Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(3)
05-08-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-584-07

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 17-18, 2007 RELAY FOR LIFE SPONSORED BY THE AMERICAN CANCER SOCIETY- RELAY FOR LIFE OF EAST KENDALL, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $1,091.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

WHEREAS, the Relay for Life is a fundraiser to benefit the American Cancer Society and aims to raise community awareness of the fight against cancer; and

WHEREAS, the American Cancer Society- Relay for Life of East Kendall has requested in-kind services from the Miami-Dade Park and Recreation Department for the March 17-18, 2007 Relay for Life in an amount not to exceed $1,091.00 (see attached Fee Waiver/In-kind Service Application); and

WHEREAS, the American Cancer Society- Relay for Life of East Kendall is a not-for-profit organization; and

WHEREAS, the Relay for Life is a special event, as defined in the attached Fee Waiver/In-kind Service Application, and the in-kind services shall be funded from the Countywide 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 for the March 17-18, 2007 Relay for Life in an amount not to exceed $1,091.00 to be funded from the Countywide In-kind Reserve Fund.

The foregoing resolution was sponsored by Commissioner Katy Sorenson and offered by Commissioner Joe A. Martinez, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	absent	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of May, 2007. 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: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Monica Rizo

MEMORANDUM

Agenda Item No. 11(A)(3)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: May 8, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution retroactively authorizing in-kind services for the American Cancer Society-Relay for Life of East Kendall

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson.

Murray A. Greenberg
County Attorney

MAG/dcp

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: May 8, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 11(A)(3)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Parks $ 1091.

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:

Special Events Staff
Communications Department
111 N.W. 1st Street, Suite 2510
Miami, FL 33128

Phone: (305) 375-2836
Fax: (305) 375-3968

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.)

1. Full legal name of the requesting organization: American Cancer Society - Relay for life of East Kendall

2. Applicant Status: (Select one of the choices below)

   - ☒ Not-For-Profit or Tax Exempt
   - ☐ Local Government or Public Entity
   - ☐ For-Profit
   - ☐ County Sponsored Event/Sponsoring Department _____
   - ☐ Other (specify): _____

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): _____
   Nathaniel Ortiz 9691 Kendal Blvd - Miami, FL 33176 305-772-1900 or 305-412-2692

4. Specify fee waiver or in-kind service requested (quantify, if applicable): Waiver of stage fee for event

5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries). _____
   Relay for Life of East Kendall is a fundraiser to benefit the American Society and aims to raise community awareness of the fight against Cancer. Community based teams raise funds and walk around a track over night. The teams do this to show their support of the ongoing vigilance that is needed to eradicate cancer. The highlights of the event are the Survivor Victory lap which starts the main events and the Luminaria Ceremony which is done to honor those currently battling or who have lost their fight against cancer. The event has a country fair feel and all the proceeds generated by the teams, both prior to and at the event, benefit the ACS.

   March 17-18

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)): _____
   Baptist Hospital of Miami - 8900 North Kendall Drive Miami, FL 33176

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MIAMI-DADE COUNTY
FEE WAIVER/IN-KIND SERVICES APPLICATION

8. Description of regional or local impact: _____

9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable): Site tents & layout will be done on Thursday March 15th, electrical wiring on Friday March 16th and event begins on Saturday March 17th. Stage can be picked up anytime after Sunday March 18th, 7am.

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

11. Expected number of participants and estimated attendance (per day, if applicable): 550 participants approx 3000 attendance

