

Regular Village Council Meeting  
Meeting Minutes  
Tuesday, May 25, 2010, 7PM

- A. **CALL TO ORDER:** Mayor Joyce A. Davis called the Regular Council Meeting to order at 7:03pm.
- 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 Daisy Black  
Councilperson Claudia V. Cubillos  
Councilperson Linda Marcus

Also present: Jason M. Walker, Village Manager  
Eugene Morales, Chief of Police  
Irwin Williams, CFO  
Joseph S. Geller, Village Attorney  
Albertha W. Patterson, Village Clerk

Absent: None

- D. **APPROVAL OF AGENDA:** Councilperson Cubillos moved that the agenda be approved as presented. Councilperson Black seconded the motion. The motion carried unanimously.
- E. **APPROVAL OF MINUTES FOR THE FOLLOWING MEETING:**  
Regular Council Meeting minutes for April 27, 2010  
Councilperson Cubillos moved that the Regular Council Meeting minutes for April 27, 2010 be approved. Councilperson Black seconded the motion. The motion carried unanimously.
- F. **ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:**

F1. Mayor Davis recognized Fire Chief Cole and thanked him for his continued support to El Portal.

F2. Proclamation Sponsor: Councilperson Cubillos

Councilperson Cubillos serving as Chairperson of the Public Affairs committee requested a proclamation be presented to Eugene Morales, Chief of Police in appreciation of the officers continued support in the events sponsored by the Public Affairs committee. Councilperson Cubillos proclamation honored the police officers and proclaimed the third week of May each

Proclamation continued.

year to be Police Appreciation Week in El Portal. Councilperson Cubillos stated this proclamation is also in appreciation of the officers who volunteered to patrol during the Armed Forces Day run/walk.

The following were standing during the presentation of the proclamation along with Chief Morales: Mayor Joyce Davis, Vice-Mayor Harold Mathis, Jr. and Councilperson Claudia Cubillos.

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

**H. AGENDA ITEM(S):**

H1. Variance Request for 104 NE 86<sup>th</sup> Street – Mrs. Martina Kohl-owner  
Mayor Davis stated Resolution No.: 2010-009V for a variance was heard during the Planning and Zoning committee meeting on May 12, 2010. The variance was approved and recommended to be heard by Council.

Village Manager Walker stated the required mailing was completed with no objection to the variance. This request was also reviewed by the building department with no objections.

Mrs. Kohl's son spoke and explained their reason for the variance request stating his parents no longer need a big house for just the two of them and they do not wish to destroy the exotic plants around their home to obtain the required square footage.

Vice-Mayor Mathis moved that Resolution No.: 2010-009V be approved. Councilperson Black seconded the motion. The motion carried unanimously. Resolution No.: 2010-009V was approved by roll call vote of 5-0.

H2. Auditors Report for 2008-2009

Nester Caballero of Alberni, Caballero & Company, L.L.P. presented the findings of the fiscal year 2008-2009 Village audit. Mr. Caballero reviewed the key points of financial statement booklet. Mr. Caballero cited page 6 as an example stating the Fund Balance in 2005 was \$103,767. The Fund Balance in 2009 was \$613,993. This showed a positive growth for the Village. Mr. Caballero stated overall the Village's financial position has improved from the prior years. Mr. Caballero pointed out the graph on page 8, stating even though there was less revenue with the millage rate continued decrease from 2007, the expenses also decreased at a greater percentage.

H3. Manager observation of Auditor for next year 2009-2010

Village Manager Walker stated Mr. Caballero had completed the village audit for the past five years. While everyone have been pleased with the performance, it has been suggested another firm should be utilized. The Village Manager expressed it has been a pleasure to work with Mr. Caballero and his staff. However, a committee will be setup to select a firm for the audit for 2009-2010.

**I. RESOLUTIONS / ORDINANCES**

**RESOLUTION NO.: 2010-012                      Accufund Contract**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A CONTRACT WITH ACCUFUND, INC. FOR THE PURCHASE OF THE ACCUFUND GOVERNMENT ACCOUNTING SOFTWARE SUITE AND TO, INSTALL, IMPLEMENT, AND TRAIN EL PORTAL EMPLOYEES ON THE SOFTWARE OF THE SAID COMPANY AND PROVIDING FOR AN EFFECTIVE DATE.**

Village Manager Walker stated this Resolution is a result of one of the recommendations from the Auditors as noted on page 40 in the report. The recommendation stated the Village should purchase a new accounting software system to protect and maintain the Village's data. Irwin Williams stated this Accufund system is being offered at a very good price. Council will be able to lookup information concerning the budget on this software system. You will not be able to enter information. Attorney Geller stated the revised memo should be issued showing four different prices from different systems. This item is not a sole source. This memo shows that the company is subcontracting the training. Vice-Mayor Mathis moved that Resolution No.: 2010-012 be approved. Councilperson Black seconded the motion. The motion carried unanimously. Resolution No.: 2010-012 was approved by roll call vote of 5-0.

