

**Miami River Commission
Meeting Minutes
July 11, 2016**

Mr. Horacio Stuart Aguirre, Chairman of the Miami River Commission (MRC), convened the public meeting at noon, July 11, 2016, 1407 NW 7 ST.

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

Horacio Stuart Aguirre, Appointed by the Governor
Jay Carmichael, Member at Large Appointed by the Governor
Patty Harris, designee for Governor
Bruno Barreiro, Miami-Dade County Commissioner
Marlene Avalo, designee for Miami-Dade County Commissioner Bruno Barreiro
Gary Winston, designee for State Attorney
Sandy Batchelor, designee for South Florida Water Management District
Eric Riel, designee for the Downtown Development
Philip Everingham, designee for the Marine Council
Sandy O'Neil, designee for Greater Miami Chamber of Commerce
Bruce Brown, Miami River Marine Group
Ernie Martin, Neighborhood Representative appointed by City of Miami
Sallye Jude, Neighborhood Representative appointed by Miami-Dade County

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

The MRC unanimously adopted their previously distributed draft May 9, 2016 public meeting minutes.

Please note 2 recent positive articles in the press:

The New York Post article titled “Forget South Beach – this is Miami’s coolest ‘hood’” the Miami River District.

Miami Today recognized MRC Director Brett Bibeau with a Best of Miami award

As promised for anyone whom was unable to attend personally there is a rotating PowerPoint of pictures from the 20th Annual Miami Riverday held April 2nd, which was another river commission outstanding success.

One of the most difficult balancing acts on the historic mixed use Miami River is the openings and closings of the Brickell Bridge for vessels along Port Miami River’s federal navigable

channel. The MRC continues to advocate for our list of action items designed to alleviate vehicular congestion.

Friendly reminder similar to the City and County the MRC does not have public meetings in August, therefore our next meeting will be September 12, here at noon.

MRC Chairman Aguirre asked Patty Harris, Jay Carmichael and Bruce Brown to review the MRC's By-Laws.

Jay Carmichael, Miami River Voluntary Improvement Plan (VIP)

The following is a sample of some of the items recently addressed in the Miami River Voluntary Improvement Plan (VIP):

We thank FPL for making some of the promised improvements to their section of the public riverwalk, and recommend they complete the project.

We thank the City of Miami for partnering with 35 MRC volunteers to finish the cleanup and removal of massive invasive plant species along Fern Isle Park's shoreline, in preparation for the relocation of the historic Tamiami Swing Bridge. The homeless camp issue is ongoing, and the City of Miami continues to work on it today.

We thank a River resident for emailing the MRC pictures of a plume of contamination entering the Miami River from a storm water outfall in Fort Dallas Park. The City and County are searching for the source of this contamination.

We thank Miami-Dade County for commencing repairs of the iconic colored lights along the Metro-Rail Bridge, and recommend they complete the remaining phases of the project.

We thank One River Point for funding 2 cleanup / landscape shifts per week along the public Riverwalk.

We thank City of Miami Marine Patrol SGT Lai for commencing a 1 month pilot program focused on writing tickets for speeding boats violating the Miami River's idle / no wake speed zone. Mr. Carmichael noted considering the vast area of Biscayne Bay and the Miami River which the City of Miami Marine Patrol covers, it has limited resources.

II) Review of 40 SW North River Drive, "Sushi Samba / Duck and Waffle House" As Built Conditions and MRC Approved Plans

The MRC Urban Infill and Greenways subcommittee's June 22, 2016 public meeting minutes were distributed stating in part:

"Brett Bibeau, Managing Director of the Miami River Commission, provided the following documents:

- MRC's 11/3/14 public meeting minutes featuring plans for this site state in part, "features the public Riverwalk consistent with Miami 21 Section 3.11, Appendix B, and the City Charter"

- Development Plans presented and approved at the MRC's 11/3/14 public meeting featuring a 14-foot wide public Riverwalk, including an 8'4" wide unobstructed circulation zone, 1-foot wide transition zone, 1'8" wide passive zone, and a 3' wide safety zone, continuous across the entire site
- Revised Development Plans provided by developer team at a site visit on March 15, depicting a public Riverwalk inconsistent with Miami 21 Section 3.11, Appendix B and the City Charter, as the width was reduced from 14' required to 12' wide total, while reducing the unobstructed circulation zone from 8'4" wide to 4'6" (ADA requires 5' minimum) - 5'10". In addition the revised narrower public Riverwalk, which is no longer consistent with Miami 21 Section 3.11, Appendix B and the City Charter, is now no longer continuous across the entire site, and the public side-yard connectors (from sidewalk to public Riverwalk on both sides) were reduced in width as well.
- Picture of on-site conditions taken during the March 15 site visit, depicting the as built conditions which are not consistent with Miami 21 Section 3.11, Appendix B and the City Charter
- 5/27/15 email from project architect Arturo Griego to Bibeau stating, "we have made it pretty clear that the walkway is unobstructed"
- 3/9/16 email from project architect Arturo Griego stating in part, "it should not be different than you last saw"
- 3/31/16 email from Bibeau to Griego, "PLS reply the updated plans"
- 3/31/16 email reply from Griego to Bibeau, "working on it now"
- 4/18/16 email from Bibeau to Collin Worth, City of Miami Bike / Ped Coordinator noting the issue at hand
- 6/10/16 email from Bibeau to Griego stating:
"Per our conversation 6/22, 3 PM, 1407 NW 7 ST, smaller multi-purpose room
PLS bring 10 copies of original plans presented to MRC and 10 copies of current plans
PLS email new plans and old plans by 6/21
THX and have a nice day
Sincerely,
Brett"

