

MEMORANDUM

Agenda Item No. 11(A)(29)

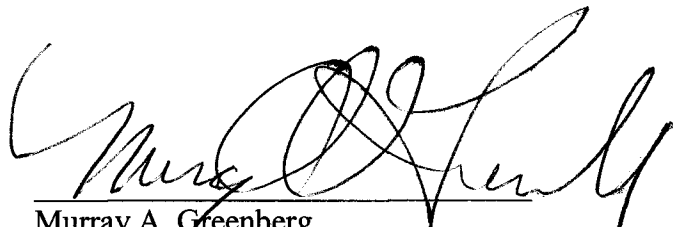
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: January 25, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution authorizing
donation of surplus property
to Rethink and Reuse Center

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Jose "Pepe" Diaz.


Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM

(Revised)

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

DATE: January 25, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A)(29)

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

Agenda Item No. 11(A) (29)

Veto _____

01-25-07

Override _____

RESOLUTION NO. _____

**RESOLUTION DECLARING ONE 1997 FORD CARGO VAN
SURPLUS AND AUTHORIZING ITS DONATION TO
RETHINK AND REUSE CENTER**

WHEREAS, the vehicle described below is owned by Miami-Dade County; and

WHEREAS, the vehicle is obsolete, and its continued usage by Miami-Dade County is uneconomical and inefficient and the vehicle serves no useful purpose; and

WHEREAS, the Rethink and Reuse Center (the "Donee") desires to use the vehicle only within Miami-Dade County to enhance service delivery to their constituents; and

WHEREAS, the Donee is a private not for profit organization as defined in Section 273.01 (3) of the Florida Statutes, and is exempt from Federal Income Taxation by virtue of Section 501 of the Internal Revenue Code; and

WHEREAS, the Donee is an eligible community-based organization, as defined in Section 2-11.2.1 of the Code of Miami-Dade County; and

WHEREAS, Miami-Dade County General Services Administration has complied with the requirements of Section 2-11.2.1, by offering the vehicle to other Miami-Dade County Agencies, none of which accepted the vehicle; and

WHEREAS, the vehicle is eligible for donation under Section 274.05 of the Florida Statutes, and Section 2-11.2.1 of the Code of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board declares the following vehicle, with the listed residual value and other characteristics, to be surplus pursuant to Section 274.05 of the Florida Statutes, and Section 2-11.2.1 of the Code of Miami-Dade County:

<u>Item</u>	<u>I.D. No.</u>	<u>Condition</u>	<u>Mileage</u>	<u>Est. Value</u>
1997 Ford Cargo Van	1FTHE24L4VHA25576	Fair	96,890	\$2,500

Section 2. This Board authorizes donation of the vehicle to the Donee. The Donee shall be responsible for any and all costs of transferring the vehicle. The County Manager shall and is hereby directed to take any and all actions necessary to effectuate the intent of this resolution.

The foregoing resolution was sponsored by Commissioner Jose "Pepe" Diaz, and offered by Commissioner, _____ who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 25th day of January, 2007. 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Monica Rizo

MR

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**ARTICLES OF INCORPORATION
FOR
ReThink and ReUse Center, Inc.**

The undersigned incorporator, being a natural person competent to contract, hereby adopts these Articles of Incorporation in order to form a Not-for-Profit corporation without stock in compliance with Chapter 617, Florida Statutes (F.S.)

**ARTICLE I
NAME**

The name of this Corporation is ReThink and ReUse Center, Inc. (hereafter referred to as the Corporation).

FILED
04 JUL 22 04 08:52
SECRETARY OF STATE
TALLAHASSEE FLORIDA

**ARTICLE II
COMMENCEMENT and DURATION**

This Corporation shall commence upon the filing of these Articles with the Secretary of State of the State of Florida and shall exist perpetually.

**ARTICLE III
PURPOSE**

The purpose of this Corporation is to operate exclusively for literary, educational, charitable and scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provision of any future United State Internal Revenue Code.

**ARTICLE IV
MANNER OF ELECTION**

The initial Board of Directors of the Corporation shall consist of not fewer than three (3) or more than fifteen (15) Directors. The number of Directors shall be prescribed in the By-Laws and may be changed from time to time. The manner of electing or appointing Directors shall be provided for in the By-Laws of the Corporation.

