

VILLAGE HALL  
500 NE 87<sup>TH</sup> ST  
EL PORTAL, FL 33138  
JASON M. WALKER  
VILLAGE MANAGER





MAYOR DAISY M. BLACK  
VICE MAYOR LINDA MARCUS  
COUNCILPERSON CLAUDIA V. CUBILLOS  
COUNCILPERSON OMARR C. NICKERSON  
COUNCILPERSON ADAM OLD

Regular Village Council Meeting  
Tuesday, July 23, 2013  
MINUTES  
7:00PM



**A. CALL TO ORDER:**  Mayor Daisy Black, presiding, called the meeting for July 23, 2013 to order at 7:09 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 Adam Old, Village Manager Jason Walker (Not voting), Sitting Village Attorney Steven Geller (Not voting), Interim Village Clerk (Not voting) and Chief Eugene Morales (Not voting).

**Absent:** Councilperson Omarr Nickerson.

**D. APPROVAL OF AGENDA:**  Mayor Black requested any additions or deletions to the agenda. The Manager let the Council know that Item F1. was passed out on Saturday and can be removed from the agenda.  **Motion: to approve the agenda as amended, Action: Approve, Moved by Councilperson Claudia V. Cubillos, Seconded by Vice Mayor Linda Marcus.**

**Motion passed unanimously.**

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

**E1.** Minutes for June 25, 2013, Regular Council Meeting –  **Motion:** to approve the minutes, **Action:** Approve, **Moved by Councilperson Claudia V. Cubillos, Seconded by Councilperson Adam Old.**

Motion passed unanimously.

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

**F1. ~~June Unaudited Financials—Irwin Williams, CFO~~**

**G. RESOLUTIONS / ORDINANCES:**

**G1.  Mayor Black asks the Clerk to read the short title into the record.**


**RESOLUTION NO. 2013-014**


**NON-AD VALOREM TAX RATE**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, OF MIAMI-DADE COUNTY, FLORIDA, ADOPTING THE RATE FOR SOLID WASTE AND RECYCLING SERVICES IN THE VILLAGE OF EL PORTAL; (AS INDICATED IN ATTACHMENT A) IMPOSING SOLID WASTE AND RECYCLING ASSESSMENT FOR PROPERTY LOCATED WITHIN THE VILLAGE OF EL PORTAL FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013; APPROVING THE RATE OF ASSESSMENT FOR THE BUDGET FOR FISCAL YEAR 2013-2014; AND DIRECTING THE VILLAGE MANAGER TO FORWARD A COPY OF THIS RESOLUTION TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER OFFICE BEFORE DUE DATE OF AUGUST 3, 2013, AND PROVIDING FOR AN EFFECTIVE DATE.**

**G1a.** Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:12 PM and opened it up for public hearing. Hearing none she resumed the regular meeting. The Mayor requested a motion to approve the Resolution.

The Mayor asked the Manager to speak on the Resolution and he spoke briefly; stating that the rates remain the same as last year.

** Motion:** to approve Resolution No. 2013-14, **Action:** Approve, **Moved by** Vice Mayor Linda Marcus, **Seconded by** Councilperson Claudia V. Cubillos.  
Motion passed unanimously.

** Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4).  
**Yes:** Councilperson Adam Old, Councilperson Claudia V. Cubillos, Mayor Daisy M Black, Vice Mayor Linda Marcus.

Councilperson Nickerson arrived at this time.

**G2.  Mayor Black asked the Clerk to read the short title into the record.**

**RESOLUTION NO. 2013-013**


**PROPOSED MILLAGE RATE**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF EL PORTAL, FLORIDA OF MIAMI-DADE COUNTY,**


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**FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES MILLAGE RATE OF 8.3 OF AD VALOREM TAXES FOR THE VILLAGE OF EL PORTAL, FLORIDA, AND IN ACCORDANCE WITH THE CHARTER, SECTION 4.05, FOR THE BUDGET FOR FISCAL YEAR 2013-2014; THE FIRST BUDGET HEARING WILL BE HELD ON WEDNESDAY, SEPTEMBER 11, 2013 AT 6:30PM AND THE SECOND BUDGET HEARING WILL BE HELD ON TUESDAY, SEPTEMBER 24, 2013 AT 7:00PM AT THE VILLAGE HALL, 500 NORTHEAST 87TH STREET; AND DIRECTING THE VILLAGE MANAGER TO FORWARD A COPY OF THIS RESOLUTION TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER OFFICE BEFORE DUE DATE OF AUGUST 3, 2013, AND PROVIDING FOR AN EFFECTIVE DATE.**

The Mayor asked the Manager to speak on this Resolution. The Manager stated that the rates proposed are the same as the previous year. This rate may go down at the discretion of the Council; however, it may NOT go up. The sitting Village attorney pointed out that the roll back rate must be read into the record. That is in **Section 1**. Of the Resolution. The Attorney read it into the record.

**G2a.**  Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:15 PM and opened it up for public hearing.

**G2a.1.** Raquel Vallejo – 400 NE 87<sup>TH</sup> ST – Commended the Council and the Manager for the resolution.

 **Motion:** to approve Resolution No. 2013-013, **Action:** Approve, **Moved by** Councilperson Adam Old, **Seconded by** Councilperson Omarr Nickerson.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).  
**Yes:** Councilperson Adam Old, Councilperson Claudia V. Cubillos, Councilperson Omarr, Nickerson, Mayor Daisy M Black, Vice Mayor Linda Marcus.

