

# MEMORANDUM

Agenda Item No. 3(A)(1)

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

**DATE:** October 1, 2013

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

**SUBJECT:** Resolution declaring one 2004 Dodge Stratus sedan surplus; authorizing its donation to Kinad Inc. and authorizing the County Mayor to execute a community based organization agreement and exercise any and all other rights conferred therein

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

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/smm



**MEMORANDUM**  
(Revised)

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

**DATE:** October 1, 2013

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

**SUBJECT:** Agenda Item No. 3(A)(1)

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)(1)  
10-1-13

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DECLARING ONE 2004 DODGE STRATUS SEDAN SURPLUS; AUTHORIZING ITS DONATION TO KINAD 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**WHEREAS**, the vehicle is obsolete, and its continued usage by Miami-Dade County is uneconomical and inefficient and the vehicle serves no useful purpose; and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**, Kinad, 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:

<u>Item</u>	<u>I.D. No.</u>	<u>Condition</u>	<u>Mileage</u>	<u>Est. Value</u>
DC# 27208 2004 Dodge Stratus	1B3EL36X14N138403	Fair	76,909	\$2,625.00

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 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:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of October, 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:



1. Full legal name of the requesting organization: Kinad 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 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.): Shekina D. Donaldson  
2100 NW 19th Terr, Miami, FL 33056  
(305) 621-9146 (o) / (305) 621-9146 (fax) Kinadobellsouth.net

4. Specify the surplus property requested (quantify, if applicable): A small white or Black  
economical compact car.

5. Specify the purpose for which the surplus property will be used: Our organization is in need a  
economical car to help Kinad Inc with the  
high price of gasoline, and assisting take men  
who does not have transportation to the sites  
that Kinad Inc. African American mobile  
Museum travel to in Miami Dade County 13 Districts.

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

Shekina D. Donaldson President & Founder  
Signature of Authorized Representative

1/28/2013  
Date

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAR 22 2006

KINAD INC  
2100 NW 192 TER  
MIAMI, FL 33056-0000

Employer Identification Number:  
65-1118994  
DIN:  
17053035786076  
Contact Person:  
JANINE L. ESTES ID# 31126  
Contact Telephone Number:  
(877) 829-5500  
Public Charity Status:  
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated April 2002, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

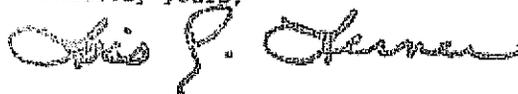
Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at [www.irs.gov](http://www.irs.gov).

IF you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,



Lois G. Lerner  
Director, Exempt Organizations  
Rulings and Agreements

Letter 1050 (DO/CG)

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**

December 17, 2012

Refer To: CH14823

KINAD, INC.  
2100 NW 192ND TER  
MIAMI, FL 33056-2741

RE: KINAD, INC.  
REGISTRATION#: CH14823  
EXPIRATION DATE: December 6, 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,

*Sebrina Jones*  
Sebrina Jones  
Regulatory Consultant  
850-410-3687  
Fax: 850-410-3804  
E-mail: sebrina.jones@freshfromflorida.com



# 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



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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  [Advanced Search](#)

### Search Results

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

Sort By:  ▼

Display per page:  ▼

1	
<input checked="" type="checkbox"/> <b>Kinad, Inc., Miami, FL</b>	
Registration Number : CH14823	Expiration Date : 12/6/2013
Revenue Source : 08 - IRS 990 w/ Sch.A (12/31/2011)	
Total Revenue : \$74,607.00	Program Services Expenses : \$21,039.00 33%
Total Expenses : \$63,557.00	Administrative Expenses : \$42,518.00 67%
Surplus/Deficit : \$11,050.00	Fundraising Expenses : \$0.00 0%
<b>Statement Of Purpose</b>	
TO RENT A UHAUL OR ANY 14 FOOT TRUCK FOR OUR TIME-LINE AFRICAN AMERICAN TRAVELING EXHIBIT IN ADDITION TO SUPPLIES, PRINTING MATERIALS, ADMINISTRATIVE COSTS, ENHANCEMENT OF PROJECT, LODGING, ETC.	
1	

## Community Based Organization Donation Agreement

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

For and in Consideration of the County donating one 2004 Dodge Stratus sedan surplus to Donee, and Donee agreeing to the use and as described herein:  
DC # 27208, VIN# 1B3EL36X14N138403, 2004 Dodge Stratus sedan 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."

Kinad Inc.

Name of CBO

By: Shekina D. Donaldson

Date: 1/29/2013

Shekina D. Donaldson

Printed Name

President

Title

Miami-Dade County

By: \_\_\_\_\_

Date: \_\_\_\_\_

