

MEMORANDUM

GO

Agenda Item No. 3(B)

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

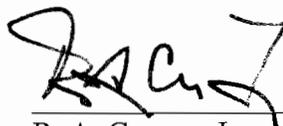
**DATE:** March 10, 2009

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

**SUBJECT:** Ordinance creating a section  
in the Code; creating  
computer and electronics  
program, establishing  
guidelines for collection of  
donated computers and  
electronics

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



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R. A. Cuevas, Jr.  
County Attorney

RAC/jls



**MEMORANDUM**  
(Revised)

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

**DATE:** February 17, 2009

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

**SUBJECT:** Agenda Item No. 4(B)

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. 4(B)  
2-17-09

ORDINANCE NO. \_\_\_\_\_

ORDINANCE CREATING SECTION \_\_\_\_\_ OF THE CODE OF MIAMI-DADE COUNTY, CREATING COMPUTER AND ELECTRONICS PROGRAM, ESTABLISHING GUIDELINES FOR COLLECTION OF DONATED COMPUTERS AND ELECTRONICS AND DISTRIBUTION TO ELIGIBLE RECIPIENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, Computers and electronics—including but not limited to, laptops, wireless routers, cables, printers, scanners, monitors and any other miscellaneous electronic equipment that is in working condition—may be utilized by needy children of the community for educational purposes; and

**WHEREAS**, the County may serve as a clearinghouse for citizens to donate Computers and electronics to children of this community that are in need of such computers and electronics; and

**WHEREAS**, from time-to-time the County has surplus Computers and electronics with no commercial value,

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

**Section 1.** Section \_\_\_\_\_ of the Code of Miami-Dade County is hereby created as follows:

**Sec. \_\_\_\_\_. Computer and Electronics Program.**

- A. Creation of the Computer and Electronics Program. There is hereby created and established the Computer and electronics Program for the purpose of collecting computers and electronics and distributing them to eligible children of the Miami-Dade County community for purpose of providing them much needed access to computers, the internet and other educational electronics.

B. Computer and Electronics Program Operations.

1. Collection from Public. The Computer and electronics Program is to operate through the Mayor or his designee (the "Mayor"). The Mayor shall coordinate the distribution of collection bins provided by the Miami-Dade Solid Waste Department ("Solid Waste") in at least five (5) locations throughout Miami-Dade County for the purpose of collecting discarded computers and electronics—including, but not limited to, laptops, wireless routers, cables, printers, scanners, monitors and any other miscellaneous electronic equipment that is in working condition—from members of the Miami-Dade County community ("Donors"). The Mayor shall also be responsible for distributing information regarding the Computer and electronics Program, and collecting any and all information and/or forms from Donors required by the Computer and electronics Program Board, as provided in Section 2, below. The Mayor will also distribute, if requested by Donors, receipts reflecting the approximate value of the donated computers and electronics.
  
2. County Surplus Computers and Electronics. Notwithstanding anything in Administrative Order 8-2 or Section 2-11.2.1 of the Code of Miami-Dade County to the contrary, the County may assign surplus computers and electronics with no commercial value—including but not limited to laptops, wireless routers, cables, printers, scanners, monitors and any other miscellaneous electronic equipment that is in working condition—to the Computer and electronics Program for donation in accordance with the terms and conditions of this Ordinance; provided, however, that the Board of County Commissioners first make a finding by resolution that any surplus computers and electronics slated for donation through the Computer and electronics Program are obsolete, or their continued use is uneconomical or inefficient, or that they no longer serve a useful function, and that they are without commercial value. All donations of County surplus computers and electronics shall be in accordance with Section 274.05 or 274.06 of the Florida Statutes.

3. Distribution to Eligible Recipients. The computers and electronics collected by the Mayor for the Computer and Electronics Program shall be distributed to persons whose household income is less than \$20,000 per year and who are: (1) high school students at a public, private or charter school within Miami-Dade County; and (2) under the age of nineteen (19) (collectively "Eligible Recipients"). The Mayor shall establish all guidelines for the distribution of the computers and electronics to Eligible Recipients, including, but not limited to those for: proof of income, proof of age, and proof of school attendance. No more than two (2) computers and electronics will be distributed to a household.

**Section 2.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 3.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

**Section 4.** This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:



Shannon D. Summerset

Prime Sponsor: Commissioner Rebeca Sosa