OFFICIAL AGENDA PACKET
FOR THE

June 24, 2014
REGULAR COUNCIL MEETING
AT 7:00 PM

Carolina Montealegre
Interim Village Clerk
Regular Village Council Meeting  
Tuesday, June 24, 2014  
Agenda  
7:00 PM  

Statement of Decorum

Any person making a racial or slanderous remark or who becomes boisterous while addressing the Village Council, Staff, etc. shall be barred from the audience by the presiding officer. No profanity, shouting, heckling, verbal outbursts or disruptive behavior in support of or opposition to a speaker or his/her remarks is permitted. No signs or placards shall be allowed in the Village Hall. Person exiting the Village Hall shall do so quietly.

“Pursuant to Florida Statutes, Chapter 286.0105: If a person decided to appeal any decision made by the Board, Agency or Committee with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.”

A. CALL TO ORDER………………………………………………Mayor Daisy Black, Presiding

B. SILENT MEDITATION & PLEDGE………………………Salute American Flag in Unison

C. ROLL CALL…………………………………………………………Interim Village Clerk

D. APPROVAL OF AGENDA

E. APPROVAL OF MINUTES FOR THE FOLLOWING MEETING:

   E1. Minutes for May 27, 2014 Regular Council Meeting

F. ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:

   F1. May Unaudited Financials – Irwin Williams, CFO
G. RESOLUTIONS / ORDINANCES:

G1. ORDINANCE NO. 2014-002 AMEND Qualifying Ordinance
Sponsor: Village Clerk

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AMENDING SEC. 6-4 OF THE CODE OF ORDINANCES RELATING TO QUALIFYING PERIODS; PROVIDING FOR SEVERABILITY; REPEALER OF ALL ORDINANCES IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

G1a. Public Hearing (Public Comment 2 minutes/person)

G2. RESOLUTION NO. 2014-013 WASTE MANAGEMENT CONTRACT EXTENSION
Sponsor: Manager Walker

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, APPROVING AN EXTENSION OF THE VILLAGE’S CONTRACT WITH WASTE MANAGEMENT, INC., AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS AND TO TAKE EFFECT IMMEDIATELY.

G2a. Public Hearing (Public Comment 2 minutes/person)

G3. RESOLUTION NO. 2014-014 MIDYEAR BUDGET AMENDMENT
Sponsor: Manager Walker

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, APPROVING TRANSFERS FROM CERTAIN BUDGETED LINE ITEMS; PROVIDING FOR AN INCORPORATION OF RECITALS; TO TAKE EFFECT IMMEDIATELY.

G3a. Public Hearing (Public Comment 2 minutes/person)

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

H1. Village Manager Reports – Manager Jason Walker

H2. Village Attorney Reports – Attorney Joseph Geller

H3. Village Mayor Reports – Mayor Daisy Black
I. UNFINISHED BUSINESS AND GENERAL ORDERS:

II. Charter Review Committee - 2014 BALLOT ISSUES DEADLINES Memo

J. NEW BUSINESS: None.

K. GOOD AND WELFARE:
(Note: This section of the agenda is reserved in the spirit of a representative democracy “of, by, and for people” and is specifically provided as a mechanism for the input and solutions on matters of concern of Villagers. We request that comments be limited to 3 MINUTES PER PERSON, and that speakers and the audience maintain proper decorum at-large. The speaker may speak on any item of concern.)

L. ADJOURNMENT:

Mayor & Councilpersons

In accordance with the American With Disabilities Act of 1990, all persons with disabilities and who need special accommodations to participate in this meeting due to that disability should contact the Village Clerk’s Office at (305) 795-7880 no later than two (2) business days prior to such proceeding.
Regular Village Council Meeting  
Tuesday, May 27, 2014  
MINUTES  
7:00 PM

A. CALL TO ORDER: Mayor Daisy Black, presiding, called the meeting for May 27, 2014 to order at 7:05 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, Councilperson Claudia V. Cubillos, Councilperson Omarr Nickerson, Councilperson Adam Old, Village Manager Jason Walker (Not voting), Sitting Village Attorney Steven Geller (Not voting), Chief Eugene Morales (Not voting), CFO Irwin Williams (Not voting), and Interim Village Clerk (Not voting).

Absent: None.

D. APPROVAL OF AGENDA: Mayor Black requested any additions or deletions to the agenda. Councilperson Cubillos made some spelling corrections to items G4 and G5 on the agenda. Councilperson Old made a motion to approve the agenda as amended and Councilperson Nickerson seconded the motion. Motion passed by unanimous “aye” vote.

