

Miami River Commission
Meeting Minutes
October 3, 2016

Mr. Horacio Stuart Aguirre, Chairman of the Miami River Commission (MRC), convened the public meeting at noon, October 3, 2016, 1407 NW 7 ST.

Miami River Commission (MRC) Policy Committee Members and/or Designees attending:

Horacio Stuart Aguirre, Appointed by the Governor
Patty Harris, designee for Governor
Bruno Barreiro, Miami-Dade County Commissioner
Marlene Avalo, designee for Miami-Dade County Commissioner Bruno Barreiro
Frank Balzebre, designee for Miami-Dade County Mayor Gimenez
Gary Winston, designee for State Attorney
Eric Riel, designee for the Downtown Development
Philip Everingham, designee for the Marine Council
Sandy O'Neil, designee for Greater Miami Chamber of Commerce
Bruce Brown, Miami River Marine Group
Ernie Martin, Neighborhood Representative appointed by City of Miami
Manny Prieguez, Member at Large appointed by City of Miami
Sallye Jude, Neighborhood Representative appointed by Miami-Dade County
Duber Lizardo, designee for Sara Babun

MRC Staff:

Brett Bibeau, Managing Director

Others attending interested in the River:

Please see attached sign in sheets.

I) Chair Report – MRC Chairman Horacio Stuart Aguirre

The Miami River Commission's distributed draft September 12 2016 public meeting minutes were unanimously adopted.

On behalf of the MRC, thank you to Miami-Dade County for increasing the MRC's funding in their recently approved FY'17 budget from \$35,000 per year to \$60,000 per year.

In addition the MRC thanks the City of Miami for increasing its funding in their recently approved FY '17 budget from \$30,000 to \$50,000 per year.

Mr. Miguel Soloman recommended the City of Miami provide impact fee funding from Miami River District developments be provided to the MRC for continued Miami River improvement initiatives.

Chairman Aguirre thanked Mayor Regalado for including positive comments about the public Riverwalk in his Recent Newsletter.

Chairman Aguirre welcomed Kimberly Bentley, representing City Commissioner Ken Russell, and I cordially invite her to say a few words. MS Bentley stated Commissioner Russell, the City of Miami and the DDA continue to strongly support the public Miami River Greenway.

As you recall, last month the MRC thanked former MRC Vice Chairman Jay Carmichael whom retired from Gunster Yoakley and resigned from the MRC. Consistent with previous MRC process to elect a Vice-Chair, we will accept nominations for the MRC's Vice Chairman. If there is one nomination no election is necessary, and multiple nominations would require a written / anonymous election. MS O'Neil nominated Representative Jose Diaz, Chair of the Dade Delegation, to serve as the MRC's Vice-Chairman. Mr. Winston seconded the nomination. No additional nominations were made therefore Rep. Diaz was unanimously selected to serve as the MRC's Vice-Chairman.

The MRC thanked Sandy Batchelor for her many years of tremendous volunteer service on the MRC. MS Batchelor had a perfect attendance record, strongly supported efforts to improve the natural environment and mixed used Miami River District, and was instrumental in securing South Florida Water Management District Funding.

MRC Chairman Aguirre stated on Oct. 4 he is flying to Tallahassee to meet with Governor Scott in support of the Miami River Commission's successful efforts to improve the Miami River District.

Miami River Voluntary Improvement Plan (VIP)

The following is a sample of some of the items recently addressed in the Miami River Voluntary Improvement Plan (VIP):

The MRC thanks the 100 volunteers whom UM whom last Saturday, October 1, planted 200 plants, spread 165 bags of recycled mulch, painted under the 1 ST and Flagler Bridges, and removed litter along 3 blocks of the public Miami River Greenway's south shore in Little Havana from Jose Marti Park to NW 1 ST.

The MRC's next volunteer Miami River Greenway event is November 12, here from 9-11 AM, tending to the community vegetable and fruit garden and picking up garbage along the public Riverwalk.

The MRC forwarded riverfront business Seaspice's email reporting clogged storm drains and missing drain covers along the on-road Miami River Greenway to the City, and we thank the Public Works Department for providing vacuum truck service.

