

VILLAGE HALL
500 NE 87TH ST
EL PORTAL, FL 33138
CHRISTIA E. ALOU
VILLAGE MANAGER



MAYOR OMARR C. NICKERSON
VICE MAYOR ANDERS URBOM
COUNCILPERSON LUIS PIRELA

MEMORANDUM

TO: Village of El Portal Council
FR: Christia E. Alou, Village Manager
DATE: December 15, 2020
RE: December 2020 Village Manager's Report

Please accept this memorandum as my December 2020 Village of El Portal Administrative Report to Council.

Corona Virus/COVID-19 Pandemic Municipal Response

Since March 2020 the Village Administration observed state and county executive orders to follow the CDC guidelines in practicing safe social distancing, remote and staggered work schedules, wearing protective face coverings, washing hands regularly throughout the day, and keeping work surfaces disinfected among other things as we phase into the New Normal. I have been active in the weekly Miami Dade County Manager's meetings to get and give information and resources with the County and the municipal managers. The Administrative office remains closed to the general public as the executive orders allow for municipalities to re-open at a pace that is appropriate for them. The Village of El Portal offices are very close in proximity, and we are not able to maintain the required social distancing of six feet apart. The office is open by appointment only, with only one person at a time allowed. The on-line building permitting processing has been established and is highly functioning at this time. Plexiglass barriers have been placed on the front office countertop to aid the Building Clerk and any staff at the front desk in maintaining their safety. A hand sanitizer station was erected at the front office door. All staff continue to utilize their face coverings, and hand sanitizer while at the office. The Miami Dade County vulnerable community feeding program is still in place until the end of the year, with a possibility of an extension, according to Miami Dade County.

The passive parks of the Village of El Portal, The El Portal Nature Trail, the Tequesta Indian Mound, Sherwood Forest Park, and River Estates Park opened in May under the New Normal executive order and remain in good standing. The El Portal Tot Lot remains closed until further notice as it is not a passive park and is a space that will induce social gathering. Under County guidance, tot lots are reopening throughout the County under strict 24-hour sanitize cleaning guidelines. The Village of El Portal's Public Works and Maintenance Staffer, Mr. Hernandez has purchased specialized cleaner and a portable sprayer pack to clean the tot lot equipment for a limited opening of weekdays only so that Mr. Hernandez is able to sanitize the tot lot during work hours. According to many, the residents want the Tot Lot open during weekends and after work hours. We do not have a staffer to work those hours. This will be discussed at the upcoming council meeting. To date, the residents and visitors of our passive parks follow the CDC guidelines posted on the Village website and at the El Portal Nature Trail, and we have not had any complaints or problems with compliance. I continue to participate in the South Florida Parks Coalition working group.

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As the Village Manager, I am an integral part of the Village's Emergency Management Team, with the Mayor and the Chief of Police. I am also a part of the Miami Dade County Managers Association, which meets at least once weekly to share information and resources and to advocate for our municipalities. I am also part of the South Florida Parks Coalition with all the municipal public works and parks leaders that are working together to information and resource share through the pandemic. Miami Dade County was awarded funds from FEMA to distribute to the municipalities as we address the pandemic. To date, the Village of El Portal has successfully submitted our reimbursement requests to the County, with technical assistance from the Haggerty Group. The Haggerty Group is Miami Dade County's administrative consultant for the CARES Act reimbursement program. The Village Interim CFO is finalizing the RFI's requested for further reimbursement consideration.

Hurricane Preparedness and Flooding in the Village of El Portal

Hurricane 2020 Season has ended, with minimal damage to the Village of El Portal and its residents. The Village had significant flooding with two major rains and have come together with a group of concerned residents, the Little River Conservancy, to establish outreach and emergency protocols for letting the community know of flooding dangers. The Village EPPD Chief Magnusson has been working with members of the Sustainability and Resiliency Taskforce and the EMT to monitor flooding potential, watch storm and rain systems and put critical information out on social media and to Citizen Crime Watch Block Captains. We remain prepared with our internal emergency supplies (refer to EPPD's emergency supplies inventory) and guides when needed. The Village will utilize the Statewide Mutual Aid Agreement the State of Florida in the event of a hurricane or natural disaster for debris management, removal and reimbursement assistance for future events. The SMAA must be renewed annually.

