

Miami River Commission Meeting Minutes January 7, 2019

The Miami River Commission (MRC) public meeting convened at noon, January 7, 2019, 1407 NW 7 ST.

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

Horacio Stuart Aguirre, MRC Chairman, Appointed by Governor Scott
Patty Harris, designee for Governor Scott
Eileen Higgins, County Commissioner
Maggie Fernandez, designee for County Commissioner Higgins
Neal Schafers, Downtown Development Authority
Tom Kimen, designee for Neighborhood Representative Appointed by City of Miami
Philip Everingham, designee for the Marine Council
John Michael Cornell, designee for Luis Garcia Appointed by Governor Scott
Sandy O'Neil, designee for Greater Miami Chamber of Commerce
Bruce Brown, President, Miami River Marine Group
Sallye Jude, Appointed by Miami-Dade County
Manny Prieguez, Appointed by City of Miami

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 provided the following report:

The MRC's draft November 3, 2018 public meeting minutes were amended by Sandy O'Neil and unanimously adopted by the MRC.

The Miami River Commission's 2018 Annual Report is before you, highlighting numerous recent Miami River successes such as the referendum overwhelmingly approved by the voters, continued construction of the public Riverwalk, completion of the Wagner Creek and Seybold Canal Maintenance Dredging and Environmental Cleanup Project, private sector mixed use developments such as RMK Merrill Stevens, River Landing, One River Point, and Aston Martin Residences. MRC Chairman Aguirre thanked MRC Director Bibeau for his excellent work.

Please note the 23rd Annual free Miami Riverday festival will be held April 6, 2019, Lummus Park, 1-6 PM, featuring free Miami River boat rides, live music, environmental education,

paddleboard races, historic re-enactors, children activities, food and drinks and more. Everyone is invited to this free celebration of the Miami River, and sponsorships are available.

In addition, advertisements are available in the 16th Annual Miami River Map and Guide, which is released at Miami Riverday.

I thank MRC Vice Chairman Frank Balzebre, Sandy O'Neil, Philip Everingham, Patty Harris and John Michael Cornell for volunteering on the MRC's Mission Steering Subcommittee. Thus far in individual conversations between MRC Managing Director Brett Bibeau and these MRC members, the following progress has been made to date:

- 1) The MRC will increase work related to Sea Level Rise within the Miami River District. Today's agenda item is an example of this effort, in partnership with the City of Miami, Miami-Dade County, State of Florida, Congress, the private sector, etc.
- 2) Now that maintenance dredging and environmental cleanup projects have been recently successfully completed in Wagner Creek, Seybold Canal, and the Miami River, the MRC will review the remaining Miami River tributaries and continue efforts for more needed maintenance dredging and environmental cleanup projects. Commissioner Higgins noted the need for maintenance dredging the Tamiami Canal where numerous marine industrial businesses are having navigational issues.

Philip Everingham suggested the MRC's Mission Steering Subcommittee include continued support and advocacy for Port Miami River's job generating marine industrial businesses, Miami River District Neighborhoods and public greenspaces.

MRC Managing Director Brett Bibeau provided the following Miami River Voluntary Improvement Plan (VIP) update:

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 thanks 12 volunteers from Hands on Miami whom on January 5 pulled weeds from the replanted community vegetable and fruit garden and picked up garbage along the public Riverwalk's shoreline here at 1407 NW 7 ST.

The MRC's next 3 coordinated and sponsored volunteer cleanup events are:

January 16, 11-1, along the public Riverwalk in Curtis Park, with 30 volunteers from Lawton Childs School.

January 31, 9:15-1:15, along the public Riverwalk featuring the community vegetable and fruit garden here at 1407 NW 7 ST, with 30 volunteers from Carrollton School.

February 8, 11-1, in Sewell Park, with 30 volunteers from Lawton Childs School.

II. Consider MDX / FDOT Plans for I-836 Over the Miami River

On December 3, 2018 the MRC adopted a unanimous resolution recommending approval of the improvements to I-836 with the following conditions and design modifications:

- Include the City Code required public Riverwalks, featuring new elevated seawalls, and connecting with existing and future public Riverwalks.
- Maintain vessel navigation between the Bridge fenders in the Federal navigable channel while constructing
- Meet all requirements for drilling new proposed pilings without causing unintended damage
- Report Back to Miami River Commission's January 4, 2019 public meeting, noon, 1407 NW 7 ST

Mr. Gil Portela, MDX/GEC/HNTB stated since then the MDX team conducted site visits with MRC Director Bibeau. Mr Portela distributed and presented plans for the public Riverwalk on the north shore, featuring a seawall, 15' wide unobstructed Circulation Zone, 3' wide Passive Zone, 4' wide Safety Zone, varying Transition Zone, and 8' wide existing and proposed columns. Mr. Portela stated the MD is yet to identify the funding needed for the presented public Riverwalk. Mr. Portela stated MDX will work on including the public Riverwalk beneath 836 on the south shore as well. Mr. Portela stated the project requires numerous environmental reviews, considerations and permitting which will limit turbidity, protect manatees, etc.

