

VILLAGE HALL
500 NE 87TH ST
EL PORTAL, FL 33138
JASON M. WALKER
VILLAGE MANAGER



MAYOR DAISY M. BLACK
VICE MAYOR LINDA MARCUS
COUNCILPERSON CLAUDIA V. CUBILLOS
COUNCILPERSON OMARR C. NICKERSON
COUNCILPERSON ADAM OLD

Regular Village Council Meeting
Tuesday, November 19, 2013
MINUTES
7:00 PM

A. CALL TO ORDER: Mayor Daisy Black, presiding, called the meeting for November 19, 2013 to order at 7:05 PM.

B. SILENT MEDITATION & PLEDGE: Due to its being held at the previous Final Budget Hearing, this was suspended.

C. ROLL CALL: Mayor Black asked the Interim Village Clerk, Carolina Montealegre, for a **Roll Call**.

Present: Mayor Daisy M Black, Councilperson Claudia V. Cubillos, Councilperson Adam Old, Village Manager Jason Walker (Not voting), Village Attorney Joseph Geller (Not voting), Interim Village Clerk (Not voting), Chief Eugene Morales (Not voting), Irwin Williams, CFO (Not voting).

Absent: Vice Mayor Linda Marcus, Councilperson Omarr Nickerson

D. APPROVAL OF AGENDA: Mayor Black requested any additions or deletions to the agenda. She approved it as presented. The Clerk requested that the Chair make a motion for approval after item E1. Was read. Councilperson Cubillos made a motion to approve the agenda with the removal of the minutes. Councilperson Old seconded the motion. The motion passed by unanimous "aye" vote.

E. APPROVAL OF MINUTES FOR THE FOLLOWING MEETING:

E1. Minutes for October 22, 2013 Regular Council Meeting - Tabled

F. ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:

F1. Pancreatic Cancer Awareness Month Proclamation – Councilperson Cubillos gave a brief explanation of her involvement and reason for this Proclamation. The Mayor read the proclamation into the record and presented the Proclamation to Phyllis Adler on behalf of Councilperson Cubillos and the Village. It is on record in its entirety and available upon request in the Clerk's office.

F2. Moms Demand Action for Gun Sense in America - Councilperson Cubillos introduced and deferred to Ms. Britt-Angela Williams who spoke about an event being held in an

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effort to raise awareness and supporting legislation regulating the sale of guns. She is the communications liaison for the non-profit Organization. She is requesting space in the Village to hold the event. The Mayor asked what time the event would be at. She said 10 AM would be good and the Council decided allowing her to use the park and it will be held on Saturday, December 14th.

F3. Special thanks to Halloween Event Volunteer, Mallory Cubillos - Mayor Black presented Mallory with a small token of appreciation for her volunteer work.

G. RESOLUTIONS / ORDINANCES:

G1. Mayor Black asks the Clerk to read the short title into the record.

ORDINANCE NO. 2012-003

**MANAGER'S ADMINISTRATIVE
VARIANCE**

Second Reading

Sponsor: Administration

**AN ORDINANCE OF THE VILLAGE OF EL PORTAL,
MIAMI-DADE COUNTY, FLORIDA TO AMEND CHAPTER
24-22, OF THE VILLAGE CODE OF ORDINANCES;
PROVIDING FOR INCORPORATION OF RECITALS;
PROVIDING FOR CONFLICT AND REPEALER;
PROVIDING FOR SEVERABILITY AND CODIFICATION;
PROVIDING FOR AN EFFECTIVE DATE.**

G1a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:18 PM and opened it up for public hearing. Hearing none she resumed the regular meeting. The Mayor requested a motion to adopt the Ordinance.

Motion: to adopt ORDINANCE NO. 2012-003, **Action:** Adopt, **Moved by** Councilperson Adam Old, **Seconded by** Councilperson Claudia V. Cubillos.

Vote: Motion carried by unanimous roll call vote. (**summary:** Yes = 3, No = 0).

Yes: Councilperson Claudia V. Cubillos, Councilperson Adam Old, Mayor Daisy M Black.

Absent: Vice Mayor Linda Marcus, Councilperson Omarr Nickerson

G2. Mayor Black asked the Clerk to read the short title into the record.

RESOLUTION NO. 2013-025

**STATE ATTORNEY PROSECUTION
OF ORDINANCE VIOLATIONS**

Sponsor: Administration

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL
OF THE VILLAGE OF EL PORTAL, FLORIDA OF MIAMI-
DADE COUNTY, FLORIDA, TO ENTER INTO AN
AGREEMENT BETWEEN THE VILLAGE OF EL PORTAL
AND THE STATE OF FLORIDA, OFFICE OF THE STATE
ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT OF**

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FLORIDA TO REIMBURSE THE STATE FOR THE COST OF STATE ATTORNEY PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE VILLAGE OF EL PORTAL CODE; PROVIDING FOR AN INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

G2a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:20 PM and opened it up for public hearing. Hearing none she resumed the regular meeting. The Mayor requested a motion to approve the Resolution.

Motion: to approve RESOLUTION NO. 2013-025, **Action:** Approve, **Moved by** Councilperson Claudia V. Cubillos, **Seconded by** Councilperson Adam Old

Vote: Motion carried by unanimous roll call vote. (**summary:** Yes = 3, No = 0).

Yes: Councilperson Claudia V. Cubillos, Councilperson Adam Old, Mayor Daisy M Black.

Absent: Vice Mayor Linda Marcus, Councilperson Omarr Nickerson.

G3. Mayor Black asked the Clerk to read the short title into the record.