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

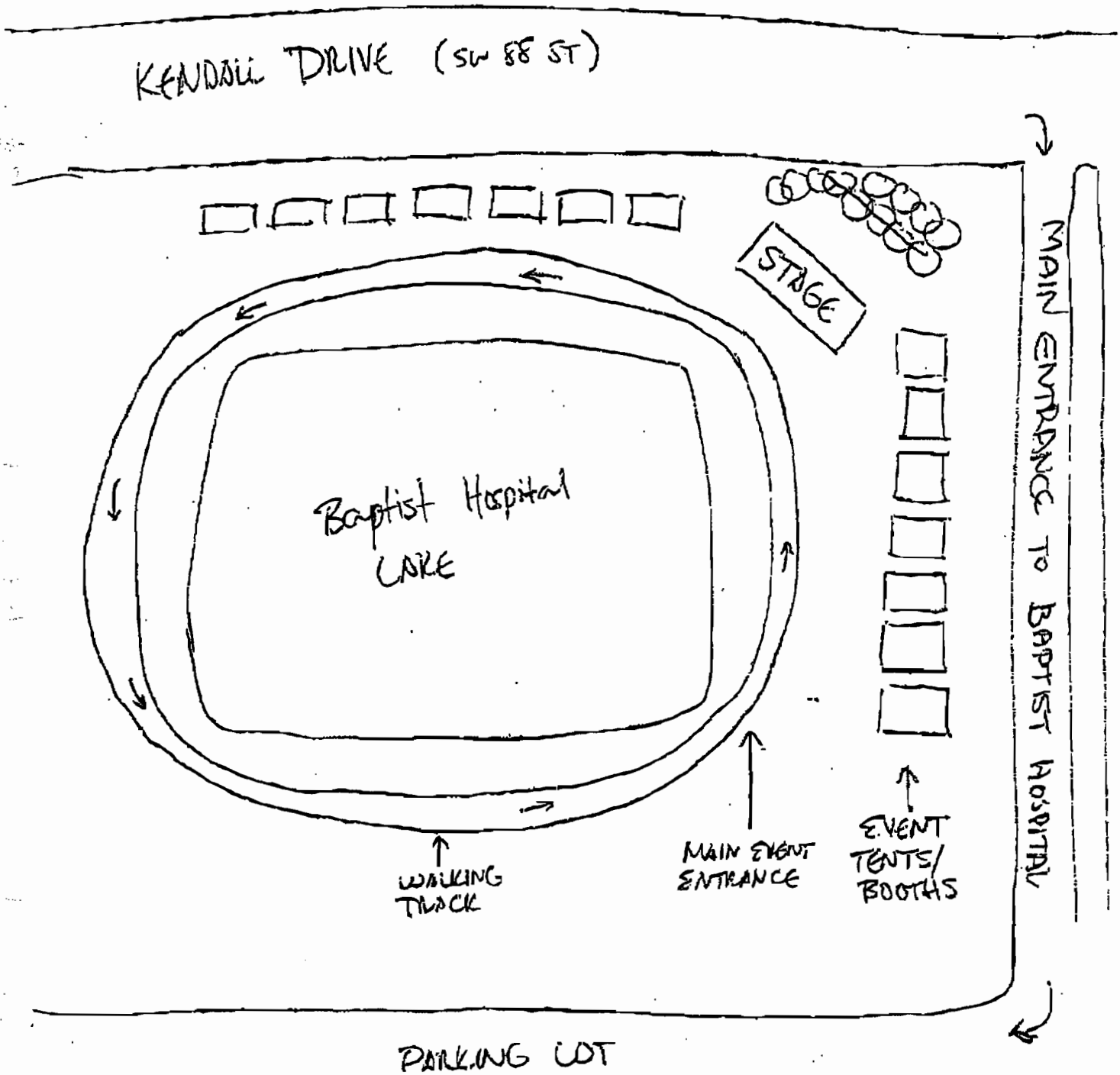
I hereby certify that all the statements made in this application are true and correct.

NATHANIEL ORTIZ, CHAIR - TEAM FOR LIFE OF EAST KENDAL
Signature of Authorized Representative

2/22/07
Date

ITEM	PERSON	BUDGET	ACTUAL
TENTS	MARTHA S.	$2,200	
TABLES	MARTHA	$300	
VOLUNTEER	NATE	$1,000	
PORTAPOTIES	MARTHA S.	$3,000	
POWER	JEFF Z.	$1,000	
VIDEO SCREEN	NATE	$500	
T-SHIRTS	NATE	$7,000	
ENTERTAINMENT	SANDY	$1,000	
PLAQUES	GRACE W.	$1,000	
PRINTING	NATE	$2,000	
NEWSPAPER ADS	NATE	$1,000	
TOTAL		$20,000	

SITE MAP


KENDALL DRIVE (SW 88 ST)
STAGE
MAIN ENTRANCE TO BAPTIST HOSPITAL
Baptist Hospital LAKE
WALKING TRACK
MAIN EVENT ENTRANCE
EVENT TENTS/ BOOTHS
PARKING LOT

MANTA – Please print + give 10 to each CR

Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14
R. 01/02

Certificate Number	Effective Date	Expiration Date	Exempt Category
85-8012046528C-1	04/29/2004	04/30/2009	501(C)(3) ORGANIZATION

This certifies that

AMERICAN CANCER SOCIETY FLORIDA
DIVISION INC
3709 W JETTON AVE
TAMPA FL 33629-5111

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.

Important Information for Exempt Organizations

DR-14
R. 01/02

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.039, Florida Administrative Code (FAC).
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 by your organization 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, FAC).
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 necessitate the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Central Registration at 850-487-4130. The mailing address is 5050 West Tennessee Street, Tallahassee, FL 32399-0100.