E. APPROVAL OF MINUTES FOR THE FOLLOWING MEETING:  
E1. Minutes for April 22, 2014 Regular Council Meeting - The Mayor asked for a motion to approve the minutes as presented. Councilperson Nickerson made a motion to approve the agenda and Vice Mayor Linda Marcus seconded the motion. Motion passed by unanimous “aye” vote.

F. ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:  
F1. April Unaudited Financials – Irwin Williams, CFO – Mr. Williams said he already covered this at the May Administration and Finance meeting. Councilperson Cubillos wanted to point out that the Public Affairs budget was not over budget. Mr. Walker said that a memo will be sent out with that correction. Mr. Williams said that all those items have been corrected and the Mid-Year budget amendment will be presented at the next meeting.
Regular Council Meeting  
May 27, 2014  
Meeting Minutes

F2. Police Appreciation Week Proclamation – Councilperson Cubillos and Mayor Black read the proclamation into the record and presented it to Chief Morales and his Department.


G. RESOLUTIONS / ORDINANCES:

G1. The Mayor then asked the Clerk to read the Ordinance into the record. The Sitting Attorney asked the Clerk to read both the short title and the corrected text into the record.

ORDINANCE NO. 2014-002
AMEND Qualifying Ordinance
Sponsor: Village Clerk

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AMENDING SEC. 6-4 OF THE CODE OF ORDINANCES RELATING TO QUALIFYING PERIODS; PROVIDING FOR SEVERABILITY; REPEALER OF ALL ORDINANCES IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

Councilperson Old asked if we could amend it so that we don’t put the year and have it say every two years. The Attorney said it was attempted before, but it can’t be. He also asked that the petition column header be changed to read “PRINTED NAME & DATE”. The Attorney said yes because the prescribed form is not in the Charter; it’s in the Ordinances, which can be changed by Ordinance. The Mayor asked for a motion to adopt.

G1a. Public Hearing (Public Comment 2 minutes/person) NONE. She asked the public after the vote for any comments

Motion: adopt ORDINANCE NO. 2014-002 with amendments, Action: Adopt, Moved by Councilperson Claudia V. Cubillos, Seconded by Vice Mayor Linda Marcus
Vote: Motion carried by roll call vote. (summary: Yes = 5, No = 0).
Yes: Councilperson Omarr Nickerson, Councilperson Adam Old, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black. No: None.
Absent: None.
G2. The Mayor read the short title into the record and asked the Clerk to read the recitals into the record.

RESOLUTION NO. 2014-008
Sponsor: Councilperson Cubillos

WATER PROJECT FUNDING
IDENTIFICATION CRITERIA

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, URGING AND ENCOURAGING GOVERNOR RICK SCOTT AND THE FLORIDA LEGISLATURE TO REVISIT THE CRITERIA FOR FUNDING STATE WATER PROJECTS SO AS TO INCLUDE THE TYPES OF DRAINAGE AND CANAL PROJECTS THAT ARE SO GREATLY NEEDED THROUGHOUT MIAMI-DADE COUNTY, PROVIDING FOR AN INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor asked Councilperson Cubillos to speak. Councilperson Cubillos gave her reason for sponsoring this Resolution.

G2a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:24 PM and opened it up for public hearing. Hearing none she reopened the Regular meeting.

Motion: adopt RESOLUTION NO. 2014-008, Action: Adopt, Moved by Councilperson Omarr Nickerson, Seconded by Councilperson Adam Old
Vote: Motion carried by roll call vote. (summary: Yes = 5, No = 0).
Yes: Councilperson Adam Old, Councilperson Omarr Nickerson, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black. No: None.
Absent: None.

G3. The Mayor read the title into the record and asked the Manager to give his reason for sponsoring this item. He said it’s something that has been heard twice before and is moving forward. The new date for the Annexation application hearing before the Land Use and Development Committee Meeting will be on 6/12/14 at 9:30AM and it will go to the full committee for approval. The Mayor asked the Clerk to read the short title into the record.

RESOLUTION NO. 2014-009
Sponsor: Manager Walker

ANNEXATION IA MDC 2014

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING APPROVAL AND EXECUTION OF THE INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF EL PORTAL AND MIAMI-DADE COUNTY; PROVIDING FOR AN
INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY AND TO TAKE EFFECT IMMEDIATELY.

