

# **Miami River Commission Public Meeting Minutes October 7, 2024**

The Miami River Commission's (MRC) public meeting convened at noon, October 7, 2024, in the Downtown Library Auditorium, 101 W Flagler. Sign in sheets are attached.

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

Horacio Stuart Aguirre, Chairman, Appointed by the Governor  
Jim Murley, Vice Chairman, designee for Miami-Dade County Mayor Cava  
Eddie Marti Kring, designee for County Commissioner Eileen Higgins  
Megan Kelly, designee for City of Miami Mayor Suarez  
Theodora Long, designee Neighborhood Representative appointed by Board of County Commissioners  
Eileen Broton, Neighborhood Representative Appointed by City of Miami Commission  
Richard Murphy, designee for the Neighborhood Representative Appointed by City of Miami Commission  
Alvaro Coradin, designee for Sara Babun appointed by Miami-Dade County  
Bruce Brown, Miami River Marine Group  
Neal Schafers, designee for Downtown Development Authority  
John Michael Cornell, designee for Luis Garcia  
Spencer Crowley, Member at Large Appointed by the City Commission

## **MRC Staff:**

Brett Bibeau, Managing Director

## **I) Chair's Report and Vice Chair's "Voluntary Improvement Plan" (VIP) Update**

The Miami River Commission unanimously adopted their September public meeting minutes.

MRC Chairman Aguirre provided the following report:

The Miami River Commission sincerely thanks Miami-Dade County for renewing our contract to provide twice a week garbage removal and bi-weekly landscaping maintenance at County owned riverfront sites, while now including additional County owned areas, for a total of 14 areas. In addition, the MRC's services include coordination with the Homeless Assistance Department, and Police Department, as needed.

The Miami River Commission thanks Commissioner Higgins, Mayor Cava, and the entire Board of County Commissioners for renewing funding in the County's recently adopted FY 24-25 budget for the contract which provided services from the Scavenger Water Decontamination Vessel. The wonderful vessel picks up floating debris, while decontaminating 600,000 gallons of Miami River water per hour, and injecting 150,000 liters of oxygen per hour into the Miami River, which significantly improves water quality.

In addition, the Miami River Commission thanks Commissioner Gabela, the City of Miami Commission, and the DDA for renewing funding in the City of Miami's and DDA's recently adopted FY 24-25 budgets to continue our contracts picking up litter and landscaping maintenance along the riverfront in City of Miami Parks, the on-road Miami River Greenway, and the Riverwalk in the DDA district.

Together with all the help gathered around this table, the Miami River Commission is cleaning the densely populated Miami River District on a daily basis, and frankly it looks better than ever.

MRC Vice Chairman Murley provided his Miami River Voluntary Improvement Plan (VIP) update to the MRC:

The Miami River Commission has been actively assisting the efforts of the City, County, State, and private sector to clean up the Miami River District. The MRC pays professional maintenance companies every day to remove litter, invasive plant species, graffiti and provide landscaping, pressure washing, vacuum truck, and Scavenger Water Decontamination Vessel services along the Miami River. In addition, the MRC thanks the International Cleanup Day volunteers whom picked up garbage along the Miami River in Sewell Park on September 21, and the Hands-on-Miami volunteers for picking up garbage along the Miami River in Curtis Park on September 22.

## **II. Discussion Regarding Replacing Miami River's Collapsed Unconsolidated Shoreline Located Along NW South River Drive from NW 27 Ave to NW 20 ST with a Seawall, Public Riverwalk, Reconstructed Street Featuring Curb, Gutter, Decorative Lighting, Landscaping, Drainage, etc.**

NW South River Drive from 27 Ave to 20 ST proceeds along a portion of the Miami River which has an unconsolidated shoreline, and several large and growing areas where the shoreline is collapsing into the River. When one of several large sink holes previously grew past the street's steel safety barrier, the City of Miami placed temporary plastic barricades around the hole to keep pedestrians and cars from falling into the Miami River. As the shoreline sink hole(s) grew larger over time, the ground under one of the plastic barriers fell into the River, along with the temporary barricade. Now the large sink hole (one of several) is slightly into the actual street's paved asphalt, and erosion has hollowed out under a portion of the street, where there is no longer solid ground beneath a portion of the street's asphalt. School buses etc. drive on this street (which has no sidewalks, no drainage, no curb and gutter, etc.) On March 6, 2023 the MRC adopted a unanimous resolution stating in part, "encouraging the City of Miami to apply for a TAP (FDOT – TPO) grant or seek a State / Federal cost share / earmark to repair the additional 2 adjacent shoreline collapses, while constructing a public Riverwalk and new stretch of the riverfront portion of South River Drive from NW 20 ST to NW 27 Ave, featuring landscaping, decorative lighting, etc."