Hurricane Irma Recovery

FEMA RFIs (Requests for Information) were submitted and responded to by the Village's contractor, Disaster Program and Operations in September. This month I received two Determination Memos from FEMA regarding disallowed reimbursements and approximately \$660,000 in re-costing of the obligated funds for Hurricane Irma expenses incurred by the Village that were managed by our emergency management contractor, Disaster Program and Operations, DP&O. The Village of El Portal Mayor, Interim Village Attorney, consultant (DP&O) and I met this month to discuss our position and will work on the appeal of this de-obligation by the January 2021 deadline.

Special Projects

The Village of El Portal Parks Renovation and Renewal Project (funded by Kavista developers fees) The Village will be renovating, refreshing and renewing its parks and historic site over the next few months. This project has been put on the slower track due to other priorities at this time but will be picked up again in early 2021. As part of this endeavor, the Village will also be naming, renaming or dedicating the five parks in the Village of El Portal. I made contact with Miami Dade County Transportation and Public Works regarding the parks' deeds and naming rights after the new fiscal year began and was told that they would look into this matter and get

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back to me. I attempt to schedule a meeting with the new leadership at Miami Dade County to work on the outstanding matters with El Portal and Miami Dade County.

Village of El Portal Transportation Circulator Pilot Project Shuttle to Downtown Transit
Working on the contract with FreeBee/Bee Free for the circulator service to Downtown Miami Brightline Station.

The MD Transportation Planning Organization (TPO) submitted this project to FDOT for funding on behalf of the Village of El Portal and other municipalities. The Florida Department of Transportation has agreed to fund the project in the amount of \$60,000 with a 50/50 match from the Village of El Portal's CITT Transit Funds. To date, the Village has not utilized these funds and was facing a "use it or lose it" possible recapture from CITT. This is an approved use of these CITT Transit funds. I am working directly with the TPO and Miami Dade County Department of Transportation and Public Works. Ms. Maria Elisa Colmenares of the TPO and I are coordinating the Village of El Portal's circulator pilot program with free shuttle service to and from the Virgin/Brightline Downtown Station for all Village residents. Public Works and Maintenance Staffer Hernandez and I met with FreeBee/Bee Free's Jason Speigel to tour the Village of El Portal and map out the route. This was discussed and presented at a virtual community meeting I hosted on Thursday, December 3, 2020 at 6:30PM. The virtual meeting was recorded and placed on the Village website so that all may self-educate at leisure. We are looking for any community input and inform the residents of the pilot program as its being developed. I reviewed a contract with the Freebee/Bee Free last week and submitted it to the Interim Village Attorney for review and approval on Friday, November 20, 2020.

As it is scheduled now, the circulator will start in January 2021, with one passenger vans (capacity of 9) to take El Portal residents and guests to and from the Virgin Brightline Transit station in Downtown Miami. The schedule is 7AM to 10AM, and 3PM to 6PM. Two pick up and drop off locations are Village Hall westside parking lot at the Little Library Book Cove and the entrance of the Village of El Portal Nature Trail. Parking only available at the Village Hall westside parking lot. This is also an opportunity for our Village to practice sustainability and resilience.

NE 2nd Avenue Business Corridor

The Sanctuary Rader Church

Property owners, Seth Gadinsky and Associates, are attempting to sell the property. Mayor Nickerson, PlusUrbia and I will meet with a Chicago-based architect and developer in late November to see plans and to discuss the possible use of the property as primarily residential apartments. Some follow up from the firm is expected in the first half of 2021.

Parking Plans

The status remains as it was in February 2020 – PlusUrbia was to work with the office of Alice Bravo, Director, Miami Dade County Department of Transportation and Public Works, to bring parking meters, traffic calming, additional parking to NE 2nd Avenue. They are presently setting up a meeting for the Village to discuss the parking matter and traffic calming. We do not have a date yet. In the meantime, Dr. Margaret Okonkwo has closed her pediatric practice and has sold the property at 211 NE 89 Street. I presented the quotes and prior recommendation memorandums

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regarding the repair of the right of way at the property to the members of the Council earlier today. At the September 8, 2020 Planning and Zoning Committee meeting I requested that the Council allow me to utilize gas tax funds to repair the potholes for \$16,000. Though the resolution passed, there was opposition at a subsequent Public Works Committee meeting that showed a change of heart from the members of the Public Works Committee. I withdrew the request pending further review from the committee regarding other potholes and a desire to prioritize them with this council. I hope that this matter will be on the January 2021 agendas for final determination.