G3a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:26 PM and opened it up for public hearing. Hearing none she reopened the Regular meeting.

**Motion:** adopt RESOLUTION NO. 2014-009, **Action:** Adopt, **Moved** by Vice Mayor Linda Marcus, **Seconded** by Councilperson Claudia V. Cubillos

**Vote:** Motion carried by roll call vote. (summary: Yes = 5, No = 0).

**Yes:** Councilperson Adam Old, Councilperson Omarr Nickerson, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black. **No:** None.

**Absent:** None.

G4. The Mayor asked the Clerk to read the recitals into the record.

**RESOLUTION NO. 2014-010V  401 NE 88TH ST –GARAGE**

**Sponsor:** Planning & Zoning ENCLOSURE

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING A VARIANCE FOR RESIDENTIAL PROPERTY LOCATED AT 401 NORTHEAST 88TH STREET, EL PORTAL, FL, BY THE VILLAGE COUNCIL, SITTING AS THE BOARD OF ADJUSTMENT.

The Manager recommended approval, pending all building permits are applied for and issued. He added that this property has had this garage enclosed for a long time (approx. 22 years) and no evidence of a variance was needed. Councilperson Old asked if it is possible to approve the variance, pending securing the proper permits. The Manager said a permit will be signed off on unless all work is done properly and inspected.

G4a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:29 PM and opened it up for public hearing.

G4a.1. Adrian Tutein, 401 NE 88th ST, El Portal – Son of Ms. Tutein asked what the procedure is for this variance.

**Motion:** adopt RESOLUTION NO. 2014-010V, **Action:** Adopt, **Moved** by Vice Mayor Linda Marcus, **Seconded** by Councilperson Omarr Nickerson

**Vote:** Motion carried by roll call vote. (summary: Yes = 5, No = 0).

**Yes:** Councilperson Adam Old, Councilperson Omarr Nickerson, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black. **No:** None.

**Absent:** None.
G5. The Mayor read the short title into the record and asked the Manager to speak. He said he gives his recommendation for approval because the setback is a variance of 16FT. He and Mr. Rodriguez do not object to approval.

RESOLUTION NO. 2014-011V 203 NE 86TH ST - PERGOLA
Sponsor: Planning & Zoning

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING A VARIANCE FOR RESIDENTIAL PROPERTY LOCATED AT 203 NORTHEAST 86TH STREET, EL PORTAL, FL, BY THE VILLAGE COUNCIL, SITTING AS THE BOARD OF ADJUSTMENT.

G5a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:34 PM and opened it up for public hearing. Hearing none she reopened the Regular meeting.

G5a.1. Dawn Wellman, 203 NE 86th ST, El Portal Councilperson Old asked Ms. Wellman more about the structure. She is planning on leaving the structure open.

Motion: adopt RESOLUTION NO. 2014-011V, Action: Adopt, Moved by Councilperson Adam Old, Seconded by Councilperson Claudia V. Cubillos.
Vote: Motion carried by roll call vote. (summary: Yes = 5, No = 0).
Yes: Councilperson Adam Old, Councilperson Omarr Nickerson, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black. No: None.
Absent: None.

G6. The Mayor read the title into the record and asked the Clerk to read the recitals into the record.

RESOLUTION NO. 2014-012 PETS’ TRUST SUPPORT
Sponsor: Mayor Black & Vice Mayor Marcus

A RESOLUTION OF THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, RECOGNIZING THAT AN OVERWHELMING MAJORITY OF THE MIAMI-DADE COUNTY ELECTORATE VOTED TO SUPPORT THE INITIATIVES PRESENTED BY PETS’ TRUST; URGING THE MIAMI-DADE COUNTY COMMISSION TO IMPLEMENT THE WILL OF THE PEOPLE IN THIS CURRENT BUDGET SESSION BY ESTABLISHING THE FUNDING MECHANISMS FOR SAID INITIATIVES; ENCOURAGING OTHER MIAMI-DADE COUNTY MUNICIPALITIES TO JOIN THE VILLAGE OF EL PORTAL IN THEIR SUPPORT FOR THE
PETS’ TRUST; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor gave a background on her reasons for sponsoring this item.

G6a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:37 PM and opened it up for public hearing. Hearing none she reopened the Regular meeting.

