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

MEMORANDUM

Agenda Item No. 14(A)(6)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: July 21, 2009

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

SUBJECT: Resolution retroactively authorizing in-kind services for the June 5, 2009 "Relay for Life" event

Resolution No. R-982-09

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

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 21, 2009

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

SUBJECT: Agenda Item No. 14(A)(6)

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 Mayor'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. 14(A)(6)
7-21-09

RESOLUTION NO. **R-982-09**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JUNE 5, 2009 "RELAY FOR LIFE" SPONSORED BY THE AMERICAN CANCER SOCIETY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $1,855.00 TO BE FUNDED FROM THE DISTRICT 7 IN-KIND RESERVE FUND

WHEREAS, the American Cancer Society, Inc. has requested in-kind services from the Miami-Dade Park and Recreation Department for the June 5, 2009 "Relay for Life" in an amount not to exceed $1,855.00 (see attached Fee Waiver/In-kind Service Application); and

WHEREAS, the "Relay for Life" is a fundraiser to benefit the American Cancer Society which funds cancer research, education, advocacy and community service; and

WHEREAS, the American Cancer Society, Inc. is a not-for-profit organization; and

WHEREAS, the "Relay for Life" is a small event, as that term is defined on the attached Fee Waiver/In-kind Service Application, and $1,855.00 of the in-kind services shall be funded from the District 7 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 June 5, 2009 "Relay for Life" in an amount not to exceed $1,855.00 to be funded from the District 7 In-kind Reserve Fund.

The Prime Sponsor of the foregoing resolution is Commissioner Carlos A. Gimenez. It was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**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 21st day of July, 2009. 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: **DIANE COLLINS**
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) 226-8315 Ext. 224/(305) 553-8511 (Fax)

EQUIPMENT (S) CONFIRMATION FORM

ORGANIZATION/AGENCY: American Cancer Society

EQUIPMENT REQUESTED: Showmobile Medium

NAME OF PERSON RESPONSIBLE FOR THIS BILL: Commissioner Carlos A Gimenez District #7

OR INDEX CODE (MIAMI-DADE AGENCIES ONLY): N/A

BILLING ADDRESS/ZIP CODE: 6330 Manor Lane, Suite 100 South Miami, FL 33143

NAME/TITLE OF THE EVENT: Relay for Life of South Miami

ADDRESS OF EVENT: Ludlam Elementary 6639 S.W. 74 Street Miami, FL 33143

TODAY'S DATE: 5/12/09

DATE (S) & TIME OF EVENT: 06/05/09 6:00 PM – 12:00 AM

SET-UP TIME & DAY: 06/05/09 2:00 PM

TAKE-DOWN TIME & DAY: 06/06/09 7:00 AM

CONTACT PERSON/PHONE: Angelique Marie Millis (305) 322-5409

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:** $1,855.00 In-kind District #7

*(SEE FEE SCHEDULE FOR EXACT CHARGES)

Signature:

Angelique Marie Millis

Agency/Group: American Cancer Society

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

FORM 4441 (REV. 8-60)

U. S. TREASURY DEPARTMENT
INTERNAL REVENUE SERVICE
WASHINGTON 25, D. C.

AUG 1 9 1952

IN REPLY REFER TO
T:R:EO:6
CSG

American Cancer Society, Inc.
521 West 57th Street
New York 19, New York

DATE OF ORIGINAL GROUP RULING
November 5, 1942
PURPOSE
Educational, scientific and charitable
FORM 990-A REQUIRED
☒ Yes ☐ No

Gentlemen:

Based upon the information presented, it is held that all of the new subordinate units whose names appear on the lists recently submitted are exempt from Federal income tax as organizations described in section 501(c)(3) of the Internal Revenue Code as they are organized and operated exclusively for the purpose noted above. Any questions concerning taxes levied under other subtitles of the Code should be submitted to the appropriate District Director.

Your new subordinate units are not required to file Federal income tax returns so long as they retain a tax exempt status, unless they are subject to the unrelated business tax imposed by section 511 of the Code and are required to file Form 990-T in order to report unrelated business taxable income. This is also applicable to you and your pre-existing subordinate units. Your new subordinate units are or are not required to file the annual information return, Form 990A, as indicated above. Such returns, if required, must be filed with the appropriate District Director after the close of the annual accounting period of each subordinate unit, unless you include the subordinate units in a group return filed by you.

Contributions made to your listed subordinate units are deductible by donors as provided in section 170 of the Code. Bequests, legacies, devises, transfers or gifts to or for the use of the listed subordinate units are deductible for Federal estate and gift tax purposes as provided in section 2055, 2106 and 2522 of the Code.

