



MEMORANDUM

Agenda Item No. 11(A)(12)

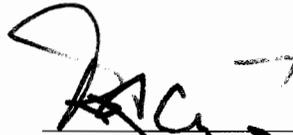
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: March 3, 2009

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

SUBJECT: Resolution directing the County Mayor or County Mayor's designee to display prisoner of war missing in action flag on all County owned operated buildings on which American Flag is displayed whenever American Flag is flown

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz, and Co-Sponsors Commissioner Joe A. Martinez, Commissioner Natacha Seijas, and Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: March 3, 2009

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

SUBJECT: Agenda Item No. 11(A)(12)

Please note any items checked.

- "4-Day Rule" ("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**
- Bid waiver requiring County Mayor's written recommendation**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- Housekeeping item (no policy decision required)**
- No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(12)
3-3-09

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DISPLAY PRISONER OF WAR MISSING IN ACTION FLAG ON ALL COUNTY OWNED OR OPERATED BUILDINGS ON WHICH AMERICAN FLAG IS DISPLAYED WHENEVER AMERICAN FLAG IS FLOWN

WHEREAS, according to the United States Department of Veterans Affairs, in 1972, Mrs. Michael Hoff, the wife of a United States military officer listed as missing in action during the Vietnam War (the "War"), developed the idea for a national flag to remind every American of the U.S. service members who were missing and whose fates were never accounted for during the War; and

WHEREAS, by the end of the War, more than 2,500 service members were listed by the U.S. Department of Defense as Prisoner of War ("POW") or Missing in Action ("MIA"); and

WHEREAS, in 1979, Congress and the President proclaimed the first National POW-MIA Recognition Day to acknowledge the families of the POW and symbolize the steadfast resolve of the American people to never forget the men and women who gave up their freedom protecting ours; and

WHEREAS, in 1982, the POW-MIA flag became the only flag other than the Stars and Stripes to fly over the White House in Washington, D.C.; and

WHEREAS, Congress has designated the POW-MIA flag "[t]he symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia."; and

WHEREAS, Congress designated the third Friday of September as National POW-MIA Recognition Day and ordered prominent display of the POW-MIA flag on this day and several other national observances, including Armed Forces Day, Memorial Day, Flag Day, Independence Day and Veterans Day (the “Flag Holidays”); and

WHEREAS, Congress mandated that on these Flag Holidays, the POW-MIA flag is to be flown over the White House, the U.S. Capitol, the Korean and Vietnam Veterans of War Memorials, the offices of the Secretaries of State, Defense and Veterans Affairs, offices of the Director of Selective Service System, every major military installation (as directed by the Secretary of Defense), every United States Postal Service office, and all Department of Veterans Affairs medical centers and national cemeteries; and

WHEREAS, pursuant to Florida Statute §256.14, the Florida Department of Environmental Protection is required to purchase and display the POW-MIA flag year-round at each of the State of Florida’s parks where the flag of the United States is displayed; and

WHEREAS, Miami-Dade County desires to recognize the sacrifices of Americans still missing and unaccounted for,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or County Mayor’s designee to display the POW-MIA flag as second in order of precedence to the American Flag on or adjacent to all County owned or operated buildings on which the American Flag is displayed, whenever the American Flag is flown.

The Prime Sponsor of the foregoing resolution is Vice-Chairman Jose "Pepe" Diaz and the Co-Sponsors are Commissioner Joe A. Martinez, Commissioner Natacha Seijas, 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:

- | | |
|---------------------------------|--------------------|
| Dennis C. Moss, Chairman | |
| Jose "Pepe" Diaz, Vice-Chairman | |
| Bruno A. Barreiro | Audrey M. Edmonson |
| Carlos A. Gimenez | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Dorrian D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2009. 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.

MR / for

Martin W. Sybblis