

Miami River Commission Public Meeting Minutes July 10, 2023

The Miami River Commission's (MRC) public meeting convened at noon, July 10, 2023, 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, Miami River Commission
Jim Murley, Vice Chairman, designee for Miami-Dade County Mayor Cava
Commissioner Eileen Higgins, Miami-Dade County Commission
Eddie Marti Kring, designee for Miami-Dade County Commissioner Eileen Higgins
Mercedes Librada Rodriguez, designee for City of Miami Commissioner Alex Diaz de la Portilla
Patty Harris, designee for Governor
Theodora Long, Neighborhood Representative appointed by Board of County Commissioners
Eileen Broton, Neighborhood Representative Appointed by City of Miami Commission
Gus Barrera, designee for Greater Miami Chamber of Commerce
Alvaro Coradin, designee for Sara Babun appointed by Miami-Dade County
Philip Everingham, designee for Marine Council
Orin Black, designee for Miami River Marine Group

MRC Staff:

Brett Bibeau, Managing Director

I) Chair's Report

The MRC unanimously adopted their June 5 public meeting minutes.

Friendly reminders that similar to the City and County the MRC will not host a public meeting in August. Due to the Labor Day Holiday, the MRC's September public meeting will be held on September 11. Then the MRC will resume the regular 1st day of the month schedule on October 2.

The "Borocho" is the largest derelict vessel in the State of Florida, and it is located on the Miami River. I would like to thank Nick Morrell and the Reef Guard Association for submitting a permit application to DERM to environmentally clean the vessel, tow it out of the Miami River to an appropriate location to sink it to become an artificial reef, at no cost to Miami-Dade County.

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. In addition to the maintenance professionals the MRC pays daily to remove litter, invasive plant species, graffiti and provide landscaping, pressure washing, vac truck, street sweeper and Scavenger Water Decontamination Vessel services along the Miami River, the MRC thanks the volunteers from Hands on Miami for picking up garbage along the public Riverwalk in Curtis Park on June 25.

Spencer Crowley made a motion which was unanimously adopted by the MRC supporting the renewal of funding for Florida Wildlife Commission's (FWC) relatively new Vessel Turn In Program" (VTIP), with the goal of reducing abandoned derelict vessels.

MRC Chairman Aguirre stated it is a record hot summer and Director Bibeau provides daily inspections and coordination of the various contracted Miami River clean up maintenance workers, therefore he suggested the Miami River Fund Inc provide Director Bibeau with \$400 for Gatorade, etc. Miami River Fund Inc (MRFI) President Phil Everingham replied consistent with Governor DeSantis providing 5% salary increase for state employees, the MRFI recently increased Director Bibeau's annual salary by 5%. MRC members, including Mercedes Rodriguez, expressed support for the raise, plus the \$400 for Gatorade etc, noting Director Bibeau is doing an outstanding job.

MRC Chairman Aguirre thanked County Commissioner Higgins and miami-Dade County for naming an upcoming affordable housing development after the late MRC board member Ernie Martin.

II) Review Plans for 600 NW 7 Ave:

Franco Ramo and Patricio Hernandez Pons, Expanza LLC, distributed and presented the revised Temporary Use Permit (TUP) plans and a letter of intent for a Paddle Tennis Club featuring 9 courts and a small food and beverage clubhouse with "healthy" food, smoothies, beer and wine. The TUP is for 3 years, and 1-year extensions would have to be approved by the City of Miami Commission. The applicants stated they met with the City of Miami Zoning Department, and the City indicated because the subject Recreational facility is zoned D1, Miami 21 Section 3.11 does not apply, therefore no public Riverwalk is required. The applicants offered to improve the existing public on-road Greenway in the City owned public right of way along NW 7 Ave. The applicants stated they removed the roof top dining and DJ booth. The applicants agreed to close the courts closer to the homes earlier, at 9:30 PM. In addition, they stated they are trying to reach an agreement with the 4 homes on the Seybold Canal directly across from the site. The applicants stated some of those neighbors are in favor, some are not, therefore the communications continue.

Spencer Crowley stated the Florida Inland Navigation District provided grant funding to the City of Miami to restore navigation in the Seybold Canal, yet the proposal has no boats. In addition, Mr. Crowley stated he emailed the City and County about City owned sections of the Wagner Creek shoreline collapsing into the tributary.

Ms. Patty Harris stated Miami-Dade County's water quality testing results in Seybold Canal often detect water quality violations sadly significantly in excess of safe State and County water quality goals.

Me Mercedes Rodriguez suggested the applicants have an in person open community meeting with residents from the Spring Garden neighborhood, and the applicants agreed to do so.

The MRC unanimously deferred the item to their next public meeting on September 11, noon, 101 W Flagler.

III. Discuss City of Miami's Evaluation and Appraisal Report (EAR) with Potential Amendments to the Comprehensive Plan

Ms. Sue Trone, Chief of Comprehensive Planning, City of Miami, distributed and presented the draft Evaluation and Appraisal Report (EAR) based track changed amendments to the Comprehensive Plan related to the Miami River. In addition, Ms. Trone distributed and presented a related summary memo. The memo states in part:

“Given the effort that went into the most recent update to the Miami River Sub-Element, adopted in 2010, little change is recommended at this time. The Planning Department has provided some updates that primarily address outdated information. This is to say, the updates offered recommend striking some information because some information is no longer relevant. Policies that tie to other elements for internal consistency within the MCNP are flagged below for ease of review.

