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

MEMORANDUM

Agenda Item No. 3(A)(3)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	October 21, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution declaring one 2006 Ford passenger van surplus; authorizing its donation to Miami Children's Initiative 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-922-14

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

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: October 21, 2014

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

SUBJECT: Agenda Item No. 3(A)(3)

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 Mayor'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. 3(A)(3)
10-21-14

RESOLUTION NO. R-922-14

RESOLUTION DECLARING ONE 2006 FORD PASSENGER VAN SURPLUS; AUTHORIZING ITS DONATION TO MIAMI CHILDREN'S INITIATIVE, INC.; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE A COMMUNITY BASED ORGANIZATION AGREEMENT, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING

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WHEREAS, the vehicle is obsolete, and its continued usage by Miami-Dade County is uneconomical and inefficient and the vehicle serves no useful purpose; and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, Miami Children's Initiative, 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 non profit agency 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's Internal Services Department has complied with the requirements of Section 2-11.2.1, by offering the vehicle to other Miami-Dade County departments and 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:

Item	I.D. No.	Condition	Mileage	Est.Value
DC# 29325 2006 Passenger Van	1FBSS31L16HA01606	Fair	84,673	$7,390.00

Section 2. This Board authorizes donation of the vehicle to the Donee, and authorizes the County Mayor or the Mayor's designee to execute the community based organization agreement in substantially the form attached hereto and incorporated herein by this reference, and to 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 Audrey M. Edmonson. It was offered by Commissioner **Lynda Bell**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of October, 2014. 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.

Sabrina Levin

Community Based Organization Donation Agreement

This agreement is entered into between Miami-Dade County (hereafter "County") and Miami Children's Initiative, Inc. (hereafter "Donee") as follows:

For and in Consideration of the County donating #29325 to Donee, and Donee agreeing to the use and as described herein: 15-Passenger 2006 Ford E-350Van 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

"According to section 2-1076 of the Code of Miami-Dade County, Florida, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits, inspections, and reviews of all County contracts. This audit is separate and apart from any other audit by the County."

Miami Children's Initiative, Inc.

Name of CBO

By: Cecilia Gutierrez Abety

Date: 9/22/14

Cecilia Gutierrez-Abety

CEO

Printed Name

Title

Miami-Dade County:

By:_____

Date:_____

Attachment 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 and sign the following form and submit it along with requested documents to your sponsoring Commissioner. Once accepted, the sponsoring Commissioner will submit the documents to:

Internal Services Department-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: _____Miami Children's Initiative, 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 letter from Internal Revenue Service designating status under 501c code.

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): ____Shownda Pagan, Joseph Caleb Center, 5400 N.W. 22nd Avenue, 4th Floor, Miami, FL 33142_Tel: 305.636.2227 or Cell: 786.873.2303 Fax: 305.636.2387 E-mail Address: spagan@miamichildrensinitiative.org_____

4. Specify the surplus property requested (quantify, if applicable): _____(1) 15 Passenger Van

5. Specify the purpose for which the surplus property will be used: _____Will be used to provide transportation services to our families and children in Liberty City. Examples: Children: School, Early Learning Centers, Doctor's Appointments, etc. Parents: Job Fairs, DCF Meetings and appointments.

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

Signature of Authorized Representative

9/22/14
Date

Division of Consumer Services

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
1-800-HELP-FLA (435-7352) • 1-800-FL-AYUDA (352-9832) • (850) 410-3800

Adam H. Putnam, Commissioner - Tom A. Steckler, Director **Logout**

- Consumer Services Home
- Register Online Home
- New Application
- Manage License
- Application History
- Order History
- Change Email
- Change Security Q/A
- Change Password
- Contact Us
- F.A.Q.s

Your application has been received and items have been paid for.
Applications will be processed in the order they are received.

