

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



MAYOR CLAUDIA V. CUBILLOS
VICE MAYOR OMARR C. NICKERSON
COUNCILPERSON VIMARI ROMAN
COUNCILPERSON ANDERS URBOM

Regular Council Meeting
Tuesday, January 28, 2020
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 Claudia V. Cubillos, Presiding
- B. **SILENT MEDITATION & PLEDGE**.....Salute American Flag in Unison
- C. **ROLL CALL**.....Yenise Jacobi, Village Clerk
- D. **APPROVAL OF AGENDA**
- E. **APPROVAL OF MINUTES FOR THE FOLLOWING MEETING (S):**
 - E1. Approval of the Minutes for December 17th, 2019 Regular Council Meeting
- F. **ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:**
 - F1. Swearing in of Police Officer Part-time Angel Otero
 - F2. Home of the Month December-1st Place: \$150 - 485 NW 87th Street – Eric & Casaundra Sweet
 - F3. Home of the Month December-2nd Place: \$100 - 315 NE 88th Street –Gergory Walton & Marcos Andreos
 - F4. Home of the Month December-3rd Place: \$50 - 295 NE 88th Street – Robert Ventura & Victor Ospina

**Regular Council Meeting
January 28, 2020
Meeting Agenda**

G. GOOD AND WELFARE

(Note: This section of the agenda is reserved in the spirit of a representative democracy "of, by, and for the 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 should keep to only issues on the agenda.)

H. AGENDA ITEM:

H1. 2020 Planning and Zoning Committee Meetings to be moved to the 2nd Tuesday at 6:30 PM and a P & Z committee meeting held every month from January - October 2020

H2. El Portal's Resiliency and Sustainability Task Force/ Committee - intro and brief discussion

I. RESOLUTIONS/ORDINANCES:

11. RESOLUTION 2020-01 EL JARDIN STORMWATER PHASE 1

A RESOLUTION OF THE EL PORTAL, FLORIDA VILLAGE COUNCIL, AUTHORIZING A CHANGE TO THE CONSTRUCTION LOCATION LIMITS FOR THE PHASE 1 CONSTRUCTION OF THE EL JARDIN STORMWATER DRAINAGE IMPROVEMENTS; AUTHORIZING THE VILLAGE MANAGER TO TAKE ACTION; AND PROVIDING FOR AN EFFECTIVE DATE.

12. RESOLUTION 2020-02 SPECIAL ELECTION 2020 VACANCY SEAT 3

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL FLORIDA, CALLING A SPECIAL ELECTION AND RUNOFF ELECTION, IF NECESSARY, TO FILL THE VACANCY IN COUNCIL SEAT 3 FOR THE UNEXPIRED TERM; AUTHORIZING THE MIAMI-DADE COUNTY CANVASSING BOARD TO SERVE AS CANVASSING BOARD FOR THE SPECIAL ELECTION; APPROVING AN AGREEMENT WITH THE MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS TO CONDUCT THE ELECTION AND TO PROVIDE POLL WORKERS; ELECTING NOT TO PROVIDE FOR EARLY VOTING; PROVIDING FOR SERVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

**Regular Council Meeting
January 28, 2020
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J. MAYOR, MANAGER, COMMITTEE & ATTORNEY REPORTS:

J1. Village Mayor Report - Mayor Claudia V. Cubillos

J2. Village Manager Report – Christia Alou

J3. Village Attorney Reports – Interim Attorney Norman Powell

K. UNFINISHED BUSINESS AND GENERAL ORDERS:

K1. Propose to amend our charter to allow the option to appoint, when there are more than 6 months left in a term

L. NEW BUSINESS:

M. GOOD AND WELFARE

(Note: This section of the agenda is reserved in the spirit of a representative democracy “of, by, and for the 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 should keep to only issues on the agenda.)

N. 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.

RESOLUTION NO.: 2020-01

A RESOLUTION OF THE EL PORTAL, FLORIDA VILLAGE COUNCIL, AUTHORIZING A CHANGE TO THE CONSTRUCTION LOCATION LIMITS FOR THE PHASE 1 CONSTRUCTION OF THE EL JARDIN STORMWATER DRAINAGE IMPROVEMENTS; AUTHORIZING THE VILLAGE MANAGER TO TAKE ACTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 27, 2017, the Village Council approved and submitted the design location for the construction of Phase 1 of the El Jardin Stormwater Drainage Improvements (“Phase 1”) to the Florida Department of Environmental Protection (“FDEP”); and;

WHEREAS, since the Village Council approved the design location for the Phase 1 Construction, the Village has been unable to obtain the required easements from the property owners of the parcels located in the footprint of the Phase 1 construction limits; and

WHEREAS, the Village’s engineers, Craig A. Smith and Associates, have proposed an alternative construction limits for the Phase 1 Construction.

WHEREAS, the Council finds that it is in the best interest of the Village to approve the New Phase 1 Construction Limits.

