

MEMORANDUM

Agenda Item No. 3(A)(2)

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

DATE: November 16, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution declaring one 2014 Ford Fusion S and one 2015 Ford Taurus surplus; authorizing their donation to Turning Point Baptist Church Inc.; and authorizing the County Mayor to execute community based organization agreements, to exercise any and all rights conferred therein, and to take any and all actions necessary to effectuate the foregoing

Resolution No. R-1080-21

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: November 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)
11-16-21

RESOLUTION NO. R-1080-21

RESOLUTION DECLARING ONE 2014 FORD FUSION S AND ONE 2015 FORD TAURUS SURPLUS; AUTHORIZING THEIR DONATION TO TURNING POINT BAPTIST CHURCH INC.; AND AUTHORIZING THE COUNTY MAYOR TO EXECUTE COMMUNITY BASED ORGANIZATION AGREEMENTS, 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 agreements; 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>
2014 Ford Fusion S (#3189A)	1FA6P0G79E5404844	86,114	Fair	\$4,750.00
2015 Ford Taurus Police FWD (#3766A)	1FAHP2L8XFG188897	54,487	Fair	\$3,000.00

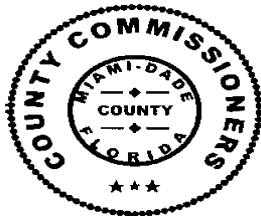
Section 2. This Board authorizes donation of the vehicles to the Donee and authorizes the County Mayor to execute the community based organization agreements in substantially the form attached hereto and incorporated herein by this reference and to exercise any and all rights conferred therein. The Donee 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 **Eileen Higgins** 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	absent	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 November, 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 PERSONAL PROPERTY DONATION DISCLOSURE STATEMENT

1. Name of entity seeking the surplus donation:

(Turning Point Baptist Church)

2. Name of person signing this form and position in entity:

(Sr. Pastor Noel D. Lozano)

3. The identity and extent of ownership interest of each individual, corporation, partnership, joint venture, or other legal entity having an ownership interest in the entity seeking the surplus donation (no need to identify ownership interests that do not exceed five percent or the ownership interests that comprise the ownership of publicly traded companies):

Noel D. Lozano 20%

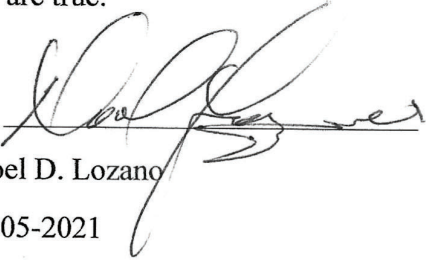
Merly Escalona 20%

Alvaro Quintana 20%

Carlos Lara 20%

MINGYAR, YULGYE 20%

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated in it are true.

Signature: 

Name: Noel D. Lozano

Date: 11-05-2021

**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

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.): _____
Noel Lozano 305-322-5186 noel@turningpointmiami.com 3350 SW 144 Ave Miami FL 33175

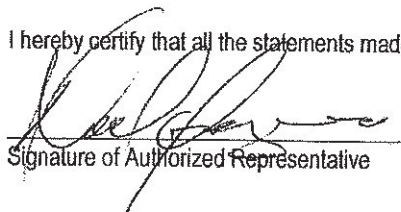
4. Specify the surplus property requested (quantify, if applicable):

2014 Ford Fusion S 1FHA6P0G79E54044844

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

This vehicle will be used to mobilize staff in charge of assisting in counseling and emotional support to youth at G. Holmes Braddock and John A. Ferguson High Schools.

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


Signature of Authorized Representative

10-21-2021
Date

**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

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Noel Lozano 305-322-5186 noel@turningpointmiami.com 3350 SW 144 Ave Miami FL 33175

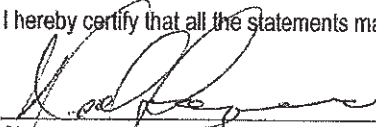
4. Specify the surplus property requested (quantify, if applicable):

2015 Ford Taurus 1FAHP2L8XFG188897

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

This vehicle will be used to run errands related to the construction project, coordinate aid for the community, and meetings related to community relations.