**J. REPORTS:**

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

Village Manager Walker reported on the following items:

- J1a. Seawall Meeting scheduled for June 2, 2010 at 6pm with engineers and residents
- J1b. Going to Orlando
- J1c. Received Grant for Forestry for Trees
- J1d. Non-Ad Valorem taxes must be submitted by June 1, 2010
- J1e. Compu Pay Records for 2005 not located. Need records for police payroll.
- J1f. May need an executive session scheduled concerning a worker comp case.
- J1g. Submitted reimbursement to FDOT for \$38,000.
- J1h. Annexation process is going forward should have info by June meeting.
- J1i. Reviewing permit fees for possible additional revenue

Manager's Report continued:

- J1j. Village Manager was nominated by Mr. Tom Benton, city manager of Miami Shores for Treasury/Secretary of Miami-Dade County City/County Manager Association. The Manager will be sworn into office on June 18, 2010 at 6pm at the Forge Restaurant on Miami Beach. The tickets cost \$65.00 each.
- J1k. Bulk trash pickup is scheduled for June 1, 2, and 3 for Zones 1, 2, and 3.

J2. Mayor's Report – Mayor Joyce A. Davis

Mayor Davis stated she does not have much to report because everything has been covered by the Manager.

Public Works committee meeting was not held this month due to lack of pressing items on the agenda.

Code Enforcement committee meeting was not held this month due to lack of quorum.

Committee meetings will be held July 12, 13, & 14, 2010 at the designated times.

J3. Committee Chairs Report:

J3a. Administration & Finance - Chairperson reported the main issue of discussion was the six months Village Audit.

J3b. Planning & Zoning - The Chairperson reported the variance was heard and recommended to council for approval.

J3c. Public Affairs – Chairperson Cubillos stated she has completed a letter thanking all of the officers for their support during the Armed Forces Day 5K walk/run and all of the public affairs events. She stated it was approximately 45 people who participated in the walk. She stated the participants signed the liability waiver with no problem. Title Water Company sponsored the event. The next event is the July 4<sup>th</sup> celebration.

Councilperson Cubillos read the letter addressed to the Village Manager (into record) thanking the officers for providing safety and support during the walk/run on May 15, 2010.

J3d. Public Safety - Chairperson reported the committee discussed some of the key things the police department are doing in the village to keep the residents safe. She stated they are conducting a “click it or ticket” program now.

J4. Legal Matters – Attorney Joseph S. Geller:

Attorney Geller stated his office completed the liability waiver for the 5K-3mile Armed Forces day run/walk that was held on Saturday, May 15, 2010 at the Village Hall.

Attorney Geller stated the Executive Session can only be held if something has been filed. If there has been a threat to file, we can have conversation on the case.

K. UNFINISHED BUSINESS AND GENERAL ORDERS: None noted.

L. NEW BUSINESS :

Mayor Davis announced the Village Cleanup scheduled for June 5, 2010 from 10am until 12noon. Mayor Davis stated she has a large number of students from Horace Mann Middle School who have volunteered. A number of them may earn community hours.

- M. GOOD AND WELFARE: Master Aaron Fruitstone of 157 Northwest 88<sup>th</sup> Street. Master Fruitstone is the owner of MPower Project Fitness. Mr. Fruitstone presented the Council with a proposal to hold a Wellness Day for the Villagers. Master Fruitstone stated some of the items for Wellness Day will include yoga, personal fitness, personal trainer, and nutritionist. At MPower, they also offer Marshall Arts. He stated he has completed a wellness program for Miami Shores and it was well received. The presentation was positively received by Council. Vice-Mayor Mathis volunteered to work with Master Fruitstone to come up with a date for the wellness day.
- N. ADJOURNMENT: Vice-Mayor Mathis, Jr. moved that the Regular Council meeting be adjourned. Councilperson Cubillos seconded the motion. The motion carried unanimously. The Regular Council meeting was adjourned at 8:05pm.

Respectfully submitted,  
*Albertha W. Patterson*

---

Albertha W. Patterson, MSM, CMC

Date transcribed: May 26, 2010

Date approved: June 22, 2010