The eastern most section of the subject collapsed shoreline is around a broken stormwater outfall (owned by FDOT) which drains 27 Ave. During the MRC's March 6, 2023 public meeting FDOT representatives presented construction engineering documents to repair this collapsed area, while planning to reconstruct a small portion of NW South River Drive (still with no sidewalks, no

drainage, no curb and gutter, etc.) The distributed MRC Urban Infill and Greenways subcommittee's September 23, 2024 public meeting minutes with this item on the agenda state, "The FDOT representatives stated the City of Miami indicated they maintain this portion of South River Drive, but do not own it, and the City granted a permit for the planned FDOT repair. The City of Miami clarified that the permit issued for the FDOT collapsed shoreline restoration project was issued for work and Maintenance of Traffic within the City right-of-way (25 feet from Southerly R/W line of the Miami Canal to the south).

Attendees reviewed and discussed several maps and plats previously emailed from the City of Miami, Miami-Dade County, and or SFWMD. For the eastern half of the subject riverfront portion of NW South River Drive (east of the stone bridge over tributary), the City of Miami and Miami-Dade County Representatives stated they believe South River Drive and the shoreline are part of the Miami River ROW, and therefore owned by SFWMD. Armando Vilaboy, SFWMD, provided numerous titles etc. supporting SFWMD's belief that they only own the water in the subject area, and no land. Mr. Vilaboy indicated if SFWMD is wrong, and the City and County are correct in that SFWMD indeed owns the shoreline and this portion of South River Drive, SFWMD does not own or reconstruct streets therefore would be unable to assist with the needed project, but SFWMD would be willing to provide ownership of the subject area to the City free of charge. Ms. Molina, Miami-Dade County, stated since the City has been maintaining the subject portion of South River Drive, therefore the City could claim ownership from SFWMD. The City clarified that the City only has maintenance responsibilities within its right of way. Ms. Molina agreed to research the amount of impact fees the County recently collected from the immediate areas 3 large developments which are currently under construction, and if those impact fees may be used for the subject project. City of Miami Public Works Director Santana indicated he will be discussing these issues in the future with the City Manager.

City of Miami Public Works Director Santana stated the City of Miami owns the western half of the subject riverfront portion of South River Drive (west of the stone bridge over the tributary) in addition to 4 City of Miami owned riverfront folios which are managed by the City of Miami Parks Department. Director Santana suggested the MRC contact City of Miami Assistant City Manager Barbara Hernandez, whom oversees the Parks Department, as they are leading the City's efforts to repair the 2 large and growing collapsed portions of the shoreline in these City owned riverfront folios, and Public Works will coordinate with the Parks Department to include reconstructing this City owned portion of South River Drive in the subject future City of Miami project.

In addition to the TAP (FDOT / TPO) grant opportunity, attendees noted the subject project ("repair the additional 2 adjacent shoreline collapses, while constructing a public Riverwalk and new stretch of the riverfront portion of South River Drive from NW 20 ST to NW 27 Ave, featuring landscaping, decorative lighting, etc.") is a good fit for a large Federal grant."

Attendees reviewed and discussed a new color-coded aerial exhibit prepared by the MRC, showing the subject area and noting ownership of the 4 connecting areas. Attendees noted since the City of Miami owns a 25' wide easement between the private properties and the street, therefore there is sufficient space to shift the street towards the upland, which increases the space for the public Riverwalk. Attendees noted there is a new residential development under construction in the subject area, with another planned development in planning, therefore the number of pedestrians

and vehicles will be increasing. Jim Murley noted the following next four steps to bring this MRC recommendation to fruition:

- 1) Resolve Ownership
- 2) Design
- 3) Funding including City Applying for grants
- 4) Construction

The MRC continues to recommend enforcing the shoreline ordinance by making expedited emergency repairs to the collapsed shoreline and encouraging the City of Miami to apply for a TAP (FDOT – TPO) grant, Federal Grant, or seek a State / Federal cost share / earmark to construct a public Riverwalk featuring a new seawall, and a new stretch of the riverfront portion of South River Drive from NW 20 ST to NW 27 Ave, featuring landscaping, decorative lighting, drainage, curb and gutter, etc.

### **III) Discussion of Application to Amend Land Use and Zoning at 1990 NW 27 Ave**

Ines Marrero-Priegues, Holland & Knight, distributed and presented a PowerPoint and the following letter of intent:

“Re: 1960 NW 27th Avenue, LLC / Land Use & Zoning Change of 1990 NW 27 Avenue / Request for Presentation to Miami River Commission

The undersigned represents 1960 NW 27th Avenue, LLC (“Owner” and “Applicant”) in connection with a request to change the land use and zoning of a small parcel of land in the City of Miami located at 1990 NW 27th Avenue (the “Property”). The Applicant has filed an application with the City of Miami requesting a change to the Future Land Use Map designation of the Property from Industrial to Restricted Commercial and companion application to rezone the Property from D-1 to T6-12 (the “Application”). The Applicant is requesting the opportunity to present the Application to the Miami River Commission at its next available meeting for its review and recommendation to the Planning Zoning & Appeals Board and the Miami City Commission.

