Agenda Item #: 6E-1

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### **AGENDA ITEM SUMMARY**

Meeting Date: August 25, 2020

[ ] Consent [ ] Ordinance

[X] Regular [] Public Hearing

Department: Administration

## I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: approve a Resolution supporting the construction of suitable markers on Bridge number 930361 on S.R. A1A/Jack Nicklaus Drive in Palm Beach County designating the bridge as "Gold Star Family Memorial Bridge, dedicated to Army Captain Joseph M. Berkson".

**Summary:** Senator Bobby Powell introduced legislation during the 2020 legislative session seeking to honor Captain Joseph M. Berkson and other Gold Star Families with a bridge name designation in honor of their sacrifices while serving our country on military duty. The Florida Department of Transportation (FDOT), per the passage of Senate Bill 78 during the 2020 legislative session, has been directed to erect suitable markers on Bridge number 930361 on S.R. A1A/Jack Nicklaus Drive in Palm Beach County designating the bridge as "Gold Star Family Memorial Bridge, dedicated to Army Captain Joseph M. Berkson". State law requires the local governing board to pass a resolution in this circumstance in order for designation markers to be constructed on roads in the county, and Commissioner Valeche has requested the BCC to pass such resolution. The Village of North Palm Beach will also be providing a resolution in support of the bridge marker designation. The roadway is within FDOT's jurisdictional limits, and FDOT will be responsible for the design, construction, and maintenance of the honorary designation.

Captain Berkson served as a senior combat advisor with the South Vietnamese Rangers during the North Vietnamese army offensive of 1972. While being airlifted from hostile activity, his helicopter was shot down and Captain Berkson will killed in the crash. Captain Berkson is the recipient of the Silver Star Medal, the Bronze Star Medal, Purple Heart and the Combat Infantry Badge. <u>District 1</u> (AH)

**Background and Policy Issues:** Captain Berkson was 25 at the time of his death and is survived by his wife, Joan and daughter Lauren. Lauren has lived in Palm Beach County for over 25 years and has been an active member of the Forgotten Soldiers Outreach, the Friends of Fisher House, and Wounded Veterans Relief Fund. She has dedicated her time to advance efforts to build Gold Star Family Memorial Monuments in locations throughout Palm Beach County.

Attachments:

1. Resolution

Recommended by	:N/A	
-	Department Director	Date
Approved By:	Ulil J Blim	8/24/2020
	Assistant County Administrator	Date

# **II. FISCAL IMPACT ANALYSIS**

# A. Five Year Summary of Fiscal Impact:

Fiscal Years	
Capital	
Expenditures	
<b>Operating Costs</b>	
External	
Revenues	
Program	
Income(County)	
In-Kind	
Match(County	
NET FISCAL	
IMPACT	
#ADDITIONAL	
FTE	
POSITIONS	
(CUMULATIVE	

Is Item Included in Current Budget?YesNoDoes this item include the use of federal funds?YesNo

Budget Account No:FundAgencyOrganization

B. Recommended Sources of Funds/Summary of Fiscal Impact:

# C. Departmental Fiscal Review:

## **III. REVIEW COMMENTS:**

Object

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

8/17/220 Shy OEMB

В. Legal Sufficiency

8/19/2020 Assistant County Attorney

C. Other Department Review

**Department Director** 

717 0000 Contract Dev. & Control

# (THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF** PALM BEACH COUNTY, FLORIDA, SUPPORTING THE ERECTION OF SUITABLE MARKERS ON BRIDGE NUMBER 930361 ON S.R. COUNTY A1A/JACK NICKLAUS DRIVE IN PALM BEACH DESIGNATING THE BRIDGE AS "GOLD STAR FAMILY MEMORIAL BRIDGE, DEDICATED TO ARMY CAPTAIN JOSEPH M. BERKSON": **RECOGNIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION RESPONSIBLE FOR** AGENCY THE HONORARY AS THE DESIGNATION MARKERS: PROVIDING SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS,** Chapter 2018-161, Laws of Florida, provides for the erection of honorary designations of certain transportation facilities in specified counties and directs the Florida Department of Transportation (FDOT) to erect suitable markers; and

**WHEREAS,** FDOT has been directed to erect suitable markers on Bridge number 930361 on S.R. A1A/Jack Nicklaus Drive in Palm Beach County designating the bridge as "Gold Star Family Memorial Bridge, dedicated to Army Captain Joseph M. Berkson"; and

**WHEREAS**, Captain Berkson served as a senior combat advisor with the South Vietnamese Rangers during the North Vietnamese army offensive of 1972. While being airlifted from hostile activity, his helicopter was shot down and Captain Berkson will killed in the crash; and

**WHEREAS,** Captain Berkson is the recipient of the Silver Star Medal, the Bronze Star Medal, Purple Heart and the Combat Infantry Badge; and

**WHEREAS**, Captain Berkson was 25 at the time of his death and is survived by his wife, Joan and daughter Lauren who has lived in Palm Beach County for over 25 years and has dedicated her time to advance efforts to build Gold Star Family Memorial Monuments in locations throughout Palm Beach County; and

**WHEREAS,** the roadway is within FDOT's jurisdictional limits, and FDOT will be responsible for the design, erection, and maintenance of the honorary designation markers; and

**WHEREAS,** Section 334.071(3), Florida Statutes, requires that the appropriate city or county commission pass a resolution in support of any proposed honorary designation markers prior to their erection; and

**WHEREAS,** the Roadway where the proposed honorary designation will be erected lies within Palm Beach County.

## NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. The foregoing "Whereas" clauses are true and correct and are made part of this Resolution.

Section 2. The Board of County Commissioners of Palm Beach County, Florida (Board), recognizes FDOT as the agency responsible for the design, erection, and maintenance of the honorary designation markers.

Section 3. The Board supports the erection of suitable markers on bridge number 930361 on S.R. A1A/Jack Nicklaus Drive in Palm Beach County dedicated to Army Captain Joseph M. Berkson..

#### Section 4. <u>SEVERABILITY.</u>

If any portion of the Resolution is determined by any court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Resolution. If any court determines that this Resolution, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

Section 5. EFFECTIVE DATE.

This Resolution shall become effective immediately upon its adoption.

The foregoing resolution 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:

DAVID KERNER, Mayor-ROBERT S. WEINROTH, Vice Mayor-COMMISSIONER HAL R. VALECHE-COMMISSIONER GREGG K. WEISS-COMMISSIONER MARY LOU BERGER-COMMISSIONER MELISSA MCKINLAY-COMMISSIONER MACK BERNARD-

The Mayor thereupon declared the resolution duly passed and adopted on this

\_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS SHARON R. BOCK, CLERK

BY: anne delyont

BY:\_\_\_\_\_

Deputy Clerk

Anne Helfant Assistant County Attorney