

MEMORANDUM

Agenda Item No. 3(A)(1)

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

DATE: May 18, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution declaring one 1999
New Holland LX665 Skid Steer
Loader surplus; authorizing its
donation to Haitian American
Emergency Relief Committee
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-490-21

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/jp



MEMORANDUM

(Revised)

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

DATE: May 18, 2021

FROM: 
Gen Bonzon-Keenan
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 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)(1)
5-18-21

RESOLUTION NO. R-490-21

RESOLUTION DECLARING ONE 1999 NEW HOLLAND LX665 SKID STEER LOADER SURPLUS; AUTHORIZING ITS DONATION TO HAITIAN AMERICAN EMERGENCY RELIEF COMMITTEE 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 vehicle described below is owned by Miami-Dade County; and

WHEREAS, the vehicle is obsolete, its continued usage by Miami-Dade County is uneconomical and inefficient, and the vehicle serves no useful purpose; and

WHEREAS, Haitian American Emergency Relief Committee Inc. (the “Donee”) desires to use the vehicle 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 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, 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 vehicle, 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>
1999 New Holland LX665 Skid Steer Loader (#20-0328)	70272	N/A	Fair	\$1,000.00

Section 2. This Board authorizes donation of the vehicle 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 vehicle within 60 days of the effective date of this resolution. The Donee shall be responsible for any and all costs of transferring the vehicle. 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 vehicle within 60 days of the effective date of this resolution, then this resolution shall be null and void, and the ownership rights to the vehicle 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 **Kionne L. McGhee** 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		

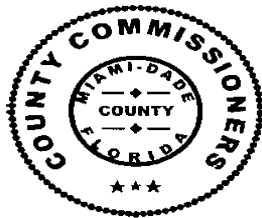
The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of May, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by 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.

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:

HAITIAN AMERICAN EMERGENCY Relief committee 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.):

DIDIER T. LABIER
17150 SW 184 ST MIAMI FL 33187 (305) 588-2200

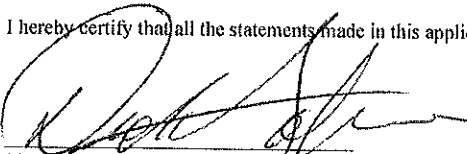
4. Specify the surplus property requested (quantify, if applicable):

1999 New HAVAS model # LX665 Serial # 70272
Inventory ID 20-0328

5. Specify the purpose for which the surplus property will be used:

TO MAKE HEAVY DONATIONS ON PALLETS
TO CLEAR DEBRIS IN EMERGENCY CREATED BY STORMS
OR HURRICANES

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


Signature of Authorized Representative

Date

4/29/2021

Community Based Organization Donation Agreement

This agreement is entered into between Miami-Dade County (hereafter "County") and Haitian American Emergency Relief Committee, Inc. (hereafter "Donee") as follows:

For and in Consideration of the County donating 1999 New Holland Model # 1X665 Serial # 70272 Inventory ID # to Donee, and Donee agreeing to the use and as described herein: # 20-0328 Serial # 70272 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."

HAITIAN AMERICAN Emergency Relief Committee INC
Print Name of CBO

By: [Signature]
Signature

Date: 4/20/2021

DIDER J. FABIER
Printed Name

Executive Director
Title

Miami-Dade County:

By: _____

Date: _____



Check-A-Charity

KNOW HOW YOUR MONEY IS BEING SPENT

Haitian American Emergency Relief Committee, Inc., Miami, FL

Registration Number : CH37027

Expiration Date : 8/15/2021

Revenue Source : DCS Financial Statement (12/31/2019)

Total Revenue : \$3,684.58

Program Services Expenses : \$4,394.14 100%

Total Expenses : \$4,394.14

Administrative Expenses : \$.00 0%

Surplus/Deficit : -\$709.56

Fundraising Expenses : \$.00 0%



HELP

MENU

[Home](#) > [Tax Exempt Organization Search](#) > Haitian American Emergency Relief Committee Inc.

[Back to Search Results](#)

Haitian American Emergency Relief Committee Inc.

EIN: 26-4145360 | Miami, FL, United States

> Other Names

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: PC

Form 990-N (e-Postcard)

Organizations who have filed a 990-N (e-Postcard) annual electronic notice. Most small organizations that receive less than \$50,000 fall into this category.

