

MEMORANDUM

Agenda Item No. 3(A)(2)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 16, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution declaring one 2007 Dodge Ram 2500 and one 2010 Ford F-150 surplus; authorizing their donation to Turning Point Baptist Church Inc.; and authorizing the County Mayor to execute a community based organization agreement, to exercise any and all rights conferred therein, and to take any and all actions necessary to effectuate the foregoing

Resolution No. R-198-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 16, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 3(A)(2)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(2)
3-16-21

RESOLUTION NO. _____ R-198-21

RESOLUTION DECLARING ONE 2007 DODGE RAM 2500 AND ONE 2010 FORD F-150 SURPLUS; AUTHORIZING THEIR DONATION TO TURNING POINT BAPTIST CHURCH INC.; AND AUTHORIZING THE COUNTY MAYOR TO EXECUTE A COMMUNITY BASED ORGANIZATION AGREEMENT, TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING

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

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

WHEREAS, Turning Point Baptist Church Inc. (the “Donee”) desires to use the vehicles predominantly 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 nonprofit agency, as defined in section 273.01(3), 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 (the “Code”); and

WHEREAS, Miami-Dade County’s Internal Services Department has complied with the requirements of section 2-11.2.1 of the Code by offering the vehicles to other Miami-Dade County departments and agencies, none of which accepted the vehicles; and

WHEREAS, the vehicles are eligible for donation under section 274.05, Florida Statutes, and section 2-11.2.1 of the Code,

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 section 274.05, Florida Statutes, and section 2-11.2.1 of the Code:

<u>Item</u>	<u>I.D. No.</u>	<u>Miles</u>	<u>Condition</u>	<u>Est. Value</u>
2007 Dodge Ram 2500 (#1211A)	3D7KS28DX7G804033	166,658	Fair	\$3,250.00
2010 Ford F-150 (#2185A)	1FTEX1E87AFC79094	149,776	Fair	\$4,250.00

Section 2. This Board authorizes donation of the vehicles to the Donee and authorizes the County Mayor 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 rights conferred therein. The Donee shall take possession of the vehicles within 60 days of the effective date of this resolution. The Donee shall be responsible for any and all costs of transferring the vehicles. The County Mayor shall and is hereby authorized to take any and all actions necessary to effectuate the intent of this resolution.

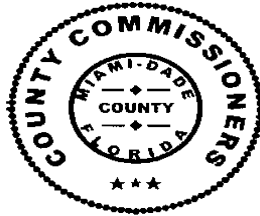
Section 3. If, for any reason, the Donee fails to take possession of the vehicles within 60 days of the effective date of this resolution, then this resolution shall be null and void, and the ownership rights to the vehicles shall remain with the County.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

	Jose "Pepe" Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of March, 2021. 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink that reads "CJW".

Christopher J. Wahl

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: Turning Point Baptist Church 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.

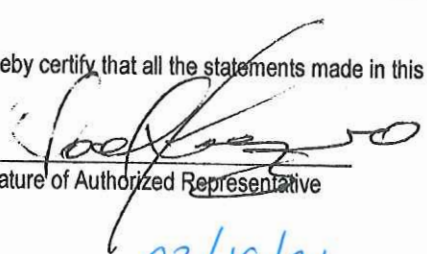
3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): Pastor Noel Lozano 3350 SW 144 Ave Miami Fl. 33175 Ph. 305-322-5186 E. noel@tPBCmiami.org

4. Specify the surplus property requested (quantify, if applicable):
1211A/ 2007 Dodge Ram 2500 LARAMIE QUAD CAB 4WD:
VIN # 3D7KS28DX7G804033

2185A/2010 FORD F-150 FX4 SUPER CAB 6.5-FT BED 4WD
VIN # 1FTEX1E87AFC79094

5. Specify the purpose for which the surplus property will be used: These two vehicles will be used to assist in the construction of our new building. They will also be used to transport donations to needy families, such as food, toys, and clothing

