MEMORANDUM

Agenda Item No. 3(A)(3)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	June 18, 2013
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution declaring one 1986 crescent horse trailer surplus; authorizing its donation to South Florida Society for the Prevention of Cruelty to Animals Inc.

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

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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MEMORANDUM
(Revised)

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

DATE: June 18, 2013

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

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

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)(3)
6-18-13

RESOLUTION NO. _____

RESOLUTION DECLARING ONE 1986 CRESCENT HORSE TRAILER SURPLUS; AUTHORIZING ITS DONATION TO SOUTH FLORIDA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS 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 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WHEREAS, the vehicle is obsolete, and its continued usage by Miami-Dade County is uneconomical and inefficient and the vehicle serves no useful purpose; and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, South Florida S.P.C.A., 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 Internal Services Department 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# 12-0865 1986 Horse Trailer	1C9AB142XBF127708	Fair	N/A	$500.00

Section 2. This Board authorizes donation of the vehicle 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 vehicle within sixty (60) days of the effective date of this resolution and shall promptly cause title to said vehicle to be transferred to Donee. Donee shall be responsible for any and all costs of transferring the vehicle. 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 vehicle 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 vehicles shall remain with the County.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. 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 18th day of June, 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 to your sponsoring Commissioner. Once accepted, the sponsoring Commissioner will submit the documents to:

Internal Services Department-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: SOUTH FLORIDA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, 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 Internal Revenue Service 501C3 certification.

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.):
   Jeanette Jordan-Schiavone, South Florida SPCA, 15476 NW 77 Court, #440, Miami Lakes, FL 33016, PH/FAX 305 825-8826, EMAIL: Jeanette@helpthehorses.com

4. Specify the surplus property requested (quantify, if applicable): One used 2-horse horse trailer as is

5. Specify the purpose for which the surplus property will be used: For pick-up of stray/abandoned/neglected horses and other large domestic animals in Miami-Dade County

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

Signature of Authorized Representative

January 18, 2013
Date

Community Based Organization Donation Agreement

This agreement is entered into between Miami-Dade County (hereafter "County") and SOUTH FLORIDA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (hereafter "Donee") as follows:

For and in Consideration of the County donating used 2-horse trailer to Donee, and Donee agreeing to the use and as described herein: for pick-up of stray/abandoned/neglected horses and other large domestic animals 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

"According to section 2-1076 of the Code of Miami-Dade County, Florida, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits, inspections, and reviews of all County contracts. This audit is separate and apart from any other audit by the County."

SOUTH FLORIDA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS
Name of CBO

By: Jeanette Jordan Schiavone Date; 01-18-13

JEANETTE JORDAN-SCHIAVONE President/Executive Director
Printed Name 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: 0248360116
Dec. 14, 2011 LTR 4168C E0
65-0338657 000000 00
00029097
BODC: TE

SOUTH FLORIDA SPCA SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS I
15476 NW 77TH CT 440
MIAMI LAKES FL 33016-5823

034425

Employer Identification Number: 65-0338657
Person to Contact: MS. HARPER
Toll Free Telephone Number: 1-877-829-5500

Dear TAXPAYER:

This is in response to your Dec. 05, 2011, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in APRIL 1993.

Our records also indicate that 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.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

0248360116
Dec. 14, 2011 LTR 4168C E0
65-0338657 000000 00
00029098

SOUTH FLORIDA SPCA SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS I
15476 NW 77TH CT 440
MIAMI LAKES FL 33016-5823

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

Sincerely yours,

S. A. Martin, Operations Manager
Accounts Management Operations

Division of Consumer Services

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
1-800-HELP-FLA (435-7352) • 1-800-FL-AYUDA (352-9832) • (850) 410-3800

Adam H. Putnam, Commissioner - Tom A. Steckler, Director

NEED ASSISTANCE? Live Chat MON-FRI 8AM-5PM EST

Department Home
Consumer Services Home
Info For Consumers
Regulated Programs
Info For Businesses
Register Online
Business/Complaint Lookup
File a Complaint
A-Z Resource Guide
Gift Givers' Guide
Consumer E-Newsletter
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Florida Charities GIFT GIVERS' GUIDE

Know how your money is being spent

The Gift Givers' Guide is a resource that provides the financial information reported to us from charitable organizations. The information in the Gift Givers' Guide is provided as a public service. The charities listed are currently registered with the Department; Inactive or expired registrations will not display. To search an organization, type in the organization's complete or partial name in the text box below and click the "Search" button.

Download Gift Giver's Guide in full
(Format :PDF, as of October 1)

Business Name:

License/Registration Number CH9651

Search

Advanced Search

Search Results

Expand All (show solicitors,branches,fundraisers and statement of purpose) or select them individually

Sort By : Name : A to Z

Display per page: 5

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South Florida S.P.C.A. (Society For The Prevention Of Cruelty To Animals) Inc., Homestead, FL

Registration Number :CH9651 Expiration Date : 4/5/2014
Revenue Source : 08 - IRS 990 w/ Sch.A (06/30/2012)
Total Revenue : $1,163,290.00 Program Services Expenses : $293,482.00 **86%**
Total Expenses : $339,660.00 Administrative Expenses : $45,259.00 **13%**
Surplus/Deficit : $823,630.00 Fundraising Expenses : $919.00 **0%**

Statement Of Purpose
TO PROVIDE SHELTER, FOOD, MEDICAL CARE, AND OTHER SUPPLIES NEEDED TO CARE FOR RESCUED ANIMALS. SUPPLIES FOR MAINTENANCE OF FACILITY, TRANSPORTATION OF ANIMALS. MATERIALS AND SUPPLIES FOR COURT CASES AND EDUCATION.

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GUIDESTAR

Category: Animal Protection, Welfare and Services

South Florida SPCA Society for the Prevention of Cruelty to Animal In

AKA SFSPCA
Miami Lakes, FL

GUIDESTAR QUICK VIEW *Everything you need to know...*

Print Report

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South Florida SPCA Society for the Prevention of Cruelty to Animal In

Also Known As: SFSPCA

Physical Address: 15476 NW 77th Court 440 Miami Lakes, FL 33016 5823

EIN: 65-0338657

Web URL: www.helpthehorses.org

Leadership Ms. Nadine Johnson

Detailed Financial and People Data included in the GuideStar Premium Report

✓ GuideStar Seal	Committed to transparency
✓ Registered with IRS	Legitimacy information is available
✓ Financial Data	Annual Revenue and Expense data reported
✓ Forms 990	2012, 2011, and 2010 Forms 990 filed with the IRS
✓ Mission Objectives	Mission Statement is available
✓ Impact Summary	Impact Summary from the nonprofit is available
☆☆☆☆☆	No Personal Reviews available | Write a Review

Summary | Financials | Forms 990 & Docs | People