

**RESOLUTION NO. 14-100**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING BILL OF SALE TRANSFERRING GIFTED ARMORED VEHICLE BACK TO BRINK'S FOR NOMINAL FEE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, in May of 2009 Brink's U.S., a division of Brink's Inc. ("Brink's"), donated a 1990 International Armored Vehicle, Model #4700, VIN #1HTSCZWM5LH277783 (the "Vehicle"), to the City of Doral (the "City") by and through a Declaration and Acceptance of Gift; and

**WHEREAS**, the terms of the Declaration and Acceptance of Gift state that should the City no longer have a need for the Vehicle, that the Vehicle will be returned to Brink's in an "AS IS" condition; and

**WHEREAS**, the City no longer has a need for the Vehicle and, therefore, wishes to abide by the terms of the Declaration and Acceptance of Gift by returning the vehicle to Brinks.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

**Section 2. Approval of Transfer and Bill of Sale.** The transfer of the Vehicle back to Brink's is hereby approved. The bill of sale accomplishing the transfer of the Vehicle, attached hereto as Exhibit "A" and incorporated herein and made a part hereof by this reference (the "Bill of Sale"), is hereby approved.

**Section 3. Implementation.** The City Manager is hereby authorized to execute the Bill of Sale and such other purchase orders, agreements, and/or other documents, after approval as to form and legal sufficiency by the City Attorney, and to take such other action as is necessary to implement the provisions of this Resolution.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Councilmember Rodriguez who moved its adoption. The motion was seconded by Councilmember Rodriguez Aguilera and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Bettina Rodriguez Aguilera	Yes
Councilwoman Sandra Ruiz	Yes

PASSED AND ADOPTED this 13 day of AUGUST, 2014.

  
\_\_\_\_\_  
LUIGI BORIA, MAYOR

ATTEST:

  
\_\_\_\_\_  
BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY FOR THE SOLE USE OF THE CITY OF DORAL.

  
\_\_\_\_\_  
WEISS, SEROTA, HELFMAN, PASTORIZA  
COLE AND BONISKE  
CITY ATTORNEY

# EXHIBIT “A”

## BILL OF SALE

This Bill of Sale is made on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 between the City of Doral, a Florida municipal corporation having its principal place of business at 8300 NW 53 Street, #100, Doral, Florida 33166 (hereinafter "City") and Brink's US, a division of Brink's, Inc., a Florida corporation having its principal place of business at 5575 NW 87<sup>th</sup> Avenue, Doral, Florida 33166 (hereinafter "Brinks").

WHEREAS, in May 2009, Brinks donated a 1990 International, Model #4700, VIN #1HTSCZWM5LH277783 to the City by and through a Declaration and Acceptance of Gift; and

WHEREAS, the terms of the Declaration and Acceptance of Gift state that should the City no longer have a need for the vehicle, that the vehicle will be returned to Brink's in an "AS IS" condition; and

WHEREAS, City no longer has a need for the vehicle and, therefore, wishes to abide by the terms of the Declaration and Acceptance of Gift by returning the vehicle to Brinks; now, therefore

IN CONSIDERATION of the mutual covenants and conditions herein expressed and the faithful performance of all such covenants and conditions the undersigned parties do mutually agree as follows:

- (1) Brinks agrees to pay City one dollar (\$1.00) for the purchase of the 1990 International, Model #4700, VIN #1GRAXQN5KG277783 in "AS IS" condition.
- (2) Brinks acknowledges and accepts the 1990 International in its present "AS IS" condition.
- (3) City agrees to vest all incidents of absolute ownership and liability in said property in Brinks from this date forward.
- (4) City agrees to relinquish all rights to the vehicle to Brinks.

The remainder of this page left blank intentionally

(5) Brinks does hereby release and hold the City, its agents, officers and employees, harmless from all claims, actions and causes of action, damages, losses and liabilities, costs or expenses whatsoever arising out of the sale of the vehicle.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

CITY OF DORAL, FLORIDA

\_\_\_\_\_  
Barbara Herrera, City Clerk

\_\_\_\_\_  
Luigi Boria, Mayor

State of Florida  
County of Miami-Dade

On this, the \_\_\_\_ day of \_\_\_\_\_, 2014, before me, the undersigned Notary Public of the State of Florida, personally appeared Barbara Herrera, City Clerk and Luigi Boria, Mayor, whose names are subscribed to the within instrument, and they acknowledge that they executed it.

