

REGULAR VILLAGE COUNCIL MEETING  
MEETING MINUTES  
Tuesday, October 27, 2009  
7PM

- A. **CALL TO ORDER:** Mayor Joyce A. Davis presiding called the Regular Council meeting to order at 7:05pm.
- B. **SILENT MEDITATION & PLEDGE:** Mayor Davis asked all to stand for a moment of silent meditation 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 (arrived after roll call)  
Carolina Montealegre, Assistant to Village Manager

Absent: None

- D. **APPROVAL OF AGENDA:** Councilperson Black added to the agenda under Acknowledgment of Visitors and / or Special Presentations as F1: Special presentation to Ms. Sharon Isaacs. Village Manager Jason Walker added under New Business Item L1: Bids opening for Cars. Vice Mayor Mathis, Jr. moved that the agenda be approved as amended. Councilperson Black seconded the motion. The motion carried unanimously.
- E. **APPROVAL OF MINUTES FOR THE FOLLOWING MEETING:**  
E1. Regular Council Meeting Minutes for September 22, 2009 – Councilperson Black moved that the minutes for Regular Council meeting for September 22, 2009 be approved. Vice Mayor Mathis Jr. seconded the motion. The motion carried unanimously.
- F. **ACKNOWLEDGMENT OF VISITORS AND / OR SPECIAL PRESENTATIONS:**  
F1. Councilperson Black presented Ms. Sharon Isaacs with a pen of the Village thanking her for the hard work done with the children in Jamaica. Jamaica was devastated by hurricanes and in need of assistance with the state of the economy. Councilperson Black saluted Ms. Isaacs and named her an ambassador to the Village. Councilperson Black stated Ms. Isaacs has been a resident of the Village for 18 years. Councilperson Black shared a copy of the article printed in the Miami Herald concerning the event.

**F2.** Mayor Davis acknowledged Miami-Dade Fire Chief Cole's presence and thanked him for his continued support.

**G.** **GOOD AND WELFARE:** Mr. Vita Juste of 290 Northwest 86<sup>th</sup> Street shared a concern of his car was removed from in front of his home. His plan was to take the car to Haiti but his wife got sick and he was unable to do so. Mayor Davis stated she talked with Mr. Juste on his concern earlier today. The Mayor asked that Mr. Juste come to the Village Hall tomorrow morning and meet with the Village Manager.

**H.** **AGENDA ITEMS:** None noted

**I.** **RESOLUTIONS/ORDINANCES:**

### **II. RESOLUTIONS**

#### **I1a. Resolution No. 2009-028 – Local Agency Program (LAP) Project Certificate Assistance**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING THE HIRING OF T.Y. LIN INTERNATIONAL / H.J. ROSS TO ASSIST IN PROJECT CERTIFICATION PER FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) REQUIREMENTS FOR THE ROADWAY ENHANCEMENTS ALONG NORTHEAST 87<sup>TH</sup> STREET; TO INCLUDE A LAP AGENCY CERTIFICATION PACKAGE; TO INCLUDE A FDOT ITEM SEGMENT CREATION FORM; WITH AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING TO BE APPROPRIATED BY A SEPARATE RESOLUTION; AND PROVIDING FOR REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.**

Mayor Davis asked the Village Clerk read Resolution No.: 2009-028.

Village Manager Jason Walker explained the need for this resolution would be for the Village to become LAP Certified and be able to receive future funds for FDOT projects. The Manager stated he has waited for the County but has been informed that their scheduled is tight. The process is all administration. The process will cost a total of \$5,000.00. Councilperson Marcus suggested that item 5 be deleted from the Resolution. After discussion, Vice Mayor Mathis Jr. moved that Item 5 of Resolution 2009-028 be deleted from the Resolution. Councilpersons Marcus seconded the motion. The motion passed by roll call vote of 5-0.

Vice Mayor Mathis Jr. moved that Resolution No.: 2009-028 be approved as amended. Councilperson Marcus seconded the motion. The motion was approved by a roll call vote of 5-0.