The Property, which is depicted in the aerial below, consists of one parcel of land located immediately west of NW 27 Avenue and south of NW North River Drive. It is identified by tax folio number 01-3133-007-0010. According to the property survey submitted with this application, the Property consists of 2,111 square feet (±0.048 acres).

The Application requests an amendment to the Future Land Use Map (“FLUM”) designation of the Property from Light Industrial to Restricted Commercial. The Property, which is specifically identified as Property No. 71 in Appendix PA-1 of the MCNP, is designated as a Category B “Other Working Waterfront Property.” (See, Port of Miami River Recreational and Commercial Working Waterfront Properties July 2010).

As you know, this list was created pursuant to Policy PA-3.1.1 of the MCNP and State Statutes. Policy PA-3.1.1 of the MCNP provides that [t]he City shall maintain a Working Waterfront Table of Properties to guide future development within the Miami River Corridor. The

Table shall clearly depict the location and description of all properties of recreational and commercial working waterfront uses on the River, as defined in Ch. 342.07 F.S. (hereinafter referenced as the “Working Waterfront”)(emphasis added).

On January 12, 2023, the City Commission adopted Ordinance 12836 and Ordinance 12837, changing the FLUM and Zoning designation of the abutting properties to the south (Property No. 69 and No. 70 in Port of Miami River Recreational and Commercial Working Waterfront Properties map). The FLUM designation was changed to Restricted Commercial and the Zoning was changed to T6-12-O, respectively. The current zoning of the two abutting properties is shown in the GIS map below:

In connection with those approvals, the Commission determined that the Light Industrial designation was no longer appropriate. Among the reasons for that decision, the Commission recognized that, prior to the adoption of Miami 21, the area was zoned Liberal Commercial “C-2” and approved for an affordable multifamily development called Aguaclara.

It would have been logical to include the Property now subject to FLUM/Rezoning with the 2023 FLUM/Rezoning requests. However, the Property was under separate ownership and could not be included in the application. The Owner has since purchased the Property and intends to aggregate it to the abutting T6-12 O lands. Furthermore, development of the Property under D1 is impractical and inconsistent with the abutting T6-12 O transect. The Property does not meet the minimum 5,000 SF size requirement for D1 zoned properties under Miami 21. The Property’s designation as a Miami River Recreational and Commercial Waterfront property is now also inconsistent because the Property is not waterfront. Properties designated as a Category “B” property under Policy PA-3.1.3 “shall maintain a working waterfront use.” As a non-waterfront lot, one can only assume that its initial designation assumed that development and uses on this small lot would be a part of/related to the abutting waterfront land. However, that designation is no longer appropriate to this isolated D1 property.

Notwithstanding that the request to rezone and amend the Future Land Use Plan Map designation of the Property is being submitted independently of the two abutting properties to the west and south, the Applicant/Owner reiterates the commitment that if the application property is developed in conjunction with those two properties, any future development of property that includes the waterfront lots will comply with the following:

- Owner shall allow waterfront access to the public from 6:00 AM to 10:00 PM along the river walk to be developed as part of an affordable, workforce or market rate multi-family residential project.
- River walk will be designed in accordance with the Miami 21 Code.
- Owner agrees to comply with all of the Working Waterfront regulations.

**The MRC adopted a unanimous resolution respectfully recommending the City of Miami Commission approve the presented Land Use and Zoning Amendments at 1960 NW 27 Ave.**

#### **IV) Renewal of FDOT Contract**

Copies of the pending MRC / FDOT contract renewal were distributed. Under the contract renewal the MRC would continue paying a professional maintenance company provide landscaping maintenance once every 20 days and once a week garbage removal, while the MRC coordinates with the City of Miami Homeless Assistance Dept and Police Departments when needed, beneath all FDOT owned Bridges over the Miami River.

**The MRC passed a unanimous resolution authoring its Managing Director, Brett Bibeau, to execute the subject FDOT County Contract renewal on behalf of the MRC**

#### **V) New Business**

The public meeting adjourned.

Miami River Commission

Public Meeting

October 7, 2024 - 12:00 PM

101 W Flagler, Miami FL - Main Library Auditorium

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**Miami River Commission**

**Public Meeting**

October 7, 2024 – 12:00 PM

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