



**Village of El Portal Regular Council Meeting**

**Date: 12/15/20**

**Meeting Start: 7:06 PM**

**Meeting End: 10:32 PM**

**Meeting Length: 03:28:18**

**Mayor Omarr C. Nickerson:** Hello, everybody, good to see everybody here tonight. The Regular Council meeting for Tuesday, December 15th. is being called to order at 7:06 PM. Thank you very much, you guys. May I please get silent meditation and Pledge of Allegiance?

**All:** I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

**Mayor Omarr C. Nickerson:** Thank you very much. Madam Clerk, may I please have roll call? Madam? Madam Clerk, may I please have roll call?

**Village Clerk Pamela Latimore:** Councilman Pirela?

**Councilman Luis Pirela:** Here.

**Village Clerk Pamela Latimore:** Vice Mayor Urbom?

**Vice Mayor Anders Urbom:** Present.

**Village Clerk Pamela Latimore:** Mayor Nickerson?

**Mayor Omarr C. Nickerson:** Here.

**Village Clerk Pamela Latimore:** We have a quorum.

**Mayor Omarr C. Nickerson:** Thank you very much, I appreciate it. For the record, I want to recognize interim clerk, Pam Latimore. Attorney Geller is here. Village Manager is here. We have the chairperson of the Sustainability and Resiliency Task Force, Ms. Elizabeth Carpenter is here. See her again next month. We also have Richard Pinsky is here. We have a special guest here, former vice mayor, Mr. Harold Mathis. He'll come out soon, and chief is here, Chief Magnuson, of course. Thank you very much, you guys. We have Officer Sandy Owen in the back. Good to see you, Sandy.

For approval of the agenda, everybody. Before I ask for a motion, I have a couple of deletions that I would like to make. Unfortunately, Mayor Cubillos is feeling under the weather so she wasn't able to make it here tonight to present the citizenship of the year. We'll do that next month in January, and for her proclamation, we'll do that next month in January also.

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We hope she gets better really soon. She called me earlier today, she tried to hold that to the last moment, but she called me around three o'clock or something like that and said that she wasn't going to be able to make it and she didn't want to come here risk- She said she's coming down with the flu, she believes and didn't want to come here risk getting anybody sick for a holiday.

Also, Commissioner Edmondson was trying to be here in person but she wasn't able to make it. She was going to try to make it-- She might make it later, but she wasn't able to make it for the very beginning of the meeting. We'll continue to do the proclamation in her honor, but she may not be able to be here in person for that, she was trying to make it. We also have Eli. The lobbyist just walked in. Good to see you, Eli.

I want to strike F1 and F2, you guys, from the agenda, if that's okay. If there's any more deletion or additions this is the time to say so. Otherwise, may I please have a motion to approve the agenda. With F1 F2 stricken.

**Vice Mayor Anders Urbom:** I'll make a motion to approve the agenda with F1 and F2 stricken.

**Mayor Omarr C. Nickerson:** May I have a second?

**Councilman Luis Pirela:** I'll second.

**Mayor Omarr C. Nickerson:** Moved by Vice Mayor Urbom, second by Councilperson Pirela. All in favor say, aye.

**Vice Mayor Anders Urbom:** Aye.

**Councilman Luis Pirela:** Aye.

**Mayor Omarr C. Nickerson:** All opposed say nay? Hearing none, the agenda is approved. Next is approval of the minutes. Has anybody had a chance to look over the minutes? I looked over them but I can't make the motion.

**Vice Mayor Anders Urbom:** I went through them, I didn't see anything really out of place. I'll make a motion to approve the minutes.

**Mayor Omarr C. Nickerson:** I appreciate that. Moved by Vice Mayor Urbom. I didn't see anything either. Do I have a second?

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**Councilman Luis Pirela:** I'll second.

**Mayor Omarr C. Nickerson:** Second by Councilperson Pirela. All in favor for approval of the minutes say, aye.

**Vice Mayor Anders Urbom:** Aye.

**Councilman Luis Pirela:** Aye.

**Mayor Omarr C. Nickerson:** All opposed say nay. Hearing now, we're moving right along to acknowledgment of visitors and or special presentations. At this particular time, we're going to move down to the new F1 which was F3, and that is a proclamation for county commissioner Audrey M Edmondson. As I said before, she was trying to be here early on time, but unfortunately, she wasn't able to make it. I do have a special guest though. While we do this proclamation, I'm going to have somebody come up and talk about what the County Commissioner Edmondson meant to not only the Village of El Portal but to the entire community, and eventually the entire county of Miami-Dade as she became a Miami-Dade Commissioner.

I wanted to call to the podium our former vice mayor Mr. Harold E Mathis. Mr. Harold Mathis if you would come to the front, please. How are you doing my brother?  
[unintelligible 00:04:57]. How's everybody doing?

