

MEMORANDUM

Agenda Item No. 3(A)(2)

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

DATE: July 2, 2013

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

SUBJECT: Resolution authorizing
in-kind services for the
October, 2013 "TEMFest
2013" event

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/lmp



MEMORANDUM

(Revised)

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

DATE: July 2, 2013

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

SUBJECT: Agenda Item No. 3(A)(2)

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. 3(A)(2)
7-2-13

RESOLUTION NO. _____

RESOLUTION AUTHORIZING UP TO \$2,500.00 CASH ALLOCATION TO THE TEATRO EN MIAMI CORP., A NOT-FOR-PROFIT ORGANIZATION, TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 5 FY 2012-13 IN-KIND RESERVE FUND

WHEREAS, Teatro en Miami Corp. has requested a cash allocation for the “TEMFest 2013” event; and

WHEREAS, the “TEMFest” event includes 25 performances featuring the work of 82 local artists, and supports music, theatre, literature, art and culture in Miami-Dade County; and

WHEREAS, an estimated 12,450 children, adults, tourists and family members will be in attendance for the TEMFest events; and

WHEREAS, the “2013 TEMFest” will be held during the month of October 2013, and \$2,500.00 of the cash donation 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 \$2,500.00 cash allocation to the Teatro en Miami Corp. for the October 2013 TEMFest 2013 event 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:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of July, 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 Bruno Barreiro

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

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
305 551 7473 sandra@teatroenmiami.net
10302 NW 9th Circle #104, Miami, FL 33172

4. Specify fee waiver or in-kind service requested (quantity, if applicable): \$ 2,500

MIAMI-DADE COUNTY
 FEE WAIVER/IN-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): _____
TEMFest 2013 (Teatro en Miami Festival)
Calendar & Venues: October 9 to 28th, 2013. Miami Dade County Auditorium,
Teatro en Miami Studio/Havanafama/Artspoken/Teatro 8.
Miami's Local Theater Festival. Annual festivity that gather
the most important local theatre companies in Miami.
Goal: Put Miami on a par with other outstanding cities of the world

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 West Flagler
Centro Cultural Espanol: 1490 Biscayne Bl. / TEMS: 2500, 8 ST
Havanafama theatre: 957 SW 10 AV / Artspoken 697 SW 12 Av.

8. Description of regional or local impact: An estimated of 12,450 children, adults, seniors,
tourists and family members will make up the audiences for the 25
performances. TEMFest 2013 will host 82 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): _____

See attached Schedule of presentations

Teatro en Miami Studio
TEMS

TEMFEST 2013

SCHEDULE OF PRESENTATIONS – October 10 - 27, 2013

Oct 9 (7 PM): *Opening Ceremony TEMFest 2013*

MDCA: 2901 West Flagler Street

OCT 10/ 11/ 12: Company: Teatro en Miami Studio

Sueño de una Noche de Verano

MDCA: 2901 West Flagler Street

OCT 1/13: Company: Cirko Teatro

***Lucio*: TEMS 2500 SW 8 Street**

Oct 16 (7 PM): Exhibición de Vestuario 40 Trajes y Concierto Jorge Hernandez en CASONA

OCT 18/19/20: Company Sociedad Actoral Hispanoamericana

***Pepe Romano, la sombra blanca de Bernarda Alba*. TEMS 2500 SW 8 Street**

OCT 18/19/20: Company ArtSpoken

***La Sombra*: ARTSPOKEN 670 SW 12 Avenues**

OCT 23: *Lanzamiento del libro Comedias Urbanas* en TEMS

OCT 25/26/27: Company Maroma Players

***Leyenda*: TEMS 2500 SW 8 Street**

OCT 25/26/27: Company HavanaFama

***Luna Negra*: HAVANAFAMA 752 SW 10 Avenue**

OCT 27: 10 am: Día del Niño CCE:

Companies: Teatro en Miami Studio / El Ingenio Teatro / Soul Dance Company / Luyano Band

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

6/7/13 DIST 5 22-3886641
 Date Commission District Organization Federal Tax ID #
Teatro en Miami Corp.
 Legal Name of Recipient Organization or Name of County Department
TENFest 2013
 Program to be funded/reason for funding support
10302 NW 9th Circle #104 Miami 33172
 Address (as listed on corporate papers) City Zip Code
 Amount Requested \$ 2500

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: 10/27/2013

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: [Signature]
 Recipient Organization Secretary
 By: [Signature] Sandra Garcia 6/7/13
 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: _____

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Terms and Conditions

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.

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.

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.

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.

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.