> Tax Year 2019 Form 990-N (e-Postcard)

Tax Period:

2019 (01/01/2019 - 12/31/2019)

EIN:

26-4145360

Legal Name (Doing Business as):

Haitian American Emergency Relief Committee Inc

Mailing Address:

17150 SW 184 ST
MIAMI, FL 33187
United States

Principal Officer's Name and Address:

DIDIER J FABIEN

17150 SW 184 ST
MIAMI, FL 33187
United States

Gross receipts not greater than:
\$50,000

Organization has terminated:
No

Website URL:

> **Tax Year 2018 Form 990-N (e-Postcard)**

> **Tax Year 2017 Form 990-N (e-Postcard)**

> **Tax Year 2016 Form 990-N (e-Postcard)**

> **Tax Year 2015 Form 990-N (e-Postcard)**

> **Tax Year 2014 Form 990-N (e-Postcard)**

> **Tax Year 2013 Form 990-N (e-Postcard)**

> **Tax Year 2012 Form 990-N (e-Postcard)**

> **Tax Year 2011 Form 990-N (e-Postcard)**

Page Last Reviewed or Updated: 6-Sept-2019



Share



Print

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

DEPARTMENT OF THE TREASURY

Date: **AUG 17 2010**

HAITIAN AMERICAN EMERGENCY RELIEF
COMMITTEE INC
17150 SW 184 ST
MIAMI, FL 33187

Employer Identification Number:
26-4014536
DLN:
17053179312000
Contact Person:
DANIEL RENNER ID# 31697
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
November 19, 2008
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.

Letter 947 (DO/CG)

HAITIAN AMERICAN EMERGENCY RELIEF

Sincerely,


Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Publication 4221-PC

Letter 947 (DO/CG)

Lopez, Barbara J. (ISD)

From: Miami-Dade-County <donotreply@miamidade.gov>
Sent: Thursday, March 4, 2021 9:28 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 03/05/2021 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. 1532A/ 2008 Ford Crown Victoria Police Interceptor
2. 1701A/ 2008 Ford Crown Victoria Police Interceptor
3. 1762A/ 2008 Ford Crown Victoria Police Interceptor
4. 1942A/ 2008 Ford Crown Victoria Police Interceptor
5. 2550A/ 2010 Dodge Charger Base
6. 2568A/ 2010 Dodge Charger Base
7. 2717A/ 2012 Dodge Charger Police
8. 2879A/ 2013 Dodge Charger Police
9. 3100A/ 2014 Ford Taurus Police FWD
10. 3569A/ 2015 Ford Taurus Police FWD
11. 3616A/ 2015 Ford Taurus Police FWD
12. 4676A/ 2017 Ford Taurus Police FWD
13. 4836A/ 2016 Ford Fusion S
14. 6691A/ 2019 Ford Taurus Police FWD
15. 6772A/ 2019 Chevrolet Malibu 1FL
16. 27361/ 2003 Ford Econoline E-250
17. 27750/ 2003 Ford Crown Victoria Police Interceptor
18. 23-1579/ 1978 Allis-Chalmers model: ACC30 forklift. Pros 21-14 #1
19. 14-0041/1997 Case 586E gasoline powered forklift. Pros 21-14 #2
- * 20. 20-0328/ 1999 New Holland LX665 Skid Steer loader. Pros 21-14 #3
21. 16-0282/ 1980/ Ford backhoe. Pros 21-14 #4
22. 25-3030/ 2000 Toro topdresser 2500. Pros 21-14 #5
23. 25-3112/ 2001 Jacobsen Turfcut T628D. Pros 21-14 #6
24. 25-3111/ 2001 Jacobsen Turfcut T628D. Pros 21-14 #7
25. 25-3074/ 2001 Toro Groundsmaster 325D. Pros 21-14 #8
26. 25-3333/ 2007 Toro Groundsmaster 328D. Pros 21-14 #9
27. 25-3110/ 2001 Jacobsen Turfcut T628D. Pros 21-14 #10
28. 25-2919/ 1997 Toro Groundsmaster 223D. Pros 21-14 #11
29. 25-2937/ 1997 Toro Groundsmaster 223D. Pros 21-14 #12

30. 25-2839/ 1994 Toro Groundsmaster 325D. Pros 21-14 #13
31. 31-1354/ 2002 Cushman Turf-Truckster scooter. Pros 21-14 #14
32. 7-0330/1987 International 1954 with a dump body. Pros 21-14 #15

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.

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3. Scroll down page, and Select Unsubscribe, then click Update Button. Done!