**Mr. Harold Mathis:** How're you doing?

**Mayor Omarr C. Nickerson:** We good? Am I on? Am I on? I just want to say, first of all, I reached out to Vice Mayor Mathis, and I said, "Hey." I said, "We're going to do this proclamation for County Commissioner Edmondson." I said, "Out of all of us, you know her better than any of us so it'll be a perfect time for you to come back and do this for her." It's really unfortunate she couldn't be here in person she was really trying to get here, but before I do the proclamation, and when I do the proclamation I want you standing right next to me, but before I do the proclamation, I wanted you to come and just from your heart as you so eloquently always do, just say what you feel about her.

I want to say also special thank you to Vice Mayor Mathis for coming out because I spoke to him earlier today he was in a bad car accident. His new car totaled. He was at a doctor when we were on the phone, and he said, "You know what, Omarr?" He said, "For County Commissioner Edmondson and for you. I'll make sure I'm there." I really appreciate that, man, but the floor is yours.

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**Mr. Harold Mathis:** Thank you, Omarr, and I appreciate the invite. When it comes to Commissioner Edmondson, Mayor Edmondson, Audrey, mom, the word that comes to mind is completion. She always would start a task and see it through to the end. I've learned many lessons from her. One of the most important lessons in politics is listen, listen, listen, listen. Stand back. No comment. Listen, listen, listen, and comment when you need to comment. You don't always have to say something, sometimes silence is the best.

When it comes to Commissioner Edmondson, trailblazer, a dedicated politician, mom, community activist. All of the good things wrapped up in one. She is the embodiment of El Portal, she loves this community so much, and El Portal politics would not be what it is today if it wasn't for her and I thank her and I know everybody else who had the opportunity to serve with her or attend meetings with her or commissioned with her thanks her as well. This is something that's long overdue and I'm glad that she is in receipt of it, and I am going to push for a road to be named in her honor. Thank you again, Mayor.

**Mayor Omarr C. Nickerson:** Absolutely.

**Mr. Harold Mathis:** I really appreciate it.

[applause]

**Mayor Omarr C. Nickerson:** Don't go too far Vice Mayor. If Vice Mayor Urbom and Councilperson Pirela would join me down here [unintelligible 00:08:03] we'll stay social distanced. I hope you guys can join me. Madam Manager if you can stand back here also. Manager Alou was the one that reached out to me and said, "You know what? Mr. Mayor, we need to do a proclamation for Miami-Dade County Commissioner Edmondson." I appreciate that Manager. Thank you very much, and she was absolutely correct.

Whereas Audrey M Edmondson was elected as a Councilperson to the Village of El Portal Council and elected Mayor of the Village of El Portal becoming only the second African-American mayor. Whereas Audrey M Edmondson was re-elected for three successive terms, becoming the municipality's first mayor to be elected to the village by the village's residents, rather than by the members of the village council, which under her leadership, hired the village's very first Village Manager. If you guys didn't know, before, Mayor Edmondson as Attorney Geller would know because Attorney Geller has been with El Portal for so, so, so long. Attorney Geller how many years were you the attorney for El Portal before recently coming back?

**Attorney Joseph Geller:** 21.

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**Mayor Omarr C. Nickerson:** 21 years he was here. He knows the village inside and out, you guys, just to let you guys know about the history of El Portal. We have many different individuals here who have taken part in the history of El Portal. Before Mayor Edmondson was the mayor, you guys, it was a whole different setup, and she changed that which was good because she allowed the mayor to be voted by the people, the residents, so they got a voice instead of by the council.

Whereas Audrey M. Edmonson among other achievements implemented the traffic calming circular rotunda at the front of village hall and the Northeast 87th Street pavers at intersections, renovated Village of El Portal charter from its 1937 version, and expanded the village hall building to include a designated space for the police department. Whereas Audrey M. Edmonson was elected as County Commissioner for the Third District on the Miami-Dade County Commission, re-elected three more times, elected to serve as vice-chair in 2010 and 2016. In 2018, County Commissioner Edmonson was elected to serve as the President of the Miami-Dade County Commission.

Whereas Audrey M. Edmonson was a Chairwoman of the Housing and Social Services Committee and Building Safer Neighborhoods Subcommittee, vice-chairwoman of the Transportation & Public Works Committee and the Chairman's Policy Council, member of the Youth Crime Task Force, vice-chairperson of the Miami-Dade Expressway Authority Board of Directors, appointment to the Miami-Dade County HIV/AIDS Getting to Zero Task Force and we're representing HIV/AIDS tonight.

Chairwoman of the Florida Department of Transportation and vice-chair of the International Trade Consortium Board. Whereas Audrey M. Edmonson serves on the Miami-Dade Economic Advocacy Trust and Public Health Trust nominee councils, the Public Health Trust/Miami-Dade Annual Operating Agreement Committee, the Jackson Health System Obligation Bond Citizens' Advisory Committee, and the County Project which is referred locally as Project PEACE, People Engaged in Advocating for Community Empowerment.