RESOLUTION NO. 2013-026

BUDGET AMENDMENT

Sponsor: Administration

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA OF MIAMI-DADE COUNTY, FLORIDA, APPROVING TRANSFERS FROM CERTAIN BUDGETED LINE ITEMS; PROVIDING FOR AN INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

G3a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:21 PM and opened it up for public hearing. Hearing none she reopened the regular meeting.

Motion: adopt RESOLUTION NO. 2013-026, **Action:** Adopt, **Moved by** Councilperson Adam Old, **Seconded** by Councilperson Cubillos.

Vote: Motion carried by unanimous roll call vote. (**summary:** Yes = 3, No = 0).

Yes: Councilperson Claudia V. Cubillos, Councilperson Adam Old, Mayor Daisy M Black

Absent: Vice Mayor Linda Marcus, Councilperson Omarr Nickerson.

H. REPORTS OF THE VILLAGE MANAGER, MAYOR & COMMITTEE CHAIRS:

H1. Village Manager Reports – Manager Jason Walker

- a.** FEMA – Hurricane Katrina/Wilma 2005 closeout meeting update. He gave a brief explanation of the outcomes and they said they overpaid the Village by \$168,000 and are deobligating the funds. The Village did not accept the audit and the Clerk

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sent an email to start the appeal process. He is confident that the Village will not have to repay those funds.

- b. Stormwater- Phase VI – Bids from the second proposer weren't ready for this meeting, but there is a surplus of \$118,000 in the Stormwater Fund Balance. Phase V – Closeout completed and reimbursement received.
- c. Charrette – He spoke with the County and they promised that on November 25th the Council will have the document in their hands. He recommends waiting until after the New Year to have the official presentation.
- d. Sidewalk repair – The resident at NE 2nd Avenue and 88th street requested that the sidewalk be extended. He is requesting
- e. Employee Insurance – Renewals to remain with Humana and the premiums were slightly lower.
- f. Senior CATE grant – Submitted on time. This grant will provide meals for 25 seniors and a P/T case worker to check up on them on a weekly basis.
- g. Tracie Auguste – He said that he's been working with the Sr. Legislative Analyst/Community Liaison for Office of the Honorable Audrey Edmonson on the cleanup of unincorporated area from NW 95th Street South to 90th Street and Southeast of I-95. There will be a follow up meeting
- h. Annexation – He spoke with the OMB today and they advised him that the memo for the Interlocals went out to their Departments. There will be a second meeting with the Village and the County scheduled for the second week of December to go over the agreements. If everything goes forward, the request for approvals will be placed on the County Commission Board Agenda and it will be scheduled for March, 2014.

H2. Village Attorney Reports – Attorney Joseph Geller said he has nothing to report.

H3. Committee Chair Reports

- a. **Public Affairs** - Chairperson Linda Marcus –
Councilperson Cubillos spoke in the Chair's absence. She thanked everyone who helped with the Halloween Party Event. She also reminded everyone of tomorrow's 6th Annual Pre-Thanksgiving Luncheon. Newsletter due this Friday, November 22nd.
- b. **Public Works** - Chairperson Omarr Nickerson –
Manager Jason Walker mentioned about the complaints and requests for the widening of 88th Street between NE 2nd Avenue and 4th Street. He already looked into what it would cost to undertake that project and it is too expensive. The Manager wanted the Council to be aware of the requests from the residents. Councilperson Old brought up the landscaping of the medians on N Miami Avenue and directed the Council to ask Mr. Walker for the plans if they were interested. The Manager reminded the Council that they already approved the design and he is simply waiting for proposals. He is specifically waiting for Mr. Aubrey Brunson, a resident of El Portal, to submit his proposal
- c. **Public Safety** - Chairperson Daisy M. Black –

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She thanked Corporal Casais for his updates on Nextdoor.com. She asked the Clerk about the Resident Car Decal program.

d. Code Enforcement Committee - Chairperson Adam Old –

He gave an update on the Trailer Park on 8500 Biscayne Blvd. The Council needs to think and decide soon about how they want to proceed with the active lawsuit. The Village Attorney added that he knows that DERM has been “on them” for their septic tanks.

e. Planning & Zoning - Chairperson Daisy M. Black –

The Manager covered this in his report.

f. Administration & Finance - Chairperson Claudia V. Cubillos –

She said the Manager covered pending items in his report and we passed the budget this evening.

H4. Village Mayor Reports - Mayor Daisy Black – Turkey giveaway is tomorrow and she asked the community to please continue to be involved.

I. UNFINISHED BUSINESS AND GENERAL ORDERS:

II. Council and Committee Meeting Calendar 2014 (upcoming in December)

The Clerk stated that this was a reminder to move the 2014 November and December meetings so as not to conflict with the Holidays. The date for the December, 2013 meeting is the 17th.

I2. Committee Assignments (upcoming in December)

Vice Mayor Marcus had requested that the Mayor send out the request for the new 2014 committee assignments. She instructed the Clerk to email out a request to the Council.

J. NEW BUSINESS: Councilperson Old asked if the Council could reschedule the cancelled November Committee Meetings. The Mayor said it was up to the Chair. Councilperson Cubillos said that she didn’t think it was necessary for Administration and Finance and Public Affairs. The Mayor said that unless an emergency meeting is needed, then there isn’t a need. Committees

K. GOOD AND WELFARE: None.

L. ADJOURNMENT: Mayor & Council - **Motion:** motion to Adjourn, **Action:** Adjourn, **Moved by** Councilperson Claudia V. Cubillos, **Seconded by** Councilperson Adam Old. Motion passed unanimously. Meeting Adjourned at 7:45 PM.

of members in audience: 2

To listen to the full recording of the November Regular Council Meeting, you can click on the link below and download it for your convenience. The link may expire at any time. If you are experiencing difficulty accessing the file, please email your request to the Clerk’s office at cmontealegre@villageofelportal.org.