

Regular Council Meeting  
Tuesday, January 26, 2010  
Meeting Minutes  
7PM

- A. **CALL TO ORDER:** .Mayor Joyce A. Davis presiding as Chairperson called the Regular Council meeting of Tuesday, January 26, 2010 to order at 7:05pm.
- B. **SILENT MEDITATION & PLEDGE:** Mayor Davis asked everyone to stand for a moment of silent meditation and in solidarity with the people of Haiti based on the devastating earthquake followed by the pledge of allegiance.
- C. **ROLL CALL:** The Village Clerk was asked to read the roll call sheet. The following were noted as present/absent:
- Present: Mayor Joyce A. Davis  
Vice-Mayor Harold E. Mathis Jr.  
Councilperson Linda Marcus  
Councilperson Daisy Black  
Councilperson Claudia Cubillos
- Also Present: Jason Walker, Village Manager  
Eugene Morales, Chief of Police  
Albertha W. Patterson, Village Clerk  
Joseph S. Geller, Village Attorney (here at 7:25pm)
- Absent: None
- D. **APPROVAL OF AGENDA:** Vice Mayor Mathis Jr. moved that the agenda be approved as presented. Councilperson Cubillos seconded the motion. The motion carried unanimously.
- E. **APPROVAL OF MINUTES FOR THE FOLLOWING MEETING:**  
E1. Minutes for the December 15, 2009 Regular Council Meeting: Councilperson Marcus moved that the minutes for the December 15, 2009 Regular Council meeting be approved. Councilperson Black seconded the motion. The motion carried unanimously.
- F. **ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:**  
Mayor Davis acknowledged Mr. Jason Neal with Waste Management and Mr. Wade Jones with Commissioner Audrey Edmonson's office. Mayor Davis thanked both for joining our meeting.

G. **GOOD AND WELFARE:** None Noted.

H. **AGENDA ITEM(S):** None

I. **RESOLUTIONS/ORDINANCES:**

**Ordinance No. 2009- 004**

**Second Reading  
Discretionary Funds**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA CREATING CHAPTER 2, ARTICLE II, SECTION 2-17, OF THE CODE OF ORDINANCES OF THE VILLAGE OF EL PORTAL, FLORIDA; AND PROVIDING FOR REPEALER, SEVERABILITY, AND CODIFICATION, AND AN EFFECTIVE DATE.**

Mayor Davis asked the Village Clerk to read Ordinance No.2009-004. Councilperson Black asked the Village Clerk read the complete Ordinance into record.

After the reading, Councilperson Black stated she oppose this Ordinance even more now due to what has happened in Haiti. Councilperson Black stated when people are in need, we need to be there for them.

Mayor Davis stated this Ordinance is to ensure that the money be used within the Village. Mayor Davis stated Council can always speak to the Manager and ask for a certain amount of money to be voted out. The discretionary fund is not that much of money.

Councilperson Black stated discretionary means the funds are to be used at the discretion of that Councilperson.

Vice Mayor Mathis moved that Ordinance No.: 2009-004 discretionary funds be approved. Councilperson Marcus seconded the motion.

Mayor Davis stated it has been properly moved and second and asked the Clerk to read the roll call sheet. The Village Clerk read the roll call sheet. As a result, Ordinance No.: 2009-004 passed by a roll call vote of 4-1. The one opposing vote was Councilperson Black.

**I. Resolution / Ordinances (continued)**

**Resolution No. 2010-001 Waste Mgmt Contract Extension**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, APPROVING AN EXTENSION OF THE VILLAGE'S CONTRACT WITH WASTE MANAGEMENT, INC. AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE EXTENDED CONTRACT; TO TAKE EFFECT IMMEDIATELY UPON ADOPTION.**

Mayor Davis asked the Village Clerk to read Resolution No.:2010-001 Waste Mgmt. Contract Extension.

Village Manager explained that this is an extension of the contract with Waste Management for an additional six months. It will take at least three months for us to go out for a bid and complete the process. Manager Walker stated removing trash from the areas that is put out on the wrong date has been challenge. Village Manager Walker has asked that Waste Management include this in their extension contract. The Manager stated Mr. Neal has agreed to pick up the trash that is put out on the wrong dates. Even though, Biscayne Park and Miami Shores have agreed to help us with this issue. Village Manager Walker stated he feels better being able to call Waste Management and they have agreed.

