**MEMORANDUM** Agenda Item No. 11(A)(20)

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

**DATE:** December 1, 2009

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

**SUBJECT:** Resolution declaring one 1997 Dodge passenger van surplus and authorizing its donation to Lighthouse of God in Christ, Inc.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

# MEMORANDUM

(Revised)

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

**DATE:** December 1, 2009

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

**SUBJECT:** Agenda Item No. 11(A)(20)

**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)(20)
12-1-09

RESOLUTION NO. _____

RESOLUTION DECLARING ONE 1997 DODGE PASSENGER VAN SURPLUS AND AUTHORIZING ITS DONATION TO LIGHTHOUSE OF GOD IN CHRIST, INC.

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**WHEREAS,** the vehicle is obsolete, and its continued usage by Miami-Dade County is uneconomical and inefficient and the vehicle serve no useful purpose; and

**WHEREAS**, Lighthouse of God in Christ, Inc., (the "Donee") desires to use the vehicle only within Miami-Dade County to enhance its ability to provide services to its 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:

| Item | I.D. No. | Condition | Mileage | Est. Value |
|---|---|---|---|---|
| DC#20725 1997 Dodge Van | 2B5WB35Z0VK568129 | Fair | 77,192 | $2,500 |

**Section 2.** This Board authorizes donation of the vehicle to the Donee. The Donee shall take possession of the vehicle within sixty (60) days of the effective date of this resolution and 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.

**Section 3.** If, for any reason, the donee fails to take possession of the vehicle within sixty (60) days of the effective date of this resolution, then this resolution shall be null and void, and the ownership rights to the vehicle shall revert back to the County.

The Prime Sponsor of the foregoing resolution is Chairman Dennis C. Moss. It was 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:

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

Bruno A. Barreiro
Carlos A. Gimenez
Barbara J. Jordan
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto
Audrey M. Edmonson
Sally A. Heyman
Joe A. Martinez
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day December, 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:_____
Deputy Clerk

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

Gerald K. Sanchez

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**MIAMI-DADE COUNTY**
**SURPLUS PROPERTY ALLOCATION APPLICATION**

COUNTY SURPLUS PROPERTY ALLOCATIONS 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:

ATTN → General Services Administration-Fixed Assets Manager
2225 N. W. 72 Ave
Miami, FL 33122

Phone: (305) 592-3752
Fax: (305) 592-3616

1. Full legal name of the requesting organization: Lighthouse of God In christ INC.

2. Applicant Status: (Select one of the choices below)

   ☑ Not-For-Profit or Tax Exempt
   ☐ For-Profit
   ☐ Other (specify): _____
   ☐ Local Government or Public Entity

**If Not-For-Profit or Tax Exempt, please attach a copy of the not-for-profit or tax exempt status.**

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): Arlene B. Davis, 26740 S.W. 138 St. Homestead, Fla. 33032, Email: lighthouse of god @ bellsouth.net; Telephone: 305 258 9549 / Cell: 305 298-5481

4. Specify the surplus property requested (quantify, if applicable): Cargo Van and Passenger Van

5. Specify the purpose for which the surplus property will be used: Transport children, afterschool Programs, Community Computer lab; other Special Occasions + Activities.

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

Arlene B. Davis
Signature of Authorized Representative

9-13-09
Date



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DEPARTMENT OF REVENUE

# Consumer's Certificate of Exemption

DR-14
R. 01/02

**Issued Pursuant to Chapter 212, Florida Statutes**

| Certificate Number | Effective Date | Expiration Date | Exemption Category |
|---|---|---|---|
| 85-8012674694C-4 | 03/01/2005 | 03/31/2010 | RELIGIOUS/PHYSICAL PLACE |

This certifies that

LIGHTHOUSE OF GOD IN CHRIST INC
26740 SW 138TH CT
NARANJA FL 33032-7622

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.

DEPARTMENT OF REVENUE

# Important Information for Exempt Organizations

DR-14
R. 01/02

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.039, Florida Administrative Code (FAC).

2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.

3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.

4. This exemption applies only to purchases your organization makes. The sale or lease to others by your organization of tangible personal property, sleeping accommodations or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, FAC).

5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third degree felony. Any violation will necessitate the revocation of this certificate.

6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Central Registration at 850-487-4130. The mailing address is 5050 West Tennessee Street, Tallahassee, FL 32399-0100.

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