

## MEMORANDUM

Agenda Item No. 3(A)(2)

---

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

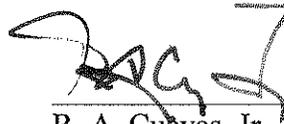
**DATE:** July 2, 2013

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

**SUBJECT:** Resolution authorizing  
in-kind services for the  
October, 2013 "TEMFest  
2013" event  
Resolution No. R-489-13

---

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



---

R. A. Cuevas, Jr.  
County Attorney

RAC/lmp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** July 2, 2013

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

**SUBJECT:** Agenda Item No. 3(A)(2)

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 Mayor'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. 3(A)(2)  
7-2-13

RESOLUTION NO. R-489-13

RESOLUTION AUTHORIZING UP TO \$2,500.00 CASH ALLOCATION TO THE TEATRO EN MIAMI CORP., A NOT-FOR-PROFIT ORGANIZATION, TO BE FUNDED FROM THE BALANCE OF THE DISTRICT 5 FY 2012-13 IN-KIND RESERVE FUND

**WHEREAS**, Teatro en Miami Corp. has requested a cash allocation for the “TEMFest 2013” event; and

**WHEREAS**, the “TEMFest” event includes 25 performances featuring the work of 82 local artists, and supports music, theatre, literature, art and culture in Miami-Dade County; and

**WHEREAS**, an estimated 12,450 children, adults, tourists and family members will be in attendance for the TEMFest events; and

**WHEREAS**, the “2013 TEMFest” will be held during the month of October 2013, and \$2,500.00 of the cash donation shall be funded from the District 5 FY 2012-13 In-Kind Reserve Fund,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board authorizes a \$2,500.00 cash allocation to the Teatro en Miami Corp. for the October 2013 TEMFest 2013 event to be funded from the District 5 FY 2012-13 In-Kind Reserve Fund.

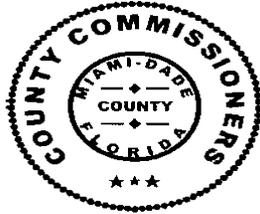
The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner **Dennis C. Moss**, who moved its adoption.

The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman	<b>aye</b>
	Lynda Bell, Vice Chair	<b>aye</b>
Bruno A. Barreiro	<b>absent</b>	Esteban L. Bovo, Jr. <b>absent</b>
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson <b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan <b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss <b>aye</b>
Sen. Javier D. Souto	<b>aye</b>	Xavier L. Suarez <b>aye</b>
Juan C. Zapata	<b>aye</b>	

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of July, 2013. 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: **Christopher Agrippa**  
 Deputy Clerk

Approved by County Attorney as  
 to form and legal sufficiency. GKS

Gerald K. Sanchez

MIAMI-DADE COUNTY  
FEE WAIVER/IN-KIND SERVICES APPLICATION  
FY 2008-09

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:

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.\*\*

Commissioner sponsoring event

Bruno Barreiro

1. Full legal name of the requesting organization:

Teatro en Miami Corporation

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.):

Sandra Garcia - President  
305 551 7473     sandra@teatroenmiami.net  
10302 NW 9th Circle #104, Miami, FL 33172

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

\$ 2,500

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): \_\_\_\_\_  
TEMFest 2013 (Teatro en Miami Festival)  
Calendar & Venues: October 9 to 28<sup>th</sup>, 2013. Miami Dade County Auditorium,  
Teatro en Miami Studio/Havanafama/Artspoken/Teatro 8.  
Miami's Local Theater Festival. Annual festivity that gather  
the most important local theatre companies in Miami.  
Goal: Put Miami on a par with other outstanding cities of the world

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)): \_\_\_\_\_

Miami Dade County Auditorium: 2901 West Flagler  
Centro Cultural Espanol: 1490 Biscayne Bl. / TEMS: 2500, 8 ST  
Havanafama theatre: 957 SW 10 AV / Artspoken 697 SW 12 Av.

8. Description of regional or local impact: An estimated of 12,450 children, adults, seniors,  
tourists and family members will make up the audiences for the 25  
performances. TEMFest 2013 will host 82 local artists, offering the  
most representative works of our theater scene.

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

See attached Schedule of presentations

Teatro en Miami Studio  
**TEMS**

TEMFEST 2013

SCHEDULE OF PRESENTATIONS – October 10 - 27, 2013

Oct 9 (7 PM): **Opening Ceremony TEMFest 2013**

MDCA: 2901 West Flagler Street

OCT 10/ 11/ 12: Company: Teatro en Miami Studio

**Sueño de una Noche de Verano**

MDCA: 2901 West Flagler Street

OCT 1/13: Company: Cirko Teatro

**Lucio:** TEMS 2500 SW 8 Street

Oct 16 (7 PM): Exhibición de Vestuario 40 Trajes y Concierto Jorge Hernandez en CASONA

OCT 18/19/20: Company Sociedad Actoral Hispanoamericana

**Pepe Romano, la sombra blanca de Bernarda Alba.** TEMS 2500 SW 8 Street

OCT 18/19/20: Company ArtSpoken

**La Sombra:** ARTSPOKEN 670 SW 12 Avenues

OCT 23: **Lanzamiento del libro Comedias Urbanas** en TEMS

OCT 25/26/27: Company Maroma Players

**Leyenda:** TEMS 2500 SW 8 Street

OCT 25/26/27: Company HavanaFama

**Luna Negra:** HAVANAFAMA 752 SW 10 Avenue

OCT 27: 10 am: Día del Niño CCE:

