



MEMORANDUM

Agenda Item No. 11(A)(28)

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

**DATE:** July 3, 2012

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

**SUBJECT:** Resolution declaring one 1998 and  
one 1999 Freightliner Rescue Truck  
surplus and authorizing their donation  
to City of Homestead

Resolution No. R-607-12

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

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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**SUBJECT:** Agenda Item No. 11(A)(28)

**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)(28)  
7-3-12

RESOLUTION NO. R-607-12

RESOLUTION DECLARING ONE 1998 AND ONE 1999  
FREIGHTLINER RESCUE TRUCK SURPLUS AND  
AUTHORIZING THEIR DONATION TO CITY OF  
HOMESTEAD

**WHEREAS**, the vehicles described below were purchased and are owned by Miami-Dade County; and

**WHEREAS**, the vehicles are obsolete, and their continued usage by Miami-Dade County is uneconomical and inefficient and the vehicles serve no useful purpose; and

**WHEREAS**, the City of Homestead, (the "Donee") desires to use the vehicles predominantly within Miami-Dade County to enhance its ability to provide services to its constituents; and

**WHEREAS**, the Donee is a governmental unit as defined in Section 274.01 (1) of the Florida Statutes; 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 vehicles are eligible for donation under Chapter 274 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 vehicles, with the listed residual value and other characteristics, to be surplus pursuant to Chapter 274 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#21-0252	1998 Truck 1FV3GFBC4WH907979	Fair	127,999	\$10,000
DC#21-0255	1999 Truck 1FV3GFBC9XHA01783	Fair	174,962	\$10,000

**Section 2.** This Board authorizes donation of the vehicles to the Donee. The Donee shall take possession of the vehicles 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 3.** If, for any reason, the donee fails to take possession of the vehicles 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 vehicles shall revert back to the County.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. It was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of July, 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

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 Phone: (305) 392-3752  
2226 N.W. 72 Ave Fax: (305) 392-3616  
Miami, FL 33122

1. Full legal name of the requesting organization: City of Homestead - Police Department

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.): Captain Kevin Kent  
Homestead Police Department, 4 South Krome Avenue, Homestead, Florida 33030  
office 305-224-5538, cell 305-345-2169, fax 305-247-1894,  
e-mail kkent@homesteadpolice.com

4. Specify the surplus property requested (quantify, if applicable): Miami-Dade Fire Department Vehicle  
Number 21-252 and Vehicle Number 21-255  
\* Both are 1997 Freightliner FL60 Fire Rescue Trucks.

5. Specify the purpose for which the surplus property will be used: Operational and Logistical Vehicles for the  
Homestead Police Department. Vehicles will be renovated with specific use within  
specialized units such as hostage negotiations, special weapons and tactics as well  
as for transporting logistical equipment for Department use.

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

  
Signature of Authorized Representative

04-16-2012  
Date



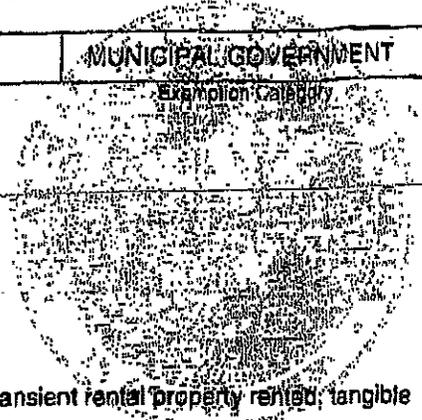
**Consumer's Certificate of Exemption**  
Issued Pursuant to Chapter 212, Florida Statutes

DR-14  
R. 04/05  
06/06/07

85-8012740119C-8	07/23/2007	07/31/2012	MUNICIPAL GOVERNMENT
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

CITY OF HOMESTEAD  
790 N HOMESTEAD BLVD  
HOMESTEAD FL 33030-8212



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.



**Important Information for Exempt Organizations**

DR-14  
R. 04/05

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, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, FAC).
5. It is a criminal 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.

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