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

MEMORANDUM

Agenda Item No. 11(A)(15)

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

DATE: June 3, 2008

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

SUBJECT: Resolution retroactively authorizing in-kind services for the April 20, 2008 Earth Fest 2008 Event

Resolution No. R-686-08

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM
(Revised)

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

DATE: June 3, 2008

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

SUBJECT: Agenda Item No. 11(A)(15)

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)(15)
6-3-08

RESOLUTION NO. **R-686-08**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE APRIL 20, 2008 EARTH FEST 2008 EVENT SPONSORED BY EARTH LEARNING, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $2,438.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

WHEREAS, Earth Learning, Inc. has requested in-kind services from the Miami-Dade Transit Agency for the April 20, 2008 Earth Fest 2008 event in an amount not to exceed $2,438.00 (see attached Fee Waiver/In-kind Service Application); and

WHEREAS, the Earth Fest 2008 event is a free celebration of Earth, the greater Everglades, and a sustainable South Florida, and the primary purpose is to promote sustainability and conduct environmental educational workshops to Miami Dade County residents; and

WHEREAS, Earth Learning, Inc. is a not-for-profit organization; and

WHEREAS, the Earth Fest 2008 event is a special event, as that term is defined on 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 Transit Agency for the April 20, 2008 Earth Fest 2008 event in an amount not to exceed $2,438.00 to be funded from the Countywide In-kind Reserve Fund.

The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez and offered by Commissioner **Carlos A. Gimenez**, 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	**absent**	Audrey M. Edmonson	**absent**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Joe A. Martinez	**aye**	Dennis C. Moss	**aye**
Dorrin D. Rolle	**absent**	Natacha Seijas	**absent**
Katy Sorenson	**aye**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 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.

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: Earth Learning, Inc.

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.):
   Mario Yanez 8201 SW 99 ct Miami 33173
   305 323-8858 c 305 596-7566 F
   Mario@Earth-Learning.org

4. Specify fee waiver or in-kind service requested (quantify, if applicable): Shuttle bus from Vizcaya Metro Station to Crandon Park on 4/20 from 9:30a-8:30p for Earth Fest 2008

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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):

EarthFest 2008 on April 20th is a celebration of Earth, the Greater Everglades, and the promise of a sustainable South Florida. The Entire County Population is welcome to this Free Event, which will offer non stop performances with a message, Environmental Education, Demonstrations and Mini workshops, and Activities for the entire Family.

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)): District 7

6767 Crandon Blvd. Key Biscayne

8. Description of regional or local impact: Raising awareness of the Positive change all residents have the capacity to make, promoting strengthening all things local, especially Food, Renewable energy, reduced waste, increased recycling, increased participation and just plain celebration of Life!

9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable): Tent setup 4/19; 7-10 pre-event activities and setup; 10-8 Non stop performances; 5 30minute sessions of mini-workshops & Ecodemos; 6p-close of Booths; 6:30 Final Performance ends at 8p (SUNDOWN); Breakdown on 4/21

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FEE WAIVER/IN-KIND SERVICES APPLICATION
Page 3

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): Last year we had over 4,000 throughout the day, it's possible that at least that many attend this year.

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

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

Signature of Authorized Representative

4/10/08
Date

Detail by Entity Name

Florida Non Profit Corporation

EARTH LEARNING, INC.

Filing Information

Document Number	N03000004981
FEI Number	571170959
Date Filed	06/11/2003
State	FL
Status	ACTIVE
Effective Date	06/10/2003
Last Event	AMENDMENT
Event Date Filed	10/31/2005
Event Effective Date	NONE

Principal Address

8201 SW 99 COURT
MIAMI FL 33173

Mailing Address

8201 SW 99 COURT
MIAMI FL 33173

Registered Agent Name & Address

BENITEZ AND ASSOCIATES
122 MINORCA AVENUE
MIAMI FL 33134 US

Officer/Director Detail

Name & Address

Title VP

GONZALEZ, CARLOS
8995 SW 84 CT
MIAMI FL 33156

Title T

BLAZEJACK, DEENA
6450 SW 128 ST
MIAMI FL 33156

Title P

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YANEZ, MARIO M
8201 SW 99 COURT
MIAMI FL 33173

Title S

STOCKER, BRADFORD
5771 SW 50 TERR.
MIAMI FL 33155

Title T

DIBENEDETTO-COLTON, JOYCE
11340 SW 93 ST.
MIAMI FL 33176

Annual Reports

Report Year	Filed Date
2005	04/30/2005
2006	04/24/2006
2007	05/22/2007

Document Images

05/22/2007 -- ANNUAL REPORT	View image in PDF format
04/24/2006 -- ANNUAL REPORT	View image in PDF format
10/31/2005 -- Amendment	View image in PDF format
04/30/2005 -- ANNUAL REPORT	View image in PDF format
05/26/2004 -- ANNUAL REPORT	View image in PDF format
03/01/2004 -- Amendment and Name Change	View image in PDF format
06/11/2003 -- Domestic Non-Profit	View image in PDF format

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

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INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: DEC 0 8 2005

EARTH LEARNING INC
8201 SW 99 CT
MIAMI, FL 33173

Employer Identification Number:
57-1170959
DLN:
17053126012015
Contact Person:
JOY M HLAVATY ID# 31495
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
June 11, 2003
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
December 31, 2007

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

If you distribute funds to other organizations, your records must show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence the funds will be used for section 501(c)(3) purposes.