Transaction Details:
Payment Date: 09/24/2014 08:27:53 AM
Payment Type: Visa
Account Last Four:9174
Amount: $200.00

Receipt of Payment

DTN	Name	Fee
2586602	MIAMI CHILDREN'S INITIATIVE, INC.	$200.00
	Total:	$200.00

Mailing Address:
FDACS
Division of Consumer Services
2005 APALACHEE PKWY
TALLAHASSEE FL 32399-6500

Fax Number: 850-410-3804
Phone Number: 1-800-HELP-FLA (435-7352) from Florida, 850-488-2221 outside Florida

| Print Confirmation |

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Gift Givers' Guide

KNOW HOW YOUR MONEY IS BEING SPENT

Miami Children'S Initiative, Inc., Miami, FL

Registration Number :CH35184 Expiration Date : 9/22/2014

Revenue Source : 08 - IRS 990 w/ Sch.A (06/30/2013)

Total Revenue : $369,936.00	Program Services Expenses : $670,417.00 **92%**
Total Expenses : $731,574.00	Administrative Expenses : $3,698.00 **1%**
Surplus/Deficit : -$361,638.00	Fundraising Expenses : $57,459.00 **8%**

IRS

Exempt Organizations Select Check

Exempt Organizations Select Check Home

Organizations Eligible to Receive Tax-Deductible Charitable Contributions (Pub. 78 data) - Search Results

The following list includes tax-exempt organizations that are eligible to receive tax-deductible charitable contributions. Click on the "Deductibility Status" column for an explanation of limitations on the deductibility of contributions made to different types of tax-exempt organizations.

Results are sorted by EIN. To sort results by another category, click on the icon next to the column heading for that category. Clicking on that icon a second time will reverse the sort order. Click on a column heading for an explanation of information in that column.

1-1 of 1 results Results Per Page 25 OK « Prev | 1-1 | Next »

EIN	Legal Name **(Doing Business As)**	City	State	Country	Deductibility Status
27-5025010	Miami Childrens Initiative Inc.	Miami	FL	United States	PC

« Prev | 1-1 | Next »

Return to Search

DEPARTMENT OF THE TREASURY

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

Date: MAY 29 2011

MIAMI CHILDRENS INITIATIVE INC
C/O RENEE WARD
5400 NW 22ND AVE 4TH FLR
MIAMI, FL 33142

Employer Identification Number:
27-5025010
DLN:
201137085
Contact Person:
DALE T SCHABER
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
June 30
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
July 16, 2010
Contribution Deductibility:
Yes
Addendum Applies:
No

ID# 31175

RECEIVED
JUN 6 2011

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Sincerely,

Lois G. Lerner
Director, Exempt Organizations

Enclosure: Publication 4221-PC

Letter 947 (DO/CG)

0000099 06/17/11

Consumer's Certificate of Exemption

DR-14
R. 04/11

Issued Pursuant to Chapter 212, Florida Statutes

Certificate Number	Effective Date	Expiration Date	Exemption Category
85-8015674074C-9	06/14/2011	06/30/2016	501(C)(3) ORGANIZATION

This certifies that

MIAMI CHILDRENS INITIATIVE INC
5400 NW 22ND AVE 4TH FL
MIAMI FL 33142-3075

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. 04/11

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 (F.A.C.).

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 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, F.A.C.).

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 require the revocation of this certificate.

6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Account Management at 800-352-3671. From the available options, select "Registration of Taxes," then "Registration Information," and finally "Exemption Certificates and Nonprofit Entities." The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

GUIDESTAR

Print Report 0

MIAMI CHILDRENS INITIATIVE INC

Miami, FL

Summary Financials | Forms 990 & Docs | People & Governance | Programs | Impact | External Perspectives

Forms 990 Received from the IRS

- 2013 Form 990
- 2012 Form 990
- 2011 Form 990

Forms 990 Provided by the Nonprofit

Back to Top >>

Financial Statements

Audited Financial Statement is not available for this organization.

Back to Top >>

Need More Info on This Nonprofit?

A GuideStar Premium Report in PDF format is available for this organization

This GuideStar Premium Report includes:

Financial Data for 2013, 2011, 2011

Forms 990 for 2013, 2012, 2011

Officer, Director and/or Highest Paid Employee data for 2013, 2011, 2011

ADD GUIDESTAR PREMIUM

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