Director Bibeau noted MDX is an eligible applicant MDX is an eligible applicant for 50/50 matching grants from the Florida Inland Navigation District (FIND) for both "Phase I" for design and permitting, followed by "Phase II" for construction. FIND has kindly awarded millions in grants for other sections of the public Riverwalk featuring new seawalls to the City of Miami and Miami Dade County, including beneath bridges i.e. South Miami Ave, Metro-Rail and Metro-Mover. This is an annual grant cycle which MDX still has enough time to submit an application this cycle.

MRC Chairman Aguirre noted the importance of the MRC's recommendation to maintain vessel navigation between the bridge fenders in the Federal Navigable Channel while constructing the project.

The MRC thanked the MDX for the progress made over the past month, and continued to encourage them to implement the remaining MRC's conditions if approval, for example including the public Riverwalk on the south shore as well.

III. Consider City of Miami's Application to Amend Miami 21 Zoning Code to Allow Freeboard to Address Sea Level Rise

Attendee's discussed the City of Miami's previously distributed zoning code amendment application to incorporate "freeboard in the floodplain and clarify language for raising structures (zoned T3, single family residential) within the floodplain". In part the distributed draft ordinance creates a new definition, "Freeboard: The additional height above the Base Flood Elevation at which the lowest finished floor is built". Currently the code requires 1 foot of freeboard, and this would create the option for up to 5 feet of free board. The proposal allows the raising of infrastructure, and the option for up to a 5' increase in the current the height of ground floor retail, from 25' to 30'. This item only applies to new construction, and the City of Miami's Planning Zoning and Appeals Board unanimously recommended approval with a note that the drafted "optional" 5 feet of freeboard be revised to become "mandatory". Mr. Shedd stated he expects the presented ordinance to be considered by the City Commission at 1st reading in either January or February. Mr. Bibeau stated the City Planning Department had confirmed their presentation, but surprisingly and unfortunately no City Representative was present.

The MRC's Urban Infill and Greenways subcommittee's December 12, 2018 public meeting minutes were distributed, which state in part, "MRC Urban Infill Subcommittee Chairman suggested the MRC recommend approval of the item and that the City encourage future eligible applicants to exercise their new option to include up to 5 feet of freeboard."

Sallye Jude suggested the MRC recommend approval with a condition to support the City of Miami Planning Zoning and Appeals Board's note that the drafted "optional" 5 feet of freeboard be revised to become "mandatory". Commissioner Eileen Higgins noted the City of Miami beach has a similar ordinance which includes the freeboard as an option and is not mandatory. Commissioner Eileen Higgins and additional MRC members stated a desire for the City to present their item to the MRC and provide the MRC additional data for consideration. **The MRC unanimously deferred the item to their February 4 public meeting, noon, 1407 NW 7 ST.**

IV. Update on Fort Dallas Park and Historic Flagler's Workers House / Palm Cottage

The MRC's previously distributed Urban Infill and Greenways December 12, 2018 public meeting minutes were distributed stating:

"MRC Director Bibeau stated the MRC previously unanimously approved a motion recommending the city issue a request for proposals for a restaurant in Fort Dallas Park subject to the following conditions:

1. Expedite completion of the city's contracted structural analysis of the historic Flagler worker's house, and expedite any time sensitive structural repairs potentially reported in the structural analysis.

2. No reduction of the size of the existing public riverwalk and public side yard, which provides access to the riverwalk.
3. If the Fort Dallas Park dock is not going to provide dockage for waterborne transportation (water taxis, commuter ferries, etc.), then provide dockage for waterborne transportation immediately east of Fort Dallas Park.
4. Expedite the process to re-open and re-activate this important and historic riverfront park.
5. If no bids or proposals are received again to this site's third consecutive request for proposals, then restore the historic house, improve the property and re-open the entire Fort Dallas Park.

