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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(5)

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

DATE: February 19, 2008

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

SUBJECT: Resolution retroactively authorizing in-kind services for the American Heart Walk sponsored by the American Heart Association, Inc.

Resolution No. R-176-08

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

R. A. Cuevas, Jr.
County Attorney

RAC/dcp

MEMORANDUM

(Revised)

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

DATE: February 19, 2008

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

SUBJECT: Agenda Item No.11(A)(5)

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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(5)
02-19-08

RESOLUTION NO. **R-176-08**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT, THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE SEPTEMBER 8, 2007 AMERICAN HEART WALK SPONSORED BY THE AMERICAN HEART ASSOCIATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $13,909.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND

WHEREAS, the American Heart Association, Inc. has requested in-kind services from the Miami-Dade Park and Recreation Department, the Miami-Dade Police Department and the Miami-Dade Fire Rescue Department for the September 8, 2007 American Heart Walk event in an amount not to exceed $13,909.00 (see attached Fee Waiver/In-kind Service Application); and

WHEREAS, the purpose of the American Heart Walk is to promote awareness in the community on cardio vascular disease and proper health; and

WHEREAS, the American Heart Association, Inc. is a not-for-profit organization; and

WHEREAS, the American Heart Walk is small event, as that term is defined in the attached Fee Waiver/In-kind Service Application, and $13,219.00 of the in-kind services shall be funded from the Countywide In-kind Reserve Fund and $690.00 of the in-kind services shall be funded from the non-ad valorem portion of the Fire Rescue 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, the Miami-Dade Police Department and the Miami-Dade Fire Rescue Department for the September 8, 2007 American Heart Walk in an amount not to exceed $13,909.00 to be funded in part from the Countywide In-kind Reserve Fund and in part from the non-ad valorem portion of the Fire Rescue In-kind Reserve Fund.

The foregoing resolution was sponsored by Senator Javier D. Souto and offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** 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	**aye**	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	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of February, 2008. 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. MR

Monica Rizo

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: American Heart Association

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

   - ☑ Not-For-Profit or Tax Exempt
   - ☐ For-Profit
   - ☐ Local Government or Public Entity
   - ☐ Other (specify): _____

Brooke.gonzalez@heart.org

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): Jessica Irish 2600 SW 3rd Ave. Suite 900 33129 305.856.4449 305.860.6750 (Fax)

4. Specify fee waiver or in-kind service requested (quantity, if applicable): Tropical Park Fees Waiver, MDPD / Police Services & MDFR/EMS Services / Showmobile

5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries): American Heart Walk. To raise awareness in the community about CVD + health choices. Sept. 8, 2007 8:00AM.

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

JUN-08-2007 17:07 From: To:305 375 5168 P.2/7

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

7. Physical address of event venues (please specify Commission District(s)): 7900 SW 40th Street

8. Description of regional or local impact: n/a

9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable):
5:30am - 2:00pm

10. Detailed description of event venues (map or schematic of event venues, access points, surrounding roadways and traffic flow diagrams, if applicable): would only have the walk go thru the park not on public streets

11. Expected number of participants and estimated attendance (per day, if applicable): 4000

12. Itemized budget, including total event budget, total budget of host organization, if applicable, and total commitment of resources (attach additional pages as needed): 8% of overall money raised

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

Signature of Authorized Representative

4.13.07
Date

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JUN-08-2007 17:07 From: To:305 375 5168 P.3/7

Detail by Entity Name

Foreign Non Profit Corporation

AMERICAN HEART ASSOCIATION, INC.

Filing Information

Document Number	F95000000136
FEI Number	135613797
Date Filed	01/09/1995
State	NY
Status	ACTIVE
Last Event	MERGER
Event Date Filed	09/04/1998
Event Effective Date	NONE