Whereas Audrey Edmonson is a member of Top Ladies of Distinction, Incorporated and the Links Incorporated. She also helped create the Miami Children's Initiative in 2006 where she served as a board member. She has also served as a board member for the Frost Museum, the JMH Citizen's Advisory Board, and the JMH Nominating Committee. Whereas Audrey M. Edmonson was recognized for her community work by the *South Florida Magazine*, which named her South Florida's 50 Most Powerful Black Professionals. Now, therefore, I, Omarr C. Nickerson, Mayor of the Village of El Portal do hereby proclaim December 15th, 2020 as Audrey M. Edmonson Day.

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Madam Manager, Vice Mayor Urbom, Councilperson Pirela, before we get up out of here, can you guys please say what Audrey Edmonson means to you? Attorney Geller, you worked with her for many years, you also.

**Village Manager Alou:** Thank you for allowing me to start. I can say that my relationship with Audrey Edmonson has been lengthy. She was one of the first persons I met when I moved to Miami-Dade County from Washington, D.C. I worked in Capitol Hill, Washington, D.C. for a number of years. I decided to try something new and moved to South Florida. She was the first person I met and gave me a job as her Legislative Director.

I worked for her for two and a half years. We had a great time. This is when she first left El Portal. I got to know a lot about El Portal before really knowing about the county because she was fresh off of being the Mayor of El Portal and had just been appointed by Barbara Carey-Shuler for the position of County Commissioner for District 3. It was a learning process for her and for me both. It started a very long friendship.

I'm very proud of her and her list of accomplishments. She's given me a lot of opportunities as well from my position on the Adrienne Arsht Center Advisory Committee to just pushing me forward with the Miami Shores Recreation Advisory Committee as well. I'm happy for her for this day and it is my pleasure that we are serving this community in the way that she would have wanted and continues to push for us.

She's always helped me as Village Manager, always calling out for me to make sure I come to certain meetings, make sure I'm waving the flag for El Portal and I am. For that, I appreciate her and look forward to working with her in many more activities that we're doing as Links Sisters and working on our charities. That is it.

[applause]

**Vice Mayor Anders Urbom:** Good evening. I don't have a long-standing working relationship with Ms. Edmonson. However, even before I came on the council, I would, for entertainment, go to County Commission meetings.

[laughter]

Things like this. As I started coming to meetings as a resident here in El Portal, her name would come up quite a bit. As you could hear from the list of committees and activities that she participates in, it is very clear that she has enormous passion for local government and

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that is something that you can't fake. As I sit upon the dais, it is people like Audrey Edmonson who have come before me that I think about as I make my own decisions.

I have been glad to be able to see her in action at different committees in the county commission, specifically transportation. I just hope that I don't break anything that she worked so hard to create. This is fantastic and I think it's incredibly well-deserved.

[applause]

**Councilman Luis Pirela:** Hi, good evening. Even though I haven't met Mrs. Edmonson and hearing what I hear from her since I also started here in the council and politics and all of this, it's very -- I just have to thank her and congratulate her for all the things that she has accomplished and done for the village and professionally as well. Thank you.

[applause]

**Attorney Joseph Geller:** Thank you, Mayor. Audrey Edmonson is a force of nature. She's somebody who knows what it takes to get things done and does it. Now she came in during my first hiatus from the village in '98, '99 when I was out for a couple of years right when she came in, so we had a little bit of getting to know each other when I came back at the beginning of 2000.

She was very close by in those days and we spent a lot of evenings after council meetings talking about what had gone on, what worked and what didn't, and what needed to happen. I wasn't surprised when she was selected to be on the county commission and I wasn't surprised when she turned out to be one of the most effective members down there and then the Chair of the County Commission because that's who Audrey is.

She's somebody who finds a way to get it done. She's somebody who finds a way to persuade people to see things from her point of view and she's one of the great political leaders I've ever had the privilege to work with. I think this honor is, not only appropriate, frankly, it's probably overdue. I'm just thrilled beyond words to see Audrey receive the kind of recognition that she deserves for what she did to make this village a better place to live. Thank you very much.

**Mayor Omarr C. Nickerson:** Thank you very much, you guys. I don't know if Chief Magnusson or Clerk Latimore has anything that they might want to say. You guys, this is the one and only time we're going to acknowledge her and celebrate her. For those at home, just

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bear with us. This is very important because she was a force that shaped our community into moving it along into what you see today. Chief Magnusson?

Also Dr. Ward I see. Dr. Ward, would you like to come up after Chief Magnusson and say?

