




Regular Village Council Meet  
Regular Council Meeting  
Meeting Minutes  
Tuesday, July 27, 2010  
7PM

- A. **CALL TO ORDER:** Mayor Joyce A. Davis called the Regular Council meeting to order at 7:07pm.
- 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 Claudia Cubillos  
Councilperson Daisy Black (arrived after roll call)
- Also Present: Jason Walker, Village Manager  
Eugene Morales, Chief of Police  
Joseph S. Geller, Village Attorney  
Albertha W. Patterson, Village Clerk
- Absent: None
- D. **APPROVAL OF AGENDA:** Mayor Davis stated it was moved and seconded that the agenda be approved as presented. Motion carried unanimously.
- E. **APPROVAL OF MINUTES FOR THE FOLLOWING MEETING:**   
Mayor Davis stated it was moved and seconded that the Regular Council meeting minutes for June 22, 2010 be approved.
- F. **ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:**   
F1. Mr. Ed Hernandez – SFWMD  
Mr. Hernandez, Director of South Florida Water Management District presented information on how to prepare for Hurricanes and how to stay safe.
- G. **GOOD AND WELFARE**  Mrs. Merlin Brooks- 400 Northeast 90<sup>th</sup> Street- stated papers are being delivered in her yard without her request. Mrs. Brooks stated it should be something done to stop the people from throwing the newspapers because it make the area look bad.

## H. AGENDA ITEM(S)

### H1. Council on Recess for the Month of August

**RESOLUTION NO.: 2010-018**

**Council Recess**

Sponsor: Administration

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING THE VILLAGE MANAGER, TO TAKE ALL NECESSARY ACTION AND EXECUTE ALL DOCUMENTS AFFECTING THE HEALTH, SAFETY AND WELFARE OF THE VILLAGE DURING THE VILLAGE COUNCIL'S RECESS FROM AUGUST 1, 2010 THROUGH AUGUST 31, 2010; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

The Clerk explained the reason this Resolution was requested. This resolution has been done by many municipalities as an operational procedure.

Vice Mayor Mathis moved that Resolution No.: 2010-018 be approved. Councilperson Cubillos seconded the motion. Resolution No.: 2010-018 was approved by roll call vote of 3-1. Mayor Davis was the one "no" vote.

### H2. Cooperative Purchasing Agreement

Village Manager Walker explained his request for this agreement. He stated this agreement would be used to clear debris after a hurricane.

Vice Mayor Mathis moved that the Cooperative Purchasing Agreement be approved.

Councilperson Marcus seconded the motion. The Agreement was approved by a roll call vote of 4-0. Councilperson Black was absent.

### H3. Proposed Millage Rate

**RESOLUTION NO.: 2010-019**

**ADOPTING PROPOSED MILLAGE RATE**

**A RESOLUTION OF THE VILLAGE OF EL PORTAL OF MIAMI-DADE COUNTY, FLORIDA, ADOPTING THE PROPOSED MILLAGE RATE OF 7.9 OF AD VALOREM TAXES FOR THE VILLAGE OF EL PORTAL, FLORIDA, AND IN ACCORDANCE WITH THE CHARTER, SECTION 4.05, FOR THE BUDGET FOR FISCAL YEAR 2010-2011; AND DIRECTING THE VILLAGE MANAGER TO FORWARD A COPY OF THIS RESOLUTION TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER OFFICE BEFORE DUE DATE OF AUGUST 4, 2010, AND PROVIDING FOR AN EFFECTIVE DATE.**

**H4. Budget Hearing Dates:**

Village Manager Jason Walker explained the suggested dates for the First and Second Budget Hearing for Fy2010-2011. Manager Walker stated the First Budget Hearing would be held on September 8, 2010 at 6:30pm at the Village Hall. The Second Budget Hearing would be held on September 21, 2010 at 6:30pm at Village Hall.

Vice Mayor Mathis moved that the two dates for Public Budget Hearings be approved. Councilperson Cubillos seconded the motion. The two budget dates were approved by roll call vote of 3-1. The one no vote was Councilperson Marcus. Councilperson Marcus stated during the September 28, 2010 council meeting that she did not vote no on the dates. She was pointing out the dates are holidays.

**I. RESOLUTIONS / ORDINANCES**

**RESOLUTION NO.: 2010-020**

**DECLARING ELECTION 2010**

**Sponsor: Clerk**

**A RESOLUTION OF THE VILLAGE COUNCIL OF  
THE VILLAGE OF EL PORTAL, FLORIDA, COMPLYING  
WITH AMENDED SEC.6-4 OF THE CODE OF ORDINANCE  
AND ORDINANCE NO.: 2009-003 OF THE VILLAGE OF  
EL PORTAL, FLORIDA TO HOLD AN ELECTION WITH  
QUALIFYING DATES BEGINNING JULY 30<sup>TH</sup> 2010  
THROUGH AUGUST 20, 2010 AT 12NOON.**

The Village Clerk explained that the Village is scheduled to have an Election for Mayor and all four Councilpersons. In complying with the Elections Department, the qualifying period will begin July 30, 2010 and end at noon on August 20, 2010. Resolution No.: 2010-020 was read into record. Vice Mayor Mathis moved that Resolution No.: 2010-020 be approved. Councilperson Marcus seconded the motion. Resolution No.: 2010-020 was approved by roll call vote of 4-0. Councilperson Black was absent.

