



**MEMORANDUM**

Agenda Item No. 11(A) (22)

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

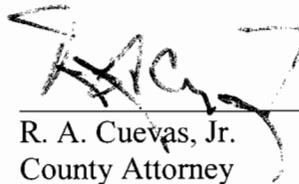
**DATE:** March 2, 2010

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

**SUBJECT:** Resolution retroactively authorizing  
in-kind services for the February 26,  
2010 "Garden Soiree"

**Resolution No. R-271-10**

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



R. A. Cuevas, Jr.  
County Attorney

RAC/cp

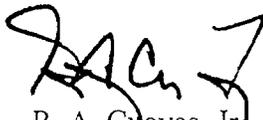


# MEMORANDUM

(Revised)

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

**DATE:** March 2, 2010

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

**SUBJECT:** Agenda Item No. 11(A) (22)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous\_\_\_\_) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11 (A) (22)  
3-2-10

RESOLUTION NO. R-271-10

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 26, 2010 "GARDEN SOIREE" SPONSORED BY THE COMMUNITY GARDEN CHARITABLE FUND, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,900.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 8 FY 2008-09 IN-KIND RESERVE FUND

**WHEREAS**, Community Garden Charitable Fund, Inc. has requested in-kind services from the Miami-Dade Park and Recreation Department for the February 26, 2010 "Garden Soiree" in an amount not to exceed \$2,900.00 (see attached Fee Waiver/In-kind Service Application); and

**WHEREAS**, the purpose of the "Garden Soiree" is to raise funds for the restoration of Pinecrest Gardens; and

**WHEREAS**, Community Garden Charitable Fund, Inc is a not-for-profit organization; and

**WHEREAS**, the "Garden Soiree" is a small event, as that term is defined on the attached Fee Waiver/In-kind Service Application, and \$2,900.00 of the in-kind services shall be funded from the unspent balance of the District 8 FY 2008-09 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 February 26, 2010 "Garden Soiree" in an amount not to exceed \$2,900.00 to be funded from the unspent balance of the District 8 FY 2008-09 In-kind Reserve Fund.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson. It was 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:

	Dennis C. Moss, Chairman	<b>aye</b>	
	Jose "Pepe" Diaz, Vice-Chairman	<b>aye</b>	
Bruno A. Barreiro	<b>absent</b>	Audrey M. Edmonson	<b>aye</b>
Carlos A. Gimenez	<b>absent</b>	Sally A. Heyman	<b>aye</b>
Barbara J. Jordan	<b>aye</b>	Joe A. Martinez	<b>aye</b>
Dorrin D. Rolle	<b>aye</b>	Natacha Seijas	<b>aye</b>
Katy Sorenson	<b>aye</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>aye</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of March, 2010. 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

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

220 - Parks 2900

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. 1<sup>st</sup> 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: Community Garden Charitable Fund, 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.): \_\_\_\_\_

LOREN MATTHEWS  
5855 SW 111 STREET  
MIAMI, FL 33156 (305) 669-6942

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

SHOWMOBILE FOR FRIDAY, FEBRUARY 26, 2010  
and GENERATOR (LARGE FOR BOTH)

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5. Name, date of event, description, and purpose of the event (if event is a fund-raiser, define the beneficiaries): \_\_\_\_\_

Balden Soiree FEBRUARY 26, 2010 6:30 to 11:00 PM  
FUNDRAISER FOR PINECREST GARDENS  
(FORMERLY PARROT JUNGLE), THE EVENT WILL BE  
AN EVENING DINNER, WITH LIVE MUSIC PROVIDED BY  
JIMMY B. PIANIST AND CONCERT BY NESTOR TORRES.  
PINECREST GARDENS IS A PUBLIC GARDEN WITH NO MEANS  
OF SUPPORT, IN NEED OF RENOVATION. ALL PROCEEDS WILL  
GO TO PROJECTS AT PINECREST GARDENS.

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)): 7 and 8

PINECREST GARDENS  
11000 S.W. 57 AVENUE  
MIAMI, FL 33156

8. Description of regional or local impact: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Daily/hourly event schedule, including set-up and breakdown schedule (attach event calendar, if applicable): \_\_\_\_\_

FEBRUARY 26, 2010  
SET-UP BEFORE 6:00 PM  
BREAKDOWN 11:00 PM

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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): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11. Expected number of participants and estimated attendance (per day, if applicable): 300 to 400
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.

Karen Moskley  
Signature of Authorized Representative

12/16/09  
Date

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

DEPARTMENT OF THE TREASURY

Date: **OCT 31 2007**

COMMUNITY GARDENS CHARITABLE FUND  
INC  
PO BOX 565111  
PINECREST, FL 33256-5111

Employer Identification Number:  
20-8226954  
DLN:  
17053235306017  
Contact Person:  
RONALD D BELL ID# 31185  
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:  
December 13, 2006  
Contribution Deductibility:  
Yes  
Advance Ruling Ending Date:  
December 31, 2010  
Addendum Applies:  
No

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.

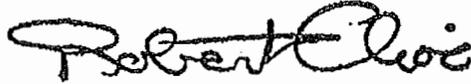
Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

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COMMUNITY GARDENS CHARITABLE FUND

Sincerely,

A handwritten signature in black ink that reads "Robert Choi". The signature is written in a cursive style with a large, prominent "R" and "C".

Robert Choi  
Director, Exempt Organizations  
Rulings and Agreements

Enclosures: Publication 4221-PC  
Statute Extension

Letter 1045 (DO/CG)

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## Detail by Entity Name

### Florida Non Profit Corporation

COMMUNITY GARDEN CHARITABLE FUND, INC.

### Filing Information

**Document Number** N06000012720  
**FEI/EIN Number** 208226954  
**Date Filed** 12/13/2006  
**State** FL  
**Status** ACTIVE  
**Effective Date** 01/01/2007

### Principal Address

7721 SW 62ND AVE SUITE 202  
SOUTH MIAMI FL 33143

### Mailing Address

6101 S.W. 12TH STREET  
MIAMI FL 33156

Changed 04/28/2008

### Registered Agent Name & Address

SASSO, PAUL R ESQ  
7721 SW 62ND AVE SUITE 202  
SOUTH MIAMI FL 33143

### Officer/Director Detail

#### **Name & Address**

Title DP

MASHBURN, KAREN  
6101 MOSS RANCH ROAD  
MIAMI FL 33156

Title D

MASHBURN, KAREN A  
6101 MOSS RANCH RD  
PINECREST FL 33156

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# Memorandum



**Date:** March 2, 2010

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

**From:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the 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 specific in-kind reserve balance allows for funding of this request.

## Background

A retroactive waiver for in-kind services has been requested by a not-for-profit organization, Community Garden Charitable Fund, Inc., for their "Garden Soiree" event held on February 26, 2010.

In-kind services have been requested in an amount not to exceed \$2,900 from the Miami-Dade Park and Recreation Department for the use of a large show mobile and a generator. This event will be funded from the unspent balance of the District 8 FY 2008-09 in-kind reserve fund.

In FY 2009-10, Community Garden Charitable Fund, Inc., received no funding for this event.

Inkind02810