Mr. Bibeau stated during the site visit the construction foreman indicated part of the problems with the narrowed Riverwalk width were created by a late change in the site's elevations, which upset the architects whom were unaware of this unfortunate change which negatively impacted the planned width of the public Riverwalk.

Mr. Bibeau stated over the past few months he reported this issue on the record at the City of Miami's Waterfront Advisory Board twice, and notified 2 staffers in the City of Miami Planning Department, and a staffer in the Building Department.

Mr. Bibeau stated the development team didn't accept the invitation to participate in this public meeting, and they didn't email the MRC's repeatedly requested updated development plans and City Building Permit. The City of Miami indicated that this site is being constructed under a "phased permit", where the developer assumed liability for constructing ahead of final building

permits, and is therefore responsible to correct anything constructed which upon inspection by City is deemed inconsistent with Miami 21 Zoning Code or the City Charter.

MRC Urban Infill Subcommittee Chairman Murley and Greenways Subcommittee Chairman Martin suggested the MRC reaffirm the 11/3/14 recommendation for approval of the project which featured a public Riverwalk consistent with Miami 21 Section 3.11, Appendix B, and the City Charter. Chairmen Murley and Martin suggested MRC Chairman Aguirre and Director Bibeau continue communications with the City of Miami and Development team leading up to this time sensitive item being considered by the full MRC on July 11, noon, 1407 NW 7 ST.”

The MRC passed a unanimous resolution reaffirming their 11/3/14 recommendation for approval of the Sushi Samba / Duck and Waffle House Restaurant development which featured a public Riverwalk consistent with Miami 21 Section 3.11, Appendix B, and the City Charter. The MRC directed MRC Chairman Aguirre and Director Bibeau to continue communications with the City of Miami and Development team.

III) Consideration of Proposed Miami Circle Phase II Improvements

The MRC Urban Infill and Greenways subcommittee’s June 22, 2016 public meeting minutes were distributed stating in part:

“Kerri Post, Deputy Secretary of State, and Dr. Timothy Parsons, Department of State (DOS), presented a “Miami Circle Update” PowerPoint. Ms. Post thanked MRC Director Bibeau for his positive assistance in addressing numerous issues at Miami Circle Park such as removal of homeless camps, significant illegal parking, park maintenance and landscaping, etc. Mr. Bibeau thanked Ms. Post and Dr. Parsons for their support in moving the Miami Circle Park forward in a positive direction.

Ms. Post presented the site’s “Phase I” improvements including replanting the existing planter beds along the public Riverwalk, installing bolder benches, boulders to block illegal parking, and dog waste stations. Phase I is under contract and estimated for completion before the end of the State’s fiscal year on June 30, 2016.

Ms. Post presented the 1st draft Phase II improvements to Miami Circle Park which includes a life size 3D model / replica of the actual Miami Circle, additional historic signage, installing three additional seating areas, and filling the majority of the currently open greenspace with 3 foot tall “ground cover” native plants. Ms. Post stated the current 1st draft Phase II plan has not been finalized. The PowerPoint included a couple “Current Conditions” pictures taken in March or April showing dirt on much of the planned grass area. Director Bibeau provided more recent “Current Conditions” pictures of the site taken this month which show the grass areas have recovered and the formerly barren areas of dirt are now green grass (irrigation system was previously turned off, and was turned back on a few months ago). Mr. Bibeau asked Ms. Post to please replace the “Current Conditions” pictures in the presentation with the provided more current pictures, prior to the July 11 presentation to the MRC, noon, 1407 NW 7 ST.

Ms. Post noted the site has issues with violations of laws regarding dogs, for example some owners are allowing their dogs off leashes and not throwing away dog waste. Director Bibeau thanked City of Miami Police SGT Valdes and his officers whom recently completed training on the current dog laws and will start enforcing them at Miami Circle Park. Director Bibeau noted the City of Miami's standard Park Laws do not allow dogs, and several years ago DOS and History Miami posted signs indicating no dogs allowed in Miami Circle Park. Since then DOS decided to again allow dogs in Miami Circle Park (featuring a dog water fountain), which is a designated National Historic Landmark.