**Chief Magnusson:** During my time with the City of Miami Police Department, I held command over two areas. One of them was Little Haiti. We had monthly meetings with the City Commissioner, one of them being Michelle Spence-Jones, and once a month we had a meeting with the County Commission. At that time it was Commissioner Edmonson and I've no need to re-echo everything I've heard here from everybody that spoke already, but the one word I will say to describe her, as I got to meet with her, and talk with her, and go over some issues was this 100% class act.

I don't think that could be understated so much nowadays. Class is important. Having class, having dignity, and being a quality person that goes a long way with me and I remember her well for that. It's an honor to have worked with her. It's certainly an honor to say a few words on her behalf. Thank you.

**Mayor Omarr C. Nickerson:** Dr. Ward.

**Dr. Ward:** Thank you all. Appreciate that a lot. Audrey came behind me, she actually did. She did a good job here, and I will always remember her. It sounds like everybody's saying goodbye, but she's still alive, she's much alive [laughs]. I don't think we've seen the last of Audrey but to be in a small city like this and to rise to the point of following one of our heroes who am I talking about.

No Daisy was already gone, thousand days was already gone. Who sat in the county commission seat before Audrey? [crosstalk] **[inaudible 00:21:34]** There you go. Now, we know why we think so highly of Audrey, because not only did I come behind Daisy Black, Audrey came behind me, but look where she towered to and stayed there for a while, but for term limitations, she may have still been there.

She's a friend not a stranger at all to my family nor I to hers. I'm sorry she's not able to be here tonight, but we're not saying goodbye, we're saying hello, while she doesn't live in the village anymore, we're going to keep up with her. Thank you all so much for giving me an opportunity to honor someone that I have a lot of respect for and who respects me as well. Thank you.

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**Mayor Omarr C. Nickerson:** Thank you very much, Mayor and Dr. Ward. Appreciate it. As Dr. Ward said, this is a celebration because even though one door closes, another one opens. We're here to celebrate not only everything that she's done so far but everything that she will do in the future.

I think that is about it. If I could have vice-mayor Matthews come back up, Dr. Ward let's take a quick picture, we're all here. I'll just hold this up.

[pause 00:23:00] [inaudible 00:23:24]

**Mayor Omarr C. Nickerson:** Max, I appreciate it Dr. Warren [unintelligible 00:23:48]. Thank you very much everybody we'll send that to Commissioner Edmundson, and then we have another copy, I signed two copies earlier. Madame Clerk will tell you, and we'll file one away. Thank you, guys. Thank you, vice-mayor. Thank you, councilperson. Let's go down to HIV/AIDS acknowledgment, if you guys see I told everybody to wear red for two reasons. I said you guys because it is holiday season, we will take-- I send that email all the time [laughs]. I know they are like, these days Omarr he's always--

I send that email I was just keeping up on stuff, so I said, "Everybody just let's wear red, and so we can acknowledge HIV/AIDS month." I just quickly want to say that when it comes to the way things work in society, it's the last big news that can draw attention is the only thing that's spoken about. Right now everything is COVID-19 for a good reason, but just because through our society and especially on the news, just because people don't talk about things, and there's the news cycle, and then things go out of style as far as the news cycle is concerned, doesn't mean things are not important any longer.

People throughout our society, throughout our world, still endure and have to live with HIV/AIDS, even though a lot of people don't talk about it anymore. It's very important that, even though with technology, and with science, and with medicine, new medicines are being created and invented that help out with this situation, but people still die from HIV/AIDS. It's not like people don't die from it anymore just because people don't talk about it anymore.

I just wanted to, on behalf of the village of El Portal, along with vice-mayor, along with Council Person Pirela to acknowledge HIV/AIDS, to say that even though it's not in the news cycle, even though we don't really talk about it anymore, that us as a community we haven't forgotten about it, and our heart still goes out to those who have to deal with that disease. Thank you very much for that.

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**Vice Mayor Anders Urbom:** Mr. Mayor if I could just add one thing to that on this specifically, I was born in '79, if you're curious how old I am. My dad's little brother, by the time I was born in '79 he already knew that he had an unidentifiable disease essentially. By the time the *Ryan White* movie came out when I was in fourth grade, I think it was, we had already had these discussions in my home for many years already at that point.

The reason I bring up *Ryan White* is because that movie the purpose of it, if you remember, was to teach the public that it wasn't only homosexuals who got HIV/AIDS. As the mayor is saying, COVID-19 dominates all discussion about this right now, but HIV/AIDS when it came out and was identified there became a need to have a discussion about empathy which I think was one of the first global discussions that humans had about empathy.

I'm hopeful that the lessons we learn from those early two decades of HIV research hopefully will be able to be applied to the COVID-19 situation as well, in terms of empathy having a great deal to do with the efficacy of treatment. Anyway, all of that to say that I certainly do agree with the importance to remember that it is not something from the past, that is very present.