Biscayne Boulevard/Annexed Area Development

Kavista at El Portal

The Kavista at El Portal (rental property)

Property owner Arthur Barrington is requesting some fee reductions for the building permits and reviews of the Kavista project due to size and scale of this project. The building fee increase ordinance passed first reading in November but will not go to second reading until the January 2021 Council due to further requested research being prepared by Building Official Mare Jean.

Skate Bird Miami (Skate Park)

Jonathan Strauss, developer of Skate Bird Miami, continues to work with the Building Department, and has submitted plans. Skate Bird Miami is awaiting approvals from Miami Dade County DERM.

Former Trailer Park Development

I reached out to the representatives of the property owners to get a status update on the property, and was told that post-COVID-19 vaccination, they plan to return to Miami to pick up the project again, but there is no activity on it at this time.

DEPARTMENTS

Police and Public Safety

The PBA, through of-counsel attorney, Brenden Coyle brought suit against the Village of El Portal for unfair labor practices/failure to utilize negotiate in good faith based on a request made in the Summer 2019 Re-Opener labor discussions that resulted in the take-home cars pilot program being implemented, but no starting salary increase from \$35,000 to \$42,000, no step-increases of 5% annually and retention plan for the union members. We reached an impasse. The PBA v. Village of El Portal Impasse Hearing was held Wednesday, July 1, 2020. Interim CFO Wallace and I discussed the state of the Village's finances, and specifically what the union's financial demand would do the Village even in good financial times. In our last collective bargaining agreement, police staff's starting salary was increased to \$35,000 and all others received a 7-9% increase in the first year, and subsequent increases thereafter. The Village of El Portal's salaries, across the board in administration and police, are the lowest in Miami Dade County. The arbitrator rendered a determination to increase police staff salaries starting in fiscal year 2021-2022. You have been briefed by the Village's new Interim Village Attorney, Joseph Geller. He is coordinating a meeting with the PBA to begin the discussions and negotiations for the 2020-2023 Collective Bargaining Agreement this month.

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The EPPD continues to have difficulty with the vehicle fleet.

From Police Chief David Magnusson for December 2020

- One officer (unrelated) had COVID-19 but has recovered. Another officer has it now. Unrelated to one another.
- Had first burglary in over two months on Monday 2 November. Within 24 hours, they had offender identified thanks to fingerprints obtained on scene. Offender was arrested by another agency. We added charges.
- Last car break in (through right now when I wrote this) was August 10th
- Officer Riveron attended a trainers class for the new Tasers. He will be conducting the department wide training.
- Working on vaccine dispersal plan with the County. The Village will not be a vaccination location.
- Resident chronically missing was placed in protective custody by DCF
- PD completed self-evaluations
- PD completed biographies for January 2021 Newsletter
- Officer Battaglia nominated for PBA Officer of the Year

Code Enforcement

Code Enforcement Officer Emir King resigned, resumes were collected and Ms. Michelle Sharyar was the successful candidate, starting as the Village's new code enforcement officer on Monday, January 4, 2020. Ms. Sharyar has served as code enforcement officer for the Town of Surfside and most recently with the City of Hollywood. We welcome her to our El Portal team. We must replace the Code Enforcement as soon as possible. Especially with new staff, equipment to do one's job is paramount to being effective in that position.

Air B&B regulations have not advanced this month. The Village of El Portal does not regulate these rentals. Miami Dade Vacation Rental Ordinance Sec. 33-28 is in place and is what the Village follows. This has been problematic for municipalities. And working with each other, this issue is now a Florida League of Cities legislative priority to address municipal business registration and taxing.

Building Department

Mr. Jean has recommended an increase in building permit fees, which was introduced by Code Enforcement Officer Emir King in January 2020. The Village conducted a town hall meeting to introduce this initiative to the residents and reviewed it in an Administration and Finance and Special Council meeting. The Building Permit Fee increases ordinance was introduced for first reading at the November 15, 2020 Council meeting and was passed. It received some opposition from Arthur Barrington, owner of the Kavista Project. Some concerns for this matter were raised by Mr. Barrington and subsequently by Mr. Marc Jean as the issue regarding the Building Permit

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fees won't affect the Kavista project. According to Mr. Jean, other municipalities charge a percentage of the total construction costs for this fee. The total construction costs of the Kavista project is \$35 Million. Mr. Jean, Attorney Geller and I met with Mayor Nickerson to discuss this matter and will be following up with the Barringtons about the fees. The fee increase ordinance will be on the January 2021 Council agenda for second reading.