Internal Revenue Service

Date: January 5, 2004

American Cancer Society, Inc.
National Home Office
% Finance
1599 Clifton Road
Atlanta, GA 30329-4250

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Stephanie Broach-Camp 31-04022
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:
13-1788491
Group Exemption Number:
0580

Dear Sir or Madam:

This is in response to your request of January 6, 2004 regarding a copy of your organization's group exemption letter.

In November 1942 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Based on the information supplied, we recognized the subordinates named on the list your organization submitted as exempt from federal income tax under section 501(c)(3) of the Code. Additionally, we have classified the subordinates your organization operates, supervises, or controls, and which are covered by written notification to us, as organizations that are not private foundations because they are organizations of the type described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code.

Donors may deduct contributions to your organization's subordinates as provided in section 170 of the Code. Bequests, legacies, devises, transfers or gifts to the subordinates or for their 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.

Your organization and its subordinates are required to file Form 990, *Return of Organization Exempt from Income Tax*, only if the 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.

Your organization and its subordinates are not required to file federal income tax returns unless subject to the tax on unrelated business income under section 511 of the Code. If subject to this tax, the organization must file an income tax return on Form 990-T, *Exempt Organization Business Income Tax Return*. In this letter, we are not determining whether any of your organization or its subordinates' present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

American Cancer Society, Inc.
13-1788491

Unless specifically excepted, your organization and its subordinates are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of $100 or more paid to each of its employees during a calendar year. Your organization and its subordinates are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Each year, at least 90 days before the end of your organization's annual accounting period, please send the following items to the Internal Revenue Service Center at the address shown below:

1. A statement describing any changes during the year in the purposes, character, or method of operation of your organization's subordinates;

2. A list showing the names, mailing addresses (including Postal Zip Codes), actual addresses if different, and employer identification numbers of subordinates that:

   a. Changed names or addresses;

   b. Were deleted from the roster; or

   c. Were added to the roster.

3. For subordinates to be added, attach:

   a. A statement that the information on which your organization's present group exemption letter is based applies to the new subordinates;

   b. A statement that each has given your organization written authorization to add its name to the roster;

   c. A list of those to which the Service previously issued exemption rulings or determination letters;

   d. A statement that none of the subordinates is a private foundation as defined in section 509(a) of the Code if the group exemption letter covers organizations described in section 501(c)(3);

   e. The street address of subordinates where the mailing address is a P.O. Box; and

//

American Cancer Society, Inc.
13-1788491

f. The information required by Revenue Procedure 75-50, 1975-2 C.B. 587 for each subordinate that is a school claiming exemption under section 501(c)(3). Also include any other information necessary to establish that the school is complying with the requirements of Revenue Ruling 71-447, 1971-2 C.B. 230. This is the same information required by Schedule A, Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.

4. If applicable, a statement that your organization's group exemption letter did not change since the previous report.

The above information should be sent to the following address:

Internal Revenue Service Center
Attn: Entity Control Unit
Ogden, UT 84409

Section 6104 of the Internal Revenue Code 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. The law also requires organizations that received recognition of exemption on July 15, 1987, or later, 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. Organizations that received recognition of exemption before July 15, 1987, and had a copy of their exemption application on July 15, 1987, are 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. For additional information on disclosure requirements, please refer to Internal Revenue Bulletin 1991-17.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,

Donna Carlisle

Donna Carlisle, Acting Director, TE/GE
Customer Account Services

Memorandum

MIAMI-DADE COUNTY

Date: May 8, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Countywide In-Kind Reserve Request Recommendation

Recommendation

The Office of Strategic Business Management (OSBM) has reviewed the attached in-kind request and recommends for the item to move forward to the Board of County Commissioners for consideration. The district specific in-kind reserve balance allows for the funding of this request.

Background

A retroactive waiver for in-kind services is being requested by a not-for-profit organization American Cancer Society for their Relay for Life of East Kendall held on March 17-18, 2007.

In-kind services have been requested in an amount not to exceed $1,091 from the Park and Recreation Department for stage fee rental. This event will be funded from Countywide in-kind reserve.

In FY 2006-07 the American Cancer Society has received a total of $24,500 from the following District offices: $5,000 from the Office of the Chair Office Funds, $ 7,000 from District 1 Discretionary Reserve Fund, $500 from District 4 Office Funds, $2,000.00 form District 6 Discretionary Reserve Fund, $5,000 from the District 10 Discretionary Reserve Fund, and $5,000 District 12 Discretionary Reserve Fund. In addition, the Board approved In-kind services in the amount of $716.00 through Resolution No. 88-07 from the District 1 In-kind Reserve Fund for the Relay for Life Event that took place in Miami Gardens and $791.00 through Resolution 98-07 from the District 11 In-kind Reserve Fund for the Relay for Life Event that took place at Florida International University.

Inkind006907