My uncle was lucky, he got access to experimental drugs immediately. He is still alive today and very well, may outlive me. He's lucky because he had access to all of those experimental medications for decades, honestly. It's important to recognize the human component of all of this, and I think it is absolutely translatable to the COVID-19 situation as well.

I had a friend diagnosed with HIV last year honestly, and so it certainly is not something that is gone or relegated. There's no vaccine for it and so anyway it's my hope that empathy prevails through all of this. That's it.

**Mayor Omarr C. Nickerson:** Thank you very much, vice-mayor. I appreciate it.

[applause]

**[unintelligible 00:29:17]** We're going to move on, you guys. Next thing is good in welfare. If anybody from the audience has anything they want to come up and talk about anytime, you also have individuals on Zoom that I'm sure that can come in and speak. This is our first time doing the hybrid meeting, so the Full Moon has taken care of us.

They got all the technology down here, but if anybody wants to come on talk about anything as far as what's on the agenda, this is the first Good and Welfare. Anybody want to come and talk about anything as far as what's on the agenda.

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You'll have three minutes to ask your question. Come on, and say your name and address for the record, anything that's on the agenda. We do have another Good and Welfare at the very end, and the second Good and Welfare is when you can come on and talk about anything at all at all, but the first Good and Welfare, we come and we talk about anything that's on the agenda.

**Speaker 1:** What is on the agenda?

**Mayor Omarr C. Nickerson:** A bunch of things.

**Speaker 2:** It's not an agenda.

**Speaker 1:** What?

**Speaker 3:** [inaudible 00:30:20].

**Mayor Omarr C. Nickerson:** Remember you guys that after every agenda item, we might pass a long time ago, after every agenda item, you guys will get up and have a chance to speak before we vote on it. I'm seeing no Good and Welfare. Do we have--

**Speaker 3:** [inaudible 00:30:34] Anna Ward.

**Mayor Omarr C. Nickerson:** Yes, she's here. Is it maybe somebody in the house? Dr. Ward? No? Okay.

**Speaker 3:** [inaudible 00:30:53].

[laughter]

**Mayor Omarr C. Nickerson:** All right. All over. Okay, you guys. Moving on to the agenda items, the first one is H1 legislative and lobbying update, Richard Pinsky and Eli Nortelus. How you doing, Eli? How you doing, Richard? Good to see you guys. Both of these podiums work. I don't know if you guys want to both go to one or -- It's all good.

**Richard Pinsky:** I'll go the mask goes first and he'll keep his on. Mayor, Council Members, Manager, Attorney, and Clerk, thank you very much for the opportunity. I'm Richard Pinsky and with me is Eli Nortelus.

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For the new members, just a quick introduction that the Village of El Portal has two government relation firms, sometimes three. Right now, I work at the Akerman Law Firm and I head up their government relations for the State of Florida and we are the lead contract government relations firm for the village. We have Eli Nortelus, used to be with Akerman, then he decided to go make money with the Nortelus Roberts firm. Together, we represent the village.

I just want to say something about Chair Edmonson who I've worked with over the years as well. Everyone said great things. I wanted to point out that in the back, there's a picture on the wall of a 2002 meeting with Chair Edmonson in the chair, the photo but that's not what's amazing what's amazing is the picture of Joe Geller in that same photo. If you want to get an idea of what Representative Joe Geller looks like before gray hair, you may just want to glance and look at the photo in the back before you leave.

**Mayor Omarr C. Nickerson:** Spoken by the gray hair expert on [unintelligible 00:33:01].

[laughter]

**Richard Pinsky:** Having a couple of legislators in Tallahassee is wonderful, but when you have guardian angels that are not necessarily your representative, always looking out and this is what happened this past session with Representative Geller. We also have Senator Oscar Braynon in the Senate. We had a couple of angels looking out for the village.

I'm going to speak to the success we had and the disappointment in a moment. First, you have before you a packet of materials. I'm not going to spend time going through them all. If you have any questions going through it, in there is the entire what we call the legislative delegation. These are all the Senators and House members that are elected to go to Tallahassee to represent Miami-Dade County.

We have about half a dozen new. Some went from the House to the Senate, but there are new members there. I highlighted them for you so you can see who the new members are. We also have a new Senate President and we also have a new Speaker. The next thing in your packet is the session calendar dates for the upcoming session. As you can see, things are about to kick off in January.

Even though the pandemic rage is on, the legislature still has constitutionally an obligation to meet every year for a 60-day session and this year the session begins in March, as you can see. They usually have committee meetings leading up to that time where they hear bills that

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are being introduced and ideas, amendments are tossed around. Then, during session, they actually go on to the floor and conduct business on the floor as well as in committee.