Principal Address

7272 GREENVILLE AVE
DALLAS TX 75231

Mailing Address

7272 GREENVILLE AVE
DALLAS TX 75231

Registered Agent Name & Address

CAPITOL CORPORATE SERVICES, INC.
155 OFFICE PLAZA DR.
SUITE A
TALLAHASSEE FL 32301 US

Name Changed: 10/16/2000

Address Changed: 11/09/2006

Officer/Director Detail

Name & Address

Title BM

SOSA, JOSE F
7272 GREENVILLE AVENUE
DALLAS TX 75231

Title P

JONES, DANIEL W MD
7272 GREENVILLE AVE
DALLAS TX 75231

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Title IPP

ECKEL, ROBERT H MD
7272 GREENVILLE AVENUE
DALLAS TX 75231-5696

Title COB

BUROKER, ANDREW B ESQ
7272 GREENVILLE AVE
DALLAS TX 75231

Title BM

JOSSERAND, DAVID
7272 GREENVILLE AVE
DALLAS TX 75231

Title BM

SPINA, DAVID A
7272 GREENVILLE AVE
DALLAS TX 75231

Annual Reports

Report Year	Filed Date
2005	05/02/2005
2006	01/17/2006
2007	05/02/2007

Document Images

05/02/2007 -- ANNUAL REPORT

01/17/2006 -- ANNUAL REPORT

05/02/2005 -- ANNUAL REPORT

02/02/2004 -- ANNUAL REPORT

07/21/2003 -- ANNUAL REPORT

08/05/2002 -- ANNUAL REPORT

08/16/2001 -- ANNUAL REPORT

10/16/2000 -- Reg. Agent Change

03/08/2000 -- ANNUAL REPORT

10/27/1999 -- ANNUAL REPORT

09/04/1998 -- Merger

08/04/1998 -- ANNUAL REPORT

08/22/1996 -- ANNUAL REPORT

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

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DEPARTMENT OF REVENUE

Consumer's Certificate of Exemption

DR-14
R. 01/02

Issued Pursuant to Chapter 212, Florida Statutes

85-8012621870C-8	11/16/2003	11/30/2008	[illegible]ON
Certificate Number	Effective Date	Expiration Date	

This certifies that

FLORIDA/PUERTO RICO AFFILIATE
AMERICAN HEART ASSOCIATION INC
9900 DR MARTIN LUTHER KING JR ST N
SAINT PETERSBURG FL 33716-3801

is exempt from the payment of Florida sales and use tax on real property rented, transient rentals, [illegible] tangible personal property purchased or rented, or services purchased.

DEPARTMENT OF REVENUE

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.

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2007 Miami Dade Heart Walk
Saturday, September 8, 2007
Tropical Park

Requests:

Miami Dade Police
7:00 AM - 1:00 PM

- 1 Lieutenant
- 4 Sergeants
- 35 Officers

Miami Dade Fire Rescue
7:00 AM - 1:00 PM

- 1 rescue unit

Miami Dade ~~[illegible]~~ ShowMoBiLE

- 1 Show mobile stage to use for the Heart Walk

Setup 7:00
Breakdown 1:00

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Internal Revenue Service
District Director

Department of the Treasury

P.O. Box 2508
Cincinnati, OH 45201

Date: March 22, 1999

Person to Contact:
Felicia Johnson 31-04013
Customer Service Representative
Telephone Number:
877-829-5500
Fax Number:
513-684-5936
Federal Identification Number:
13-5613797

American Heart Association, Inc.
7272 Greenville Ave
Dallas, TX. 75231

Dear Sir or Madam:

This is in response to your request for an updated determination letter of for your organization.

In July 1949, we issued a determination letter that recognized your organization as exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

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.

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American Heart Association
13-5613797

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 roster 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

Your organization's Group Exemption Number is 1049.

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

Sincerely,

C. Ashley Bullard

C. Ashley Bullard
District Director

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Memorandum

MIAMI-DADE COUNTY

Date: February 19, 2008

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

From: George M. Burgess
County Manager

Subject: Countywide In-Kind Request 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 has been requested by a not-for-profit organization the American Heart Association event held on September 8, 2007 for their American Heart Walk.

In-kind services have been requested in an amount not to exceed $8,115 from the Miami-Dade Park and Recreation Department for waiver of Tropical Park fees, clean-up services and use of the large showmobile, $5,104 from the Miami-Dade Police Department for police services and $690 from the Miami-Dade Fire Rescue Department for fire rescue personnel and emergency medical services for a total in-kind amount of $13,909. This event will be funded in part from the countywide in-kind reserve fund and in part from the non-ad valorem portion of the Fire Rescue District Budget.

In FY 2006-07, the American Heart Association has not received any County funding for this event.

Inkind12107