Motion: adopt RESOLUTION NO. 2014-012, Action: Adopt, Moved by Vice Mayor Linda Marcus, Seconded by Councilperson Claudia V. Cubillos
Vote: Motion carried by roll call vote. (summary: Yes = 5, No = 0).
Yes: Councilperson Adam Old, Councilperson Omarr Nickerson, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black. No: None.
Absent: None.

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

H1. Village Manager Reports – Manager Jason Walker said that most of his updates were covered during the committee meetings held earlier in May. He added that he met with the representatives with Biscayne Park LLC and they have requested a specific list of items to be scanned. He also mentioned the CCTV registration and the signage that is going up around the Village. Attorney Joseph Geller never responded to Mr. Walker’s email, but Mr. Geller did say that he did not think it was appropriate.

H2. Village Attorney Reports – Sitting Village Attorney Steven Geller gave an update on the Legislative session wrap up. He then gave a “primer” on Executive Sessions and the reasons for holding one. He stated that they are used to discuss pending litigation and outcomes. They are an exception to the Sunshine Law and minutes become public only after the litigation is resolved. Only ONE item can be discussed and it must be publicly noticed. He reminded the Council NOT to comment on pending litigation because anything they say can be used against the City. Councilperson Old asked about fines. Manager Walker said that the strategy can be discussed but the amount can’t be discussed. He also reminded the Council that the Executive Session is about the current lawsuit filed two years ago on the Trailer Park and not the negotiation of liens. He invited the Council to speak with him or the Attorney about the item regarding the lawsuit.

H3. Committee Chair Remarks -

a. Public Affairs

Chairperson Claudia V. Cubillos – Item #4 on CGP (Newsletter) moved from Committee to Council for approval. Vice Mayor Marcus did not agree. Mayor Black would like to hear from CGP and suggested moving to the June meeting. Councilperson Cubillos reminded all of the June 18th social. It was not approved.
b. **Public Works**
   Chairperson Adam Old – Mr. Old gave an update on meeting with the Trailer Park prospective buyers and forming a CRA was discussed. ORD. NO. 2014-001 Status

c. **Public Safety**
   Chairperson Daisy M. Black – May meeting cancelled. Mr. Walker commended Chief Morales for being and active and involved Chief. He gave the Chief a letter of commendation.

d. **Code Enforcement**
   Chairperson Omarr C. Nickerson – No report.

e. **Planning & Zoning**
   Chairperson Daisy M. Black said that the Manager covered this in his report.

f. **Administration & Finance**
   Chairperson Linda Marcus left the dais. Councilperson Cubillos thanked Mr. Williams and the Manager asked if the Council wanted a budget workshop in June.

H4. **Village Mayor Reports** - Mayor Daisy Black – She thanked the mothers who attended the Mother’s Day Luncheon. Mr. Walker gave a report on his attendance at the last ESSAC meeting.

I. **UNFINISHED BUSINESS AND GENERAL ORDERS:** None.

J. **NEW BUSINESS:** None.

K. **GOOD AND WELFARE:** None.

L. **ADJOURNMENT:** Mayor & Council - **Motion:** motion to Adjourn, **Action:** Adjourn, Moved by Councilperson Cubillos, Seconded by Councilperson Nickerson. Motion passed unanimously. Meeting Adjourned at 8:35 PM.

# of members in audience: 8

To listen to the full recording of the May 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.
AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AMENDING SEC. 6-4 OF THE CODE OF ORDINANCES RELATING TO QUALIFYING PERIODS; PROVIDING FOR SEVERABILITY; REPEALER OF ALL ORDINANCES IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the Village of El Portal currently provides that persons desiring to qualify as candidates for the position of Village Mayor or Councilperson shall file a petition signed by 15 qualified electors of the Village, accompanied by a qualifying fee and an assessment fee, not less than 30 days prior to the election; and

WHEREAS, the Supervisor of Elections of Miami-Dade County has requested that the last day for qualification as a candidate for municipal elections to be held in November 2014 be no later than August 29, 2014 at 12 noon, in order to meet the Supervisor’s obligations under law for preparation of the ballot and of the voting equipment; and

WHEREAS, the Village Council has resolved to comply with the request of the Miami Dade County Supervisor of Elections; and

WHEREAS, state law requires a change in the date and/or time of the election of the municipal officers to be accomplished by ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA:

SECTION 1. Section 6-4 of The Code of Ordinances of the Village of El Portal is hereby amended as follows:

Those persons desiring to have their names placed upon the voting machines as candidates for the [position] of village mayor or councilperson shall, between July 16 through July 27, 2014 August 18th through noon August 29th, 2014, prior to the election, obtain from and file with the village clerk a petition signed by 15 qualified electors of the village, and such petition shall be accompanied by a qualifying fee of $1.00 and a state assessment fee of $30.00, which is 1.5 percent of the annual salary of $2,000.00 which shall be paid into the treasury of the village. The petition shall be in substantially the following form:
PETITION

I, ________________ residing at ________________ am a candidate for the office of Councilperson, Seat ________ of the Village of El Portal, Florida for the General Election for said office to be held on ________.

