

Policy Committee:
Governor of State of Florida
Mr. Charlie Crist
Designee: Ms. Patricia Harris

Chair of Miami-Dade Delegation
Representative Juan Zapata
Designee: Representative Luis Garcia

Chair of Governing Board of South Florida Water Management District
Mr. Eric Buermann

Miami-Dade State Attorney
Ms. Katherine Fernandez-Rundle
Designee: Mr. Gary Winston

Mayor of Miami-Dade County
Mayor Carlos Alvarez
Designee: Mr. Tim Riera-Gomez

Mayor of Miami
Mayor Tomas Regalado

City of Miami Commissioner
Commissioner Frank Carollo

Miami-Dade County Commissioner
Commissioner Bruno Barreiro
Designee: Ms. Marlene Avalo

Chair of Miami River Marine Group
Mr. Richard Dubin
Designee: Mr. Orin Black

Chair of Marine Council
Mr. Ed Swakon
Designee: Mr. Phil Everingham

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Designee: Ms. Jane Caporelli

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Mr. Horacio Stuart Aguirre

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Mr. Jay Cannichael

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Ms. Sara Babun
Designee: Ms. Vilma Licea-Camejo

Member at Large Appointed by City of Miami Commission
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Managing Director
Mr. Brett Bibeau

Assistant Managing Director
Ms. Ashley L. Chase



Miami River Commission

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April 13, 2010

Chair Barbara Jordan
Miami-Dade County
Stephen P. Clark Center
111 NW 1st Street
Miami, FL 33149

Re: Recommendation to Deny April 14, 2010 Transit, Infrastructure and Roads Committee Agenda Item 3 M

Dear Honorable Madame Chair Jordan:

This letter serves as the Miami River Commission's (MRC) official advisory recommendation required under Board of County Commissioner's Resolution R-156-99, for agenda items impacting the Miami River.

On April 12, 2010, the Miami River Commission passed a unanimous resolution recommending the balance of the voter approved \$7.5 million for the Miami River Greenway be included in the upcoming GOB bond issuance to construct the 90% complete construction engineering documents which the County contracted for \$500,000. Please consider the current condition of these Miami-Dade County owned riverfront sites, and the vast environmental and economic benefits of constructing these sections of the *Miami River Greenway Action Plan*, which was unanimously adopted by the Miami-Dade Board of County Commissioner's in 2001. The County owned sections of the riverwalk will connect with and extend existing sections of the publicly accessible riverwalk.

The draft resolution under consideration today notes the requirement to be consistent with "I.O. 3-47 Process for Allocation of Surplus and other Funds from the Building Better Communities GOB". I.O. 3-47 states, "Surplus funds means net interest income and unused proceeds". The voter approved GOB line item #126, Miami River Greenway's 90% complete construction engineering documents have not been put out to bid for construction, therefore the project has no "unused proceeds" at this time. If after finishing construction of the currently designed 6 County owned sites the GOB's "Miami River Greenway" line item has remaining funding the MRC further

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respectfully recommends the County proceed to create engineering documents and construct the Miami River Greenway on two additional County owned sites per the County's adopted *Miami River Greenway Action Plan*. After this agenda item was prepared, Public Works indicated they were unaware at the time of the 2 additional MDC owned sites which also need the approved GOB's "Miami River Greenway" funding for design and construction. The reason the future (Phase II) MDC sites were not originally included in the first 6 MDC sites (for which \$500,000 was just spent for design), is to ensure the remaining \$7 million would be sufficient to build the first batch of 6 MDC owned sites, some of which include expensive seawalls, etc. Therefore we didn't want to spend more funding to design the remaining 2 sites, until we knew there was sufficient funding approved by the voters in the Miami River Greenway line item to design and construct the first / current set of 6 sites. One of the future 2 sites (Phase II) which needs the Miami River Greenway, desperately requires a new long seawall where the County land is slowly falling into the recently dredged Miami River. The second site currently violates ADA laws as there are no sidewalks along the County owned South River Drive from the Tamiami Canal to NW 25 ST to connect to the MIC. The Miami River Greenway is generally being constructed east to west, so the first 6 sites which have been designed are all on the east, and the remaining 2 sites (Phase II) are further west.

Recently the State of Florida hired consultants whom created a detailed \$750,000 estimate to construct the Miami River Greenway at the Miami circle site. After putting the construction of the design out to bid, the awarded construction contract was approximately \$1.2 million, 60% over the estimate.

In the case before you today the rough estimate based on unpermitted 90% complete construction documents yet to be contracted for construction, is \$6,650,000. The non-existent \$850,000 "surplus" is only 11% over the construction estimate, beneath standard contingency reserves. GOB line item budget shortfalls and surplus are determined after contracting an awarded construction bid, which has not occurred in the case of the Miami River Greenway, therefore it is impossible to declare a surplus. Please note DERM is yet to permit the designed stormwater drainage, which omits deep wells and pumps

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on the majority of the sites as DERM required to change the State's plans for the Miami River Greenway at the Miami Circle site.

The draft resolution references the accompanying memo, which states "this resolution impacts the Miami River Greenway in Commission District 7 located along the Miami River in the City of Miami", although several of the sites are located in District 5, and all of the sites are owned by Miami-Dade County.

Thus far 3.25 discontinuous miles of your planned 10 mile Miami River Greenway have been constructed, and funding is in place to construct an additional 2 miles. Your continued support to successfully complete construction of the Miami River Greenway is sincerely appreciated.

Yours Very Truly,

Eric Buermann
Chair,
Miami River Commission