Mayor Davis stated it was properly moved and seconded. Mayor Davis asked the Clerk to read the roll call sheet. Resolution No.: 2010-001 passed by roll call vote of 5-0.

**Resolution No.: 2010-002 Auditors for 2009**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO SPEND UP TO \$32,000.00 FOR AUDITORS FOR THE VILLAGE OF EL PORTAL FOR 2008-2009; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Davis asked the Village Clerk to read Resolution No.:2010-002 Auditors for 2009. Village Manager Walker explained that this Resolution gives him authority to hire the Auditors for the Village. The amount is more than last year because the State requires a Single audit to be done of any municipality who spends more than \$500,000 in State Funds. The Village did so. Therefore, the Auditors will do the single audit and the annual audit. Vice Mayor Mathis moved that Resolution No.: 2010-002 be approved. Councilperson Marcus seconded the motion. The motion passed by a roll call vote of 5-0.

**J. REPORTS FROM THE VILLAGE MANAGER, MAYOR & COMMITTEE CHAIRS:**

J1. Report from the Village Manager – Jason M. Walker

Village Manager Jason Walker provided information on the following items:

1. Stormwater project is officially completed.
2. LMS Meetings attendance – Local Mitigation Strategy funds at the request of Councilperson Marcus
3. LAP Agreement with Ty Linn Association
4. Audits for Annual, State and CITT for 8 years
5. Letters from Alberni & Caballero & Company L.L.P.
6. Grant writer for the Village to work on an agreed fee system
7. Budget for next year will challenge police budget.
8. Stormwater / Seawall funds still need more money
9. Village to bid on the Church and checking on grants to assist
10. The circle on 87<sup>th</sup> Street is completed with irrigation system, lights and watering at 4am.
11. Bus Shelters all necessary papers are signed for NE 2<sup>nd</sup> Ave. & North Miami Ave.
12. Mutual Aid Agreements with Miami Shores and Miami Dade County Police
13. Website being updated on a daily basis
14. Fence is almost completed.
15. Seawall – a letter will be sent to all 20 families to come in and sign the agreement.
16. Confirmation notices for Council from the auditors must be completed asap and returned
17. Vote to put \$25,000 in escrow for the bid on the church from reserve funds voice vote
18. A religious statute in the backyard of a resident.

J2. Mayor Davis Report

J2a. MDCLC 2010 Installation Gala February 20, 2010 at the Jungle Island MDCLC:  
The Village has purchased an ad in the booklet and one table of 10 seating.  
We will need to decide who will attend the Gala.

J2b. League Delegate and Alternate MDCLC: It was agreed that Mayor Davis will be the Delegate and Councilperson Cubillos will be the alternate for the MDCLC Board meetings.

J2c. Census 2010: Mayor Davis explained the importance of all Villagers completing and returning the census forms. The forms are scheduled to be mailed in April, 2010.

J2d. Dr. King's Birthday Celebration: Mayor Davis stated El Portal was represented in the MLK parade and were well received.

J2e. State of the Village Address: Mayor Davis will deliver the State of the Village Address on Thursday, February 25, 2010 at 6:30pm in the Village Hall.

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J2f. Miami Shores Optimist Club (February 13, 2010) – Mayor Davis asked for Councilpersons to support this event because Mr. Lewis Optimist Club supported of the Villager’s Christmas Toy-give-away.

J2g. Blue Ribbon for Haiti – an idea that was given to show solidarity for those suffering in Haiti a blue ribbon is tied around the trees.

J2h. Earth Day – will be celebrated on Saturday, April 17, 2010 and Tuesday, April 20, 2010 Mayor Davis suggested the Council do something for the green initiative.

J3. Committee Chair Reports

J3a. Administration & Finance Committee – Vice Mayor Mathis, Jr.

No meeting was held during the month of January 2010.

The next Administration and Finance committee meeting is scheduled for March 9, 2010 at 6:30pm.

J3b. Public Safety – Mayor Davis

No meeting was held during the month of January 2010.

Operation Cleanup of the Village was January 23, 2010 – The police officer recruited 36 volunteers to help with the cleanup which was a county-wide event in preparation for the Pro-Bowl and the Super Bowl games.

