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

MEMORANDUM

Agenda Item No. 3(A)(1)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: April 5, 2016

FROM: Abigail Price-Williams County Attorney

SUBJECT: Resolution declaring one 1995 JCB Backhoe surplus; authorizing its donation to Art of Cultural Evolution, Inc.; and authorizing the County Mayor 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

Resolution No. R-241-16

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

Abigail Price-Williams
County Attorney

APW/lmp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: April 5, 2016

FROM: Abigail Price-Williams County Attorney

SUBJECT: Agenda Item No. 3(A)(1)

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
_____	Statement of social equity 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)(1)
4-5-16

RESOLUTION NO. R-241-16

RESOLUTION DECLARING ONE 1995 JCB BACKHOE SURPLUS; AUTHORIZING ITS DONATION TO ART OF CULTURAL EVOLUTION, 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 equipment described below is owned by Miami-Dade County; and

WHEREAS, the equipment is obsolete, and its continued usage by Miami-Dade County is uneconomical and inefficient and the equipment serves no useful purpose; and

WHEREAS, Art of Cultural Evolution, Inc. (the "Donee") desires to use the equipment only within Miami-Dade County to enhance its ability to provide services to its constituents, for the purpose outlined in the attached community based organization agreement; 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 equipment to other Miami-Dade County departments and agencies, none of which accepted the equipment; and

WHEREAS, the equipment 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 equipment, 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# 16-0478				
1995 JCB SLP217 Backhoe	SLP2170CSE0431233	Fair	N/A	$5,000

Section 2. This Board authorizes donation of the equipment to the Donee, and authorizes the County Mayor or the County 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 equipment within sixty (60) days of the effective date of this resolution and shall promptly cause title, if applicable, to said equipment to be transferred to Donee. Donee shall be responsible for any and all costs of transferring the equipment. The County Mayor or County 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 equipment within sixty (60) days of the effective date of this resolution and or fails to transfer title, if applicable, then this resolution shall be null and void, and the ownership rights to the equipment shall remain with the County.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. It was offered by Commissioner **Rebeca Sosa**, 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of April, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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 Art of Cultural Evolution (hereafter "Donee") as follows:

For and in Consideration of the County donating ___JCB 217 to Donee, and Donee agreeing to the use and as described herein: SLP2170CSE0431233 _____ 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."

Art of Cultural Evolution
Print Name of CBO

By: _____ Date: January 28, 2016
Signature

Blair Butterfield Director January 27th 2016
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: Art of Cultural Evolution

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.): ___Hernando Jaramillo 37051 SW 212th Avenue Homestead, FL 33034_____

4. Specify the surplus property requested (quantify, if applicable): ___(Make, model, and VIN # of vehicle being donated)_____
_____JCB, 217_____VIN: SLP2170CSE0431233

5. Specify the purpose for which the surplus property will be used: ____(Explain how the property will be used to serve the community)_____
This Backhoe would greatly improve our farm in order to provide more food for our Colony1 Sustainability project in the Overtown, Wynwood
area. Currently our farm is only a quarter cultivated, but with this machine we could cultivate more land and provide more local food to the
area.
The community is currently demanding more locally grown produce and we can not meet the demand by our hands alone and this backhoe would greatly accelerate our project and help meet the community's demand for local, organically grown produce!

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

_____
Signature of Authorized Representative

_January 27th 2016_____
Date

ART OF CULTURAL EVOLUTION

Art of Cultural Evolution

The Art of Cultural Evolution is a non-profit organization whose mission is to share environmental and social ideas through art, film, publications, classes and workshops. The organization provides programs, exhibitions, events and projects to educate and engage the public in new ideas about cultural and environmental sustainability.

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Blair Butterfield

Blair Butterfield is one of the founders of Art of Cultural Evolution. She studied at the San Francisco Art Institute and Central Saint Martins London. She is an artist, writer, gardener and primary director of Art of Cultural Evolution.

Nando

Nando is one of the founders of Art of Cultural Evolution. He is a craftsman of all trades including green building, system designs, and designs props and sets for film and print. He is an advocate for strengthening community, nutrition, education, transit and sustainable solutions.

Robin Van Loon

Robin is the founder and Executive Director of Camino Verde, a non-profit organization in the Tambopata region of the Peruvian Amazon, where he has lived since 2004. A long-time student of traditional and indigenous agricultural and medicinal practices, Robin's work has focused on developing community-based reforestation strategies to preserve important endangered plants of the Amazon. He is a writer, regenerative designer, and consultant in agroforestry, reforestation, and sustainable development.