You and your exempt subordinate units are not liable for the taxes imposed under the Federal Insurance Contributions Act (social security taxes) unless waiver of exemption certificates are, or have been, filed as provided in such Act. Inquiries about the waiver of exemption certificates should be addressed to your District Director. You and your exempt subordinate units are not liable for the tax imposed under the Federal Unemployment Tax Act.

We have noted our records of any change in the names, addresses, character, purposes or method of operation of pre-existing subordinate units or those which ceased to exist of which you currently notified us.

Please send us the following information annually not later than 45 days after the close of your annual accounting period.

1. Lists showing the names and mailing addresses of your new subordinate units and the names and addresses of any units which have ceased to exist or have changed their names or addresses. The names should be arranged in alphabetical or numerical order. In lieu of the lists referred to above you may furnish us with a copy of your published directory. Please send us one copy of the list or directory for this office and one copy for each district in which your subordinate units are located.

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6/5
Parks - 1855

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 cancer Society

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.):

Angelique Millis (305) 779-2843 (Phone)
8095 NW 12 St. SUite 200 (305) 377-5409 (cell)
Doral FL 33126 (305) 592-5140 (Fax)

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

Showmobile (medium size)

7

Gutierrez
7

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FEE WAIVER/IN-KIND SERVICES APPLICATION
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5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries):
Please see attached document.

Relay for Life on June 5th at Ludlam Elementary
6639 SW 74th Street
Miami FL

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)):
Ludlam Elementary School
6639 SW 74 Street

8. Description of regional or local impact: Relay for Life is a fundraiser for Cancer Research, Education, Advocacy & Service

9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable):
Event begins at 6pm and ends by 11pm
Set-up will begin at 2pm

MIAMI-DADE COUNTY
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): Event will take place at Widlan Elem. School field - please see attached document.

11. Expected number of participants and estimated attendance (per day, if applicable): Less than 300

12. Itemized budget, including total event budget, total budget of host organization, if applicable, and total commitment of resources (attach additional pages as needed): Event's goal is $35,000.00

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

Signature of Authorized Representative

5/26/09
Date

American Cancer Society
Relay For Life

What is Relay For Life?

Relay For Life is a celebration of life in honor of those touched by cancer. Relay For Life also raises funds for the American Cancer Society's programs of research, education, advocacy and service – programs that can reduce cancer deaths and cancer incidence, and improve the quality of life for those touched by cancer.

Relay For Life began in 1985. Dr. Gordon Klatt, an oncologist in Tacoma Washington, wanted to make a difference in the lives of his cancer patients. Dr. Klatt's idea was to run laps around a track for 24 hours and raise funds. He raised $27,000 and donated the money to the American Cancer Society. Since then, Relay For Life has grown to become the American Cancer Society's national signature activity. In 2007, over 4,800 Relay For Life events were held throughout the United States and raised just over $400 million. More than 3 million people participated and over 500,000 cancer survivors walked the opening lap. In Florida we grew to 329 events, had more than 100,000 participants and more than 19,000 survivors walking the opening laps of our community events. Almost $22 million was raised in the fight against cancer in Florida alone. Relay For Life is the largest fundraising event in the United States. It has also grown to nineteen other countries outside of the United States.

Relay For Life is a true community event where people of all ages and from all walks of life come together for a common cause. We walk, jog or run relay style around the tracks or pathways at school or community football fields, fairgrounds and parks for eighteen hours. Friends, relatives, local businesses, hospitals, schools, faith based organizations, service clubs and other organizations organize teams of 10-15 people. Each team member is asked to raise a minimum of $100 before the event.

Food, fun and camaraderie are part of the Relay For Life experience. There is the opening ceremony and first lap called our 'victory lap'. We cheer on our local cancer survivors, our friends, family and co-workers who have survived cancer. There is also a more solemn aspect of the event during the Luminaria ceremony. This is an emotional candle-lighting ceremony to honor those who have survived cancer and to remember those who have not. This powerful ceremony ties participants personally to the cause of fighting cancer. Relay For Life is about a community taking up the fight.