The next Public Safety committee meeting is scheduled for March 9, 2010 at 7pm

J3c. Planning & Zoning – Mayor Davis

No meeting was held during the month of January 2010.

The next Public Safety committee meeting is scheduled for March 10, 2009 at 6:30pm.

J3d. Code Enforcement – Councilperson Marcus

No meeting was held during the month of January 2010.

The next Code Enforcement committee meeting is scheduled for March 13, 2010 at 7pm.

J3e. Public Work – Councilperson Black

No meeting was held during the month of January 2010.

The public works items were reported by the Village Manager.

The next Public Works committee meeting is scheduled for March 8, 2010 at 7pm.

J3f. Public Affairs – Councilperson Cubillos

No meeting was held during the month of January 2010.

Seniors’ Luncheon will be held January 27, 2010 at 12noon.

We have the purposed schedule for the Public Affairs events for the year.

Chairperson Cubillos stated the February Seniors’ Luncheon will be combined with the Black History Event. This event will be held on February 17, 2010 at 12noon.

The Seniors Luncheon for March will be held on March 17, 2010 at 12noon

The Seniors Luncheon for April will be held on April 14, 2010 at 12noon

The next Public Affairs committee meeting is scheduled for March 8, 2010 at 6:30pm.

J4. Legal Matters – Attorney Joseph S. Geller  
Attorney stated his office is reviewing the contract for the church.

The twelve foot statute would have to be referred to the building official. However, the height would be an area of concern for safety during the time of a hurricane. Another concern would be religious services being conducted in a residential area. There are laws that do not allow religious service in a residential area. The Attorney suggested that this request be reviewed.

K. UNFINISHED BUSINESS AND GENERAL ORDERS: None noted.

L. NEW BUSINESS :

L1. “I Am My Neighbor’s Keeper” Sponsor: Vice Mayor Mathis Jr.

Vice Mayor Mathis stated this idea was recommended by Mrs. Merlin Brooks.

Vice Mayor stated he would like for Mrs. Brooks to come up and explain her idea.

Mrs. Brooks – 400 Northeast 90<sup>th</sup> Street- stated before discussing her idea in front of everyone she was under the opinion that she was going to meet council separately and all would be in agreement in what direction to go.

It was agreed that Vice Mayor Mathis and the Manager will meet with Mrs. Brooks on Friday, January 29, 2010 at 2pm, in the Village Hall.

L2. Request for Donations from the Village of El Portal –

Councilperson Marcus moved that the Village donate \$2,500 plus the amount collected from villagers donation (at this time \$590.00) to the Haiti relief effort. Councilperson Cubillos seconded the motion. The motion passed by roll call vote of 5-0.

L3. Mutual Aid Agreements with the Local Police – Village Manager Walker explained the mutual aid agreements are with Miami Shores and Miami-Dade County Police.

Vice Mayor Mathis moved that the Village enter into a mutual aid agreement with both municipalities and approve the signing of the agreements. Councilperson Cubillos seconded the motion. The motion passed by roll call vote of 5-0.

M. GOOD AND WELFARE: Ms. Flores Chamberlin of 221 Northeast 89<sup>th</sup> Street

M1. Ms. Chamberlin suggested that the village council take advantage of the resources that are present in the Village. Ms. Chamberlin sited: cultural diversity and bird sanctuary. She stated the Village could sponsor a group of nurses to Haiti. She further explained that the green village could be a research study.

**M. Good and Welfare (continued)**

M2. Mrs. Brooks asked, “Who will the money go to that was voted out of the general funds for Haiti?” She feels the Village needs to make sure the money gets to the people who need the money in Haiti

M3. Mrs. Brooks stated she donated the palm tree in front of the Village and would like to see a plaque under the palm tree some time soon.

N. ADJOURNMENT: Vice Mayor Mathis moved that the Regular Council meeting be adjourned. Councilperson Black seconded the motion. The motion carried unanimously. The Regular Council meeting was adjourned at 8:36pm.

Respectfully submitted:

*Albertha W. Patterson*

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Albertha W. Patterson, MSM, CMC  
Village Clerk

Transcribed Date: February 1, 2010

Date Approved: March 23, 2010