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

MEMORANDUM Agenda Item No. 11(A)(13)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: March 6, 2012

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

SUBJECT: Resolution declaring four Dell computers, two monitors, two 15" color TVs, and two wall mounts surplus and authorizing their donation to Human Services Coalition of Dade County, Inc.

Resolution No. R-237-12

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/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: March 6, 2012

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

SUBJECT: Agenda Item No. 11(A)(13)

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)(13)
3-6-12

RESOLUTION NO. R-237-12

RESOLUTION DECLARING FOUR DELL COMPUTERS, TWO MONITORS, TWO 15" COLOR TVs, AND TWO WALL MOUNTS SURPLUS AND AUTHORIZING THEIR DONATION TO HUMAN SERVICES COALITION OF DADE COUNTY, INC.

WHEREAS, the computers, monitors, TVs, and wall mounts described below were purchased and owned by Miami-Dade County; and

WHEREAS, the computers, monitors, TVs, and wall mounts are obsolete, and their continued usage by Miami-Dade County is uneconomical and inefficient and the equipment serves no useful purpose; and

WHEREAS, Human Services Coalition of Dade County, Inc (the "Donee") desires to use the computers, monitors, TVs, and wall mounts predominantly 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 computers, monitors, TVs, and wall mounts to other Miami-Dade County Agencies, none of which accepted the computers and monitors; and

WHEREAS, the computers, monitors, TVs, and wall mounts 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 computers, monitors, TVs, and wall mounts 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
DC#673076 Dell Latitude 410 Laptop	BYLS5B1	Fair	$500.00
DC#672797 Dell Dimension w/monitor	6WRPY91	Fair	$300.00
DC#666435 Dell Dimension w/monitor	75ZYS71	Fair	$300.00
DC#673075 Dell Dimension	68RT581	Fair	$300.00
N/A Panasonic TV w/wall mount	D3AA17530	Fair	$150.00
N/A Panasonic TV w/wall mount	D3AA12768	Fair	$150.00

Section 2. This Board authorizes donation of the computers, monitors, TVs, and wall mounts to the Donee. The Donee shall take possession of the computers, monitors, TVs, and wall mounts within sixty (60) days of the effective date of this resolution and shall be responsible for any and all costs of transferring the property. The County Mayor or designee 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 computers, monitors, TVs, and wall mounts 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 equipment shall revert back to the County.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

4

Joe A. Martinez, Chairman			**aye**
Audrey M. Edmonson, Vice Chairwoman			**absent**
Bruno A. Barreiro	**absent**	Lynda Bell	**aye**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**absent**
Xavier L. Suarez	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of March, 2012. 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: ***Christopher Agrippa***
Deputy Clerk

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

Gerald K. Sanchez

5

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

General Services Administration, Home Assets Manager, Phone: (305) 592-8132
2220 N. W. 12 Ave. Fax: (305) 592-8146
Miami, FL 33127

1 Full legal name of the requesting organization: Human Services Coordinator of Dade County, Inc. dba Catalyst Miami

2 Applicant Status (Select one of the choices below)

- [x] 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.): Keith Monk, C.A.O., Catalyst Miami, 1501 Biscayne Blvd., Miami, FL 33132, [illegible]

4 Specify the surplus property requested (quantity, if applicable): [illegible]

5 Specify the purpose for which the surplus property will be used: To support administrative and programmatic functions of Catalyst Miami which develop the support to individual leadership and [illegible] that work together to improve health, education and economic opportunity in all our communities.

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

Keith Monk
Signature of Authorized Representative

12/13/11
Date

Page 1 of 1
Revised 1/30/09

6

1. Dell Latitude 410 w/ docking station
2. Dell Dimension 5150 Windows XP Pentium 4 2.99 GHz 504 MB of RAM
3. Dell Dimension 3000 Windows XP Pentium 4 2.79 GHz 384 MB of RAM
4. Dell Dimension 5150 Windows XP Pentium 4 3.39 GHz .99 GB of RAM
5. 2 - 15" Lcds, PC's attached to wall mounts

7

Internal Revenue Service

Date: December 11, 2003

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Mrs. Coghill 31-07428
Customer Service Representative
Toll Free Telephone Number:
8:00 a.m. to 6:30 p.m. EST
877-829-5500
Fax Number:
513-263-3756
Federal Identification Number:
65-0690368

Human Services Coalition of Dade County, Inc.
% Daniella Levine
280 NE 17th Terrace Suite 209
Miami, FL 33132-1104

Dear Sir or Madam:

This is in response to your request of December 11, 2003, regarding your organization's tax-exempt status.

In October 1997 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is primarily exempt under section 501(c)(3) of the Internal Revenue Code.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in section 509(a)(1) and 170(b)(1)(A)(vi).

The classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than $25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of $20 a day, up to a maximum of $10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of $100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its 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.

8

Human Services Coalition of Dade County, Inc.
[illegible]

Your organization is not required to file federal income tax returns unless it is subject to the tax on unrelated business income under section 511 of the Code. If your organization is subject to this tax, it must file an income tax return on the Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your organization's present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

Section 6104 of the Internal Revenue Code requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. The law also requires organizations that received recognition of exemption on July 15, 1987, or later, to make available for public inspection a copy of the exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. Organizations that received recognition of exemption before July 15, 1987, and had a copy of their exemption application on July 15, 1987, are also required to make available for public inspection a copy of the exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing.
For additional information on disclosure requirements, please refer to Internal Revenue Bulletin 1989 - 17.

Because this letter could help resolve any questions about your organization's exempt status and foundation status, you should keep it with the organization's permanent records.

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

This letter affirms your organization's exempt status.

Sincerely,

John E. Fleckenstein, Director, TE/GE
Customer Account Services

9

DR-14
R. 04/09
020211

Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

Certificate Number	Effective Date	Expiration Date	Exemption Category
85-8012647279C-8	01/20/2011	01/20/2016	501(C)(3) ORGANIZATION

This certifies that

HUMAN SERVICES COALITION OF DADE COUNTY
DBA
CATALYST MIAMI INC
7900 BISCAYNE BLVD 300
MIAMI FL 33138-1036

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.

DR-14
R. 04/09

Important Information for Exempt Organizations

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, 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, be issued and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement exceptwhen they are the lessor of real property (Rule 12A-1.070, FAC).

5. It is a felony 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 PO BOX 6480, Tallahassee, FL 32314-6480.

10