ENDORSEMENTS

At least fifteen (15) qualified voters of El Portal must sign petition.

TABLE INSET:

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<th>PRINTED NAME &amp; DATE</th>
<th>OFFICIAL SIGNATURE WITHIN BOX</th>
<th>ADDRESS</th>
<th>DATE OF BIRTH OR REGISTRATION #</th>
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The undersigned herein states that s/he circulated the above petition and that the signatures are the originals of the person named and signed, in person before her/him.

Date: ___________ / ___________ / ___________ Circulator's signature: ___________

VILLAGE USE ONLY:

Petition received and filed this ___________ of ___________, ___________ at __________ o'clock, in office of the Village Clerk, 500 NE 87th Street, El Portal, Florida 33138, along with one dollar ($1.00) qualifying fee and the fifteen thirty dollar ($30.00) state assessment fee paid to the Village of El Portal.

SEAL

F.S. 104.185(1): A person who knowingly signs a petition or petitions for a candidate or an issue more than one time commits a misdemeanor of the first degree, punishable as provided in § 775.082 or § 775.083.

F.S. 104.185(2): A person who signs another person's name or a fictitious name to any petition to secure ballot position for a candidate or an issue commits a misdemeanor of the first degree, punishable as provided in § 775.082 or § 775.083.
SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY. If any portion, section, phrase or clause of this Ordinance is held invalid by a court of competent jurisdiction, such ruling shall not affect the validity of the remainder of this Ordinance.

SECTION 4. CODIFICATION. This Ordinance shall be codified in the Code of Ordinances when the code is recodified.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon passage by the Village Council on second and final reading.

PASSED on First Reading this 27th day of May, 2014.

PASSED AND ADOPTED by the Village Council of the Village of El Portal, Florida this ___ day of ______, 2014, on second reading.

Mayor Daisy M. Black

Attest:

Carolina Montealegre
Interim Village Clerk

Approved as to form and legal sufficiency

Joseph S. Geller, Village Attorney

FIRST READING
Moved by: Councilperson Cubillos
Seconded by: Vice-Mayor Marcus

Vote:
Councilperson Cubillos X (Yes) ___(No)
Councilperson Nickerson X (Yes) ___(No)
Councilperson Old X (Yes) ___(No)
Vice-Mayor Marcus X (Yes) ___(No)
Mayor Daisy M. Black X (Yes) ___(No)

Ordinance No: 2014-002 Passed with amendments by roll call vote of 5-0.
SECOND READING/PUBLIC HEARING
Moved by:
Seconded by:

Vote:
Councilperson Cubillos  ___(Yes)  ___(No)
Councilperson Nickerson  ___(Yes)  ___(No)
Councilperson Old  ___(Yes)  ___(No)
Vice-Mayor Marcus  ___(Yes)  ___(No)
Mayor Daisy M. Black  ___(Yes)  ___(No)

Ordinance No.:2014-002 Passed/Failed by a roll call vote of _____.

I, Carolina Monteagle, Interim Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Ordinance No.: 2014-002 adopted on ______, 2014, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this ______ day of ___________, 2014.
RESOLUTION NO.: 2014-013   WASTE MGMT CONTRACT EXTENSION

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, APPROVING AN EXTENSION OF THE VILLAGE’S CONTRACT WITH WASTE MANAGEMENT, INC., AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR AN INCORPORATION OF RECITALS AND TO TAKE EFFECT IMMEDIATELY.

WHEREAS, Waste Management and The Village of El Portal are parties to that certain Agreement for Collection and Disposal of Residential Solid Waste (the “Agreement”) entered into on August 1, 2011 by and through RFP No. 2011-001; and

WHEREAS, the Agreement term is expiring; and

WHEREAS, the Village intends to go out for a new Request for Proposals, but has not yet had the opportunity to complete the process; and

WHEREAS, the Village has determined that circumstances require that the Agreement be extended for an additional time period of a one-year term per Section 3.2 of the Agreement to protect the public health and safety and prevent accumulation of waste on the Village streets; and

WHEREAS, the Village has determined that this extension is in the best interests of the Village and its residents; and

WHEREAS, the Contractor agrees to perform and provide such services as required by the Village.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AS FOLLOWS:

Section 1. The foregoing Recitals are true and correct and are incorporated herein by this reference.

