MEMORANDUM

Agenda Item No. 3(A)(10)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	October 22, 2013
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution retroactively authorizing in-kind services for the December 15, 2012 "Ted Lucas and James Jones All Stars Holiday Weekend Toy Giveaway" event

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

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM

(Revised)

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

DATE: October 22, 2013

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

SUBJECT: Agenda Item No. 3(A)(10)

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)(10)
10-22-13

RESOLUTION NO. _____

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT FOR THE DECEMBER 15, 2012 "TED LUCAS AND JAMES JONES ALL STARS HOLIDAY WEEKEND TOY GIVEAWAY" EVENT SPONSORED BY THE MIAMI FOUNDATION, INC. IN AN AMOUNT NOT TO EXCEED $1,750.00 TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 1 FY 2012-13 IN-KIND RESERVE FUND

WHEREAS, the Miami Foundation, Inc. has requested in-kind services from the Parks, Recreation and Open Spaces Department for the December 15, 2012 "Ted Lucas and James Jones All Stars Holiday Weekend Toy Giveaway" event in an amount not to exceed $1,750.00 (see attached Fee Waiver/In-kind Service Application); and

WHEREAS, the "Ted Lucas and James Jones All Stars Holiday Weekend Toy Giveaway" is a toy drive for local children from the community; and

WHEREAS, the Miami Foundation, Inc. is a not-for-profit organization; and

WHEREAS, the "Ted Lucas and James Jones All Stars Holiday Weekend Toy Giveaway" event is a district event, as that term is defined in the attached Fee Waiver/In-kind Service Application, and $1,750.00 of the in-kind services shall be funded from the balance of the District 1 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 December 15, 2012 "Ted Lucas and James Jones All Stars Holiday Weekend Toy Giveaway" sponsored by the Miami Foundation, Inc. in an amount not to exceed $1,750.00 to be funded from the balance of District 1 FY 2012-13 In-Kind Reserve Fund.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. 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 22nd day of October, 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

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 Ted Lucas Foundation

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.): Ted Lucas, or his assistant Nicola. 919 4th Street Miami Beach, FL 33139, 305-535-7595

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

5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries): December 15, 2013. Ted Lucas + James Jones All-Star Holiday Weekend Toy giveaway. Toy drive to the local kids in the 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)): Buccaneer Park 3180 N.W. 207th Street Miami, Fl 33180. District 1

8. Description of regional or local impact: Event was for the youth with in impact of 200.

9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable): Event hours 11am-5pm on Dec 15, 2013 One day event.

10. Detailed description of event venues (map or schematic of event venues, access points, surrounding roadways and traffic flow diagrams, if applicable): _____

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

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 of Authorized Representative

July 17, 2013
Date

The Miami Foundation
For A Greater Miami

200 South Biscayne Boulevard
Suite 505
Miami, FL 33131-5330
305.371.2711
miamifoundation.org

November 8, 2011

Dear Friends:

The Ted Lucas Foundation is a Fiscal Sponsorship Fund at The Miami Foundation. The Fund operates under the aegis of The Miami Foundation. Rather than being a private foundation, the representatives of The Ted Lucas Foundation brought their charitable efforts to The Miami Foundation, where we handle the administrative and investment issues for the Fund at a lower cost. Donations to the Fund also qualify for the maximum charitable tax deduction allowed by law, versus that of a private foundation.

Under the Internal Revenue Code, community foundations are authorized to administer these types of funds. They are tax-exempt under the IRS' determination letter to the community foundation. Thus, the tax-exempt status of The Ted Lucas Foundation is established based on the IRS' determination letter to The Miami Foundation.

Any fundraising event held by The Ted Lucas Foundation is being held under the aegis of The Miami Foundation. Any donations there of money, school supplies, or other types of contributions will be gratefully accepted by the Foundation and used in order to advance the mission of The Ted Lucas Foundation.

If you have further questions, please feel free to contact me at 305-371-2711.

Sincerely,

C. Emily Gresham
Vice President for Development

0000039 03/07/12

DEPARTMENT OF REVENUE

Consumer's Certificate of Exemption

DR-14
R. 04/11

Issued Pursuant to Chapter 212, Florida Statutes

Certificate Number	Effective Date	Expiration Date	Exemption Category
85-8013880950C-3	06/30/2012	06/30/2017	501(C)(3) ORGANIZATION

This certifies that

THE MIAMI FOUNDATION INC
200 S BISCAYNE BLVD STE 505
MIAMI FL 33131-5330

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.

DEPARTMENT OF REVENUE

Important Information for Exempt Organizations

DR-14
R. 04/11

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 (F.A.C.).

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 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, F.A.C.).

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 require the revocation of this certificate.

6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Account Management at 800-352-3671. From the available options, select "Registration of Taxes," then "Registration Information," and finally "Exemption Certificates and Nonprofit Entities." The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

AMI-DADE
RKS

SHOWMOBILES, STAGES, BLEACHERS,
AND SOUND PRODUCTION
(305) 226-8315 Ext. 221/(305) 553-8511 (Fax)

EQUIPMENT (S) CONFIRMATION FORM

ORGANIZATION/AGENCY: The Ted Lucas Foundation

EQUIPMENT REQUESTED: Showmobile Large

NAME OF PERSON RESPONSIBLE FOR THIS BILL: Commissioner Barbara Jordan, Commission District #1

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: Miami All Star Holiday Magic Community Fair

ADDRESS OF EVENT: 3100 NW 207th Street Miami, FL 33056

TODAY'S DATE: 11/30/12

DATE (S) & TIME OF EVENT: 12/15/12 12PM – 5PM

SET-UP TIME & DAY: 10AM 12/15/12

TAKE-DOWN & DAY: 5:30PM 12/15/12

CONTACT PERSON/PHONE: Nicola Charles 305-535-7595/Adriana 786-252-9920

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: $1,750.00 In-kind District #1

*(SEE FEE SCHEDULE FOR EXACT CHARGES)

Signature: Barbara J. Jordan

Commissioner Barbara Jordan

Agency/Group: Commission District #1

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) 236-7926

Memorandum

MIAMI-DADE COUNTY

Date: October 22, 2013

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

From: Carlos A. Gimenez
Mayor

Subject: District Specific In-Kind Request

A retroactive waiver for in-kind services has been requested by the Miami Foundation, Inc. for the "Ted Lucas and James Jones All Stars Holiday Weekend Toy Giveaway" event held on December 15th, 2012.

In-kind services have been requested in an amount not to exceed $1,750.00 from the Parks, Recreation and Open Spaces Department for the use of a large showmobile. This event will be funded from the balance of District 1 FY 2012-13 In-Kind Reserve Fund.

Edward Marquez
Deputy Mayor

Inkind01353