Mr. Bibeau stated the City of Miami designated the 1897 "Royal Palm Cottage" / Flagler's Worker's House a Historic Structure. The City of Miami thankfully contracted a Professional Engineer, whom recently submitted to the City the "General Assessment Report For The Existing Structural Systems and Feasibility of Rehabilitation & Restoration - Flagler Worker's House (Palm Cottage) 60-64 SE 4 ST. September 5, 2018", which states he following:

- "The existing structure should be considered to be in a state of 'Substantial Structural Damage' as defined in Section 202 of the Florida Building Code 2017- Existing Building. There are also a number of areas that should be classified as "Dangerous Conditions" as defined in Section 202." (page 11)
- "Rehabilitation and restoration are feasible." (page 11)
- "For general preliminary consideration, it might be assumed that the construction cost of the rehabilitation and restoration of the Flagler's Workers House will be in the range of \$600,000 - \$900,000." (page 12)

Mr. Bibeau stated Andrew Schimmel, City of Miami DREAM, stated on the record at the City of Miami's Dec. 11, 2018 televised Waterfront Advisory Board meeting, that the City of Miami was looking for funding to restore the historically designated 1897 house.

MRC Urban Infill Subcommittee Chairman Murley suggested the MRC make the following additional supplemental recommendations:

- 1) Transmit the City's cited report to the City Manager
- 2) Stabilize and renovate the historically designated home, demolish the 2 non-historic structures in the small park, and improve the public park space
- 3) City of Miami apply to available historic preservation related grant programs
- 4) Evaluate merits of using Miami Forever Bond Funding for the subject Riverfront Fort Dallas Park
- 5) Repair the Fort Dallas Park Dock, which was destroyed in Hurricane Irma (September 2017) with City Requested FEMA Funds"

Mark Burns, City of Miami, stated the City of Miami was seeking funding to restore the designated historic Flagler Workers House, and demolish the 2 non-historic structures which are also in poor condition in Fort Dallas Park. Christine Rupp, Dade Heritage Trust, offered to partner with the City of Miami to assist.

The MRC adopted a unanimous resolution to add the following additional supplemental recommendations to the aforementioned list of related recommendations previously adopted by the MRC:

- 1) Transmit the City’s cited report to the City Manager**
- 2) Stabilize and renovate the historically designated home, demolish the 2 non-historic structures in the small park, and improve the public park space**
- 3) City of Miami apply to available historic preservation related grant programs**
- 4) Evaluate merits of using Miami Forever Bond Funding for the subject Riverfront Fort Dallas Park**
- 5) Repair the Fort Dallas Park Dock, which was destroyed in Hurricane Irma (September 2017) with City Requested FEMA Funds”**

V. MRC Subcommittee Reports

A. Greenways Subcommittee –

Since the City and County’s adoption of the *Miami River Greenway Action Plan*, of the planned 10-mile public Miami River Greenway, 6.5 miles are complete. Currently the public Riverwalk is under construction at River Landing, Aston Martin, and One River Point. The MRC is continuing to advocate for funding to finish construction of the remaining 3.5 miles of the public Miami River Greenway from the following sources:

1. Voter approved “Miami Forever” City GO Bond Issue
2. State Sun Trail Grant (City submitted \$1 million application)
3. Rails to Trails Application for a \$2 million cost share Volkswagen Settlement Cost Share
4. New TPO Grant Funding Program
5. County GOB Bond Issue (expend remaining “Miami River Greenway” line item balance due plus additional pledged \$1,000,000)
6. Spend the \$1,000,000 2016 TAP grant awarded to the City of Miami
7. FIND 50/50 matching grants
8. Private sector developments

B. Stormwater Subcommittee - Chair Sallye Jude

The Miami River Commission’s Stormwater Subcommittee met December 5, and the public meeting minutes will be distributed. The increased services of the Scavenger Water Decontamination Vessel will provide significant needed improvements to water quality in the Miami River, and we look forward to DERM placing the budget approved agreement item on the County Commission agenda, which is required before services commence. Commissioner Higgins kindly asked for recent communications between MRC and DERM, and stated she would ask for the item to be placed on the County Commission agenda so it maybe approved and the services may commence.

C. Economic Development and Commerce Subcommittee – Chair Philip Everingham

The MRC's Economic Development and Commerce Subcommittee is scheduled to meet on January 22, here at 10:30 AM. We will review the proposal for a new effort to improve water quality in Biscayne Bay and the Miami River.

VI. New Business

The meeting adjourned.

**Miami River Commission
 Public Meeting**

Monday, January 7, 2019
 Noon
 1407 NW 7 ST
 Miami, FL

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 1407 NW 7 ST
 Miami, FL

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