That means when you have a new two-year rollout of Senate President, Speaker, they also shuffle all the committees and new appointees. In your next item in your packet, you have the Senate Committee make-up, the chairs, vice-chairs, and all the Senate committees. The House-Senate has 40 members, but probably because the House has 120, it takes them a little longer to complete everything. So far, all we know is who the chairs are. We don't know who the vice-chairs or the committee make-up yet in the House. As soon as we get that, we'll distribute that to you.

The next item is just a brief look back and because of the session when it ended in March we were just on the cusp of the pandemic starting, the Governor chose to wait, literally, right up to the last minute of the June 30th date to approve the budget anticipating what the impact of the pandemic may have on the budget. That played into the Governor's action in the sense that what the deep budget cut and anticipation of what extra expenses may be realized from the pandemic or if things were going to be subsiding, then perhaps, there would not have been such a drastic budget cut done.

Unfortunately, as you can see, we had our two items, very important items, the traffic calming for the Horace Mann School and as well as the critical connection on Northeast 2nd Avenue to connect us to the central sewer system for the county. Right now, you have commercial property that literally cannot be permitted because it's on septic. Before the village can grow as far as terms of economic development and attracting commercial interests, we've got to get that fixed.

Unfortunately, that money was vetoed. We did have a request for the flooding in this area here in the El Jardin area and that's critical because that just flows right into the Little River. With sea-level rise, it's just getting exacerbating. At the end, and Eli was very much involved in these negotiations, we were faced with, "You can't get two water projects. You're the village of El portal, not the City of Miami. Which one water project do you want?" We felt as though with the consultation with the Council at the time and the Mayor that going with connection on Northeast 2nd Avenue was the most important so we pulled the El Jardin request and ended up being successful. Unfortunately, like I said, it was vetoed.

Now, I just want to think about going forward. Tonight, we're not asking for any action item. Next month, we are going to come back and ask for an action item and that action item and I've been in contact and conversation with your village manager that things are going to be a

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little bit different, not just in terms of the \$1.8 billion to \$2 billion, depends what day of the week it is shortfall that the budget is going to be experiencing but the House has chosen to take a different approach in exercising their fiscal constraint.

This does not apply to the senate. You have a form in there that is almost the same as it's been for the last six or eight years of just filling out a form for a project like we just did. The House, however, is taking a different approach. They are insisting and t's in there. They have promulgated a rule which was adopted back in organizational session that says you must have a 50% match.

The page that I gave you that showed how much we asked for and what was vetoed was in there for a reason because even though the Northeast 2nd Avenue project was a \$5 million project, the way that most budgeting takes place is, "It is not enough to give you \$5 million. What can you do to start getting the ball rolling?" That's how we arrived with the \$500,000 number.

That is not going to work going forward. With a 50% match, you have to have 50% of the money of the project. For a \$5 million project, we would have to have \$2.5 million ready to go. Now, the next item in your packet is the attestation document. That means and there's always some liberties and fudging that takes place in Tallahassee, "Do you have the 50% match?" "Yes. We have the 50% match." That's as far as it goes and then you end up with some dollar amount.

Now, you have to document. Now, they're not going to ask you for your bank statement, but they are going to ask for either the mayor or the village manager to sign a document that says, "Yes, we have the \$2.5 million." That's going to get filed with the public and ethics integrity committee. Meaning, you will be held accountable if you do not have the \$2.5 million. I say that to say, going forward, our projects that we are going to have to select, we can't go above a 50% match. Whatever we ask for, we're going to have to say, we have the match towards the end of being a shovel-ready project.

Yes, we may have \$2.5 million a couple of years from now, but for this year, what projects can we accomplish with the funds that we have that we can say is a match? Now, federal funds can work towards that match, but whatever project we select and that's why we're not asking for an action item tonight, but it is going to be a thoughtful, far more circumspect, and deliberative process of how we select the projects.

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Maybe we can phase them, what can we get done for the amount of money et cetera. Those documents that are in there basically are for that purpose to show you and demonstrate that the budget rules have changed, the appropriation process in the house has changed. Now, while we may be successful in the Senate, we don't know how that's going to be reconciled with the House rules and what they're going to allow to get into the budget during the conference.

There are rules that I gave you about getting an item into conference, that have changed as well. With that, before we can take any questions if you don't mind, I'd like Eli to comment and make any additions that he wants to. Thank you.

**Speaker 4: [inaudible 00:41:39]**

**Eli Nortelus:** Okay, no problem, no problem. I didn't know, sorry. No problem.

**Speaker 4: [inaudible 00:41:59].**

**Eli Nortelus:** Okay, no problem. Councilman, if there was something that my colleague and friend Richard Pinsky missed that you want us to go over because of the mask thing, just let us know and we can go over that again. Not to get too much into the weeds. Richard Pinsky covered a lot. Is this on? Is it? Richard Pinsky's covered a lot. My name is Eli Nortelus. My partner, Dave Roberts who's also part of Nortelus Roberts Group was not able to be here today.

