



Village of El Portal Code Enforcement Meeting

Date: 1/15/19

Meeting Start: 7:10 PM

Meeting End: 7:24 PM

Meeting Length: 00:13:35

Mathis: I will call to order the January 15th code enforcement committee meeting at 7:10 PM. We've already had call of order, a moment of silent meditation. Can I get a roll call, please?

Christia: Mayor Claudia Cubillos.

Cubillos: Here.

Christia: Vice Mayor Omarr Nickerson.

Nickerson: Here.

Christia: Chairperson Councilperson Harold Mathis.

Mathis: Present.

Christia: You have a quorum, Chairperson Mathis.

Mathis: In the approval of the agenda, any additions or deletions? There is an addition.

Cubillos: Now I make the motion to approve the agenda as is.

Nickerson: I second the motion to approve the agenda.

Mathis: It's been properly moved and second, all in favor?

Nickerson: Aye.

Mathis: All opposed? Approval of minutes, hearing none. Good and Welfare? Hearing none.

Cubillos: Chair, just note for the record that I'm sitting in as the ad hoc member of Councilperson Dreher not here, but as soon as the election transpires, all the committees that were assigned to him would be elected.

Mathis: Okay, duly noted. The attorney wanted to make a comment.

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Powell: Yes, if I can before you start. Since you all are here now, we have a committee meeting scheduled for the 22nd beginning at 6:30. If we could just before that schedule a special meeting at, say, 6:15 if everyone could make that. The purpose of that special meeting would be to pass a resolution calling for a special election to fill the vacancy. Let me just give you my snapshot of the conversations I had with the supervisor of elections today and some of the research I've done. The first step in the process was for the village clerk to request the permission of the supervisor of elections to conduct a special election.

The reason why that was necessary is because the supervisor of elections office is going through what they call the ADA migration, and they were planning not to hold any special elections or even any referendums for the next several months. In order to conduct our special elections, we had to request permission which the supervisor of elections has given us. These are the critical dates and that's why I think it's going to be necessary for us to have that special meeting for you all as a council to adopt the necessary resolution calling for the special meeting.

The critical time period is in order to have the special election which is going to be slated for April 2nd of 2019, the supervisor of elections requires that by no later than February 15th, the village provides the supervisor with all of the candidate oaths. If we have more than one candidate that wants to run in the special election for the open seat, we have to have their oaths by that deadline.

Christia: What's the date?

Mathis: February 15th.

Powell: February 15th. That's just the candidate oath requirement. In order to solidify and confirm that the actual special election is going to take place on April 2nd, the supervisor of elections requires 60 days lead time. If you back up 60 days from April 2nd, 2019, the drop-dead notification date for the village to confirm the April 2nd, 2019 special election would be Friday, February 2019.

Mathis: February what date?

Powell: I'm sorry, Friday, February 1st, 2019 would be the absolute drop-dead 60-day lead time for the supervisor of elections so as not to bump up on that.

Mathis: That's to get the names of the candidates in?

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Powell: No, that's to confirm with the supervisor of election-

Mathis: That we are going.

Powell: - that we are going to have the special election on the 2nd of April. So as not to bump up against that deadline, I think it'd be a smart thing to do to just have the special meeting on the 22nd right before our committee meetings, adopt a resolution, and then forward that executed on resolution, which is what they're going to require, an executed and finalized resolution to them. Once that's done, obviously, we'll have the qualifying period of the candidates which would run, I guess, next day once the resolution is adopted for a period of seven days. I think that's the customary period that the village has.

I didn't find any ordinance or charter provision that specifies how long the qualifying period is. In this particular case, it would be one of the commission that would suggest what's normally done, and I understand that's about, what, seven days or maybe a week? For that, you can advise as to what that's normally been.

Cubillos: Two things, the resolution that we are going to be potentially adopting on January 22nd at the special council meeting is the resolution acknowledging that there will be an election April 2nd, correct?

Powell: Correct, you're going to be doing a couple of things in the resolution. You're going to certainly be setting the special election for April 2nd, 2019, but you're also going to include in that resolution the qualifying period.

Cubillos: That was my next question.

Powell: That has to be included also.

Cubillos: Okay. I know we needed to do that, okay.

Powell: Right.

Mathis: If we're doing it that way, so the qualifying time would run from January 23rd to January 31st?

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Powell: It's as long as you all want. I couldn't find anything in here. My last step in which, I will send you all an email which everybody will reply all to, I'm going to call the State Department of Elections just to make sure that the state does not have a minimum time period that is mandatory for the qualifying period so that we're not bumping up against any regulation that I'm not aware of, but I couldn't find anything. As the supervisor described it today when I spoke to their office, this is all driven by our code, but our code is pretty silent on this. I'm just going to double check with the State Department of Divisional Elections tomorrow.

Cubillos: Remind me again, on the 1st of February it is when the clerk has a deadline to--

Powell: Okay, let me back up. In order for the village to secure the April 2nd, 2019 election day for the special election, the supervisor of election needs 60 days notice.

Cubillos: Okay, so that will be February 1st, perfect.

Powell: The drop-dead of that, so if you back up, that's February 1st.

Cubillos: Perfect, so then to turn in the oath of offices of the potential candidates is the 19th of February the 15th.

Powell: No, the 15th of February.

