OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(18)

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 lot of 12 window blinds surplus and authorizing its donation to Youth of America, Inc.

Resolution No. R-1396-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

R.A. Cuevas, Jr.
County Attorney

RAC/cp

RESO\2078

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)(18)

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**

2

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(18)
12-1-09

RESOLUTION NO. **R-1396-09**

RESOLUTION DECLARING ONE LOT OF 12 WINDOW BLINDS SURPLUS AND AUTHORIZING ITS DONATION TO YOUTH OF AMERICA, INC.

WHEREAS, the lot of window blinds described below is owned by Miami-Dade County; and

WHEREAS, the lot of window blinds is obsolete, and its continued usage by Miami-Dade County is uneconomical and inefficient and the lot of window blinds serves no useful purpose; and

WHEREAS, Youth of America, Inc., (the "Donee") desires to use the lot of window blinds 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 lot of window blinds to other Miami-Dade County Agencies, none of which accepted the lot of window blinds; and

WHEREAS, the lot of window blinds 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 lot of window blinds, 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	Est. Value
N/A	One lot of 12 Window Blinds, approx size 36" X 144"	Good	$288.00

Section 2. This Board authorizes donation of the lot of window blinds to the Donee. The Donee shall take possession of the lot of window blinds within sixty (60) days of the effective date of this resolution and shall be responsible for any and all costs of transferring the lot of window blinds. 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 lot of window blinds 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 lot of window blinds shall revert back to the County.

The foregoing resolution was sponsored by Commissioner Audrey M. Edmonson, and offered by Commissioner Barbara J. Jordan, who moved its adoption. The motion was seconded by Commissioner Katy Sorenson and upon being put to a vote, the vote was as follows:

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GKS

Gerald K. Sanchez

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
401 W. PEACHTREE ST, NW
ATLANTA, GA 30365-0000

DEPARTMENT OF THE TREASURY

Date:

MAR 07 1996

YOUTH OF AMERICA INC
C/O WALTER HARDEMON
PO BOX 510974
MIAMI, FL 33151-0974

Employer Identification Number:
65-0302877
Case Number:
595362036
Contact Person:
LORETTA HAMILTON
Contact Telephone Number:
(404) 331-0927
Our Letter Dated:
October 14, 1993
Addendum Applies:
Yes

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

6

Letter 1050 (DO/CG)

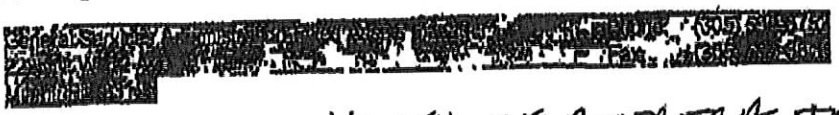
p.4

Jun 10 09 02:12p

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: YOUTH OF AMERICA, 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.): CAROL HARDEMON FAX (305) 757-2666, PHONE 305) 755-8555 E MAIL Kegard@bellsouth.net

4. Specify the surplus property requested (quantity, if applicable): 16 WINDOWS AND ANY OTHER FURNITURE OR FIXTURES ON THE PREMISES LOCATED AT 395 NW 1 STREET MIAMI, FL

5. Specify the purpose for which the surplus property will be used: THE SURPLUS PROPERTY WILL BE USED AT YOUTH OF AMERICA, INC., AS NOW PRESENT AFTER SCHOOL + SUMMER PROGRAM THAT SERVE AT-RISK YOUTH THAT LIVE IN MIAMI CITY. SURPLUS PROPERTY WILL COVER FRONT WINDOWS TO KEEP THE HEAT OUT OF THE YOUTH CENTER.

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

Carol Hardemon
Signature of Authorized Representative

6/10/09
Date

7

YOUTH OF ANERICA INC

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

Paul M. Jones

District Director

Enclosures
Addendum

8

Letter 1050 (DO/CG)