

VILLAGE HALL  
500 NE 87<sup>TH</sup> 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, February 25, 2014  
MINUTES  
7:00 PM

**A. CALL TO ORDER:** Mayor Daisy Black, presiding, called the meeting for February 25, 2014 to order at 7:04 PM.

**B. SILENT MEDITATION & PLEDGE:** The Mayor asked all to stand for a moment of silent meditation followed by the Pledge of Allegiance.

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

**Present:** Mayor Daisy M. Black, Vice Mayor Linda Marcus (arrived after roll call), Councilperson Claudia V. Cubillos, Councilperson Adam Old, Village Manager Jason Walker (Not voting), Representative Daphne Campbell (Not voting), Sitting Village Attorney Steven Geller (Not voting, arrived after roll call), Interim Village Clerk (Not voting), and Chief Eugene Morales (Not voting).

**Absent:** Councilperson Omarr Nickerson

**D. APPROVAL OF AGENDA:** Mayor Black requested any additions or deletions to the agenda. Submitted as presented.

**E. APPROVAL OF MINUTES FOR THE FOLLOWING MEETING:**

**E1.** Minutes for January 25, 2014 Regular Council Meeting - The Mayor asked for a motion to approve the minutes as presented. They passed by general consent.

**F. ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:**

**F1.** Representative Daphne Campbell – The Mayor asked her to come up and speak. She spoke about her time in Tallahassee lobbying for Village Water Project Funds. A discussion about prioritizing the projects was had by the Representative and the Council. The Manager thanked the Representative and gave his briefing on his time in State Capitol with her and Councilperson Cubillos. He added that every person they met with recommended that a priority be given to the projects and he recommends that the Stormwater be made priority. The Mayor and Council agreed. Former Senator Geller recommended a motion be made on the record

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demonstrating which project the Council believes is priority. There was one meeting that wasn't very successful and it was with Senator Alan Hayes. The Representative gave an account of the meeting. She thanked everyone before saying good bye.

**Motion:** make lobbying for Stormwater Funds a priority, **Moved by** Councilperson Cubillos, **Seconded by** Vice Mayor Marcus

**Vote:** Motion carried by unanimous roll call vote. (summary: Yes = 4, No = 0).

**Yes:** Councilperson Adam Old, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black.

**Absent:** Councilperson Omarr Nickerson

Senator Geller elaborated on funding allocation and budgeting procedures. He doesn't know how much the overall budget for Water Projects is yet. Overall, he believed the meetings were very good.

**G. RESOLUTIONS / ORDINANCES:**

**G1.** None.

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

**H1. Village Manager Reports – Manager Jason Walker**

- a. Lobbying – This was covered during Item F1.
- b. Sidewalk - 88<sup>th</sup> ST sidewalk installed and 87<sup>th</sup> ST parking lot to fix flooding in alleyway and will be done next week.
- c. Tot lot - Lights in park were installed
- d. Tree trimming – From City Hall to N Miami Ave is in progress.
- e. Stormwater – Phase VI has been permitted and is out for bid and it will be brought to PW committee in March for approval the 30 day project. FDOT extension for project funding was signed.
- f. Audit – Confirmations were sent to the Council. Please complete and return as soon as possible.
- g. Hall renovation – One proposal was returned and it was for \$28000. He is waiting on two more.
- h. Charrette - Final report almost done. They (MD-C) had another Charrette last week which delayed the presentation for today, so hopefully it will be ready for P&Z committee in March.
- i. Horace Mann – Councilperson Old and he had a conversation with their science teacher about starting a community garden in El Portal.

**H2. Village Attorney Reports – Sitting Village Attorney Steven Geller commented additionally on the lobbying efforts in Tallahassee. He recommended that the future visits by the Council should be to see those legislators they have not met with yet. They already met with the speaker and all the Committee Chairs, so he recommended meeting with Senator Negron and President Gaetz during the 7<sup>th</sup> week of budget closing, which is approximately in mid-April. He also recommends working with Senator Bullard.**

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Manager Walker spoke about the Unsafe Structure located at 136 NW 90<sup>th</sup> ST, El Portal, FL and gave a brief history on the events leading to the code violations and the path to approval of demolition. He doesn't feel comfortable moving forward because he's heard many "horror stories" from other City Manager's about being sued for tearing down someone's home. He will talk to Atty. Geller about getting a judges' order. The neighbors are asking for progress on this issue. Sen. Geller commented on his concerns and stated that a judge will not give an order of demolition because they only hear cases in controversy. A lawsuit will have to be served. The Mayor asked if we've exhausted all avenues. The Manager said an order has been given by the Unsafe Structures Board. He wants the Council to review the Unsafe Structures law, to review the documentation on the property and give a motion and a vote to demolish. Councilperson Old asked for a packet in advance of the Code Enforcement Committee meeting. He said yes. He also added that they acquired counsel. The attorney has prolonged the situation and has yet to show up for subsequent meetings. Vice Mayor Marcus had more questions about the legal process for eviction. The Senator and Manager said they need to do some research on applicable statutes. The Manager said that the wife is the owner of the property, but the husband is the tenant and although separated she has given him power of attorney. The Mayor agreed that this needs to be researched further and moved to committee for discussion.

**H3. Committee Chair Reports -**

**a. Public Affairs** – Chairperson Claudia V Cubillos – Councilperson Cubillos thanked everyone for their newsletter article submissions. The Clerk said it should be distributed this Thursday after the layout is completed. Mayor Black gave an update on the Black History resident lunch. Councilperson Old presented a draft proclamation for Joseph Vasile and his "Peace Flags in the Wind" project which will be presented at the March 8<sup>th</sup> Little River Festival event. He will mail his draft to the Clerk for preparation.

**b. Public Works** - Chairperson Adam Old – Councilperson Old said that the Manager covered this meeting in his report.

**c. Code Enforcement Committee** - Chairperson Omarr Nickerson – Councilperson Old said there wasn't a meeting.

**d. Administration & Finance** - Chairperson Linda Marcus – She said she had nothing to report other than she will not be able to attend March Committee meetings.

**H4. Village Mayor Reports** - Mayor Daisy Black – Tomorrow night is the Crime Watch meeting at 6:30PM.

**I. UNFINISHED BUSINESS AND GENERAL ORDERS:**

**II.** Clerk Announcements – Reminded the Council about the financial disclosures and asked them to keep an eye on the website for elections related material. The Manager said a qualifying Ordinance amendment is needed for this election year. The current Ordinance has the year 2008 on it. The Clerk will work on it with the Attorney. The Senator added that there are substantial changes on campaign reporting and recommended that the elected officials familiarize themselves with the new laws.

**J. NEW BUSINESS:** None.

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**K. GOOD AND WELFARE:**

**K1.** Merlin Brooks, 400 NE 90<sup>TH</sup> ST, El Portal – She thanked the Manager and Council for providing her a way to shred documents containing personal information.

**L. ADJOURNMENT:** Mayor & Council - **Motion:** motion to Adjourn, **Action:** Adjourn, **Moved by** Councilperson Claudia Cubillos, **Seconded by** Councilperson Adam Old. Motion passed unanimously. Meeting Adjourned at 8:07 PM.

# of members in audience: 5

*To listen to the full recording of the February 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](mailto:cmontealegre@villageofelportal.org).*