

Bill No. CS/HB 3185

Amendment No.

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| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Gutman moved the following amendment:

Senate Amendment (with title amendment)

On page 3, between lines 8 and 9,

insert:

Section 2. (1)(a) The Miami River Commission is hereby established as the official coordinating 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 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.

(b) The commission may seek and receive funding to further its coordinating functions regarding river improvement projects of the commission. Nothing in this act affects or supersedes the regulatory authority of any governmental agency or any local government and any responsibilities of any

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1 governmental entity relating to the Miami River shall remain
 2 with such respective governmental entity. However, the
 3 commission may accept any specifically defined coordinating
 4 authority or functions delegated to the commission by any
 5 governmental entity, through a memorandum of understanding or
 6 other legal instrument. The commission shall use powers of
 7 persuasion to achieve its objectives through the process of
 8 building a consensus work plan and through widespread
 9 publication of regular progress reports.

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

11 (a) A policy committee comprised of the Governor, the
 12 chair of the Dade delegation, the chair of the governing board
 13 of the South Florida Water Management District, the Miami-Dade
 14 County State Attorney, the Mayor of Miami, the Mayor of
 15 Miami-Dade County, a commissioner of the City of Miami
 16 Commission, a commissioner of the Miami-Dade County
 17 Commission, the chair of the Miami River Marine Group, the
 18 chair of the Marine Council, the Executive Director of the
 19 Downtown Development Authority, and the chair of the Greater
 20 Miami Chamber of Commerce; two neighborhood representatives,
 21 selected from the Spring Garden Neighborhood Association, the
 22 Grove Park Neighborhood Association, and the Miami River
 23 Neighborhood Enhancement Corporation, one neighborhood
 24 representative to be appointed by the city commission and one
 25 neighborhood representative to be appointed by the county
 26 commission, each selected from a list of 3 names submitted by
 27 each such organization; one representative from an
 28 environmental or civic association, appointed by the Governor;
 29 and three members-at-large, who shall be persons who have a
 30 demonstrated history of involvement on the Miami River through
 31 business, residence, or volunteer activity, one appointed by

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1 the Governor, one appointed by the city commission, and one
2 appointed by the county commission. All members shall be
3 voting members. The committee shall also include a member of
4 the United States Congressional delegation and the Captain of
5 the Port of Miami as a representative of the United States
6 Coast Guard, as nonvoting, ex officio members. The policy
7 committee may meet monthly, but shall meet at least quarterly.

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

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

13 (3) The policy committee shall have the following
14 powers and duties:

15 (a) Consolidate existing plans, programs, and
16 proposals into a coordinated strategic plan for improvement of
17 the Miami River and surrounding areas, addressing
18 environmental, economic, social, recreational, and aesthetic
19 issues. The committee shall monitor the progress on each
20 element of such plan and shall revise the plan regularly.

21 (b) Prepare an integrated financial plan using the
22 different jurisdictional agencies available for projected
23 financial resources. The committee shall monitor the progress
24 on each element of such plan and revise the plan regularly.

25 (c) Provide technical assistance and political support
26 as needed to help implement each element of the strategic and
27 financial plans.

28 (d) Accept any specifically defined coordinating
29 authority or function delegated to the committee by any level
30 of government through a memorandum of understanding or other
31 legal instrument.

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1 (e) Publicize a semiannual report describing
2 accomplishments of the commission and each member agency, as
3 well as the status of each pending task. The committee shall
4 distribute the report to the City and County Commissions and
5 Mayors, the Governor, chair of the Dade County delegation,
6 stakeholders and the local media.

7 (f) Seek grants from public and private sources and
8 receive grant funds to provide for the enhancement of its
9 coordinating functions and activities and administer contracts
10 that achieve these goals.

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

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

17 (i) Act as a clearinghouse for public information and
18 conduct public education programs.

19 (j) Establish the Miami River working group, appoint
20 members to the group, and organize subcommittees, delegate
21 tasks, and seek council from members of the working group as
22 necessary to carry out the powers and duties listed in this
23 subsection.

24 (k) Elect officers and adopt rules of procedure as
25 necessary to carry out the powers and duties listed above and
26 solicit appointing authorities to name replacements for policy
27 committee members who do not participate on a regular basis.

28 (l) Hire the managing director, who shall be
29 authorized to represent the commission and to implement all
30 policies, plans, and programs of the commission. The committee
31 shall employ any additional staff necessary to assist the

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1 managing director.

2 Section 3. (1) No item, motion, directive, or policy
3 position that would impact or in any way diminish levels of
4 currently permitted commercial activity on the Miami River or
5 riverfront properties shall be adopted by the Miami River
6 Commission unless passed by a unanimous vote of the appointed
7 members of the commission then in office.

8 (2) No item, motion, directive, or policy position
9 suggesting, proposing, or otherwise promoting additional
10 taxes, fees, charges, or any other financial obligation on
11 owners of riverfront property or shipping companies or
12 operators shall be adopted by the Miami River Commission
13 unless passed by a unanimous vote of all appointed members of
14 the commission then in office.

15 Section 4. The Miami River Commission shall terminate
16 July 1, 2003, unless the Legislature, in a review of the
17 creation, operation, and accomplishments of the Miami River
18 Commission during the 2003 Regular Session, determines that
19 the commission should be continued and reenacts provisions
20 providing for its continuation.

21
22 (Redesignate subsequent sections.)

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25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 1, line 9, after the semicolon

28

29 insert:

30 prohibiting the adoption of certain actions by

31 the commission unless by a required minimum

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1 vote; providing for future termination of the
2 commission pending legislative review of
3 reenactment;
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