II) Consider Proposed EAR Based Amendments to the Comp Plan

The City of Miami's draft EAR based amendments to the City of Miami's adopted Comprehensive Master Plan were distributed a week prior to the meeting. Consistently throughout the Comp Plan the word "shall" is being replaced with "will" which is the main amendment to the Port Miami River sub-element. MRC Urban Infill Subcommittee Chairman Murley suggested the MRC recommend approval of the City of Miami's proposed EAR Based amendments to the Comp Plan. Ernie Martin suggested the MRC defer the item so it may be considered by Miami Neighbors United (MNU) first. **The MRC deferred the item to the November public meeting.**

III. Consider Proposed Amendments to the Zoning Code Regarding Crew Quarters in D1 and D3 Zoning

The MRC's Urban Infill subcommittee's September 14, 2016 public meeting minutes were distributed stating:

"Prior to the meeting Joseph Eisenberg, City of Miami Planning Department, provided the distributed draft amendment to the City of Miami's Miami 21 Zoning Code, inserting a definition for Crew Quarters which would be allowed by Warrant (subject to appeal) in D1, D2 and D3 Zoning. Mr. Eisenberg had told Director Bibeau that residential and hotels are still not allowed, and "crew quarters" would be something less than a hotel room or residential unit. Mr. Eisenberg had indicated the definition has been temporarily in effect for last 2 years by administrative action which is expiring, and the City of Miami Planning Department is now proposing this amendment to the Zoning Code to make it permanent. Mr. Eisenberg had informed Mr. Bibeau that over the past 2 years no applications for Crew quarters have been submitted to the City of Miami for consideration, and none are currently pending. Attendees noted in addition to "Crew Quarters" the draft legislation also allows for passengers of vessels being service or moored at Marinas or Marine Related Industrial Establishments. MRC Urban Infill subcommittee Chairman Murley suggested the full MRC recommend approval of the draft amendment to the Zoning code with one condition, deleting all references to "and / or passengers" which would leave the short term on site accommodations available to vessel crews by Warrant."

MS Sallye Jude suggested size limitation be included for the proposed crew quarters.

The MRC adopted a resolution (11-2) recommending approval of the draft amendment to the Zoning code subject to the following conditions:

- 1) Deleting all references to "and / or passengers" which would leave the short term on site accommodations available to vessel crews by Warrant."**
- 2) Requiring the warrant is presented to the MRC to create an advisory recommendation for the City administration's consideration, prior to the City Administration issuing a decision on the Warrant application**
- 3) Do not allow crew quarters to become separate folio / parcel**

IV. Presentation Regarding Boat Slips

The MRC's Economic Development and Commerce subcommittee's September 13, 2016 public meeting minutes were distributed, in addition to the proposed plans, a week prior to the meeting. Spencer Crowley, Akerman, provided copies and presented an informational proposal to create a 50 boat slip marina at 1 Herald Plaza. The submerged bay bottom at this location is owned by the City of Miami. Therefore the City Commission will consider a rental agreement, the State of Florida's Board of Trustees (Governor and Cabinet), will consider a deed restriction similar to their previously approved Island Garden Marina on Watson Island / Biscayne Bay, and the Board of County Commissioners will consider the proposed marina because it has 50 boat slips.

Mr. Crowley stated the site was a Marine Terminal 40 years ago, and was previously dredged to 18' deep which impacted the natural habitat. Mr. Crowley stated the Miami-Dade County Manatee Protection Plan Review Committee recommended boat slip transfers. The proposal includes 28 powerboat slips from 1995 NW 11 ST "South Fork Parcel 1" (not South Fork Parcels 2 & 3 leased to Apex Marine) and 14 powerboats slips from Austral Marina, 2190 NW North River Drive. A covenant would be recorded at 1995 NW 11 ST leaving 47 total boat slips with a maximum of 19 powerboats on the site (28 sailboats), and a covenant would be recorded at 2190 NW North River Drive, leaving 46 total boat slips with a maximum of 11 powerboats (35 sailboats).

Mr. Crowley stated a 50 slips marina at 1 Herald Plaza on Biscayne Bay would have a positive economic impact on the Miami River boatyards because they would be the closest locations for necessary services. Mr. Crowley stated a recent economic analysis found the proposed marina will generate \$21 million in economic impact.

Mr. Crowley indicated there are at least 2 previous similar precedents.

MRC EDC Chairman Everingham stated the Miami River Commission since its inception has always strongly supported the local marine industry and its long-time presence on the Miami River. This support is also prominently stated in the Port of Miami River Sub-element of both the Miami-Dade County's Comprehensive Development Master Plan and the City of Miami's Comprehensive Neighborhood Plan.