NOW, THEREFORE, BE IT ORDAINED BY THE EL PORTAL VILLAGE COUNCIL;

Section 1. Recitals. The foregoing recitals are true and correct and are hereby incorporated herein.

Section 2. Approving New Phase 1 Construction Limits. The Village hereby approves the New Phase 1 Construction Limits for the El Jardin Storm Drainage Improvements and its submission to the FDEP. A true and correct copy of the map that includes Craig A. Smith

and Associate's proposed New Phase 1 Construction Limits is attached to this Resolution (Exhibit "A").

Section 3. Authorization. The Village Manager is authorized to take whatever actions are necessary to implement this Resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon passage and publication as required by law.

PASSED AND ADOPTED by the Village Council of the Village of El Portal Florida, this ___ day of January 2020.

Claudia Cubillos, Mayor

ATTEST: _____
Yenise Jacobi, Village Clerk

Approved as to form and legal sufficiency:
Interim Village Attorney,

By: _____
Norman C. Powell, Esq.

Vote:

Councilperson Urbom: ___ (Yes) ___ (No)

Councilperson Roman: ___ (Yes) ___ (No)

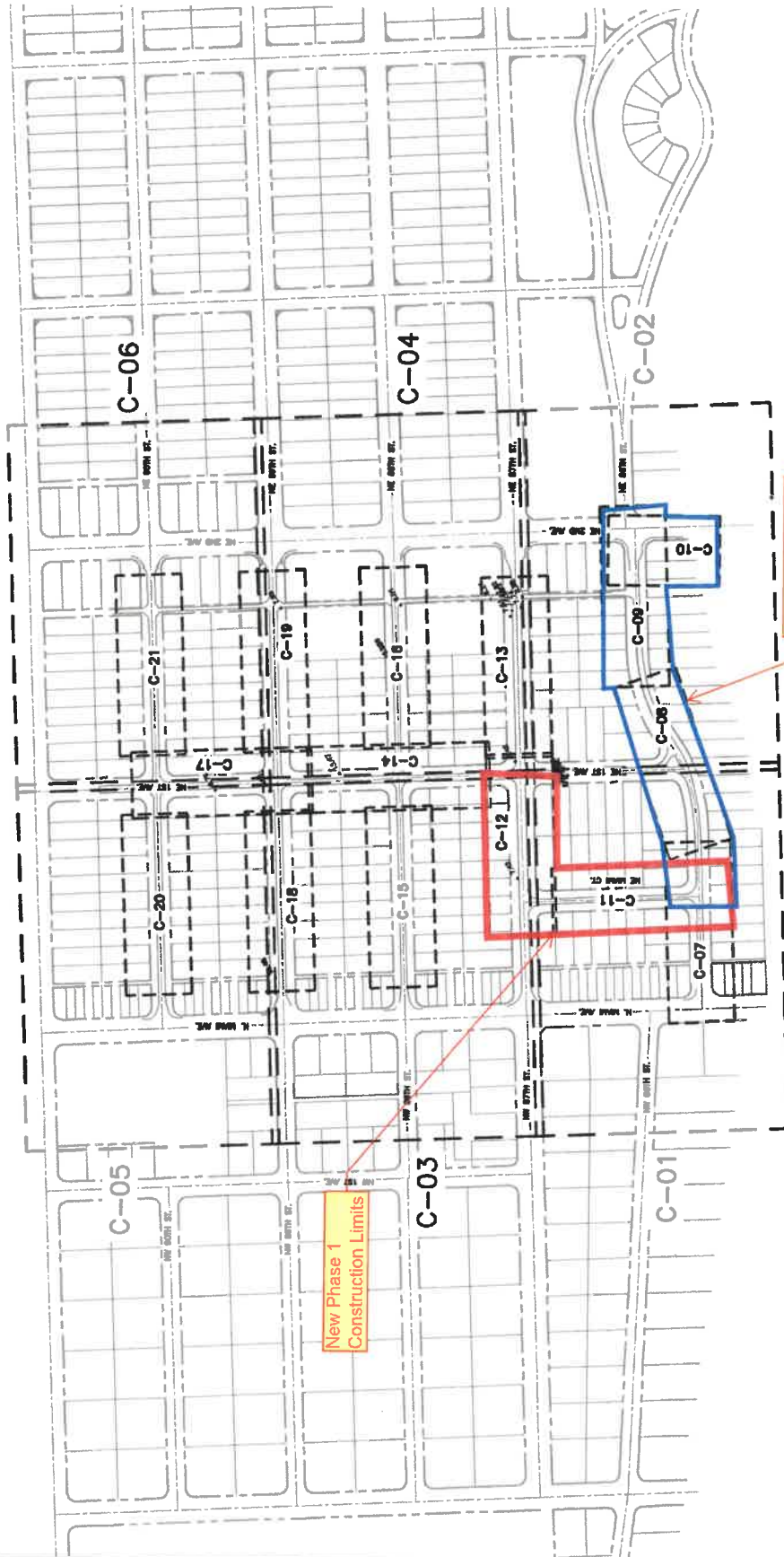
Vice Mayor Nickerson.: ___ (Yes) ___ (No)

Mayor Cubillos: ___ (Yes) ___ (No)

I, Yenise Jacobi, 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.: 2020-01 adopted on January ___, 2020, 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 January 2020.



