miami, FL

8. Description of regional or local impact: The event impacts not only the local community in Miami-Dade county but also other families within the State of Florida looking to attend and looking for support.

9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable):
Set up 6am with park manager
Registration 9am
Walk 10am
Wrap up and pick up by 1pm

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**FEE WAIVER/IN-KIND SERVICES APPLICATION**
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10. Detailed description of event venues (map or schematic of event venues, access points, surrounding roadways and traffic flow diagrams, if applicable): Event will be held in the stadium with 12-10x10 tents and a stage supplied by park.

11. Expected number of participants and estimated attendance (per day, if applicable): 300+ attendees

12. Itemized budget, including total event budget, total budget of host organization, if applicable, and total commitment of resources (attach additional pages as needed): $921 rental of tents/tables/chairs $150 t-shirts & refreshments

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

Signature of Authorized Representative

9/18/2012
Date

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.

# Memorandum

MIAMI-DADE COUNTY

**Date:** February 5, 2013

**To:** Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez
Mayor

**Subject:** District Specific In-Kind Request

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A retroactive waiver for in-kind services has been requested by the Tuberous Sclerosis Alliance, Inc., for their "2012 Miami Step Forward To Cure TSC 5K Walk" event held on September 22, 2012.

In-kind services have been requested in an amount not to exceed $1,455 from the Parks, Recreation, and Open Spaces Department for the use of a small stage and Tropical Park. This event will be funded from the balance of District 10 FY 2012-13 In-Kind Reserve Fund.

Edward Marquez
Deputy Mayor

Inkind012063