Mary Jo Aagerstoun

Mary Jo's expertise is in contemporary activist art and cultural production. She received her Ph.D. in art history from the University of Maryland's Art History and Archaeology Department in May 2004. She founded EcoArt South Florida, Inc. (known from 2007-2010 as the South Florida Environmental Art Project, Inc.) in 2007. Dr. Aagerstoun is anadvisor to Art of Cultural Evolution's ongoing projects.

Carolina Garcia

Carolina is a translator and university professor with experience in production for the creative industries, and international development projects. She's currently pursuing a master's in International Relations at Harvard University, focusing her research on hunger and poverty alleviation through sustainable agriculture.

Gustavo Dallmann

Gustavo is a sustainable design consultant. His expertise aims to bring value to projects through the application of sustainable and energy efficiency strategies. He holds a professional graduate degree in Architecture (MArch) from Argentina; a Master Degree in Urban Design & Landscape Architecture (MLA) from the State University of New York and has completed doctoral courses in Sustainable Architecture,at UPC, Barcelona, Spain. He is a Register Architect in Argentina. He serves as an advisor to Art of Cultural Evolution's ongoing projects.

Mariana Boldu

Mariana is a sustainable designer, LEED®AP Professional, MArch; MLA and a registered landscape architect in the state of Colorado. Her extensive living and professional experience through Europe and the Americas have provided her with a unique and broad understanding of both global and local realms. She is an advisor for Art of Cultural Evolution with a holistic integrative approach.

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

DEPARTMENT OF THE TREASURY

Date: DEC 14 2010

THE ART OF CULTURAL EVOLUTION INC
C/O BLAIR BUTTERFIELD
1168 COPPERGATE PL
MACCLENNY, FL 32063

Employer Identification Number:
27-2578431
DLN:
17053251324040
Contact Person:
MELISSA CONLEY ID# 31692
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
April 30
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
May 6, 2010
Contribution Deductibility:
Yes
Addendum Applies:
No

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.