WITNESS my hand  
and official seal

\_\_\_\_\_  
Notary Public, State of Florida  
Persons signing are personally known

ATTEST:

\_\_\_\_\_  
Authorized Agent for Brink's

Printed Name: \_\_\_\_\_

State of Florida  
County of Miami-Dade


The foregoing instrument was acknowledged before me, the undersigned Notary Public in and for the State of Florida, on this, the \_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, on behalf of Brink's US

\_\_\_\_\_  
Notary Public, State of Florida  
Persons who signed are:  
\_\_ personally known OR  
\_\_ identification produced



## Memorandum

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Date: April 24, 2009  
To: Honorable Mayor and Council Members  
Via: Yvonne Soler-McKinley, City Manager  
From: Chief Ricardo Gomez, Esq.   
Subject: Declaration and acceptance of gift from Brink's

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The City of Doral Police Department is hereby requesting authorization to accept as a gift from Brink's US, one vehicle described as a 1990 International, Model #4700, VIN #1HTSCZWM5LH277783, with the City recognizing that if they no longer have a need for this vehicle, that the vehicle will be donated back to Brink's US, in "AS IS" condition.

RG/er

Attachments:

Declaration and Acceptance of Gift

**DECLARATION AND ACCEPTANCE OF GIFT**

WHEREAS, Brink's US, a division of Brink's, Inc., a Florida corporation having its principal place of business at 5575 NW 87 Avenue, Doral, Florida 33166, (hereinafter "Brink's"), wishes to donate a 1990 International, Model #4700, VIN #1HTSCZWM5LH277783, to the CITY OF DORAL, a Florida municipal corporation having its principal place of business at 8300 NW 53 Street, #100, Doral, Florida 33166 (hereinafter "CITY"); and

WHEREAS, the CITY this day expresses its gratitude and acknowledges receipt from Brink's of a gift of one vehicle: a 1990 International, Model #4700, VIN #1HTSCZWM5LH277783, now, therefore:

1. Brink's does donate the 1990 International in "AS IS" condition to the CITY. It is the intention of Brink's to vest all incidents of absolute ownership and liability in said property in the CITY from this date forward. The City recognizes that if they no longer have a need for the vehicle, the vehicle will be donated back to Brink's in "AS IS" condition.

2. The CITY does hereby release and hold Brink's harmless and waive all claims against Brink's, its agents, officers and employees, from all claims, actions, and causes of action, damages, losses and liabilities, costs, or expenses whatsoever, arising out of the donation of the vehicle.

Dated this 13<sup>th</sup> day of May, 2009.

ATTEST:

Barbara Herrera  
Barbara Herrera, City Clerk

CITY OF DORAL, FLORIDA

JCR  
Juan Carlos Bermudez, Mayor

State of Florida  
County of Dade

On this, the 13 day of May, 2009, before me, the undersigned Notary Public of the State of Florida, personally appeared Barbara Herrera, City Clerk and Juan Carlos Bermudez, Mayor, whose names are subscribed to the within instrument, and they acknowledge that they executed it.

WITNESS my hand  
and official seal

Anais M. Taboas  
Notary Public, State of Florida  
Persons signing are personally known ✓



**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Authorized Agent for Brink's**

**Printed Name:** \_\_\_\_\_

**State of Florida**  
**County of Dade**

The foregoing instrument was acknowledged before me, the undersigned Notary Public in and for the State of Florida, on this, the \_\_\_\_\_ day of \_\_\_\_\_, 2009, by \_\_\_\_\_, on behalf of Brink's US

\_\_\_\_\_  
**Notary Public, State of Florida**  
**Persons who signed are:**  
\_\_\_ personally known OR  
\_\_\_ identification produced



**RESOLUTION No. 09 – 68**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AUTHORIZING THE CITY MANAGER TO ACCEPT THE GIFT OF ONE (1) VEHICLE FROM BRINK'S US; RECOGNIZING THAT SHOULD THE CITY NO LONGER HAVE A NEED FOR THIS VEHICLE THAT IT IS TO BE DONATED BACK TO BRINK'S US IN "AS IS" CONDITION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS, Brink's US is offering the City of Doral a donation of one (1) vehicle;**

**and**

**WHEREAS, the City recognizes that should there no longer be a need for this vehicle, it is to be returned in "as is" condition; and**

**WHEREAS, Staff respectfully requests that the City Council authorize the City Manager to accept the gift of one (1) vehicle from Brink's US and to recognize that should the City no longer have a need for the vehicle that it is to be donated back to Brink's US in "as is" condition.**

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:**

**Section 1. The City Council of the City of Doral hereby authorizes the City Manager to accept the gift of one (1) vehicle from Brink's US and recognizes that should the City no longer have a need for the vehicle that it is to be donated back to Brink's US in "as is" condition.**

**Section 2. This Resolution shall take effect immediately upon adoption.**

The foregoing resolution was offered by Councilman Cabrera who moved its adoption. The motion was seconded by Councilwoman Ruiz and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Pete Cabrera	Yes
Councilwoman Sandra Ruiz	Yes
Councilman Robert Van Name	Yes

PASSED and ADOPTED this 13<sup>th</sup> day of May, 2009.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
JOHN HEARN, ESQ., CITY ATTORNEY