**I1b. Resolution No.: 2009-029 – FL Sheriff’s Association (FSA)  
Contract Bid#08-16-0908**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, TO UTILIZE MEARS MOTOR LEASING COMPANY WITH THE APPROPRIATION OF POLICE SPECIAL FUND; PIGGYBACKING OFF OF FLORIDA SHERIFFS ASSOCIATION IN THE LEASING OF THREE POLICE DEPARTMENT VEHICLES AND AUTHORIZING THE MANAGER TO EXECUTE A CONTRACT IN AN AMOUNT NOT TO EXCEED \$61,554.00; AND PROVIDING FOR REPEARLER, SEVERABILITY, AND AN EFFECTIVE DATE.**

Village Manager explained the request of the Resolution stating the money is coming from the Police Fund. There was an item in the budget to lease three vehicles. The cost will be offset by the selling of four police vehicles. This will be for a three year agreement. Vice Mayor Mathis Jr. asked if item 5 would be deleted from this resolution. Village Manager stated this Resolution was obtained by a template and he has no program with Item 5 being deleted. Vice Mayor Mathis Jr. moved that Item 5 of Resolution 2009-029 be deleted from the Resolution. Councilperson Marcus seconded the motion. The motion passed by roll call vote of 5-0.

Vice Mayor Mathis Jr. moved that Resolution No.: 2009-029 be approved amended. The was agreed on by consensus of the Councilpersons. Resolution No.: 2009-029 was approved by a roll call vote of 5-0.

**I2. SECOND READING OF ORDINANCES:**

**I2a. ORDINANCE No.: 2009-002 FLOODPLAINS**

**AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA AMENDING THE CODE OF ORDINANCES, ARTICLE 1, SECTION 7.5-1 THROUGH 7.5-10 TO CREATE PROCEDURES THAT ARE CONSISTENT WITH FEMA REGULATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

Vice Mayor Mathis Jr. moved that Ordinance No.: 2009-002 be approved.

Councilperson Black seconded the motion. Ordinance No.: 2009-002 was approved by a roll call vote of 5-0.

**I2b. ORDINANCE No.: 2009-003 QUALIFYING DATES Election 2010**

**AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AMENDING SEC. 6-4 OF THE CODE OF ORDINANCES AND PROVIDING FOR SEVERABILITY, REPEALER OF ORDINANCES IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.**

Vice Mayor Mathis Jr. moved that Ordinance No.: 2009-003 be approved.  
Councilperson Marcus seconded the motion. Ordinance No.: 2009-003 was approved by a roll call vote of 5-0.

**I3. ORDINANCE NO. : 2009-004 DISCRETIONARY FUND (First Reading)**

**I3a. DISCRETIONARY FUND**

**AN ORDINANCE OF THE VILLAGE OF EL PORTAL,  
FLORIDA, AMENDING CHAPTER 2, OF ARTICLE II,  
SECTION 2-17, OF THE ORDINANCE OF THE  
VILLAGE OF EL PORTAL, FLORIDA; PROVIDING  
DISCRETIONARY FUND; REPEALER, SEVERABILITY,  
AND CODIFICATION, AND AN EFFECTIVE DATE.**

Mayor Davis explained her request for Attorney Geller to draft this Ordinance concerning the Discretionary Funds. This Ordinance would illuminate any question as to what the discretionary funds should be used for. Mayor Davis stated the funds should be used for the people in the Village. We have a number of needy residents in Little Farm. The discretionary fund is only \$1000 and it is not much money.

Attorney Geller stated that the way the Ordinance is written states the Village events can be paid for by the Village and non residents can benefit from the event.

After discussion, Vice Mayor Mathis Jr. moved that Ordinance No.: 2009-004 be approved. Ordinance No.: 2009-004 died due to lack of seconded.

Village Manager Walker stated he will need directions on this issue of discretionary funds. He asked that Council provide some type of guidance on this subject.

Councilperson Marcus stated if it is possible to schedule a meeting to discuss this issue further. Councilperson Marcus stated the Manager made a valid point. The Manager then asked if a Special Council meeting could be scheduled because he needs Council approval on an agreement with Miami-Dade Transit for bus shelters. Village Manager asked if Mayor and Council were available to meet on Thursday at 6:30pm for the Planning and Zoning and the Special Council meeting would be scheduled for 6:45pm. The Code Enforcement committee meeting would be scheduled for 7pm. It was the consensus of the Council that the meeting would be scheduled accordingly.