Planning and Zoning

PlusUrbia presented the Comprehensive Plan Amendments in September and October along with the water supply plan in a Town Hall, and an architectural guide to the Planning and Zoning Committee earlier this year that focuses on continuity in the esthetics of the Village and its future development. These two projects are quite impressive and will be tremendous assets to the Village as we and the vision of our Village move forward.

Public Works (includes Parks and El Portal Tree City status)

The Village Council passed a resolution authorizing me to utilize State gas tax and public works budget to purchase a Ford F150 for no more than \$25, 000 through the Florida Sheriffs Association procurement plan in order to get a public works truck as soon as possible. Interim CFO Wallace is presently tracking and making the purchase of the vehicle. Unfortunately, there is a four month wait for some governmental procurement, so he is researching other ways to purchase it within the authorization.

Local Mitigation Strategies (LMS)

The Village of El Portal's LMS Project List consists of projects such as stormwater improvements (Flood mitigation). Village engineers from Craig A. Smith and Associates, met me and members of the Resiliency and Sustainability Taskforce to discuss the LMS projects. We also discussed the Storm Eta that happened at the end of November as a debriefing to see how the LMS projects could affect the flooding in the El Jardin and NW 86 and NW87 Streets areas at NW 3 and NW 5 Avenues.

Septic to Sewer Project (Pennoni) and El Jardin Stormwater Improvement (Craig A. Smith) Project Pennoni – The S2S project in the west quadrant of the Village is stalled again due to engineering firms increase of fees. The former Interim Village Attorney was negotiating this project and the fee discrepancy and had scheduled some meetings to brief Public Works Chair, Councilperson Pirela, and to meet with Pennoni, but have had to cancel due to scheduling conflicts and the pandemic. I called Pennoni representative Steven Elias this week to re-start this project but have not received a return call. CAP Government's engineer, Mohan Thampi, has been assisting the Village in reconsidering the Septic to Sewer project as we await results of Interim Village Attorney Powell's negotiations with Pennoni, and assisting me and Robert Ruano with CDBG and funding requirements and reporting (Stormwater). I will be working with the new Interim Village Attorney to resolve this matter.

The projects remain:

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1. The Village Council passed the easement agreement with the Miami Dade School Board at the October 22, 2019 Regular Meeting. Interim Village Attorney Powell attempted to finalize the negotiations with Pennoni Engineers and coordinated a phone conference between us and Pennoni's Steven Elias to finish the design work of the lift/pump station. Elias states that Pennoni has "lost momentum" and will be asking for an additional \$45,000 to \$50,000 to complete the remaining 8% on the project. We asked for the reason for more money in writing and have not received this proposal as of this day. The Village is required to make the initial payment to Horace Mann Middle School in order to finalize the easement agreement. The \$30,000 has not been paid for the easement due to the stall of the project. Interim CFO has booked these payments so that they are distinguished from other payments in the Village's budget.
2. CDBG grant funding request was made of Miami Dade County for road construction related to the stormwater improvement project. We received \$157,000. The Village is in good standing on this project. The Village is looking into other opportunities to get funding through HUD/CDGB Critical Facilities funding to supplement some areas within the Police Department only. We are awaiting a positive result.
3. Craig A. Smith and Associates – El Jardin Stormwater Improvement. Engineer Orlando Rubio executed alternate designs to the El Jardin stormwater outfall project that was presented in the January 7, 2020 Public Works Committee meeting and passed to full council. The new design has been approved by FDEP.
4. Coastal Waste is the Village's new solid and bulk waste management company as of October 1, 2020. I have made several requests for the contract to be developed with Coastal through the Village's legal services. I will work with the new interim Village attorney to get this contract with Coastal as soon as we can. The week of October 26, 2020, Coastal Waste delivered new 96-Gallon roller receptacles, as required in the RFP. Many residents made requests that their second or third receptacle be delivered. They were, however the tax roll does not reflect some of these second and third cans be serviced, so an assessment will have to be made on those properties. The Interim CFO and I will be reviewing that with Coastal. The December 2020 bulk pick up dates will remain the same, and the 2021 Bulk Pick Up dates have been established and will also be posted on the Village website at the beginning of the year.