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


Signature of Authorized Representative

02/19/21
Date

Community Based Organization Donation Agreement

This agreement is entered into between Miami-Dade County (hereafter "County") and Turning Point Baptist Church Inc (hereafter "Donee") as follows:

For and in Consideration of the County donating
1211A/ 2007 Dodge Ram 2500 LARAMIE QUAD CAB 4WD:
VIN # 3D7KS28DX7G804033

2185A/2010 FORD F-150 FX4 SUPER CAB 6.5-FT BED 4WD
VIN # 1FTEX1E87AFC79094

to Donee, and Donee agreeing to the use and as described herein
1211A/ 2007 Dodge Ram 2500 LARAMIE QUAD CAB 4WD:
2185A/2010 FORD F-150 FX4 SUPER CAB 6.5-FT BED 4WD

These two vehicles will be used to assist in the construction of our new building.
They will also be used to transport donations to needy families, such as food,
toys, and clothing

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

Community Based Organization Donation Agreement

County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon.

"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."

Turning Point Baptist Church
Print Name of CBO

By: [Signature]
Signature

Date: 02-11-2021

Noel Lozano
Printed Name

Sr. Pastor
Title

Miami-Dade County:

By: _____

Date: _____



January 28, 2021

To: To Whom It May Concern

Re: TURNING POINT BAPTIST CHURCH INC

Mailing Address: 3350 SW 144TH AVE., MIAMI, FL 33175

Physical Address: 3350 SW 144TH AVE., MIAMI, FL 33175

EIN#: 26-4708094

Turning Point Baptist Church, Inc., Miami, Florida (the "Church") is currently in good standing as a cooperating church with the Florida Baptist State Convention. As such, according to the attached Group Exemption Letter dated August 11, 1969, the Church is eligible to come under the 501(c)(3) group tax exemption letter granted to the Florida Baptist State Convention by the Internal Revenue Service (Group Exemption #2024).

The Church's eligibility to take advantage of the group exemption is based solely on the determination of the Internal Revenue Service after reviewing the polity and protocols of the Convention. Such determination of eligibility by the IRS does not impact in any way the long-standing tenets of Baptist polity and local church autonomy. Thus, the IRS' determination of eligibility does not negate or otherwise impact the independence or autonomy of the Church.

This letter accurately reflects the relationship between the Convention and the Church for the year of **2021**. The Church is responsible to preserve and maintain its status of cooperating with the Convention on an annual basis and, thus, its eligibility to avail itself of the group exemption.

Sincerely,

Stephens Baumgardner, Jr.
Assistant Executive Director
Director, Support Services



Check-A-Charity

KNOW HOW YOUR MONEY IS BEING SPENT

Turning Point Baptist Church Inc, Miami, FL ✓
Registration Number :CH54172 ✓
Revenue Source : DCS Financial Statement (12/31/2019)
Total Revenue : \$340,000.00
Total Expenses : \$340,000.12
Surplus/Deficit : \$ 12

Expiration Date : 1/21/2022 ✓

Program Services Expenses : \$340,000.12 100%
Administrative Expenses : \$00 0%
Fundraising Expenses : \$00 0%



[Home](#) > [Tax Exempt Organization Search](#) > Florida Baptist State Convention

< [Back to Search Results](#)

Florida Baptist State Convention

EIN: 23-7044150 | Jacksonville, FL, United States

Publication 78 Data ⓘ

Organizations eligible to receive tax-deductible charitable contributions. Users may rely on this list in determining deductibility of their contributions.

On Publication 78 Data List: Yes

Deductibility Code: GROUP

Page Last Reviewed or Updated: 20-November-2020





Internal Revenue Service

Washington, D. C. 20548

Date: **AUG 11 1969** To reply refer to: **T:MS:EO:R:2-WRM**

Florida Baptist State Convention
1230 Hendricks Avenue
Jacksonville, Florida 32207

Gentlemen:

Based on the information supplied, we rule that you and your affiliated churches and institutions named on the group exemption roster you submitted are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

You and your affiliated churches and institutions are not required to file Federal income tax returns.