I just wanted to mention we also got-- El Portal has a lot of friends in Tallahassee. What I mean by that, I'm talking about members. Richard covered the fact that there's 120 House members, but your representative, Dotie Joseph, she's a warrior for this village. She carries our projects forward and she's also a colleague of your General Counsel and also a good friend of Representative Geller who's also a warrior as well for us in Tallahassee.

I also have to mention our senator, Senator Jason Pizzo, who's now somewhat within a Republican Administration who has climbed up and he's pretty much actually in somewhat part of leadership and he's also an advocate for the village as well. We lost the champion in Oscar Braynon, Senator Braynon, but for the most part, we do have someone in a neighboring county over, Senator Perry Thurston, who the manager knows about, who cares about the village as well too.

I say that to say that there's a lot of people who care about the village in Tallahassee and we're going to utilize them during these tough times.

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**Mayor Omarr C. Nickerson:** Thank you guys, I appreciate it. As far as the change that you guys have seen from-- Because years ago water projects was everything. Since COVID-19, how confident are you that there's money for the water projects as one would need it compared to money maybe for either COVID-19 relief or money for-- I know under the governor, he really wants to focus on businesses during the COVID-19?

**Richard Pinsky:** Sure. Thank you. Will there be as much money and will it be as-- The number of water projects will no doubt decrease, but you had some legislation that passed that the governor did sign, Senate Bill 712, which gets at nutrient discharges, stormwater runoff, anything going into a water body, like we have at the Little River, that runs into Biscayne Bay.

I don't want to abandon the notion that we have a very viable and critically important water project to not just the ecosystem downstream, but what's coming from the Everglades restoration projects. We know that the Department of Environmental Protection is going to be looking at what we are putting into the Little River. Now, there's probably a community, maybe a little further south and west of here that they're all man-made lakes.

They are nice neighborhoods, but they're not discharging into water bodies. They're not putting anything into the Everglades. They may have a septic tank issue, but they're not as critical as what we have here. The same way the coastal communities are going to be critical. I don't have a crystal ball, but I am guessing that part of the parsing of which is most important prioritizing will have to do with Senate Bill 712, which communities are more impactful into the water bodies in the state of Florida and they may be prioritized in some way.

There has been talk for the last few years of doing water projects completely different, more like we do road projects. Right now, we go through the MPO process and we get on a five-year program. Very rarely do major road projects get funded in Tallahassee. It's all done through FDOT and the MPOs and it's just a line item in the budget.

There is talk that water projects will be treated that way in the future as well, maybe go through the water management districts working with DEP, if they put on a five-year plan. There are folks that that are looking at it at a statewide basis of how to prioritize water projects rather than who has a key legislator or who may have a really good lobbyist and whatnot that there has to be another way of taking a finite amount of money and putting it into prioritizing of water projects.

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I don't know if that answered the question, but I don't want us to let go of-- We may change and say, yes, the sewer connection on Northeast 2nd is important. If we believe we have a better chance of fixing the sea level rise of the Little River and what we're trying to mitigate here in the Arden area, then maybe that's what we switch to. These are the thought processes that we're going to be chatting with your village manager and then we want to discuss with you next month.

That dollar amount is part of it, but also anticipating, like your question asked, what would the legislature and the Senate and House leadership be most comfortable supporting?

**Mayor Omarr C. Nickerson:** Is there any money left for small projects or do you think there'll be any money left for small projects such as things like for the Indian Mound or those type of small specialized projects for renovation? People are reaching out to me-- Most people know my dad's African-American, my mom's Native American. My mom still stays on the reservation in South Dakota.

I've had Native American groups start to reach out to me for being El Portal's first Native American mayor. Is there any money that you would see in that type of situation that's not COVID or water projects but that's for more a miscellaneous type of projects? I'm only asking because if we're always continuing to ask for what we need, but we're so small that a lot of times they'll give it to City of Miami first of course. They'll give it to Miami Beach first and things like that.

We should still continue to ask for those things, but if there's money out there to be able to improve other things also, we shouldn't only ask for COVID relief or only ask for water projects. We should also ask for a bunch of different things. It's not like we can't do more than just one thing.

**Richard Pinsky:** Yes. Great question, mayor. You know that I have advocated for some funding for the Indian Mound area, something to preserve. There are historic preservation dollars in a different silo and those monies usually are decided ahead of time through a grant process, but it would probably be easier because you're not competing for water dollars. Starting with the premise that they're going to have to figure out how to get \$1.8 billion, where they're going to go to do that, and they're going to have a big old vacuum cleaner sucking up every dollar that's available. They're talking about online sales tax collection, which may be \$700 million of new money. They're looking about how to make up that shortfall. There's probably a good chance of a \$50,000 grant that you know you are going to

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be protecting the Indian mound area. Perhaps a little fence around. Whatever you decide is a worthy project. That's an easy thing to match.