**RESOLUTION NO.: 2010-021**

**AUTHORIZING CANVASSING BOARD**

**A RESOLUTION OF THE VILLAGE COUNCIL OF  
THE VILLAGE OF EL PORTAL, FLORIDA,  
AUTHORIZING THE MIAMI-DADE COUNTY  
CANVASSING BOARD FOR THE GENERAL  
ELECTION OF THE VILLAGE OF EL PORTAL TO  
BE HELD ON NOVEMBER 2, 2010; SETTING AN  
EFFECTIVE DATE.**

The Village Clerk was asked to read Resolution No.:2010-021 into record.

Councilperson Marcus moved that Resolution No.:2010-021 be approved. Vice Mayor Mathis seconded the motioned. Resolution No.: 2010-021 passed by roll call vote of 4-0. Councilperson Black was absent.

**RESOLUTION NO.: 2010-016V DRIVEWAY SIZE INCREASE**

Sponsor: Planning and Zoning Committee Chairperson: Mayor Davis

A RESOLUTION OF THE VILLAGE COUNCIL OF  
THE VILLAGE OF EL PORTAL, FLORIDA,  
AUTHORIZING A VARIANCE FOR THE PROPERTY  
AT 445 NORTHWEST 89<sup>TH</sup> STREET, EL PORTAL,  
FLORIDA, BY THE VILLAGE COUNCIL, SITTING  
AS THE BOARD OF ADJUSTMENT.

The Village Clerk read Resolution No.:2010-016V into record.

Councilperson Black moved that Resolution No.: 2010-016V be approved. Councilperson Cubillos seconded the motion. Resolution No.: 2010-016V passed by roll call vote of 4-1. Vice Mayor Mathis was the one “no” vote.

**J. REPORTS:**

J1. Village Manager’s Report – Jason M. Walker

Village Manager briefed the Council on the following issues:

- a. List of violators of homestead exemption viewed through webinar
- b. Road to be paved on 87<sup>th</sup> Street to use \$437,000.
- c. A meeting concerning Radar church was scheduled for Friday, July 23, 2010 had to be cancelled due to the weather.
- d. Final inspection for water and sewer
- e. Grantwriter from Barry University will start in August

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

- a. Mayor Davis stated she received an all expense paid trip to Washington DC.

J3. Clerk’s Report – Clerk Albertha Patterson

- a. The packages for election will be ready for pickup on Friday, July 30.
- b. Miami-Dade League of Cities BOD dinners deadline for response is July 29,
- c. The Village Hall will be a functioning precinct on August 24, 2010.

J4. Legal Matters – Attorney Joseph S. Geller

- a. Attorney Geller stated there is nothing to report just the one case that the Manager reported on and it is being handled by the League.

J5. Committee Chairs Report – Each chairperson reported on their committee activities.

The next committee meeting will be held September 13, 14, 15, 2010 at the regular scheduled times.

**K. UNFINISHED BUSINESS AND GENERAL ORDERS: None noted.**

L. **NEW BUSINESS :**

L1. Rescind Covenant for In-laws Quarters – Resolution No.: 2008-007V  
286 Northeast 90<sup>th</sup> Street – Marta De la Cruz

Mrs. Dela Cruz explained to Council her reason for requesting to cancel the variance is due to her and her husband has separated and she has recently lost her job. Mrs. Dela Cruz stated she now needs to rent the home to help her financially.

Councilperson Black moved that Resolution No.: 2008-007V be approved. Councilperson Cubillos seconded the motion. Motion carried unanimously.

M. **GOOD AND WELFARE:**

1. Mrs. Dela Cruz-445 NW 89<sup>th</sup> Street -
2. Mrs. Merlin Brooks-400 NE 90<sup>th</sup> Street – asked will the paving include 90<sup>th</sup> Street.
3. Mr. Douglas Cunningham – 129 NE 87<sup>th</sup> Street has concerns with:
  - a. Cameras on red lights.
  - b. Shingles request should have been approved
  - c. Police officers cannot be Code Enforcement officers.

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 8:47pm.

Respectfully submitted,

*Albertha W. Patterson*

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Albertha W. Patterson, MSM, CMC

Date transcribed: August 4, 2010

Date approved: September 28, 2010