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

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

- a. Stormwater – Phase V started last week, Monday. NW 90<sup>th</sup> St and NW 3<sup>rd</sup> Avenue are complete. Nature trail part starts tomorrow morning. Funded by SFWMD (\$200,000)
- b. Bus benches – They arrived this morning and will be installed on N Miami Ave & 2<sup>ND</sup> Ave. We are waiting on permitting from the County.
- c. Bus shelters – We are waiting on an easement agreement from the Church.
- d. N Miami Ave Median – The signs are to be completed soon. Rain delays.

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- e. UF&C Grant – We received one bid for a master tree plan from Savino Design Studio. The manager is reviewing the proposal and it will be brought back in September. The grant expires in 2014. It will take 30-45 days for completion.
- f. Hurricane Disaster Relief – We had a meeting with the monitors to discuss protocols and agreements with the County in the event of a storm. Staging sites and agreements discussed.
- g. NW 3<sup>rd</sup> Avenue Landscape design – Bids came in at approx. \$42,000 and \$44,000 and they are to go to September Public Works CMT. Our CITT fund at \$60,000 and this is something that should be fleshed out at the committee level before committing that amount to this project.
- h. Homestead Exemption Fraud – With the help of the police department we were able to identify 10 cases of fraud and they were submitted to the County. Out of those, 9 liens have been placed on homes. A County Press conference will be held in August.
- i. E-Civis – Senior grant fund program was researched. It would be to keep in contact with senior citizens who are isolated. Non-profit partner is needed. The grant is approx. \$25,000. Due November 1<sup>st</sup>. They started working on it today.

Councilperson Marcus asked for an update on the sinkhole on NE 4<sup>th</sup> and 86<sup>th</sup> ST. The Manager said the asphalt pouring was delayed and the contractor is aware. He wants to wait to bring out the asphalt crew for the SW PHA V project to replace the asphalt. Currently, there are safety cones and police tape surrounding it. Councilperson Cubillos asked for an update on the tot lot. He answered that we have a bid for the design, but it needs to be scaled down for cost. Councilperson Cubillos asked the Attorney about the red light cameras.

#### **H2. Village Attorney Reports** – Sitting Attorney Steven Geller

We are currently waiting on proposal from the vendor, ATS. ATS has reassured them that there would be a better proposal. The Manager added that he spoke to a representative from ATS and he doesn't seem to think an administrative fee that is being proposed is going to happen. The Attorney said that it's currently not working for the city. The Manager brought up an article that Councilperson Cubillos had shown him stating that the Village was one of the 5 cities in Florida that negotiated a contract that included a "no-loss" clause. Vice Mayor Marcus asked if we could piggy-back off of another city for prosecuting these red-light violations. The Attorney doesn't believe it is possible. Mr. Walker said that as he understood it from the last City Manager's Association meeting; that was not allowed.

#### **H3. Committee Chair Reports**

- a. **Public Affairs** - Vice Mayor Linda Marcus –  
The Chair was not able to attend so she asked Councilperson Cubillos who held the meeting to give her update. The primary discussion was regarding the 4<sup>th</sup> of July event.
- b. **Public Works** - Chairperson Omarr Nickerson –

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He spoke about the items discussed at the committee, which included traffic calming and how realistic it is. The Manager brought up bus benches earlier and pot holes were discussed. How to patch these pot holes and how to improve the tot lot. The improvements to the parking lot and the park itself have been made into separate projects.

- c. Public Safety** - Chairperson Daisy M. Black –  
Scheduled National Night Out for August 6<sup>th</sup> at 7PM. She said the route is basically the same as the 5K Armed force route.
- d. Code Enforcement Committee** - Chairperson Adam Old –  
Swale materials handout was discussed. He wants to make it so that residents can apply for an administrative approval versus a variance by passing an ordinance. He let everyone know about the next Charter Review Committee meeting (July 25<sup>th</sup>)
- e. Planning & Zoning** - Chairperson Daisy M. Black –  
The Manager covered this.
- f. Administration & Finance** - Chairperson Claudia V. Cubillos –  
Next newsletter deadline is August 15<sup>th</sup>. Lobbying funds and preparation were discussed. She also spoke about the July 20<sup>th</sup> budget meeting outcomes. There was a focus on increasing revenue and increasing lobbying efforts. Next meeting is on August 3<sup>rd</sup>.

**H4. Village Mayor Reports** – Mayor Daisy Black – She thanked everyone for their collaboration on projects that are moving the city forward.

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

**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.)

**K1.** Muhammed Ally – 115 NE 88<sup>TH</sup> ST – He passed out a letter to the Council and asked for their reply. The letter is not included here in its entirety, but is available for inspection upon request.

**K2.** Raquel Vallejo – 400 NE 87<sup>TH</sup> ST – She had questions about the letter Mr. Ally presented. She asked if she should be concerned. The Mayor said not at this point.

**L. ADJOURNMENT:** Mayor & Council

 **Motion:** motion to adjourn, **Action:** Adjourn, **Moved by** Councilperson Claudia V. Cubillos, **Seconded by** Councilperson Omarr Nickerson. Motion passed unanimously.

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Meeting Adjourned at 7:45 PM.

# of members in audience: 4

*To listen to the full recording of the July Regular Council Meeting, you can click on the link below and download it for your convenience. The link may expire at any time. If you are experiencing difficulty accessing the file, please email your request to the Clerk's office at [cmontealegre@villageofelportal.org](mailto:cmontealegre@villageofelportal.org).*

<https://dl.dropboxusercontent.com/u/103397344/2013-07-23%20Regular%20Council%20Meeting.MP3>