Specific documentation of the MRC's support of the local marine industry and its presence on the River:

"Preservation and improvement of the Miami River's historic marine industry is in the best interest of our local economy." *Marine Industry Symposium Report - 2005 (Symposium sponsored by the MRC)*

"In light of the marine industry's positive economic impacts to our community, strengthening support of the Miami River's marine industry is necessary." *Miami River Corridor Urban Infill Plan*

"It may be possible to allow an even greater number of motorboat slips or density at a particular location without increasing overall impact to manatees in the River, if slips that were given up of were no longer used elsewhere could be transferred or reallocated." *Miami River Corridor Urban Infill Plan*

"maintain existing and providing for new boat slips" *Miami River Corridor Urban Infill Plan*

Mr. Everingham stated clearly the building of new marinas in and as allowed and properly permitted in Biscayne Bay serves the interests of our local marine industry and benefits our local economy.

The MRC adopted a resolution (10-1) finding the proposal consistent with the MRC's adopted strategic plan, the *Miami River Corridor Urban Infill Plan*, and consistent with the City of Miami's Comprehensive Plan which states, "Policy PA-3.1.8: There shall be no net loss of recreational wet-slips along the Miami River.", therefore recommended approval.

V. MRC Subcommittee Reports

A. Greenways Subcommittee - Chair Dr. Ernie Martin

I would like to welcome and introduce everyone to Amanda Smith whom the City of Miami thankfully hired into the Planning Department in order to work towards completing the public Riverwalk and connecting Baywalk.

The MRC's next Greenways and Urban Infill Subcommittee public meeting is October 21, 3 PM in the smaller multi-purpose room at this same address.

B. Stormwater Subcommittee - Chair Sallye Jude

The Stormwater subcommittee's September 7, public meeting minutes were distributed.

The City administration rejected the 2 bids submitted to the original Wagner Creek and Seybold Canal Maintenance Dredging and Environmental Cleanup Project's RFP, and re-advertised the RFP with bids due the end of September. The City estimates the City Commission approving the winner bidder in December 2016, with actual dredging commencing in March – April 2017. The City of Miami is extending all the project's executed permits.

C. Economic Development and Commerce Subcommittee – Chair Philip Everingham

The MRC's Economic Development and Commerce Subcommittee's September 13 public meeting minutes were distributed.

The meeting adjourned.

**Miami River Commission
 Public Meeting**

Monday, October 3, 2016
 Noon
 1407 NW 7 ST
 Miami, FL

<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE / FAX / E-MAIL</u>
Luis Callejas	Office of State Rep. David Richardson	305-535-5426
Daniel Diaz	City Attorney's office	305-416-1825
Kimberly Bentley	C.O.M. / (District 2 office) Commissioner Russell's office	305-250-5334 kbentley@miamigov.com
Amanda Smith	City Planning & Zoning	305-416-1433 amsmith@miamigov.com
Affie Leon	Resident / Candidate	786.395.2849
Mark Bailey	Miami River Maintenance Group	mark.bailey@miamirivermaintenancegroup.org
JOHN CORNELL	HC/T-555	(580) 214-1475
Garrett Browning	HC	(580) - 445-4262
Lourdes Barreli	DERM/MDC	305-372-6575 barreli@miamidade.gov
John C. Robbins	Miami Today	
Helen Brown	Miami Dade County	305 375 2580 hbab@miamicidade.gov
Jim Murley	MDC - Oak	Murleyj@miamidade.gov
Sandy O'Neil	Gmcc	oneils@bell.com south.net
FRANK BAZZESSE	Office of Mayor's Finance	Frankb@m1.gov
Manny Priego	MRC	manny@mmslobby.com
Eric Riel	Miami DDA	eriel@miamidda.com
GARY WINSTON	SAO	GARYWINSTON@MIAMI.SAO.COM

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1407 NW 7 ST
Miami, FL

<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE / FAX / E-MAIL</u>
PHIL EVERINGTON	MRC/MARINE COUNCIL	305 951-9096; pbernald@hermail.com
BRUCE BROWN	MRC	305-788-6411
ERNIE MARTIN	MRC	305 325-8730
PATRICIA A. HARRIS	MR	305262-3763 pattykok@gmail.com
Sallye Jude	MRC	305667-3233
DUBER L. LUZARDO	MRC/ANTILLEAN	305-495-5016
Bruno A. Barreiro	MD County	305-643-8525
MIGUEL SOLIMAN		(786) 367-0323
BRENDA BETANCOURT		(786) 523-1310
Marlene Avalo-Gonzalez	MIAMI DADE COUNTY DS DESIGNEE	(305) 643-8525 Avalo@miamidade.gov
Spencer Crowley	Akerman	(305) 982-5544 spencer.crowley@akerman.com
Carlos A. Castro	FDOT, D6	Carlos.Castro@dot.state.fl.us 305-470-5238