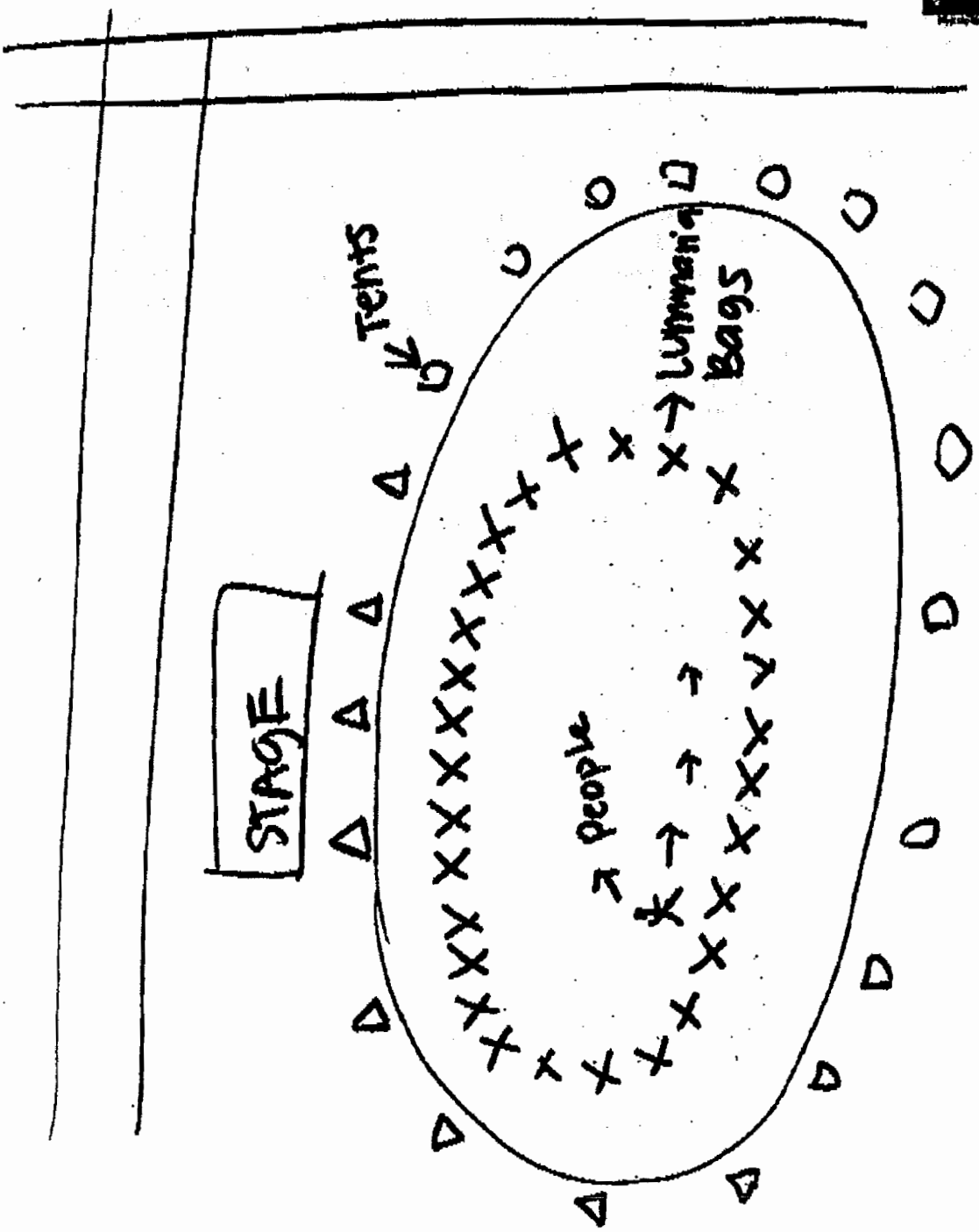
Relay For Life – it's all about providing Hope for the future, Progress towards a cure, and Answers to cancer questions.

One Community, One Mission, One Fight!

For more information about Relay For Life or how to become involved, please contact Angelique Millis at 305-779-2873

www.cancer.org 1-800-ACS-2345

Exhibit B



Memorandum

MIAMI-DADE COUNTY

Date: July 21, 2009

To: Honorable Chairman Dennis C. Moss
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) reviewed the attached in-kind request and recommends this item move forward to the Board of County Commissioners for consideration. The district in-kind reserve balance allows for funding of this request.

Background

A retroactive waiver for in-kind services is being requested by a not-for-profit organization, American Cancer Society, Inc., for their "Relay for Life" event held on June 5, 2009.

In-kind services have been requested in an amount not to exceed $1,855 from the Miami-Dade Park and Recreation Department for the use of a medium show mobile. This event will be funded from the District 7 in-kind reserve fund.

In FY 2008-09, the American Cancer Society received $42,117 from the following districts: $5,000 from District 1 discretionary, $5,000 from District 8 discretionary, $5,000 from District 9 discretionary, $2,500 from District 11 discretionary, $10,000 from District 12 discretionary, $5,000 from District 2 office funds, and $9,617 from the Mayor's discretionary reserve. In addition, as part of Resolution 268-08, they received $4,790 from the District 8 in-kind reserve, $6,872 from the District 1 in-kind reserve for the Relay for Life of North West Dade, and $975 from District 12 in-kind reserve for the Relay for Life of Doral.

Inkind13209