FPL Street Lighting Pilot Program – Councilperson Luis Pirela posted a lighting workshop on the Village website to get Village residents feedback about the lighting options being provided by FPL through the pilot program. This pilot program conversion has not started in El Portal. Presently the Village has 151 FPL light posts. All lights are high pressure sodium, with no LED lights. FPL is proposing a lighting plan for the Village of El Portal that will reduce power consumption by replacing all the lights with LED lights. The Village is given the choice of three lights: 41-Watt 4000K, 45-Watt 3000K, and 76-Watt 6400K. According to FPL, most of the other municipalities in the County are utilizing the 76-Watt 6400k, which is a white light. I posted the addresses of sample lighting on the Village website so that residents may see the options. Councilperson Pirela and I met with Mr. Ariel Lazo, FPL Pilot Initiative Coordinator, regarding the lighting replacement

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on Wednesday, October 28, 2020 and the possibility of pole replacement in some areas. The pilot lighting program will come at no additional cost to the Village, but any pole replacement will. He will provide us information on pricing and options. Also, according to FPL, all the new LED lights are wildlife compatible. We have asked that the Sherwood Forest area receive the lowest wattage LED replacements. We do not know when the El Portal conversion will begin in the next year.

Ongoing - There are streetlight outages on NE 2nd Avenue. I requested that FPL repair, and was told that those streetlights do not belong to FPL or the Village of El Portal. They are County streetlights. The County has been non-responsive to our requests to repair.

From Public Works and Maintenance Staffer Angel Hernandez

Parks cleaned VOEP parks on a daily basis, replacing trash and doggie bags.

Maintain the bus shelter on NE 2nd Ave, including painted the bus bench.

Coordinated the installation of new VOEP Signs, including painted the pole on NE 2nd Avenue

Coordinated the removal of two dead trees in the Village right-of-way with Orchidman Landscaping

Picked up Thanksgiving Turkeys with Mayor Nickerson for distribution to El Portal residents in need

Picked up Christmas tree With Ms Alou for the Village also decorated the tree.

Maintenance* Installed the new EPPD taser charging station for the Police department and installed the wiring for it. Also patched the wall where the charging station was originally installed.

Village Meetings* set the village hall for the meeting placing chairs with social distance 6feet apart and the table for the council. Also change the marquees signs to display upcoming meetings.

Maintenance, Update and Beautification of Village of El Portal Properties (Parks) and Village Hall
The Village of El Portal Administrative offices have been closed to the public since March 26, 2020. It has been bio-cleaned, and is cleaned every Monday, Wednesday, and Friday by Clean and Clear Cleaning Service. The Building Department is taking appointments for applications when needed.

The Village of El Portal Tot Lot remains closed to the public due to staffing limitations during peak hours. Under County order and CDC guidelines, the tot lots and playgrounds are to be cleaned in a specific manner that we are not able to do under our current staffing of one-person per department.

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Resiliency and Sustainability in the Village of El Portal

I am working with Member Kristen McLean of the Resiliency and Sustainability Taskforce (RST) for a potential pilot program for septic to sewer conversion. I continue to address the Village's resiliency and sustainability efforts through the administration and update the members and Mayor Nickerson.

Public Affairs

The new WWW.ELPORTALVILLAGE.COM is almost ready for roll out. I will inform you once the web host has been upgraded to host our new site. The new site also has the newly elected council and Mayor on it.

Administration and Finance

From Office Administrator Christian Abril

Interim CFO Chris Wallace is keeping us focused in this budget year. He is also preparing other reporting requirements for the 2019 and 2020 Audits that according to Mr. Wallace, will run concurrently, as well as the financial impacts of other open projects such as CARES Act Reimbursement, Hurricane Irma - FEMA Reimbursement Appeal, the purchase of the F150 pick-up truck, the increase in Building Permit fees, the Kavista Project, the negotiations of the Collective Bargaining Agreement among other things.

Grant Applications

The Matching Tree Grant funds were utilized for the purchase and planting of trees that now line the NW 2nd Avenue walk path. Residents have contacted me with appreciation for this beautification and sustainability effort by the Village.

Housing and Urban Development CDBG Critical Facilities Grant was submitted by the Village's consultant Robert Ruano, for resiliency updates to the El Portal Police Department. This grant fund will be used to harden the external windows and doors of the police department only, as well as a replacement to the air conditioning unit and a generator. We are awaiting a final determination from HUD.

Mr. Ruano is also exploring other grant opportunities for the EPPD and the Village's Tree Survey/Inventory, as well as the Resiliency and Sustainability Taskforce (RST).

Councilmember/Resident Requests

I have met with several residents telephonically and exchanged several emails over the month. If you would like further information about the content and resolution, please do not hesitate to contact me directly. I do keep a file and documentation for this. I have also been addressing many public records requests.

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There continue to be a myriad of directives and projects I administer at the request of individual councilpersons and members of the El Portal community. For more information, please contact me directly.