

MEMORANDUM

Agenda Item No. 11(A)(3)

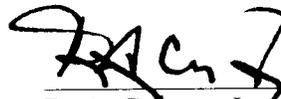
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: January 20, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution related to
Resolution No. R#224-99;
directing County Mayor to
identify and use non-Aviation
Department funds to display,
secure and maintain the B-26B
Bomber aircraft

The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Chairman Joe A. Martinez and Senator Javier D. Souto and Co-Sponsors Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Jean Monestime and Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: January 20, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(3)

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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) 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. 11(A)(3)
1-20-11

RESOLUTION NO. _____

RESOLUTION RELATED TO RESOLUTION NO. R-224-99;
DIRECTING COUNTY MAYOR OR DESIGNEE TO IDENTIFY
AND USE NON-AVIATION DEPARTMENT FUNDS TO
DISPLAY, SECURE AND MAINTAIN THE B-26B BOMBER
AIRCRAFT

WHEREAS, Resolution No. R-224-99, a copy of which is attached and incorporated in this resolution by reference, authorized *inter alia* the (i) acceptance of a surplus B-26B Bomber from the United States Air Force Museum, and (ii) use of Miami-Dade Aviation Department (“MDAD”) funds to display, secure and maintain the aircraft; and

WHEREAS, the Federal Aviation Administration (“FAA”) determined that MDAD revenues cannot be used for said purpose,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that: The Board authorizes the County Mayor or designee to identify and use \$1,000 per month of non-MDAD funds to display, secure and maintain the B-26B Bomber aircraft. The monthly cost to the Cuban Pilots Association to maintain the monument is approximately \$363 for land rental, \$250 for landscape maintenance (i.e., mowing, pruning, fertilizing, irrigation and replacement of landscape materials), and \$500 for maintenance of the aircraft (i.e., corrosion protection and treatment, mechanical repairs, paint, and fuel.) and other structures (i.e., plaques, flags, planters, and sculptures).

The Co-Prime Sponsors of the foregoing resolution are Chairman Joe A. Martinez and Senator Javier D. Souto and the Co-Sponsors are Senator Javier D. Souto, Commissioner Carlos A. Gimenez, Commissioner Jean Monestime and Commissioner Rebeca Sosa. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

David Stephen Hope



MEMORANDUM

ATTACHMENT

Agenda Item No. 6(A)(2)(A)

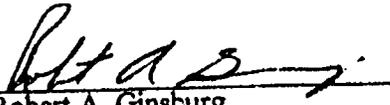
TO: Hon. Chairperson and Members
Board of County Commissioners

DATE: March 4, 1999

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Surplus B-26B Bomber

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Javier D. Souto.


Robert A. Ginsburg
County Attorney

RAG/bw

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Approved _____ Mayor

Agenda Item No. 6(A)(2)(A)
3-4-99

Veto _____

Override _____

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

RESOLUTION NO. R-224-99

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ACCEPT A SURPLUS B-26B BOMBER FROM THE UNITED STATES AIR FORCE MUSEUM ON BEHALF OF MIAMI-DADE COUNTY; AUTHORIZING THE USE OF AVIATION DEPARTMENT FUNDS TO DISPLAY, SECURE AND MAINTAIN THE AIRCRAFT; AND DIRECTING THE COUNTY MANAGER TO APPOINT AN OVERSIGHT COMMITTEE

WHEREAS, on April 17, 1961, a group of Cuban pilots and American pilots from the Alabama National Guard, flew B-26B Bombers in support of the Bay of Pigs initiative against the communist regime of Fidel Castro in Cuba; and

WHEREAS, in providing air cover to the ground troops attempting to establish a beach head on the island, 14 of those pilots lost their lives when their aircraft were downed; and

WHEREAS, the Cuban Pilots Association (CUPA), a non-profit organization comprised of pilots who participated in the Bay of Pigs initiative, wishes to honor and preserve the memory of the 10 Cuban and 4 American pilots who perished in the mission; and

WHEREAS, the CUPA approached the United States Air Force Museum (USAFM) to secure a B-26B Bomber similar to the ones flown at the Bay of Pigs from the USAFM's surplus military aircraft static display program; and

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WHEREAS, the USAFM's program limits eligibility to receive surplus military aircraft to government entities; and

WHEREAS, the CUPA requested that Miami-Dade County partner in the effort to secure the B-26B Bomber and participate in its display at the Kendall-Tamiami Executive Airport; and

WHEREAS, the USAFM has approved the transfer of the B-26B Bomber to Miami-Dade County, and CUPA will pay \$25,000 from private donations to disassemble and transport the aircraft from Travis Air Force Base in California to Miami-Dade County, and reassemble the aircraft at the Kendall-Tamiami Executive Airport; and

WHEREAS, the Miami-Dade County Aviation Department (MDCAD) estimates that approximately \$20,000 will be required to prepare the site to display the B-26 Bomber, and that annual maintenance costs will not exceed \$5,000,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the County Manager to accept a surplus B-26B Bomber (Serial No. 44-35440) from the USAFM on behalf of Miami-Dade County, and to execute the necessary documents to effect the transfer; authorizes the expenditure of MDCAD funds to display, secure and maintain the aircraft; and directs the County Manager to appoint an oversight committee comprised of County staff and CUPA members to coordinate the installation of the aircraft and

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special events associated with the Kendall-Tamiami Executive Airport static display site.

The foregoing resolution was sponsored by Commissioner Javier D. Souto and offered by Commissioner Javier D. Souto, who moved its adoption. The motion was seconded by Commissioner Miguel Diaz de la Portilla, and upon being put to a vote, the vote was as follows:

Dr. Miriam Alonso	aye	Bruno A. Barreiro	aye
Dr. Barbara M. Carey	aye	Miguel Diaz de la Portilla	aye
Betty T. Ferguson	aye	Gwen Margolis	aye
Natacha Seijas Millan	aye	Jimmy L. Morales	absent
Dennis C. Moss	aye	Pedro Reboredo	aye
Dorrrin D. Rolle	aye	Katy Sorenson	aye
Javier D. Souto		aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of March, 1999. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

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