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

MEMORANDUM

Agenda Item No. 11(A)(42)

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

DATE: December 2, 2008

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

SUBJECT: Resolution retroactively authorizing in-kind services for the August 16, 2008 2nd Annual Back to School Bash

Resolution No. R-1406-08

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dorrin D. Rolle.

R. A. Cuevas, Jr.
County Attorney

RAC/bw

MEMORANDUM

(Revised)

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

DATE: December 2, 2008

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

SUBJECT: Agenda Item No. 11(A)(42)

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)(42)
12-2-08

RESOLUTION NO. **R-1406-08**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE AUGUST 16, 2008 "2ND ANNUAL BACK TO SCHOOL BASH" SPONSORED BY DADE COMMUNITY FOUNDATION INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $1,336.00 TO BE FUNDED FROM THE DISTRICT 2 IN-KIND RESERVE FUND

WHEREAS, the Dade Community Foundation, Inc. has requested in-kind services from the Miami-Dade Park and Recreation Department for the August 16, 2008 "2nd Annual Back to School Bash" event in an amount not to exceed $1,336.00 (see attached Fee Waiver/In-kind Service Application); and

WHEREAS, the purpose of the "2nd Annual Back to School Bash" is to provide inner-city children with backpacks and school supplies, and to provide education regarding gun control and gun violence; and

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

WHEREAS, the "2nd Annual Back to School Bash" event is a small event, as that term is defined on the attached Fee Waiver/In-kind Service Application, and $1,336.00 of the in-kind services shall be funded from the District 2 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 August 16, 2008 "2nd Annual Back to School Bash" event in an amount not to exceed $1,336.00 to be funded from the District 2 In-kind Reserve Fund.

The Prime Sponsor of the foregoing resolution is Commissioner Dorrin D. Rolle. This resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Carlos A. Gimenez** 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 2nd day of December, 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. GKS

Gerald K. Sanchez

MIAMI-DADE PARKS

SHOWMOBILES, STAGES, BLEACHERS, AND SOUND PRODUCTION

(305) 257-0933 Ext. 240/(305) 257-1083 (Fax)

EQUIPMENT (S) CONFIRMATION FORM

ORGANIZATION/AGENCY: Bryan Pata Foundation

EQUIPMENT REQUESTED: Small Showmobile and sound system

NAME OF PERSON RESPONSIBLE FOR THIS BILL: Comm - Rolle

OR INDEX CODE (MIAMI-DADE COUNTY AGENCIES ONLY):

BILLING ADDRESS/ ZIP CODE:

NAME/TITLE OF THE EVENT: Back to School Bash - 2nd Annual

ADDRESS OF EVENT: 7090 NW 22nd Ave.

TODAY'S DATE: 8.12.08 DATE (S) & TIME OF EVENT: 8.16.08

SET-UP TIME & DAY: 12:00 pm

TAKE-DOWN & DAY: 5:30 pm

CONTACT PERSON/PHONE: Ronette Pata
AT SITE CONTACT/CELL PHONE #: (786) 431-9895

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.

please sign

*Fee 1.336 Signature

*(SEE FEE SCHEDULE FOR EXACT CHARGES)

Agency/Group

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.

CONTINUED
DATE 8/13/08
SIGNATURE

FAXED 8/13/08

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Parks
$1336

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) 375-2636
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: Bryan Pata Memorial Fund / Dade Community Foundatio

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

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

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): Ronette Pata
Ronette Pata @ yahoo.com
(786) 431-9895 (305) 749-6865 Fax (305) 749-6849

4. Specify fee waiver or in-kind service requested (quantity, if applicable): Show Mobile / Stage Sound, Security (police officers) for safety of people

5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries):
Bryan Pata Foundation / Dade Community Foundation
2nd Annual Back to School Bash, August 16, 2008
Backpack giveaway, School supplies.
The purpose of event is to target inner city school aged children to educate the community about issues on Gun Control / Gun Violence

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)): Gwen Cherry Park N. FL Yet center
7090 N.W. 22 ave

Page 1 of 2
Revised: 11/8/2003

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(2)
Rolle

SEP-11-2006 14:27 FROM: TO:3053754843 P.1/4

AUG 11 2006 10:11 FROM: TO:3053754843 P.4/4

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): _____

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

8/12/08
Date

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DEPARTMENT OF REVENUE

Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14
R. 04/05
08/09/07

Certificate Number	Effective Date	Expiration Date	Exemption Category
85-8013880950C-3	06/13/2007	06/30/2012	501(C)(3) ORGANIZATION

This certifies that

DADE COMMUNITY 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. 04/05

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 (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 PO BOX 6480, Tallahassee, FL 32314-6480.

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

DEPARTMENT OF THE TREASURY

Date: MAR 13 1997

DADE COMMUNITY FOUNDATION INC
200 S BISCAYNE BLVD STE 2780
MIAMI, FL 33131

Employer Identification Number:
65-0350357
DLN:
17053054848007
Contact Person:
D. A. DOWNING
Contact Telephone Number:
(513) 684-3957
Our Letter Dated:
October 1992
Addendum Applies:
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

District Director

RECEIVED
MAR 20 1997

Letter 1050 (DO/CG)

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FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Non Profit Corporation

DADE COMMUNITY FOUNDATION, INC.

Filing Information

Document Number	N50007
FEI Number	650350357
Date Filed	07/23/1992
State	FL
Status	ACTIVE

Principal Address

200 S BISCAYNE BLVD
SUITE 505
MIAMI FL 33131-5330 US

Changed 04/25/2007

Mailing Address

200 S BISCAYNE BLVD
SUITE 505
MIAMI FL 33131-5330 US

Changed 04/25/2007

Registered Agent Name & Address

SHACK, RUTH
200 S BISCAYNE BLVD
SUITE 505
MIAMI FL 33131-5330 US

Address Changed: 04/25/2007

Officer/Director Detail

Name & Address

Title DP

SHACK, RUTH
200 SOUTH BISCAYNE BLVD., STE 505
MIAMI FL 33131-5330

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No Events No Name History

Entity Name

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Memorandum

MIAMI-DADE COUNTY

Date: December 2, 2008

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

From: George M. Burgess
County Manager

Subject: District Specific In-Kind Reserve Request Recommendation

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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 the Dade Community Foundation, Inc. for the "2nd Annual – Back to School Bash" event held on August 16, 2008.

In-kind services have been requested in an amount not to exceed $1,336 from the Miami-Dade Park and Recreation Department for the use of a sound system and one (1) show mobile. This event will be funded from the District 2 in-kind reserve fund.

In FY 2007-08, the Dade Community Foundation, Inc. has received $245,000 from the General Fund, $10,000 from District 7 discretionary reserve, and $10,000 from District 8 discretionary reserve.

Inkind13708