Greg Bush, Urban Environment League (UEL), served on the DOS Miami Circle Planning Committee and played a significant role in preserving the site. Mr. Bush sent an email stating, "I think more attention should be paid to showcasing the real Miami Circle site – finding the technology to display it while keeping it safe from the elements...I also dislike covering over much of the grass with low shrubs. The public needs more positive waterfront space for picnics and such activities."

Mr. Parsons stated DOS has analyzed ways to display the real Miami Circle and provide needed protection from the elements, and determined it is not possible to display the actual Miami Circle while providing sufficient protection from the elements. Therefore DOS is proposing the life size 3D replica / model on the exact location of the Miami Circle, which will remain covered by dirt for protection.

Dr. Martin noted the small site's current design was created after over a decade of public meetings, Planning Committees, charrettes etc. After Miami Circle Park was completed and opened to the public, it was awarded a National Historic Landmark designation. Based on extensive public input, the site includes 3 small open greenspace / grass areas which allow for multiple public recreational uses. Miami has the least square footage of open public greenspace of any large City in the U.S., and the immediate area is densely populated with an additional adjacent over 1,600 approved residential units starting construction soon.

MRC Greenways Subcommittee Chairman Martin and Urban Infill Subcommittee Chairman Murley recommended approval of the Miami Circle Park Phase I and Phase II improvements with one condition, preserving the originally planned and existing open green space / grass areas."

Ms. Post presented an updated PowerPoint, including a couple more recent "Current Conditions" pictures of the site taken this month which show the grass areas have recovered and the formerly barren areas of dirt are now green grass (irrigation system was previously turned off, and was turned back on a few months ago).

Ms. Post thanked MRC Director Bibeau for his positive assistance in addressing numerous issues at Miami Circle Park such as removal of homeless camps, significant illegal parking, park maintenance and landscaping, etc. Mr. Bibeau thanked Ms. Post and Dr. Parsons for their support in moving the Miami Circle Park forward in a positive direction.

Ms. Post stated the presented 1st draft Miami Circle Phase II improvement plans are not finalized, and they are scheduled to present to the City of Miami's Historic and Environmental Preservation Board on September 6.

Ms. Harris stated she preferred the Miami Circle Park National Historic Landmark site adopt the City Parks law regarding no dogs allowed in Parks.

Under a separate project between the Miami Parking Authority (MPA) and Florida Department of Transportation (FDOT), all agencies have executed permission to allow Bob Carr to start archeological explorations beneath the Brickell Bridge's south shore, in preparation for the MPA's fully funded and designed public Riverwalk connector and public paid parking. Now FDOT has to provide Mr. Carr with access (key to gate) in order to explore the subject area.

The MRC passed a resolution (8-2) recommending approval of the Miami Circle Park Phase I and Phase II improvements subject to the following 2 conditions:

- 1) **preserving the originally planned and existing open green space / grass areas**
- 2) **State provide funding to implement and maintain DOS proposed improvements**

IV. MRC Subcommittee Reports

A. Greenways Subcommittee - Chair Dr. Ernie Martin

The MRC partnered with Hands on Miami and Viacom to bring 100 volunteers here on May 20. The volunteers worked along the public Miami River Greenway from here to 5th Street Bridge and planted 150 plants, spread 150 bags of recycled mulch, picked up litter, painted a mural of a flamingo, tended the community vegetable and fruit garden, interacted with the elderly affordable housing residents by enhancing the lunch, playing dominoes, and providing free manicures.

On June 25 the MRC hosted volunteers in Sewell Park in partnership with Maria, ECOMB, and the Gay Alliance.

On July 12 the MRC is hosting 35 volunteers in partnership with the from the Miami Dolphins and the City of Miami to remove garbage and invasive species along the shoreline in Fern Isle Park, in preparation for the ribbon cutting ceremony for the relocated Tamiami Swing Bridge.

In September the MRC will be hosting 2 Saturday volunteer Miami River cleanup events on the 10th and 17th.

B. Stormwater Subcommittee - Chair Sallye Jude

The Stormwater subcommittee's June meeting minutes were distributed.

The City administration understandably deferred their agenda item to select the Wagner Creek and Seybold Canal maintenance dredging and environmental cleanup project's contractor from July to September or October.

Agencies continue implementation of the Miami River Walk the WBID.

**C. Economic Development and Commerce Subcommittee – Chair Philip
Everingham**

The next public MRC Economic Development and Commerce Subcommittee meeting will be held after the August public meeting break, on September 9, here at 10 AM.

The meeting adjourned.

**Miami River Commission
 Public Meeting**

Monday, July 11, 2016
 Noon
 1407 NW 7 ST
 Miami, FL

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Noon
1407 NW 7 ST
Miami, FL

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