Letter 1045 (DO/CG)

EARTH LEARNING INC

If you distribute funds to individuals, you should keep case histories showing the recipient's name and address; the purpose of the award; the manner of selection; and the relationship of the recipient to any of your officers, directors, trustees, members, or major contributors.

Sincerely,

Lois G. Lerner

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)
Statute Extension

Letter 1045 (DO/CG)

ORGANIZATIONAL BUDGET

FISCAL YEAR (MONTH/DAY): JANUARY TO DECEMBER

	CURRENT FY 2008 - 2008	COMPLETED FY 2007 - 2007
EXPENSES		
PERSONNEL – ADMINISTRATIVE	3,100	1,200
PERSONNEL – ARTISTIC	0	0
PERSONNEL – TECHNICAL	0	0
OUTSIDE ARTISTIC FEES/SERVICES	13,500	3,700
OUTSIDE OTHER FEES/SERVICES	7,000	18,285
MARKETING/PUBLICITY	5,800	6203
PRINTING	750	1589
POSTAGE	0	31
IN COUNTY TRAVEL	0	0
OUT OF COUNTY TRAVEL	0	570
EQUIPMENT RENTAL	0	7465
EQUIPMENT PURCHASE	0	0
SPACE RENTAL	0	100
INSURANCE	0	0
UTILITIES	0	0
SUPPLIES/MATERIALS	8,450	7,983
REMAINING OPERATING EXPENSES	4,800	13,117
TOTAL CASH EXPENSES	43,400	60,243
IN-KIND CONTRIBUTIONS (ATTACH ITEMIZED LIST)	55,600	79,606
TOTAL EXPENSES	99,000	139,849
REVENUES		
ADMISSIONS	0	0
CONTRACTED SERVICES	0	0
TUITIONS	2,400	2,290
CORPORATE SUPPORT	5,000	0
FOUNDATION SUPPORT	14,000	21,000
PRIVATE/INDIVIDUAL SUPPORT	12,000	32,488
GOVERNMENT GRANTS – FEDERAL	0	
GOVERNMENT GRANTS – STATE	0	
GOVERNMENT GRANTS – LOCAL	10,000	4,465
APPLICANT CASH ON HAND	0	
OTHER REVENUES	0	
TOTAL CASH INCOME	43,400	60,243
IN-KIND CONTRIBUTIONS (ATTACH ITEMIZED LIST)	55,600	79,606
TOTAL INCOME	99,000	139,849

Earth Learning
Budget 2008 (January - December)

	GREEN	EF 2007	Total	In-Kind
Income				
Revenues				
Donations/Sponsorships	-	3,300.00	3,300.00	-
Grants			-	
Private	8,000.00	-	8,000.00	-
Grants - Other	-	5,918.00	5,918.00	-
Total Grants	8,000.00	5,918.00	13,918.00	-
In-Kind Revenues	-	-	-	30,800
Total Revenues	8,000.00	9,218.00	17,218.00	30,800
Total Income	**8,000.00**	**9,218.00**	**17,218.00**	**30,800**
Expense				
Banking	-	-	-	-
Contractual Services				
Artist's Fee	-	5,000.00	5,000.00	-
Production Fees	-	-	-	16,000
Metro Shuttle				1,800
Promotions		800.00		
Web Services	-	-	-	2,000
Total Contractual Services	-	5,800.00	5,800.00	19,800
Equipment Rental		1,000.00	1,000.00	-
Local Travel		18.00	18.00	
Media				
Outdoor	1,500.00	400.00	1,900.00	3,000
Print	3,000.00	-	3,000.00	3,000
Radio	2,000.00	-	2,000.00	1,000
Total Media	6,500.00	400.00	6,900.00	7,000
Permits & Fees	-	-		-
Personnel		2,000.00	2,000.00	4,000
Postage & Feight	-	-		-
Printing & Reproduction				
Design	200.00	-	200.00	-
Printing & Reproduction - Other	1,100.00	-	1,100.00	-
Total Printing & Reproduction	1,300.00	-	1,300.00	-
Supplies				
Computer	-	-	-	-
Food	200.00		200.00	-
Gear/Equipment	-	-	-	-
Library Resources	-	-	-	-
Office	-	-	-	-
Total Supplies	200.00	-	200.00	-
Total Expense	**8,000.00**	**9,218.00**	**17,200.00**	**30,800**

Agenda Item # :			
2nd Annual EarthFest Celebration			
Legislative Timeline			
Transit Committee		CITT Project/Finance Committee	N/A
BCC		CITT Full Trust	N/A

WHAT: **Bus transportation**

WHEN: **Sunday, April 20, 2008**
Contact: Mario Yanez 305-323-8858

WHERE: **Crandon Park on Key Biscayne**

COMMISSIONER SPONSOR: **Commissioner Gimenez**

DETAILS: **Provide shuttle service to and from Vizcaya Metro station to the event from 9:30 am to 8:30 pm continuously.**

2 shuttle buses @ 99.00 per hour for 11 hours each $1,998.00
1 TOS supervisor @ 40.00 per hour for 11 hours 440.00
$2,438.00

Sylvia Person Special Event Coordinator

Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2008

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 countywide in-kind reserve balance allows for the funding of this request.

Background

A retroactive fee waiver for in-kind services is being requested by a not-for-profit organization Earth Learning, Inc. for the Earth Fest 2008 event held on April 20, 2008.

In-kind services have been requested in an amount not to exceed $2,438 from the Miami-Dade Transit Agency for shuttle transportation services. This event will be funded from the countywide in-kind reserve fund.

In FY 2007-08, Earth Learning, Inc. has received no County funding for this event.

Inkind9908