Section 2. This resolution shall take effect immediately upon adoption.


__________________________
Daisy Black, Mayor

ATTEST: ________________________________
CAROLINA MONTEALEGRE, INTERIM VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

____________________________________
Joseph S. Geller, Village Attorney

MOVED BY: ____________________________
SECONDED BY: __________________________

VOTE:
Councilperson Cubillos: ___ (Yes) ____ (No)
Councilperson Nickerson: ___ (Yes) ___ (No)
Councilperson Old: ___ (Yes) ___ (No)
Vice Mayor Marcus: ___ (Yes) ___ (No)
Mayor Black: ___ (Yes) ___ (No)

Resolution No.: 2014-013 Passed/Failed by roll call vote of _____.

I, Carolina Montealegre, Interim Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 2014-013 adopted on June 24, 2014 as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this _____ day of __________, 2013.

____________________________________
Carolina Montealegre, Interim Village Clerk
RESO NO.: 2014-013
WASTE MGMT CONTRACT EXTENSION

VILLAGE OF EL PORTAL

AGREEMENT FOR COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE, YARD TRASH, AND BULK WASTE

VILLAGE OF EL PORTAL
500 NE 87th Street, FL 33138

PHONE: (305) 795 7880
FAX: (305) 795 7884
AGREEMENT FOR COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE, YARD TRASH, AND BULK WASTE

THIS AGREEMENT ("Agreement") is made as of this 1 day of August, 2011, by and between the Village of El Portal, Florida, hereinafter referred to as "Village", and Waste Management, Inc. of Florida, hereinafter referred to as "Contractor".

WHEREAS, Contractor submitted a proposal in response to RFP No. 2011-001 and was selected by the Village as the most beneficial to the Village; and

WHEREAS, Contractor is in the business of providing recycling and solid waste collection, transportation and disposal services; and

WHEREAS, the Village desires that Contractor provide such services to the residents of the Village; and

WHEREAS, Contractor desires to perform and provide such services as required by the Village.

NOW THEREFORE, FOR AND IN CONSIDERATION of the respective covenants herein contained, and for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

SECTION I - SCOPE OF SERVICES

1. LIAISON BETWEEN VILLAGE AND CONTRACTOR
   All dealings, contracts, notice and payments between the Contractor and the Village shall be directed by the Contractor to the Village Manager or the Village Manager's designee. All references herein to the Village Manager shall also include a designee of the Village Manager.

1a. ROUTE INFORMATION
    Historically, the total average units serviced monthly has been approximately 1100, with approximately 309 tons of solid waste and yard trash being collected including bulk. However, there is no limit to the amount of such waste and yard trash that the Contractor will be required to collect.

1b. DUMPING REQUIREMENTS
    All garbage and yard trash must be disposed in accordance with County, State and Federal regulations.

2.0 COMMENCEMENT OF WORK
    The work outlined in these specifications shall commence immediately upon receipt of a Notice to Proceed which shall be no later than August 1, 2011.

3.0 TERM
3.1 The term of the Contract shall be for the period of three-years beginning from receipt of Notice to Proceed.

3.2 The Village shall have the option, at its sole discretion, to renew this Contract for up to two (2) consecutive one-year term extensions by giving written notice of renewal at least thirty (30) days prior to the end of the previous term. Such renewal shall be at the same cost to the Village as the cost of the previous term, including any rate adjustments authorized in accordance with sections 11.11, 14.3 and 14.4.

4.0 DEFINITION OF TERMS

The following terms shall have the following meanings:

4.1 **Authorized Representative**: The employee or employees designated by the Village Manager to represent the Village in the administration and supervision of this Contract.

4.2 **Proposer**: Any person, firm, corporation, organization, or entity submitting a proposal for the work proposed.

4.3 **Biohazardous Waste**: Any solid waste or liquid waste, which may present a threat of causing disease or infection to humans. The term includes, but is not limited to, non-liquid human tissue and body parts; laboratory and veterinary waste which contains human-disease-causing agents; used disposable sharps, human blood, and human blood products and body fluids; diseased or dead animals; and other materials which in the opinion of the Florida Department of Health represent a significant risk of infection to persons outside the generating facility.