Cubillos: Okay, perfect. No, I was going to say because, in terms of qualifying dates, we could go over and agree on that that we start on the 23rd which is a day after the special council meeting, and put it for one week, the 23rd to the 30th.

Powell: Well, but you have to keep in mind it may not be that automatic because it has to be advertised. When the clerk gets back keeping this, that's why we'll have the special meeting right away.

Cubillos: Yes because she has to be here,-

Powell: She has to be here and advertise it.

Cubillos: - so how much time period she needs, yes.

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Powell: We know that the shorter the time period, the more expensive it is, so if we say, if we have our special meeting and the clerk is here and when she gets back, she's going to send the information. If we set the qualifying period as advertised, let's say, that Friday, we'd still have enough time to meet the February 15th deadline. We meet the February 1st deadline just simply by doing the resolution.

Cubillos: The resolution, got it.

Christia: We need to get the information to them, right?

Powell: On the 15th, while the drop-dead for 15th.

Christia: First, we need to let them know that we're going to have it.

Powell: Which is the resolution and the resolution is going to be finished by the 22nd.

Mathis: The 22nd.

Christia: Yes, okay, got it.

Mathis: A quick question and I don't know if we want to do this. There's some items that I wanted placed on the ballot for the past election, could we do that?

Powell: Okay, the ones that I want done? I can ask that also, so it would not only be a special election to fill the vacancy, but I think we had worked on some of that.

Mathis: Right. Now if it's going to cost more, then I don't want to do it because I really don't want to a special election, but we have to.

Powell: I'll ask, but my suspicion is it may because one of the things they talked about is training the staff, which is what drives. It's a function of the equipment and also staff training for the special election, but I'll ask.

Mathis: Okay.

Powell: If that's the case, we're going to have to have a first and second reading of it because, in order to amend the charter, it takes two readings, so we'd have to put that in there. The first reading, that would be the 22nd, and then we'd come back for the regular meeting on the 29th of January for the second reading.

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Cubillos: Yes, but the court won't have sufficient time to notice that, to know this.

Cubillos: Yes, then maybe we have, so we'd have to find out what the timeline is, but I'll find out, first of all, to answer your first question, if it's going to cost more.

Mathis: Thank you. Any other questions?

Cubillos: No, thank you. Thank you for following up today.

Mathis: We'll move right to the agenda.

Powell: Sorry, everyone's good for the 22nd for the special meeting at 6:15?

Mathis: Yes, we have to do it.

Powell: Okay.

Cubillos: Are you going to email the clerk and let her know that so she can advertise it? That would have to be advertised Thursday because we're closed Monday.

Powell: Okay, but she's not going to be here so this would have to be--

Christia: She just filed a medical leave.

Powell: Yes, it would have to be the manager and myself working on that.

Cubillos: Two things need to happen. Number one, we need to get it on the website. It needs to get posted on all the marquees and an email blasts to the residents.

Powell: Okay, and I just want you all to be aware of the strict timelines that we're looking at here. I know that Ms. Jacobi had gotten a budget for the special election to fill the vacancy, and it's numbers around \$16,000 to do it.

Mathis: That's just for the set up though?

Cubillos: No, everything.

Powell: Everything. That's the budget that they've given us for it for the special election.

Mathis: Okay.

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Cubillos: Okay.

Powell: All right, so thank you.

Mathis: Two things briefly with regards to court enforcement. I haven't had an opportunity to meet with Carlos and see how he's going about things, but I plan on doing that within the week. There is going to be a code enforcement suit coming, so be aware of that. I just want to go over the home of the month program really quick. Are we still moving forward with that?

Christia: Yes, I know. I handle that. We have the chair and then we have ward vice president, who is coach there of the program and we have another member.

Mathis: Okay. Does anybody else have anything with regards to code enforcement that they need to discuss or want to touch on briefly? We'll go on to the next meeting.

Cubillos: No.

Mathis: Hearing none, can I get a motion for-- Sorry, Good and Welfare? Anyone like to come up and say anything?

Marilyn Brooks: Marilyn Brooks, 400 North East, 90th Street. Welcome back. Obviously, we came back with some surprises. However, I just heard it's going to cost the \$16,000 for this special, do we have 16,000?

Mathis: No.

Marilyn: What, are we going to use the credit card [laughs] or are we going to welfare, which one?

Mathis: Councilperson Dreher put us in this situation with all due respect, but we are going to have to do what we have to do.

Marilyn: Yes because we have a seat available. He's going to fill the seat.

[laughter]

I already nominated him. I'm sorry to hear what happened, but did Dreher resign?

Mathis: Yes.

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Christia: Yes.

Powell: Yes, Mr. Dreher delivered his resignation to the governor by mail on January 4th, 2019.

Marilyn: I saw him last week. I saw him with a bunch of papers coming over here, but I didn't know that that was the reason. Anyway, I'm sorry to hear that. However, we got to do what we got to do and we got to move forward, so we're having a special election.

Mathis: Yes, ma'am.

Marilyn: Okay, let's see how we feel that seat. Thank you.

Mathis: Thank you. Anyone else on Good and Welfare? Hearing none, motion for adjournment?

Nickerson: Motion for adjournment.

Cubillos: I'll second.

Mathis: It's been properly moved and second, all in favor?

Cubillos: Aye.

Nickerson: Aye.

Mathis: All opposed? We will adjourn the code enforcement committee meeting at 7:24 PM.

[00:13:35] [END OF AUDIO]

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