GRAPHIC SCALE
 1" = 100'
 1" = 100'
 1" = 100'



SHEET
G-02

FILE NUMBER: 00-1970-G-02-REV. 099
 LAST MODIFIED: 06/22/19 - 10:58am
 CAD PROJECT NUMBER:
 17-1970

EL JARDIN STORM
 DRAINAGE IMPROVEMENTS
 KEY SHEET

PREPARED FOR:
 THE VILLAGE OF
 EL PORTAL

CRAIG A. SMITH & ASSOCIATES
 CONSULTING ENGINEERS-PLANNERS-SURVEYORS
 1100 N. W. 10th St., Suite 200
 Coral Gables, FL 33134
 (305) 441-1111

APPROVED BY: ORLANDO A. REBOLLO, P.E.
 DATE: _____
 FLORIDA PROFESSIONAL ENGINEER NO. 48206

Date: 1/20/22
 Designer: ML
 Engineer: ML
 Checker: ML

NO.	DATE	REVISION	BY

VILLAGE OF EL PORTAL FLORIDA

RESOLUTION NO.: 2020 - 02

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL FLORIDA, CALLING A SPECIAL ELECTION AND RUNOFF ELECTION, IF NECESSARY, TO FILL THE VACANCY IN COUNCIL SEAT 3 FOR THE UNEXPIRED TERM; AUTHORIZING THE MIAMI-DADE COUNTY CANVASSING BOARD TO SERVE AS CANVASSING BOARD FOR THE SPECIAL ELECTION; APPROVING AN AGREEMENT WITH THE MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS TO CONDUCT THE ELECTION AND TO PROVIDE POLL WORKERS; ELECTING NOT TO PROVIDE FOR EARLY VOTING; PROVIDING FOR SERVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 19, 2019, Governor Ron Desantis suspended Councilman Harold Mathis, Jr. from Village Council Seat 3; and

WHEREAS, pursuant to Section 2.05(c)(2) of the Village Charter, a vacancy shall be filled by Special Election no sooner than thirty (30) days or more than ninety (90) days following the vacancy; and

WHEREAS, pursuant to Florida Statute, Section 100.151, the Miami-Dade Supervisor of Elections has informed the Village that the earliest dates the Special Election and Run-Off can be held in the Village is April 7, 2020 and April 21, 2020, respectively; and

WHEREAS, the Village Council has selected April 7, 2020 as the date for the Special Election and April 21, 2020 as the date for the Runoff Election, if necessary; and

WHEREAS, the Village must designate a canvassing board to canvass the results of the Special Election; and

WHEREAS, the Village must enter into an agreement with the Miami-Dade County Supervisor of Elections to conduct the Special Election, which will include providing poll workers.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL FLORIDA:

Section 1. **Recitals.** The above Recitals are true and correct and incorporated herein by reference.

Section 2. The Village hereby calls a Special Election to occur on April 7, 2020 and a Runoff Election to occur on April 21, 2020, if necessary, to fill the vacancy in Seat 1 with the candidate elected to serve the unexpired term of Seat 3.

Section 3. The Village Council hereby establishes the qualifying period for the Special Election as commencing on Monday, and ending at noon, Friday, .

Section 4. The Village Council hereby approves the attached agreement (Exhibit “A”) with the Miami-Dade County Supervisor of Elections and authorizes the Village Manager to execute the same.

Section 5. The Miami-Dade County Supervisor of Elections shall provide all poll workers for the Special Election pursuant to the attached agreement.

Section 6. The Miami-Dade County Canvassing Board is hereby authorized to act as Canvassing Board for the Village of El Portal for the Special Election on April 7, 2020 and a Runoff Election, if necessary, on April 21, 2020.

Section 7. The Village hereby elects not to provide for early voting for the Special Election and the Runoff Election, if necessary.

Section 8. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 9. That all resolutions made in conflict with this Resolution are hereby repealed.

Section 10. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Village Council of the Village of El Portal Florida, this ____ day of January 2020.

Claudia Cubillos, Mayor

ATTEST: _____
Yenise Jacobi, Village Clerk

Approved as to form and legal sufficiency:
Interim Village Attorney

Law Office of Norman C. Powell

By: _____
Norman C. Powell, Esq.

Vote:

Councilperson : Urbom	_____ (Yes)	_____ (No)
Councilperson Roman:	_____ (Yes)	_____ (No)
Vice Mayor Nickerson.:	_____ (Yes)	_____ (No)
Mayor Cubillos:	_____ (Yes)	_____ (No)

I, Yenise Jacobi, 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.: 2020 -02 adopted on January ____, 2020, 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 January, 2020.

Yenise Jacobi
Village Clerk