

MEMORANDUM

Agenda Item No.11(A)(22)


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

DATE: January 23, 2013

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

SUBJECT: Resolution declaring one Dell computer with monitor, keyboard and mouse surplus; authorizing their donation to American International Relief, Inc. and authorizing the Mayor to execute a community based organization agreement

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM
(Revised)

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

DATE: January 23, 2013

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 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. 11(A)(22)

1-23-13

RESOLUTION NO. _____

RESOLUTION DECLARING ONE DELL COMPUTER WITH MONITOR, KEYBOARD AND MOUSE SURPLUS; AUTHORIZING THEIR DONATION TO AMERICAN INTERNATIONAL RELIEF, INC. AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE A COMMUNITY BASED ORGANIZATION AGREEMENT AND EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

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

WHEREAS, the computer and equipment are obsolete, and their continued usage by Miami-Dade County is uneconomical and inefficient and the computer and equipment serve no useful purpose; and

WHEREAS, American International Relief, Inc. (the "Donee") desires to use the computer and equipment 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 Internal Services Department has complied with the requirements of Section 2-11.2.1, by offering the computer and equipment to other Miami-Dade County Agencies, none of which accepted the computer and equipment; and

WHEREAS, the computer and equipment are 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 computer and equipment, 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>Est. Value</u>
DC#814648 Dell Optiplex 755	HYZL6K1	Fair	\$300.00
Dell Monitor	N/A	Fair	\$50.00
Keyboard and Mouse	N/A	Fair	\$20.00

Section 2. This Board authorizes donation of the computer and equipment to the Donee, and authorizes the County Mayor or the Mayor’s designee to execute a community based organization agreement and exercise any and all other rights conferred therein. The Donee shall take possession of the computer and equipment within sixty (60) days of the effective date of this resolution. Donee shall be responsible for any and all costs of transferring the computer and equipment. The County Mayor or Mayor’s designee shall and is hereby authorized 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 computer and equipment within sixty (60) days of the effective date of this resolution and or fails to transfer title, then this resolution shall be null and void, and the ownership rights to the computer and equipment shall remain with the County.

The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell. 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 23rd day of January, 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GKS

Gerald K. Sanchez

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:

Internal Services Department-Fixed Assets Manager Phone: (305) 592-3752
2225 N. W. 72 Ave Fax: (305) 592-3616
Miami, FL 33122

1. Full legal name of the requesting organization: American International Relief, Inc

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

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

**If Not-For-Profit or Tax Exempt, please attach a copy of Internal Revenue Service 501C3 certification.

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): Camille Merilus 786-536-2571
dashg2.0@hotmail.com ^{305 681 8551}
Fx 305 758-0061

4. Specify the surplus property requested (quantify, if applicable): Computers and equipment

5. Specify the purpose for which the surplus property will be used:

The equipment and computers will be used to assist job seekers find jobs on the internet and database. This is a community program to help jobless community members from Miami Dade County find a job at no cost

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


Signature of Authorized Representative

04-27-2012
Date

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Community Based Organization Donation Agreement

This agreement is entered into between Miami-Dade County (hereafter "County") and American International Relief, Inc (hereafter "Donee") as follows:

For and in Consideration of the County donating one computer with monitor, keyboard and mouse to Donee, and Donee agreeing to the use and as described herein: DC # 814648 Dell Optiplex 755 (serial # HYZL6K1) with monitor, keyboard and mouse (No DC# nor S/N) AS IS,

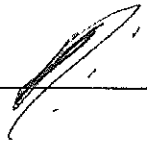
Donee certifies that it is a not-for-profit agency, group, organization, society, association, corporation, partnership or individual that provides a community service designed to improve or enhance the well-being of the community of Miami-Dade County at large or to improve or enhance the well-being of certain individuals within this community that have special needs.

Donee agrees that it shall predominantly utilize the donated surplus property for the intended use specified in section no. 5 of the "Surplus Property Allocation Application", attached hereto. (Attachment A) Moreover, this Community Based Organization (CBO) shall not resell or otherwise dispose of or transfer such property without prior County approval for a period of not less than three (3) years from the date of receipt of the surplus property. This three (3) year requirement may be waived administratively by the Mayor or designee upon showing that it is in the best interest of Miami Dade County. Upon the disposal of such property, Donee agrees to notify Miami Dade County. Upon the failure of the Donee to use the property as set forth in the "Surplus Property Allocation Application", or upon the Donee's attempt to dispose of or transfer the property prior to the expiration of the three (3) year period set forth herein, title to the surplus property shall immediately revert to the County and Donee shall immediately return possession of the property to the County.

