

By Senator Gutman

34-1223-98

See HB

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A bill to be entitled
An act relating to the Miami River;
establishing the Miami River Commission;
providing purposes; providing for a policy
committee, a managing director, and a working
group; specifying membership of the committee;
providing powers and duties of the committee;
requiring a report; providing an appropriation;
providing an effective date.

WHEREAS, the Miami River falls under the jurisdiction
of four levels of government, federal, state, county, and
municipal, with at least 36 separate agencies charged with
carrying out their respective responsibilities, and

WHEREAS, the Miami River lacks unified management,
political leadership, and accountability, and

WHEREAS, the Miami River Coordinating Committee was
established to address the situation and has succeeded in
providing a forum for interagency exchange of information and
public discussion of river issues but has not been able to
bring about effective resolution of existing problems, NOW,
THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. (1)(a) The Miami River Commission is
hereby established as the official clearinghouse for all
public policy and projects related to the Miami River to unite
all governmental agencies, businesses, and residents in the
area to speak with one voice on river issues, to develop
coordinated plans, priorities, programs, projects, and budgets

1 that might substantially improve the river area, and to act as
2 the principal advocate and watchdog to ensure that river
3 projects are funded and implemented in a proper and timely
4 manner.

5 (b) The commission may seek and receive funding to
6 implement river improvement projects of the commission.
7 Nothing in this act affects or supersedes the regulatory
8 authority of any governmental agency or any local government
9 and any responsibilities of any governmental entity relating
10 to the Miami River shall remain with such respective
11 governmental entity. However, the commission may accept any
12 specifically defined authority delegated to the commission by
13 any governmental entity, through a memorandum of understanding
14 or other legal instrument. The commission shall use powers of
15 persuasion to achieve its objectives through the process of
16 building a consensus work plan and through widespread
17 publication of regular progress reports.

18 (2) The Miami River Commission shall consist of:

19 (a) A policy committee comprised of a member of the
20 United States Congressional delegation, a representative of
21 the United States Coast Guard, the Captain of the Port of
22 Miami, the Governor, the chair of the Dade delegation, the
23 chair of the governing board of the South Florida Water
24 Management District, the Miami-Dade County State Attorney, the
25 Mayor of Miami, the Mayor of Miami-Dade County, a commissioner
26 of the City of Miami Commission, a commissioner of the
27 Miami-Dade County Commission, the chair of the Miami River
28 Marine Group, the chair of the Marine Council, the Executive
29 Director of the Downtown Development Authority, and the chair
30 of the Greater Miami Chamber of Commerce; two representatives
31 each from the Spring Garden Neighborhood Association, the

1 Grove Park Neighborhood Association, and the Miami River
2 Neighborhood Enhancement Corporation, one from each appointed
3 by the city commission and one from each appointed by the
4 county commission, selected from a list of 3 names submitted
5 by each such organization; one representative from an
6 environmental or civic association, appointed by the Governor;
7 and three members-at-large, who shall be persons who have a
8 demonstrated history of involvement on the Miami River through
9 business, residence, or volunteer activity, one appointed by
10 the Governor, one appointed by the city commission, and one
11 appointed by the county commission. All members shall be
12 voting members, except the member of Congress and the Captain
13 of the Port of Miami who shall be ex officio, nonvoting
14 members. The policy committee may meet monthly, but shall
15 meet at least quarterly.

16 (b) A managing director who has the responsibility to
17 implement plans and programs.

18 (c) A working group consisting of all governmental
19 agencies that have jurisdiction in the Miami River area, as
20 well as representatives from business and civic associations.

21 (3) The policy committed shall have the following
22 powers and duties:

23 (a) Consolidate existing plans, programs, and
24 proposals into a coordinated strategic plan for improvement of
25 the Miami River and surrounding areas, addressing
26 environmental, economic, social, recreational, and aesthetic
27 issues. The committee shall monitor the progress on each
28 element of such plan and shall revise the plan regularly.

29 (b) Prepare an integrated financial plan modeled after
30 the South Florida Ecosystem Restoration Working Group. The
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1 committee shall monitor the progress on each element of such
2 plan and revise the plan regularly.

3 (c) Provide technical assistance and political support
4 as needed to help implement each element of the strategic and
5 financial plans.

6 (d) Accept any specifically defined authority
7 delegated to the committee by any level of government through
8 a memorandum of understanding or other legal instrument.

9 (e) Publicize a semiannual report describing
10 accomplishments of the commission and each member agency, as
11 well as the status of each pending task. The committee shall
12 distribute the report to the City and County Commissions and
13 Mayors, the Governor, chair of the Dade County delegation,
14 stakeholders and the local media.

15 (f) Seek grants from public and private sources and
16 receive grant funds and administer contracts.

17 (g) Coordinate a joint planning area agreement between
18 the Department of Community Affairs, the city, and the county
19 under the provisions of s. 163.3177(11)(a), (b), and (c),
20 Florida Statutes.

21 (h) Provide a forum for exchange of information and
22 facilitate the resolution of conflicts.

23 (i) Act as a clearinghouse for public information and
24 conduct public education programs.

25 (j) Establish the Miami River working group, appoint
26 members to the group, and organize subcommittees, delegate
27 tasks, and seek council from members of the working group as
28 necessary to carry out the powers and duties listed in this
29 subsection.

30 (k) Elect officers and adopt rules of procedure as
31 necessary to carry out the powers and duties listed above.

1 Replace policy committee members who do not participate on a
2 regular basis.

3 (1) Hire the managing director, who shall be
4 authorized to represent the commission and to implement all
5 policies, plans, and programs of the commission. The committee
6 shall employ any additional staff necessary to assist the
7 managing director.

8 Section 2. The sum of \$225,000 is hereby appropriated
9 from the General Revenue Fund to the Miami River Commission to
10 implement the provisions of this act.

11 Section 3. This act shall take effect upon becoming a
12 law.

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15 HOUSE SUMMARY

16 Creates the Miami River Commission. Provides for a policy
17 committee, a managing director, and a working group.
18 Specifies membership of the committee and provides powers
and duties of the committee. See bill for details.

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