It will not be necessary for you and your affiliated churches and institutions to file the annual return of information, Form 990-A, generally required of organizations exempt under section 501(c)(3) of the Code, as you and your exempt affiliated churches and institutions come within the specific exception contained in section 6033(a) of the Code.

Donors may deduct contributions to you or your affiliated churches and institutions as provided by section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to or for the use of you and your affiliated churches and institutions are deductible for Federal estate and gift tax purposes under section 2055, 2106, and 2522 of the Code.

You and your affiliated churches and institutions are not liable for Federal unemployment taxes. You and your affiliated churches and institutions are liable for social security taxes only if you and your affiliated churches and institutions have filed waiver of exemption certificates, as provided in the Federal Insurance Contributions Act. (Your District Director will be glad to tell you more about the latter point.)

Florida Baptist State Convention

Each year, within 45 days after your annual accounting period closes, please send us two copies of the following information about your affiliated churches and institutions.

1. A statement describing any changes during the year in the purposes, character, or method of operation of your affiliated churches and institutions.
2. A list of the names, mailing addresses including ZIP Codes of churches and institutions on your group exemption roster that during the year:
 - a. changed names or addresses;
 - b. were deleted from the roster;
 - c. were added to the roster.

A director of affiliated churches and institutions may be substituted for this list if it includes the required information and identifies the affected churches and institutions according to the three categories above.

3. For churches and other institutions added to the roster, a letter signed by one of your principal officers containing or attaching:
 - A. A statement that the information upon which your present group exemption letter is based applies to the new churches and institutions;
 - B. A statement that each has given you written authorization to add its name to the roster;
 - C. A list of those which the Service previously issued rulings or determination letters relating to exemption.
4. If applicable, a statement that your group exemption roster did not change during the year.

Please show your Employer Identification Number on all correspondence with the Internal Revenue Service.

Florida Baptist State Convention

This ruling supersedes our ruling to you dated August 18, 1934. This ruling also supersedes our rulings to Florida Baptist Foundation and Baptist Bible Institute dated February 13, 1957 and November 5, 1963 respectively.

You should advise each of your exempt affiliated churches and institutions of the exemption and the pertinent provisions of this ruling.

We are notifying your District Director, Jacksonville, Florida.

Very truly yours,

John R. Barber

Chief, Rulings Section
Exempt Organizations Branch

Lopez, Barbara J. (ISD)

From: Miami-Dade-County <donotreply@miamidade.gov>
Sent: Friday, February 12, 2021 8:01 AM
Subject: Miami-Dade Auction Notice

MIAMI-DADE COUNTY INTERNAL SERVICES DEPARTMENT-NOTICE OF SALE

Miami-Dade County will be conducting an online auction starting on 02/12/2021 at 8:00 a.m. for various surplus items as listed below and which can be viewed at the following link on the start date:

<http://www.govdeals.com/index.cfm?fa=Main.AdvSearchResultsNew&agency=7167>

1. 12-2486/ 2003 Landoll trailer model: 317C-48. Pro 21-13 #1
2. 12-0715/ 1984 Utility trailer. Pros 21-13 #3
3. 16-0533/ 25-3107/ 2000 John Deere 6410 tractor & cutter. Pros 21-03 #6
4. 25-3109/ 2001 Dixie Chopper mower. Pros 21-13 #9
5. 25-3387/ 2011 Dixie Chopper mower. Pros 21-13 #10
6. 12-1140/ 1992 Torino trailer. Pros 21-13 #11
7. 25-3332/ 2007 Toro 328D riding mower. Pros 21-13 #12
8. 25-2763/1993 Toro Grounds Master 345. Pros 21-13 #13
9. 25-2996/ 1999 Toro Grounds-Master 325D. Pros 21-13 #14
10. 25-2895/ 1996 Toro Grounds Master 223D. Pros 21-13 #15
11. 25-2936/ 1997 Toro Grounds Master 223D. Pros 21-13 #16
12. 28-5325/ shipping container. Pro 21-13 #17
13. 25-3348/ 2007 Bush Hog mowing attachment. Pros 21-13 #18
14. 31-1544/ 2008 Toro Workman 1110 utility scooter. Pros 21-13 #19
15. 25-3199/ 2004 Bush Hog mowing attachment. Pros 21-13 #20
16. 25-3363/ 2010 Gravely 260Z mower. Pros 21-13 #21
17. 25-3046/ 2000 Dixie Chopper. Pros 21-13 #22
18. 25-3170/ 2003 Dixie Chopper. Pros 21-13 #23
19. 25-3300/ 2007 Dixie Chopper. Pros 21-13 #24
20. 16-0304/ 1983 Kubota tractor model:M4500. Pros 21-13 #25
21. 16-0556/ 2003 New Holland model:TN55 farm tractor. Pros 21-13 #26
22. 129A/ 2006 Honda Civic Hybrid CVT
23. 340A/ 2007 Ford Freestar Cargo Van
24. 786A/ 2006 Ford F-150 Lariat SuperCab 2WD
25. 1211A/ 2007 Dodge Ram 2500 Laramie Quad Cab 4WD
26. 2805A/ 2014 Ford Fusion S
27. 2185A/ 2010 Ford F-150 FX4 SuperCab 6.5-ft. Bed 4WD
28. 2372A/ 2010 Dodge Charger Base
29. 2556A/ 2010 Dodge Charger Base

30. 2560A/ 2010 Dodge Charger Base
31. 2666A/ 2012 Dodge Charger Police
32. 2689A/ 2012 Dodge Charger Police
33. 3209A/ 2014 Ford Fusion S
34. 3226A/ 2014 Ford Fusion S
35. 3676A/ 2015 Ford Taurus Police FWD
36. 3911A/ 2016 Ford Fusion S
37. 5633A/ 2017 Ford Taurus Police FWD
38. 22643/ 1999 Dodge Ram Wagon B3500 Maxi
39. 26398/ 2002 Dodge Ram 2500 ST Long Bed 4WD
40. 28247/ 2004 Toyota Prius 4-Door Liftback
41. 24243/ 2006 Ford Econoline E-250
42. 29671/ 2006 Ford F-250 SD Lariat SuperCab 4WD
43. 13-2066/ 1999 Workhorse P30

ALL COUNTY DEPARTMENTS THAT MAY HAVE AN OPERATIONAL USE FOR THESE ITEMS, OR, APPLICABLE GOVERNMENTAL ENTITIES AND NOT-FOR-PROFIT AGENCIES THAT ARE SEEKING DONATION OF ANY OF THESE ITEMS MUST CONTACT THE SURPLUS PROPERTY UNIT AT ISD-CAPINV@miamidade.gov TO COORDINATE VIEWING AND ALLOCATION OF THE ITEM(S). THE DEADLINE FOR VIEWING AND ALLOCATION OF THE ITEM(S) IS EQUIVALENT TO THE BUSINESS DAY PRIOR TO THE AUCTION START DATE. MOREOVER, PURSUANT TO SECTION 2-11.2.1 OF THE CODE OF MIAMI-DADE COUNTY, ITEMS WILL BE ALLOCATED IN THE FOLLOWING ORDER OF PREFERENCE:

First, to the Parks and Recreation Department at no cost for use in the Department's preventative programs; and thereafter, to other County Departments and agencies at no cost for use in Miami-Dade County. The County shall thereafter offer such surplus property by sale or donation to other governmental units located within Miami-Dade County for use in Miami-Dade County or shall have the discretion to offer the property to eligible community based organizations by sale or donation.

Please ensure that you have read and understand all the Terms & Conditions included with each item listing prior to placing a bid. All property is offered for sale 'AS IS, WHERE IS.' Miami - Dade County, makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. All sales are final. Warranty: Seller warrants to the Buyer that the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property.

You can also follow us on Twitter at <https://twitter.com/MiamiDadeISD>, where newly released auctions will be posted.