The Donee agrees that it shall indemnify and hold harmless Miami Dade County, and its officers, employees, agents and instrumentalities et.al. from any and all liability, losses or damages, including attorney's fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the transfer of ownership, maintenance or use of the donated property or by subsequent acts by the Donee, its agents, employees, et.al., and/or the performance of this Agreement by the Donee or its employees, agents, servants, partners, principals. The Donee shall pay all claims and losses in connection therewith, and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon.

Community Based Organization Donation Agreement

American International Relief
Name of CBO

By:  _____

Date: 4-27-12


Camille Merilus
Printed Name

Owner/Chairman
Title

Miami-Dade County

By: _____

Date: _____

 **IRS** Department of the Treasury
Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248562363
June 05, 2008 LTR 4168C E0
65-0854355 000000 00 000
00020576
BODC: TE

AMERICAN INTERNATIONAL RELIEF INC
% CAMILLE MERILUS
PO BOX 381615
MIAMI FL 33238-1615152

20819

Employer Identification Number: 65-0854355
Person to Contact: Ms. Merrill
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your request of May 27, 2008, regarding your tax-exempt status.

Our records indicate that a determination letter was issued in SEPTEMBER 1999, that recognized you as exempt from Federal income tax, and discloses that you are currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

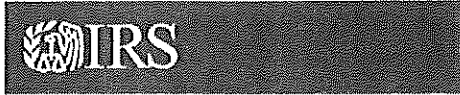
Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Michele M. Sullivan

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I



Exempt Organizations Select Check
990-N (e-Postcard) filer information

[Exempt Organizations Select Check Home](#)

Tax Period:
2011 (01/01/2011 - 12/31/2011)

Employer Identification Number (EIN):
65-0854355

Legal Name:
AMERICAN INTERNATIONAL RELIEF INC

Mailing Address:
14815 NW 11TH AVE
MIAMI, FL 33168
United States

Doing Business As:

Gross receipts not greater than:
\$50,000

Organization has terminated:
No

Principal Officer's Name and Address:
CAMILLE MERILUS
14815 NW 11TH AVE
MIAMI, FL 33168
United States

Website URL:

Related 990-N (ePostcard) Filings:

If the organization has filed additional Forms 990-N (e-Postcards), link(s) to additional e-Postcard filings are displayed below. Click on the link(s) to see the information included in those filing(s).

[Tax Year 2009](#)

[Return to Search Results](#) [Return to Search Page](#)

1-800-HELP-FLA (435-7352)
www.800helpfla.com
www.freshfromflorida.com



DIVISION OF CONSUMER SERVICES
2005 APALACHEE PKWY
TALLAHASSEE FL 32399-6500

FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

October 9, 2012

Refer To: CH9866

AMERICAN INTERNATIONAL RELIEF, INC.
14815 NW 11TH AVE
MIAMI, FL 33168-2005

RE: AMERICAN INTERNATIONAL RELIEF, INC.
REGISTRATION#: CH9866
EXPIRATION DATE: October 9, 2013

Dear Sir or Madam:

The above-named organization/sponsor has complied with the registration requirements of Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A COPY OF THIS LETTER SHOULD BE RETAINED FOR YOUR RECORDS.

Every charitable organization or sponsor which is required to register under s. 496.405 must conspicuously display the registration number issued by the Department and in capital letters the following statement on every printed solicitation, written confirmation, receipt, or reminder of a contribution:

"A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE (800-435-7352) WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE."

The Solicitation of Contributions Act requires an annual renewal statement to be filed on or before the date of expiration of the previous registration. The Department will send a renewal package approximately 60 days prior to the date of expiration as shown above.

Thank you for your cooperation. If we may be of further assistance, please contact the Solicitation of Contributions section.

Sincerely,

Cindy Quincey
Cindy Quincey
Regulatory Consultant
850-410-3673
Fax: 850-410-3804
E-mail: cindy.quincey@freshfromflorida.com