A summary of the proposed amendments follows:

1. Line 84: Correction of a typo. (This is not part of the Port of Miami River Sub-Element)
2. Line 119: Objective PA-3.1: This objective references Policy LU-1.3.3 and Goal CM-3. These are listed here:

Policy LU-1.3.3

Pursuant to Ch.163.3177(6)(a),F.S., the City shall maintain regulatory incentives and criteria that encourage the preservation of recreational and commercial Working Waterfronts as defined in Ch.342.07,F.S., particularly in the “Port of Miami River” Subelement to guide future development within the Miami River Corridor.

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Goal CM-3

Pursuant to Section 163.3178(2)(g), F.S., The City will maintain strategies that will be used to preserve and adequate supply of land for recreational and commercial Working Waterfront uses defined in Section 342.07, F.S.1

3. Line 133: "large scale" is stricken. "expedited state review" is underlined. This is because in 2011 the Florida Legislature replaced the Large Scale amendment process for comprehensive planning with the Expedited State Review process. This is codified in Sec. 163.3184 (3), Florida Statute.
4. Lines 139-140: "by a reviewer selected by the Planning Department" is added text. This text is recommended language to Policy PA-3.1.2 which memorializes the no-net-loss policy for Category A properties within the working waterfront. This proposed language is offered with expectation of creating an arm's length between the analyst and the reviewer. Moreover, the City's adopted fees for the the Planning Department recently were amended to charge a separate fee for this service. This is recommended for additional clarity for applicants, stakeholders to working waterfronts, and the City of Miami which is responsible for administering the policy.
5. Line 215: "and Policy IC-2.1.30" is stricken. This policy was repealed in a previous ordinance and this should have been stricken at that time.
6. Lines 260-261: This amendment addresses the outdated reference to the FL Department of Community Affairs (strike out "Community Affairs") and updates it to "Economic Opportunity".
7. Line 285: Policy PA-3.3.8: Strike entire policy. This policy refers to Enterprise Zone tax incentives which no longer exist.
8. Line 300: Renumber Policy PA-3.3.9 to 3.3.8. Strike specific policies to make the policy more generalized and less necessary to update based on state-level changes to Brownfield policies.
9. Line 324: Renumber Policy PA-3.3.10 to 3.3.9. Strike specific policies to make them more generalized.
10. Line 330: Renumber Policy PA-3.3.11 to 3.3.10
11. Line 340: Renumbered
12. Lines 357-368: Strike policies for annual reporting.
13. Line 370: Policy PA-3.4.1: Propose a new policy for monitoring on loss or gain of recreational and commercial Working Waterfront land and uses to be presented to the City Commission at a public hearing and report within one year of adoption and then in seven (7) year increments thereafter.

Next Steps

A legal review will commence later in July. All amendments will be brought to the Planning, Zoning, and Appeals Board (PZAB) on September 6, 2023. City Commission will be asked to vote on the amendments at a proposal hearing (first reading) by October 19, 2023. Transmittal for state coordinated review will commence no later than October 31, 2023.”

This item will be presented at the full Miami River Commission’s July 10 public meeting, noon, 101 W Flagler in the Library Auditorium.

Spencer Crowley and Mark Bailey stated the desire for the Comprehensive Plan to be enforced and implemented. Mr. Crowley stated he would like to defer the item so that he may author some additional suggested revisions to the Comprehensive Plan. **The MRC unanimously deferred the item to their next public meeting, September 11, noon, 101 W. Flagler, in the library auditorium.**

IV. Discuss City of Miami’s New Draft Parks Master Plan

Carlos Perez presented a PowerPoint regarding the City of Miami’s draft new Parks Master Plan. The MRC’s previously provided advisory input was thankfully incorporated into the draft Parks Master Plan. Mr. Perez stated the City Commission is scheduled to consider the draft plan on July 27.

County Commissioner Higgins stated Miami-Dade County is starting a “Safe Routes to Parks” program, similar to the “Safe Routes to Schools” program.

The MRC adopted a unanimous resolution recommending approval of the City of Miami’s Parks Master Plan, adding an emphasis to “improving waterfront park amenities”.

V. Subcommittees

The MRC Urban infill and Greenways Subcommittee’s June 16 public meeting minutes were distributed.

The MRC Stormwater Subcommittee’s June 7 public meeting minutes were distributed.

The Miami River Holiday Boat Parade’s June 12 public meeting minutes were distributed. MRC member Mercedes Librada Rodriguez thanked the City Commission whom on June unanimously adopted a City Commission agenda item to create the “City of Miami’s 1st Annual Miami River Holiday Boat Parade” and will be providing all needed City services.

V. New Business

The public meeting adjourned.

Miami River Commission Public Meeting

July 10, 2023 - Noon

Miami-Dade County Library, 101 W Flagler ST

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Miami-Dade County Library, 101 W Flagler ST

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