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

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

The Village Manager issued the interlocal agreement to the Mayor and Councilperson stating this will be discussed at the Special Council meeting on November 12, 2009 at 6:45pm.

- a. Seawall project continues to be an issue. We will receive an proposed amended contract to allow us to be reimbursed within thirty days.
- b. Stormwater project phase 2 and 3 are in the final stage of completion
- c. FDOT bid was under budget.
- d. Dade Delegation funding request
- e. FDOT resurfacing
- f. Street Closure application submitted in Sherwood Forest and four locations on the Westside
- g. Iron rod fence for Tot Lot and Police area
- h. GOB funds
- i. DOT Public Hearings for train station
- j. We have been contact twice about a concern of purchasing the church for \$3million.
- k. Ad Valorem for next year projection
- l. Audit will start the first week in December
- m. Lighting on 87<sup>th</sup> Street
- n. Red Light camera ordinance
- o. Dog park suggestion in Sherwood Forest

J2. Mayors Report – Mayor Davis

Mayor Davis reported on items t

- a. Annual 5000 Role Model Unity Breakfast and Ad in Booklet
- b. Miami Dade County League of City Director and Alternate
- c. Miami Dade County League of Cities Dinner for new president for 2010
- d. H1N1 vaccine brochures in three languages
- e. Police tickets report

J3. Committee Chairs Reports

J3a. Administration & Finance Committee Vice Mayor Mathis Jr.

No meeting was held during October.

Next meeting is scheduled for Tuesday, November 10, 2009 at 6:30pm.

J3b. Public Safety – Chairperson Davis / Vice Chair Mathis Jr.

No meeting was held during October.

Next meeting is scheduled for Tuesday, November 10, 2009 at 7pm.

J3c. Planning & Zoning – Chairperson Davis / Vice Chair Mathis, Jr.

No meeting was held during October.

Next meeting is scheduled for Thursday, November 12, 2009 at 6:30pm due to Veteran Day is Wednesday, November 11, and the Village Hall will be closed.

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J2d. Code Enforcement – Chairperson Marcus / Vice Chair Cubillos

No meeting was held during October.

Next meeting is scheduled Thursday, November 12, 2009 at 7pm due to Veteran Day is Wednesday, November 11, and the Village Hall will be closed.

J2e. Public Works – Chairperson Black / Vice Chair Marcus

No meeting was held during October.

The next Public Works committee meeting is scheduled for November 9, 2009 at 7pm.

J2f. Public Affairs – Chairperson Cubillos / Vice Chair Davis

No meeting was held during October.

Next Public Affairs committee meeting will be held on Monday, November 9, 2009 at 6:30pm. A reminder—the pre-Thanksgiving day luncheon is still on scheduled.

Also, in honor of Hispanic month, student made a poster and it will be on display for the balance of this month here at Village Hall.

J4. Legal Matters – Attorney Joseph S. Geller – Attorney Geller stated that the Village has no legal issues of concern. Village Manager stated he received a report stating that a lady slipped and fell in a pothole in El Portal. We do not have a report of an incident not even a police report of anyone getting hurt. We had several potholes repaired last year. The manager stated he will keep council informed.

K. UNFINISHED BUSINESS AND GENERAL ORDERS: None noted

L. NEW BUSINESS

L1. Bids on Cars – Village Manager opened the Bids for the two vehicles for sell and read the bid amounts for the record. The Manager stated that both cars have been out there for more than 30 days. Once these are sold, we will put two more cars out for sale in a process of updating the police vehicles.

M. GOOD AND WELFARE: None noted

N. ADJOURNMENT: Vice Mayor Mathis Jr. moved that the Regular Council meeting for October 27, 2009 be adjourned. Councilperson Cubillos second the motion. The motion carried unanimously. Meeting was adjourned at 8:31pm.

Digital recorder: 09/16

Respectfully submitted,

*Albertha W. Patterson*

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Albertha W. Patterson, CMC  
Village Clerk

Date approved: November 24, 2009