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**ARTICLE V
DIRECTORS**

The names and address of the persons who shall serve as Directors until the organization meeting or until successors have been elected and qualified are as follows:

David Sheinheit
SmithBarney citigroup
Citigroup Global Markets Inc.
20801 Biscayne Blvd
Suite202
Aventura, Florida 33180

Marisel Elias-Miranda, Ed.D
MDCPS
1500 Biscayne Blvd.
Suite 300
Miami, Florida 33132

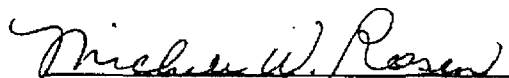
Ann Machado
Creative Staffing
7700 North Kendall Dr.
Suite 300
Miami, Florida 33156

**ARTICLE VI
INITIAL OFFICES**

The initial street and mailing address for the principal place of business of the Corporation is 7240 S.W 60th Street, Miami, Florida 33143.

**ARTICLE VII
INITIAL REGISTERED OFFICE AND AGENT**

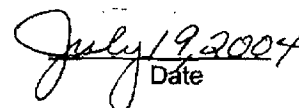
The name of the initial registered agent is Michele W. Rosen and the address of the initial registered office where the registered agent is located at 7240 S.W. 60th Street, Miami, Florida 33143.


Michele W. Rosen

**ARTICLE VIII
INCORPORATOR**

The name and address of the incorporator shall be:
Michele W. Rosen
7240 S.W. 60th Street
Miami, Florida 33143


Michele W. Rosen, Incorporator


Date

ARTICLE IX
LIMITATION OF POWERS

A. No part of the activities of this Corporation shall be for the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidates for public office. Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 or corresponding provision of any future United State Internal Revenue Law.

B. No part of the net earning of the Corporation shall inure to the benefit of or be distributed to its trustees, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof.

ARTICLE X
INDEMNIFICATION

This corporation shall indemnify any officer, director, and officer to the full extent permitted by law.

ARTICLE XI
AMENDMENTS

Amendments to these Articles of Incorporation shall only be made in the manner set forth in the by-laws.

ARTICLE XII
DISSOLUTION

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for payment of all liabilities of the Corporation, distribute all assets of the Corporation to an organization, or organizations, organized and operated exclusively for charitable, education, literary, religious or scientific purposes which are themselves an exempt organization, or organizations, under Section 501 (c)(3) of the Internal Revenue Code or corresponding provision of any future United States Internal Revenue Law or to the federal government or state or local government for an exclusive public purpose, as the Board of Directors shall determine.

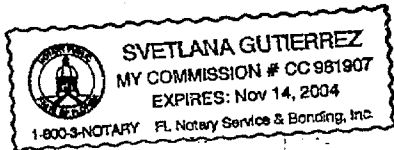
IN WITNESS WHEREOF, the undersigned has made and subscribed to these Articles of Incorporation in Miami, Florida the 19th day of July 2004.

Michele W. Rosen
Michele W. Rosen, Incorporator

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared Michele W. Rosen to me known to be the person described in the foregoing Articles of Incorporation and who executed the foregoing Articles of Incorporation and she acknowledged before me that she executed and subscribed to these Articles of Incorporation and that she did not take any oath.

WITNESS my hand and official seal in the County and State aforesaid the 19th day of July 2004.



(NOTARIAL SEAL)

Svetlana Gutierrez
Name, Notary Public
State of Florida at Large
My Commission Expires:

**CERTIFICATE OF DESIGNATION OF AND ACCEPTANCE BY REGISTERED
AGENT/REGISTERED OFFICE**

Pursuant to the provisions of section 617.0505, Fla. Stat., the undersigned corporation organized under the laws of the State of Florida submits the following statement of Registered Agent/Registered Office in the State of Florida.

- (1) The name of the corporation is ReThink and ReUse Center, Inc.
- (2) The name and address of the registered agent and office is:
Michele W. Rosen
7240 S.W. 60th Street
Miami, Florida 33143

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity.

Michele W. Rosen
Signature/Registered Agent: Michele W. Rosen

July 19, 2004
Date

Michele W. Rosen
Signature/Incorporator: Michele W. Rosen

July 19, 2004
Date

FILED
04 JUL 22 AM 8:52
CLERK OF COURT
MIAMI COUNTY, FLORIDA