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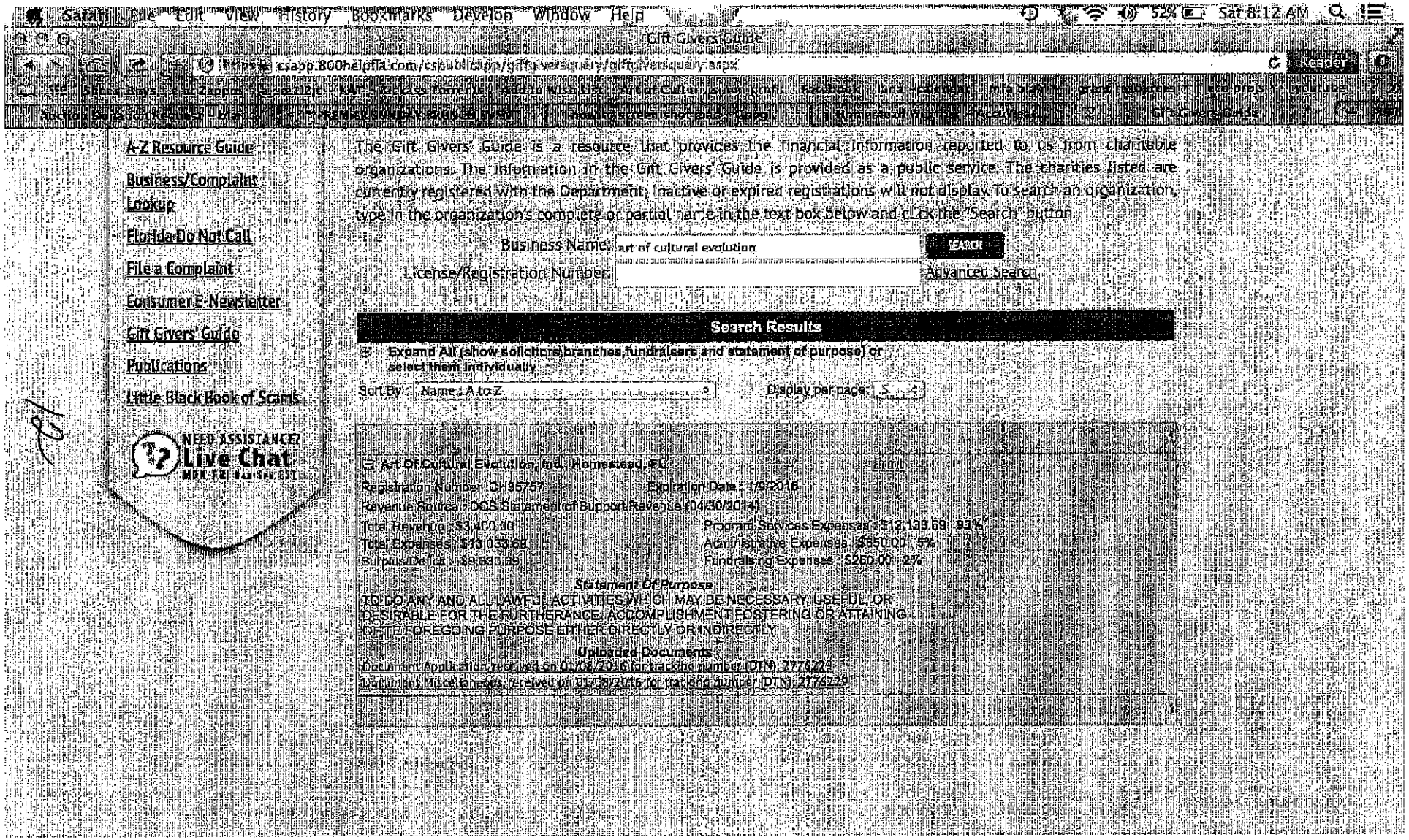
Safari File Edit View History Bookmarks Develop Window Help
Sat 8:12 AM
Gift Givers Guide
https://csapp.800helpfla.com/csapublicapp/giftgiversquery/giftgiversquery.aspx
A-Z Resource Guide
Business/Complaint Lookup
Florida Do Not Call
File a Complaint
Consumer E-Newsletter
Gift Givers' Guide
Publications
Little Black Book of Scams
NEED ASSISTANCE?
Live Chat
The Gift Givers' Guide is a resource that provides the financial information reported to us from charitable organizations. The information in the Gift Givers' Guide is provided as a public service. The charities listed are currently registered with the Department; inactive or expired registrations will not display. To search an organization, type in the organization's complete or partial name in the text box below and click the "Search" button.
Business Name: art of cultural evolution
License/Registration Number:
SEARCH
Advanced Search
Search Results
Expand All (show solicitors,branches,fundraisers and statement of purpose) or select them individually
Sort By: Name : A to Z
Display per page: 5
Art Of Cultural Evolution, Inc., Homestead, FL
Print
Registration Number: CH35757
Expiration Date: 1/9/2016
Revenue Source: DOS Statement of Support Revenue (04/30/2014)
Total Revenue: $3,400.00
Total Expenses: $13,033.68
Surplus/Deficit: -$9,633.68
Program Services Expenses: $12,193.68 93%
Administrative Expenses: $850.00 7%
Fundraising Expenses: $260.00 2%
Statement Of Purpose
TO DO ANY AND ALL LAWFUL ACTIVITIES WHICH MAY BE NECESSARY, USEFUL, OR DESIRABLE FOR THE FURTHERANCE, ACCOMPLISHMENT, FOSTERING, OR ATTAINING OF THE FOREGOING PURPOSE EITHER DIRECTLY OR INDIRECTLY
Uploaded Documents
Document Application received on 01/08/2016 for tracking number (DTN) 2776229
Document Miscellaneous received on 01/08/2016 for tracking number (DTN) 2776229

IRS

Exempt Organizations Select Check

Exempt Organizations Select Check Home

990-N (*e-Postcard*) filer Information

Tax Period:
2014 (05/01/2014 - 04/30/2015)

Employer Identification Number (EIN):
27-2578431

Legal Name:
ART OF CULTURAL EVOLUTION INC

Mailing Address:
37051 sw 212th avenue
homestead, FL 33034
United States

Doing Business As:

Gross receipts not greater than:
$50,000

Organization has terminated:
No

Principal Officer's Name and Address:
blair Butterfield
550 nw 22nd street
miami, FL 33127
United States

Website URL:
www.artofculturalevo lution.org

Related 990-N (*ePostcard*) Filings:

If the organization has filed additional Forms 990-N (*e-Postcards*), link(s) to additional *e-Postcard* filings are displayed below. Click on the link(s) to see the information included in those filing(s).

Tax Year 2010
Tax Year 2011
Tax Year 2012
Tax Year 2013

Return to Search Results · Return to Search Page

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