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


Signature of Authorized Representative

10-21-2021
Date

Community Based Organization Donation Agreement

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

For and in Consideration of the County donating 2014 Ford Fusion S to Donee, and Donee agreeing to the use and as described herein: 1FA6P0G79E5404844 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.

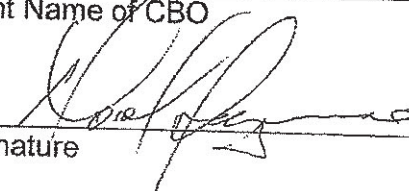
The Donee agrees that it shall indemnify and hold harmless Miami Dade County, and its officers, employees, agents and instrumentalities et.al. from any and all liability, losses or damages, including attorney's fees and costs of defense, which the County or its officers, employees, agents or instrumentalities 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."

Turning Point Baptist Church

Print Name of CBO

By: 
Signature

Date: 10-08-2021

Noel Lozano
Printed Name

Sr. Pastor

Title

Miami-Dade County:

By: _____

Date: _____

Community Based Organization Donation Agreement

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

For and in Consideration of the County donating Ford Taurus 2015_ to Donee, and Donee agreeing to the use and as described herein: 1FAHP2L8XFG188897 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.

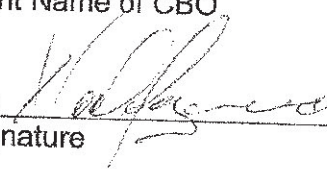
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The Donee agrees that it shall indemnify and hold harmless Miami Dade County, and its officers, employees, agents and instrumentalities et.al. from any and all liability, losses or damages, including attorney's fees and costs of defense, which the 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

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Turning Point Baptist Church
Print Name of CBO

By: 
Signature

Date: 10-08-2021

Noel Lozano
Printed Name

Sr. Pastor
Title

Miami-Dade County:

By: _____

Date: _____



**Florida Baptist
Convention**

Right Beside You.

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.

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: CH64172
Revenue Source: DCS Financial Statement (12/31/2010)
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%

[HELP](#)[MENU](#)

[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.

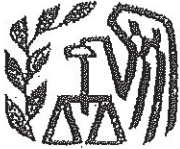
On Publication 78 Data List: Yes

Deductibility Code: GROUP

Page Last Reviewed or Updated: 20-November-2020

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THIS INFORMATION IS UNCLASSIFIED



Internal Revenue Service

Washington, D.C. 20548

Date: **AUG 11 1969** In 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

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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

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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-Auction-Notice <donotreply@miamidade.gov>
Sent: Friday, October 8, 2021 7:48 AM
Subject: Miami-Dade Auction Notice

Miami-Dade Auction Notice

MIAMI-DADE COUNTY INTERNAL SERVICES DEPARTMENT-NOTICE OF SALE

Miami-Dade County will be conducting an online auction starting on 10/08/2021 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. 1641A/ 2008 Ford Crown Victoria Police Interceptor
2. 3189A/ 2014 Ford Fusion S
3. 3766A/ 2015 Ford Taurus Police FWD
4. 4113A/ 2016 Ford Explorer Police 4WD
5. 4503A/ 2016 Ford Taurus Police FWD
6. 23557/ 2000 Ford Crown Victoria Police Interceptor
7. 23955/ 2000 Ford F-150 WS SuperCab Short Bed 2WD
8. 23983/ 2001 Dodge Ram 2500 Reg. Cab Long Bed 2WD
9. 25636/ 2001 Dodge Ram 1500 WS Reg. Cab Short Bed 2WD
10. 27407/ 2003 Ford Windstar LX Ready for Review
11. 29312/ 2006 Ford Econoline E-350 Extended
12. 29328/ 2006 Ford Econoline E-350 Extended
13. 13-2107/ 2000 Workhorse P30. Pros 22-03 #1
14. 12-2123/ 1999 Torino tilt trailer model: Lt71035. Pro 22-03 #3
15. 21-0463/ 2006 Polaris ranger 6X6 Rescue Cart. FD 22-01 #1
16. 21-0459/ 2006 Polaris ranger 6X6 Rescue Cart. FD 22-01 #2
17. 31-1665/ 2014 Club car Carryall. FD 22-01 #3

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.