

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: March 13, 1998 Revised: 3/17/98 \_\_\_\_\_

Subject: The Miami River Commission

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Cooper</u>	<u>Yeatman</u>	<u>CA</u>	<u>Fav/1 amendment</u>
2.	<u>_____</u>	<u>_____</u>	<u>NR</u>	<u>Withdrawn</u>
3.	<u>_____</u>	<u>_____</u>	<u>WM</u>	<u>_____</u>
4.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
5.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

**I. Summary:**

SB 1368 creates the Miami River Commission to function as the official clearinghouse for all public policy and projects related to the Miami River. The commission consists of a policy committee, a managing director who has the responsibility to implement plans and programs, and a working group of all governmental agencies that have jurisdiction in the Miami River area and representatives from business and civic associations.

This bill creates a new section of the Laws of Florida.

**II. Present Situation:**

In 1991, a Dade County Grand Jury conducted a study of the Miami River which focused on governance and accountability, sources of pollution, and dredging of the Miami River. According to the report, 38 federal, state, county, and municipal agencies have authority over the river and are attempting to coordinate their enforcement efforts. The following is a list of several of the recommendations made by the Dade County Grand Jury in its final report:

- Local government needs to establish a port authority over the Miami River. The authority should govern and coordinate all regulation, the needs of the river and industry along the river, as well as the needs of the community at large.
- The river authority must address the entire operational and environmental integrity of the river.
- All owners of commercial vessels should be required to post a bond or other form of financial responsibility sufficient to pay for the costs of cleanup and removal and/or fines for environmental and safety violations.

- Local government must continue to analyze the costs and benefits of dredging and potential alternatives.
- A mandatory shoreline stabilization and erosion control program should be instituted along the river to prevent further narrowing of the channel.

In its conclusion, the Dade County Grand Jury stated “. . . more aggressive action needs to be taken. Action, not more studying of the river’s problems, needs to occur today. The Miami River needs its priority status increased at all levels within the public and private sector.”

### III. Effect of Proposed Changes:

**Section 1** of the bill establishes the Miami River Commission as the official clearinghouse for all public policy and projects related to the Miami River. This commission exists to:

unite all government agencies, businesses, and residents in the area to speak with one voice on river issues, to develop coordinated plans, priorities, programs, projects, and budgets that might substantially improve the river area, and to act as the principal advocate and watchdog to ensure that river projects are funded and implemented in a proper and timely manner.

The commission is authorized to pursue and receive funding to implement river improvement projects of the commission. The act does not supersede the regulatory authority or responsibilities of any governmental agency or local government. The act does provide that the commission may accept specifically defined authority delegated to the commission by any governmental entity. The commission is charged to “use powers of persuasion to achieve its objectives through the process of building a consensus work plan and through widespread publication of regular progress reports.”

The commission will consist of a policy committee, a managing director who has the responsibility to implement plans and programs, and a working group of all governmental agencies that have jurisdiction in the Miami River area and representatives from business and civic associations.

The policy committee includes:

- a member of the U.S. Congressional delegation;
- a representative of the U.S. Coast Guard;
- the Captain of the Port of Miami;
- the Governor;
- the chair of the Dade delegation;
- the chair of the governing board of the South Florida Water Management District;
- the Miami-Dade County State Attorney;
- the Mayor of Miami;
- the Mayor of Miami-Dade County;
- a commissioner of the City of Miami Commission;

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- a commissioner of the Miami-Dade County Commission;
  - the chair of the Miami River Marine Group;
  - the chair of the Marine Council;
  - the Executive Director of the Downtown Development Authority;
  - the chair of the Greater Miami Chamber of Commerce;
  - two representatives each from the Spring Garden Neighborhood Association, the Grove Park Neighborhood Association, and the Miami River Neighborhood Enhancement Corporation, one from each appointed by the city commission and one from each appointed by the county commission, selected from a list of 3 names submitted by each such organization;
  - one representative from an environmental or civic association, appointed by the Governor; and
  - three members-at-large, who are persons that have demonstrated history of involvement on the Miami River through business, residence, or volunteer activity, one appointed by the Governor, one appointed by the city commission, and one appointed by the county commission.

All members of the policy committee are voting members, except the member of Congress and the Captain of the Port of Miami, who are ex officio, nonvoting members. The committee may meet monthly, but must meet quarterly.

The policy committee has the following general powers and duties:

- consolidate existing programs and proposals into a strategic plan for the Miami River and surrounding areas, and monitor and revise the plan as necessary;
- prepare, monitor, and revise an integrated financial plan;
- provide technical and political support to implement each element of the strategic and financial plans;
- accept delegated authority;
- publicize and distribute the commission's semiannual report;
- seek and receive grants, and administer contracts;
- coordinate a joint planning area agreement between the Department of Community Affairs, Miami, and Miami-Dade County;
- provide a forum for exchange of information and facilitate the resolution of conflicts;
- act as a clearinghouse for public information and conduct public education programs;
- establish and organize the Miami River working group;
- elect officers and adopt rules for the commission; and
- hire a managing director and necessary staff.

**Section 2** of the bill appropriates \$225,000 from the General Fund to the Miami River Commission to implement the provisions of this act.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

There appears to be a misspelled word on page 3, line 21. The word should be “committee” rather than “committed.”

**VII. Related Issues:**

None.

**VIII. Amendments:**

#1 by Community Affairs:  
Technical amendment.