

MEMORANDUM

Agenda Item No. 3(A)(2)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

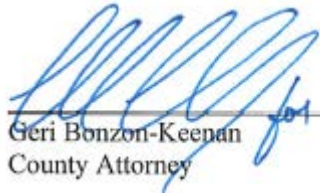
DATE: January 22, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution declaring one 2016 Ford Fusion surplus; authorizing its donation to Fondation Emile Blanc 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-9-25

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: January 22, 2025

FROM: 
Glen 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 ____, majority plus one ____, 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) ____, 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)
1-22-25

RESOLUTION NO. _____ R-9-25

RESOLUTION DECLARING ONE 2016 FORD FUSION SURPLUS; AUTHORIZING ITS DONATION TO FONDATION EMILE BLANC INC.; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY 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, its continued usage by Miami-Dade County is uneconomical and inefficient, and the vehicle serves no useful purpose; and

WHEREAS, Fondation Emile Blanc 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 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, Florida (the "Code"); 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,

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:

<u>Item</u>	<u>I.D. No.</u>	<u>Miles</u>	<u>Condition</u>	<u>Est. Value</u>
2016 Ford Fusion (#3851A)	3FA6P0G76GR359717	44,816	Fair	\$4,250.00

Section 2. This Board authorizes donation of the vehicle to the Donee and authorizes the County Mayor or 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 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 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 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 Vice Chairman Kionne L. McGhee. It was offered by Commissioner **Danielle Cohen Higgins** , 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:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Oliver G. Gilbert, III	aye	Roberto J. Gonzalez	aye
Keon Hardemon	absent	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 22nd day of January, 2025. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Valerie M. Toth
Christopher J. Wahl

Community Based Organization Donation Agreement

This agreement is entered into between Miami-Dade County (hereafter "County") and _____Fondation Emile Blanc Inc._____ (hereafter "Donee") as follows:

For and in Consideration of the County donating ___2016 Ford Fusion___ to Donee, and Donee agreeing to the use and as described herein: _____3FA6P0G76GR359717_____ 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."

Fondation Emile Blanc Inc. _____
Print Name of CBO

By:  _____
Signature

Date: __12-2-2024__

Marie Blanc _____
Printed Name

Director _____
Title

Miami-Dade County:

By: _____

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

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: Fondation Emile Blanc 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): _____

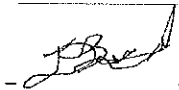
****If Not-For-Profit or Tax Exempt, please attach a copy of letter from Internal Revenue Service designating status under 501c code.**

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.): _____
Marie Blanc, Phone: 954-858-6508 Email: Fondationemileblanc@gmail.com Located: 865 West Lucy Street Apt 147 Florida city, FL 33034

4. Specify the surplus property requested (quantify, if applicable): _____ 2016 Ford Fusion 3FA6P0G76GR359717 _____
_____(If requested property is not a vehicle, please include full description of the property)_____

5. Specify the purpose for which the surplus property will be used: _____ We are dedicated to serving our community through food drives, giveaways, and summer programs. However, our efforts are currently limited due to the lack of transportation for people and inventory. With this vehicle we will be able to transport people and equipment to various locations and help where it is needed. _____

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



Signature of Authorized Representative

12-24-2024 _____
Date

MIAMI-DADE COUNTY
SURPLUS PERSONAL PROPERTY DONATION DISCLOSURE STATEMENT

1. Name of entity seeking the surplus donation:

Fondation Emile Blanc Inc.

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

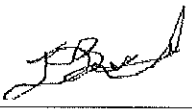
Marie Blanc

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):

Marie Blanc Director 65%

Michelai Bathol Secretary 35%

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

Signature: _____

Name: Marie Blanc

Date: 12-24-2024