

1 A bill to be entitled
2 An act relating to the Miami River;
3 establishing the Miami River Commission;
4 providing purposes; providing for a policy
5 committee, a managing director, and a working
6 group; specifying membership of the committee;
7 providing powers and duties of the committee;
8 requiring a report; prohibiting adoption of
9 certain actions by the commission unless by a
10 required minimum vote; providing for future
11 termination of the commission pending
12 legislative review and reenactment; providing
13 an effective date.

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

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17 Section 1. (1)(a) The Miami River Commission is
18 hereby established as the official coordinating clearinghouse
19 for all public policy and projects related to the Miami River
20 to unite all governmental agencies, businesses, and residents
21 in the area to speak with one voice on river issues, to
22 develop coordinated plans, priorities, programs, projects, and
23 budgets that might substantially improve the river area, and
24 to act as the principal advocate and watchdog to ensure that
25 river projects are funded and implemented in a proper and
26 timely manner.

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

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

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.

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
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1 shall employ any additional staff necessary to assist the
2 managing director.

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

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

16 Section 3. The Miami River Commission shall terminate
17 July 1, 2003, unless the Legislature, in a review of the
18 creation, operation, and accomplishments of the Miami River
19 Commission during the 2003 Regular Session, determines that
20 the commission should be continued and reenacts provisions
21 providing for its continuation.

22 Section 4. This act shall take effect upon becoming a
23 law.

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