4.5 **Construction and Demolition Debris**: Materials generally considered to be not water soluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, or asphalt roofing material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project, including rocks, soils, tree remains, and other vegetative matter which normally results from land clearing or land development operations for a construction project. Construction and Demolition Debris is Solid Waste.

4.6 **Contract or Agreement**: The contract executed by the Village and the Contractor for the performance of the work.

4.7 **Contractor or Vendor**: Waste Management Inc. of Florida, and its duly authorized representative.

4.8 **Disposal Costs**: The "tipping fees" charged to the Contractor for disposal of the garbage and trash collected by the Contractor.

4.9 **Garbage**: Every refuse accumulation of animal, fruit, vegetable, or organic matter that attends the preparation, use, cooking and dealing in, or storage of, meats,
WHEREAS, the Village Finance Director has advised the Village of certain budget adjustments that need to be entered on the books of the Village, in accordance with proper accounting principles for the fiscal year ended September 30, 2013, the net result of which decreases the Village’s General Fund Reserve Balance by $27,435, decreases the Village’s CITT Transit Fund Reserve Balance by 13,820 and decreases the Village’s CITT Transportation Fund Reserve Balance by $3,900.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Decrease to the following department’s budgeted expenditures, 1) Finance & Administration, $3,000 is authorized by the Village Council and the Village Finance Director is hereby authorized to make said adjustments.

Section 3. Increases to the following department’s budgeted expenditures, 1) Public Works, $14,500; 2) Code Enforcement, $4,800; 3) Finance & Administration, $20,635; 4) Law Enforcement, $4,695; 5) Village Clerk, $5,000 are authorized by the Village Council and the Village Finance Director is hereby authorized to make said adjustments.

Section 4. Increase in the Village’s budgeted revenues 1) Grant Income $19,195 is authorized by the Village Council and the Village Finance Director is hereby authorized to make said adjustments.

Section 5. Transfer in from Reserves 1) CITT Transit $13,820 2) CITT Transportation $3,900.
Section 6. Increases to the special revenue budgeted expenditures, 1) CITT Transit, $13,820; 2) CITT Transportation, $3,900 are authorized by the Village Council and the Village Finance Director is hereby authorized to make said adjustments.

Section 7. This Resolution shall become effective immediately upon adoption hereof.


_________________________________
Daisy Black, Mayor

ATTEST: ________________________________
Carolina Montealegre, Interim Village Clerk

Approved as to Form and Legal sufficiency:

_________________________________
Joseph S. Geller, Village Attorney

Moved by: ________________________________
Seconded by: ________________________________

Vote:
Councilperson Cubillos: ___ (Yes) ___ (No)
Councilperson Nickerson: ___ (Yes) ___ (No)
Councilperson Old: ___ (Yes) ___ (No)
Vice Mayor Marcus: ___ (Yes) ___ (No)
Mayor Black: ___ (Yes) ___ (No)

Resolution No.: 2014-014 Passed/Failed by roll call vote of _____.

I, Carolina Montealegre, Interim Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 2014-014 adopted on June 24, 2014 as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this _____ day of __________, 2014.

_________________________________
Carolina Montealegre, Interim Village Clerk
**RESO NO. 2014-014**  
**MID-YEAR BUDGET AMENDMENT**

El Portal  
JOURNAL ENTRY  
JE:262  
POST DATE: 06/13/2014  
ENTRY DATE: 06/13/2014  
ENTERED BY: iwilliams  
JOURNAL: BA

