MEMORANDUM

Agenda Item No. 11(A)(1)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	May 6, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution directing the County Mayor to designate an area in each regional County park to serve as a serenity memorial for U.S. service personnel from Miami-Dade County classified by the Department of Defense as prisoners of war, missing in action, or killed in action without the recovery of remains

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell and Co-Sponsor Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 6, 2014

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

SUBJECT: Agenda Item No. 11(A)(1)

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 Mayor'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)(1)
5-6-14

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DESIGNATE AN AREA IN EACH REGIONAL COUNTY PARK TO SERVE AS A SERENITY MEMORIAL FOR U.S. SERVICE PERSONNEL FROM MIAMI-DADE COUNTY CLASSIFIED BY THE DEPARTMENT OF DEFENSE AS PRISONERS OF WAR, MISSING IN ACTION, OR KILLED IN ACTION WITHOUT THE RECOVERY OF REMAINS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, UPON THE AVAILABILITY OF FUNDING, TO DESIGN AND CONSTRUCT A MONUMENT AT EACH OF THE DESIGNATED AREAS; AND DIRECTING THE COUNTY'S PARKS DEPARTMENT AND MILITARY AFFAIRS BOARD TO UNDERTAKE RESPONSIBILITY FOR THE MAINTENANCE OF ANY MONUMENT ERECTED PURSUANT TO THIS RESOLUTION

WHEREAS, the Miami-Dade County Parks, Recreation, and Open Spaces Department (the "Parks Department") is responsible for the management, upkeep, and programming at the County's 260 parks; and

WHEREAS, among these 260 County parks, some parks are classified under the Comprehensive Development Master Plan as regional or metropolitan parks, which are distinguished by their large acreage and the intention that they service all of the County's residents and visitors; and

WHEREAS, throughout its history, many of this Nation's oldest and finest public parks have dedicated areas for the recognition of the service and remembrance of the sacrifices of U.S. servicemen and servicewomen; and

WHEREAS, among those who have sacrificed the most for this Nation are those who, in the course of their service, were captured and held prisoner by the enemy (POW), otherwise went missing in action (MIA), or were killed in action, without the recovery of a body (KIA/BNR); and

WHEREAS, as of February 20, 2014, the Department of Defense has determined that 83,303 military personnel remain unaccounted for, including 73,637 from World War II; 7,891 from the Korean War; 126 from the Cold War; 1,643 from the Vietnam War; and 6 from the Iraq War and other conflicts; and

WHEREAS, some of those service personnel classified as POW, MIA, or KIA/BNR were residents of Miami-Dade County before leaving home to serve the Nation; and

WHEREAS, Miami-Dade County, through its Parks Department, has a special opportunity to provide public spaces of reflection in tranquil areas, particularly in its regional parks, where park visitors may ponder and reflect on the great service and sacrifice rendered by those service personnel classified as POW, MIA, or KIA/BNR; and

WHEREAS, pursuant to Section 2-101 *et seq.* of the County Code, this Board has created the Miami-Dade County Military Affairs Board, which has the power and duty to, among other things, "[t]ake steps to increase awareness and support for our military personnel from Miami-Dade County who are serving in the Armed Forces around the world"; "[c]oordinate Miami-Dade County's activities regarding Veteran's Day, Memorial Day, and the 4th of July"; and "strive to generate and further community support for the United States Armed Forces in the United States and abroad",

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The County Mayor or County Mayor's designee shall identify an area of appropriate size and dignity in each of the County's regional parks to serve as a serenity memorial for those service personnel from Miami-Dade County who the Department of Defense have classified as POW, MIA, or KIA/BNR so that they may be forever memorialized in their hometown.

Section 2. Upon the availability of funding for the design and construction of an appropriate memorial, the County Mayor or County Mayor's designee shall cause the design and construction of a monument listing the names of those service personnel from Miami-Dade County who the Department of Defense have classified as POW, MIA, or KIA/BNR.

Section 3. The County's Parks Department and Military Affairs Board shall be jointly responsible for the day-to-day maintenance of any memorial created pursuant to this Resolution.

The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell and the Co-Sponsor is Senator Javier D. Souto. 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of May, 2014. 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. MAG

Miguel A. Gonzalez