Companies: Teatro en Miami Studio / El Ingenio Teatro / Soul Dance Company / Luyano Band

**Application for Allocation of  
Community-based Organization (CBO) Discretionary Reserve and Office Funds**  
(Application must include completed W-9 Form attached)

6/7/13 DIST 5 22-3886641  
Date Commission District Organization Federal Tax ID #

Teatro en Miami Corp.  
Legal Name of Recipient Organization or Name of County Department

TENFest 2013  
Program to be funded/reason for funding support

10302 NW 9th Circle #104 Miami 33172  
Address (as listed on corporate papers) City Zip Code

Amount Requested \$ 2500

**Organization Information:**

Contact Person(s): Sandra Garcia

Telephone Number(s): 305 551 7473 Fax Number: 305 207 9302

e-mail address (if available): Sandra@Teatroenmiami.net

Event Date or Date work is scheduled for completion: 10/27/2013

By the acceptance of these Discretionary Reserve/Office Funds, the recipient organization agrees to provide the services described on this allocation application form. The recipient organization states that it has read the conditions and terms on the back of this form and agrees to comply with these.

Attest: [Signature]  
Recipient Organization Secretary

By: [Signature] Sandra Garcia 6/7/13  
Signature of President or Vice President Type or Print Name Date

Attest: Teatro en Miami Corp. (ORGANIZATION SEAL)  
Recipient Organization

Amount Allocated \$ \_\_\_\_\_ at the \_\_\_\_\_ BCC Meeting

Commissioner's Signature and Approval \_\_\_\_\_ Date Approved \_\_\_\_\_

Attest: Harvey Ruvin, Clerk Miami-Dade County, Florida

By: \_\_\_\_\_  
Deputy Clerk

Circle One:  Hold Check for pick-up  Mail Check to Organization

Special Instructions: \_\_\_\_\_

**For Finance Department Use**

Date Received by Finance: \_\_\_\_\_ Check No. Issued: \_\_\_\_\_ Date Issued: \_\_\_\_\_

All checks are to be picked up by an OSBM Budget Analyst (305) 375-5143

8.

### Terms and Conditions

**Breach of Agreement:** A breach by the Organization shall have occurred under this Agreement if: the Organization fails to fulfill in a timely or proper manner any and all of its obligations, covenants, agreements and stipulations in this Agreement. If the Organization breaches this Agreement, the County may pursue any or all of its legal remedies. The County Manager is authorized to terminate this Agreement on behalf of the County.

**Civil Rights:** The Organization agrees to abide by Chapter 11A of the Code of Miami-Dade County ("County Code"), as amended, which prohibits discrimination in employment, housing and public accommodations; Title VII of the Civil Rights Act of 1968, as amended, which prohibits discrimination in employment and public accommodation; the Age Discrimination Act of 1975, 42 U.S.C., as amended, which prohibits discrimination in employment because of age; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which prohibits discrimination on the basis of disability; the Americans with Disabilities Act, 42 U.S.C. § 12103 et seq., which prohibits discrimination in employment and public accommodations because of disability; the Rehabilitation Act; the Federal Transit Act, 49 U.S.C. § 1612; the Fair Housing Act, 42 U.S.C. § 3601 et. seq.; and the Domestic Violence Leave Ordinance, codified as § 11A-60 et. seq. of the Miami-Dade County Code.

**Payment Procedures:** The County agrees to pay the Organization for the services described in this agreement. The Organization shall keep on file all invoices and payment documentation associated with this agreement for a period of no less than three (3) years from the date of acceptance of this agreement.

**Prohibited Use of Funds:** The Organization shall not utilize County funds to retain legal counsel for any action or proceeding against the County or any other of its agents, instrumentalities, employees, or officials. The Organization shall not utilize County funds to provide legal representation, advice or counsel to any client in any action or proceeding against the County or any of its agent, instrumentalities, employees, or officials.

#### **Records, Reports, and Audits:**

- A. **Supporting Documentation.** The Organization shall submit proof of active corporate status by providing, as part of this agreement, a completed W-9 form.
- B. **Office of Miami-Dade Inspector General.** Miami-Dade County has established the Office of Inspector General, which is empowered to perform random audits on all County contracts throughout the duration of each agreement. Grant recipients are exempt from paying the cost of the audit, which is normally ¼ of 1% of the total agreement amount.
- C. **Independent Private Sector Inspector General Review.** Pursuant to Miami-Dade County Administrative Order 3-20, the Organization is aware that the County has the right to retain the services of an Independent Private Sector Inspector General (hereinafter "IPSIG"), whenever the County deems it appropriate to do so and at the County's expense. The Organization shall make available to the IPSIG retained by the County, all requested records and documentation pertaining to this Agreement for inspection and copying, including documents held by sub consultants or assignees. The County may conduct other audits or investigations, as it deems reasonable. The terms of this Section shall not impose any liability on the County by the Organization or any third party.

Pursuant to Miami-Dade County Budget Ordinance #04-166 through #04-171, notwithstanding any other provision of the County Code, resolution or administrative order to the contrary, non-profit entities allocated County monies shall not be required to complete affidavits of compliance with the various policies or requirements applicable to entities contracting or transacting business with the County.