**DESCRIPTION:** MID YEAR BUDGET AMENDMENT

<table>
<thead>
<tr>
<th>GL #</th>
<th>DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-539-63400.300</td>
<td>Tree Trimming</td>
<td>Tree Trimming offset by Forestry Grant</td>
<td>14,500.00</td>
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<tr>
<td>001-521-65200.000</td>
<td>Operating Supplies</td>
<td>Police Vests offset by State of Florida Grant</td>
<td>4,695.00</td>
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<tr>
<td>001-529-64600.800</td>
<td>Repairs &amp; Maintenance</td>
<td>Demolition of Abandoned Property</td>
<td>4,800.00</td>
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<tr>
<td>001-518-65400.100</td>
<td>Municode</td>
<td>Addition Codification of ordinances</td>
<td>2,500.00</td>
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<tr>
<td>001-518-67300.000</td>
<td>Advertisement</td>
<td>Additional Advertising</td>
<td>2,500.00</td>
</tr>
<tr>
<td>001-513-63400.100</td>
<td>Contractual Services</td>
<td>Additional Computer Support Services (Block of hours)</td>
<td>7,000.00</td>
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<tr>
<td>001-513-64100.200</td>
<td>Telephone</td>
<td>Under budgeted Dept of Management Services</td>
<td>600.00</td>
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<tr>
<td>001-513-64600.100</td>
<td>Repairs &amp; Maintenance</td>
<td>Under budgeted Expenditures-GE Lease Mailing Equipment</td>
<td>545.00</td>
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<tr>
<td>001-513-64600.200</td>
<td>Repairs &amp; Maintenance</td>
<td>Under budgeted Expenditures-Copy Machine (Copy Overage)</td>
<td>2,800.00</td>
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<tr>
<td>001-513-64700.000</td>
<td>Printing &amp; Binding</td>
<td>Grant Research Software</td>
<td>3,100.00</td>
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<tr>
<td>001-513-64900.000</td>
<td>Other Charges</td>
<td>Decrease Self Storage Rental Fees</td>
<td>3,000.00</td>
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<td>001-513-63100.400</td>
<td>Professional Fees</td>
<td>State Lobbyist Fees</td>
<td>2,500.00</td>
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<td>001-513-65100.000</td>
<td>Office Supplies</td>
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<td>1,600.00</td>
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<td>001-513-66400.000</td>
<td>Capital Acquisitions</td>
<td>BS&amp;A Software budgeted 2013 paid 2014</td>
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<td>105-000-38100.000</td>
<td>Transfers In From Reserves</td>
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<td>13,820.00</td>
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<td>105-000-65000.100</td>
<td>CITT Transit Construction Costs</td>
<td>Construction Bus Benches</td>
<td>13,820.00</td>
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<tr>
<td>106-000-38100.000</td>
<td>Transfers In From Reserves</td>
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<td>3,900.00</td>
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<tr>
<td>106-000-65000.200</td>
<td>CITT Transportation Construction Costs</td>
<td>Lighting for Islands</td>
<td>3,900.00</td>
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<tr>
<td>001-000-33473.000</td>
<td>State Grants</td>
<td>State Forestry Grant Revenue</td>
<td>14,500.00</td>
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<tr>
<td>001-000-33473.100</td>
<td>State Grant - Vests</td>
<td>State Vest Grant Revenue</td>
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</tr>
</tbody>
</table>

| | | 67,350.00 | 39,915.00 |
| 001-000-27100.000 | Net Assets Unassigned | Reduction in General Fund Reserves | 27,435.00 |


2014 BALLOT ISSUES DEADLINES

Should a municipality have a scheduled election or wish to conduct a special election along with the countywide 2014 Primary and General Elections, the deadlines listed below must be followed, in order to allow sufficient time for ballot preparation and to meet State-mandated deadlines to mail absentee ballots to overseas voters.

Note that per F.S. 100.151, “...the governing authority of a municipality shall not call any special election until notice is given to the supervisor of elections and his (her) consent obtained as to a date...” Once approval is obtained from the supervisor of elections, the resolution and/or ordinance to call a special election must be passed to meet the deadlines listed below.

<table>
<thead>
<tr>
<th>2014 SCHEDULED COUNTYWIDE ELECTIONS</th>
<th>DEADLINE FOR CANDIDATE QUALIFYING TO END</th>
<th>DEADLINE TO SUBMIT RESOLUTION AND/OR ORDINANCE TO THE SUPERVISOR OF ELECTIONS FOR CHARTER AMENDMENTS OR ANY OTHER QUESTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRIMARY ELECTION</td>
<td>No later than Friday, June 20, 2014</td>
<td>No later than Friday, June 6, 2014</td>
</tr>
<tr>
<td>August 26, 2014</td>
<td>(Same as Federal, State, and County offices)</td>
<td></td>
</tr>
<tr>
<td>GENERAL ELECTION</td>
<td>No later than Friday, August 29, 2014</td>
<td>No later than Tuesday, August 5, 2014</td>
</tr>
<tr>
<td>November 4, 2014</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Should you have any questions or need additional information, please contact Zeida Reyes, Elections Coordination Manager, at 305-499-8405 or e-mail at zeidar@miamidade.gov.

Rev. 6/5/13:ZR/VI