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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM Agenda Item No. 11(A)(12)

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 rescinding prior donation of one 2001 Dodge passenger van surplus to Karate Without Borders, Inc. pursuant to resolution R-894-11, and authorizing its donation to Philanthropic Educational and Cultural Evolvement Community Development and Betterment Outreach Corporation, Inc.

Resolution No. R-236-12

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

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)(12)

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)(12)
3-6-12

RESOLUTION NO. R-236-12

RESOLUTION RESCINDING PRIOR DONATION OF ONE 2001 DODGE PASSENGER VAN SURPLUS TO KARATE WITHOUT BORDERS, INC. PURSUANT TO RESOLUTION R-894-11, AND AUTHORIZING ITS DONATION TO PHILANTHROPIC EDUCATIONAL AND CULTURAL EVOLVEMENT COMMUNITY DEVELOPMENT AND BETTERMENT OUTREACH CORPORATION, INC.

WHEREAS, Resolution R-894-11 declared one 2001 Dodge passenger van surplus and authorized its donation to Karate Without Borders (the "Preceding Donee"); and

WHEREAS, the Preceding Donee was unable to take possession of the vehicle because it did not meet the organization's minimum suitable number of seats; and

WHEREAS, the Board wishes to rescind the prior donation and authorize it to P.E.A.C.E. C.D.C. Inc (the "Donee"); and

WHEREAS, the Donee desires to use the vehicle 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 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. The Board hereby rescinds the donation pursuant to Resolution R-894-11.

Section 2. 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#24657 2001 Dodge Van	2B4JB25Y81K537625	Fair	115,917	$2,760

Section 3. This Board authorizes donation of the vehicle to the Donee. The Donee shall take possession of the vehicle within sixty (60) days of the effective date of this resolution and shall be responsible for any and all costs of transferring the vehicle. 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 4. If, for any reason, the donee fails to take possession of the vehicle 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 vehicle shall revert back to the County.

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

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

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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-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: PHILANTHROPIC EDUCATIONAL AND CULTURAL EVOLVEMENT (P.E.A.C.E.) COMMUNITY DEVELOPMENT AND BETTERMENT OUTREACH CORPORATION, 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. (501-C-3 ATTACHED)

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): REV. JOSE F. RODRIGUEZ, 18450 SW 134TH AVENUE, MIAMI FL 33177-2911, 786-547-7738, jfrodriguez06@mail.com

4. Specify the surplus property requested (quantify, if applicable): "1" PASSANGER VAN

5. Specify the purpose for which the surplus property will be used: THE VEHICLE WILL BE USED IN MULTIPLE PROGRAMS/PROJECTS, TO PROVIDE SERVICES TO THE LESS FURTUNATE, AND TO PEOPLE WITH DISABILITIES IN OUR COUNTY. WE PLAN TO DISTRIBUTE PREVENTIVE INFORMATIONAL PACKAGES, THROUGH OUR PROGRAM "*LIVING THROUGH PREVENTION*" AMONG THE MEDICAL/DENTAL COMMUNITY TO REACH OUT TO THE MOST NEEDY IN OUR COMMUNITY. "*PEOPLE WITH DISABILITIES RECEIVE MY LOVE*" IS THE PROGRAM THAT WILL PROVIDE DIRECT SERVICE TO INDIVIDUALS IN OUR COMMUNITY WITH DISABILITIES THROUGH A VARIETY OF ACTIVITIES ORIENTED TOWARDS THAT SECTION OF THE SOCIETY. "*HARMONY*" WILL BE A THIRD PROGRAM WE PLAN TO DEVELOP TO REACH OUT TO WOMEN SUFFERING DEPRESSION, TO PROVIDE EARLY SUPPORT DURING THEIR ILLNESS PERIOD. ANOTHER PROGRAM THAT PEACE CDC DEVELOPED MORE THAN 10 YEARS AGO IS "*MERCY OUTREACH*", A PROGRAM THAT PROVIDES DRY FOODS' DONATIONS TO FAMILIES IN NEED IN COLABORATION WITH ESMIRNA INTERNATIONAL CHRISTIAN MINISTRIES, MENNONITE CENTRAL COMMITTEE, AND SOUTH FLORIDA URBAN MINISTRIES. LAST BUT NOT LEAST, PEACE CDC HAS DEVELOPED A SUCCESSFUL AFTER SCHOOL PROGRAM "*SLAM ALL STARS*" FOR CHILDREN AGES 5 TO 14 YEARS OLD, PARTIALLY FUNDED BY THE CHILDREN'S TRUST OF MIAMI-DADE COUNTY, THAT WILL ALSO BENEFIT OUT OF THE USE OF THE VAN.

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

Signature of Authorized Representative

DECEMBER 2, 2011
Date

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

DEPARTMENT OF THE TREASURY

Date: MAR 2 9 2006

PHILANTHROPIC EDUCATIONAL AND
CULTURAL EVOLVEMENT COMMUNITY
4217 SW 137TH PL
MIAMI, FL 33175-3753

Employer Identification Number:
65-1103927
DLN:
17053056756036
Contact Person:
RICHARD COMBS ID# 31024
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated November 2001, 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.

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)

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