



MEMORANDUM

Agenda Item No. 11(A)(27)

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 2001
Chevrolet Blazer surplus; authorizing
its donation to Kingdom Agenda
Ministries, Inc. and authorizing the
County Mayor to execute a
Community Based Organization
Agreement and exercise any and all
other rights conferred therein

Resolution No. R-606-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

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

DATE: July 3, 2012

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R. A. Cuevas, Jr.
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SUBJECT: Agenda Item No. 11(A)(27)

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)(27)

7-3-12

RESOLUTION NO. R-606-12

RESOLUTION DECLARING ONE 2001 CHEVROLET BLAZER SURPLUS; AUTHORIZING ITS DONATION TO KINGDOM AGENDA MINISTRIES, 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WHEREAS, the vehicle is obsolete, and its continued usage by Miami-Dade County is uneconomical and inefficient and the vehicle serves no useful purpose; and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, Kingdom Agenda Ministries, 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#25171	2001 Chevy Blazer 1GNDT13W71K261279	Fair	59,272	\$3,960

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 Barbara J. Jordan. 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	aye
Audrey M. Edmonson, Vice Chairwoman	aye
Bruno A. Barreiro	aye
Lynda Bell	aye
Esteban L. Bovo, Jr.	aye
Jose "Pepe" Diaz	aye
Sally A. Heyman	aye
Barbara J. Jordan	aye
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 3rd 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 RIVIN CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GKS

Gerald K. Sanchez

Community Based Organization Donation Agreement

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

For and in Consideration of the County donating one 2001 Chevrolet Blazer surplus to Donee, and Donee agreeing to the use and as described herein: 2001 Chevy Blazer, VIN# 1GNDDT13W71K261279 (DC#25171) 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

KINGDOM AGENDA MINISTRIES, INC.

Name of CBO

By: [Signature]

Date: 4/25/12

PASTOR FELICIA SIMMONS-PARKMAN CEO / PRESIDENT / FOUNDER

Printed Name

Title

Miami-Dade County

By: _____

Date: _____

AM "A"

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:

Internal Services Department-Fixed Assets Manager Phone: (305) 592-3752
2225 N. W. 72 Ave Fax: (305) 592-3616
Miami, FL 33122

1. Full legal name of the requesting organization: Kingdom Agenda Ministries, 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.

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): Pastor Felicia Hamilton-Parramore, 1280 NE 211th Street, Miami, FL 33179. Email: pastorhamilton@bellsouth.net. Phone: 954-707-3274

DCM

4. Specify the surplus property requested (quantify, if applicable): 2001 White Chevy Blazer

#25171

5. Specify the purpose for which the surplus property will be used: This vehicle will be used to provide transportation services to the community. We are a 501 c3 IRS recognized tax exempt organization. We provide counseling, tutoring, mentoring services to the community. We are called to give relief to the poor, the distressed and the under privileged by providing community outreach services including but not limited to the feeding of the homeless, advising abused women, advising pregnant teenagers, and combating drug addiction. This vehicle is required so we can pick up and drop off passengers by bringing them to our facility to provide resources of hope. We provide social services to all individuals in the community.

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

Felicia Hamilton-Parramore

Signature of Authorized Representative

4/23/12

Date

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

DEPARTMENT OF THE TREASURY

Date: FEB 27 2007

KINGDOM AGENDA MINISTRIES INC
19680 W DIXIE HWY
AVENTURA, FL 33180-0000

Employer Identification Number:
41-2056133
EIN:
17053013718067
Contact Person: SHAWNDEA KREBS ID# 31072
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated JANUARY 2003, 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. Ternei
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)