Let me just say one more thing. I don't want us to give up on the Horace Mann, I don't want us to give up on the projects because they've already said yes to them one time. All I'm suggesting is you can't ask for the \$5 million anymore. You got funded \$500,000 for your water project. You got funded \$300,000 for Horace Mann, so how do you redesign those projects with a 50% match?

Like I said, it could be a phase one, it could be a shorter segment. The sidewalk, not as much, but I wouldn't give up on those projects. I'm just suggesting to you that we've got to be more creative on how we approach the project as well as what you're suggesting, which is a fantastic idea, and that is, what other little things can we do that will benefit the quality of life in the village.

**Eli Nortelus:** We can help you guys.

**Mayor Omarr C. Nickerson:** Thank you, guys. Yes, Attorney Geller-- No I'll come to you, vice mayor.

**Attorney Joseph Geller:** Just very briefly, the sustainability and resiliency committee is working on a fertilizer ordinance that would also impact what drains into the Little River that you'll be seeing in the near future. The other thing that really will dramatically impact this budget that's very difficult to predict is whether or not Washington comes through with aid to state and local governments. It's an issue that's very contentious. The democrats are pushing it. There's significant opposition to it at the national level. If that happens, if that gets passed, it will dramatically impact the budget process in Florida.

**Mayor Omarr C. Nickerson:** Thank you very much. That's a great point. Let me just say for the record, yes, that the fertilizer ordinance is something that actually our chairwoman, chairperson Carpenter who's here is actually spearheading. Chairperson Carpenter along with Attorney Geller;s working in that for the for the sustainability and resiliency task force. We appreciate that, chairperson. Vice mayor, Irvine. Go ahead.

**Eli Nortelus:** No. You have a question.

**Vice Mayor Anders Urbom:** You might answer part of my question. I don't mind. Yes, go ahead.

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**Eli Nortelus:** I was going to say, I would be remiss, just show you how important the village is. I got alert to just notify everybody that Senator Chev Jones who replaced Senator Oscar Brandon. He cares about the village, and he's willing to help out and work with Senator Pizzo any way he can. Just want to let you know.

**Mayor Omarr C. Nickerson:** Thank you. Thank you very much. People are watching out there, so we appreciate that. Thank you Full Moon for making that possible with this hybrid situation. Vice mayor, go ahead.

**Vice Mayor Anders Urbom:** Thank you guys for being here. I'll send you email individually with the full list, but from what we're talking about here tonight-- Let me see if I can keep my thoughts concise here. I remember the last time we spoke the discussion consistently comes up of, shouldn't we try for everything? It sounds like you guys do have everything tracking, and then you find who your allies might be, and things of that effect.

In regards to the runoff reality, a few years ago, I was actually working down in the keys when the first significant bloom started happening on the West Coast of Florida. Really, it was the-- Not the commercial fishermen, but the sport fishermen, the guides. This was one of the first effective organizations that got the attention in Tallahassee. That's great. My concern is that I don't think it's a secret that Tallahassee has not always been a big fan of Miami-Dade county.

That needs to be stated out loud because that's what we're up against as part of that. One of my concerns is that, yes, we've started to have fish kills in Biscayne Bay, and we've got radiation in Biscayne Bay. There's a great many issues with Biscayne Bay, but there's no tour guides doing fishing tours in Biscayne Bay, so we don't have that same economic impact because most people truthfully in Miami don't spend as much time on the water as people in Monroe County or over in Tampa Sarasota area.

My suggestion would be to try and team up with maybe somebody who's really in a county that's fairly far away right, but dealing with similar issues, because they've already got a lot of multiple years in the game of trying to figure out how to get Tallahassee's attention on that. Yes, go ahead.

**Richard Pinsky:** You're spot on. You're talking about Captains For Clean Water, and they are a very effective organization. They actually have some folks, some guides in Dade county that just recently took Speaker sprawls on a tour at the south end of Escane Bay, the north end of the keys, so they are active. The south water management district just recently,

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it was a milestone for Miami-Dade County finally has made the decision along with the army corps to fully fund Biscayne Bay coastal wetland project phase one, which we've been waiting for years.

They are now looking at what those projects are that have already been started. They do have hot spots in the bay. One is where the little river dumps. There's a couple of hot spots that they're focusing on right now. Not so much saltwater intrusion in the south end, but you've got the model lands. I can spend a lot of time. I represent Miami-Dade County as well, and handle a lot of their water projects. I also sit on the water resource advisory committee for the district, and my wife is the government of relations director for Captains For Clean Water, so I'm very aware of of who's doing what, what's coming down the road.

That's why I say that what we're going to be doing with the village is exactly what the mayor has alluded to earlier. What's going to happen, we're going to be flexible. We do have a lot of friends in the legislature that we'll be pulling. We have a good story to tell. We want to make sure we're telling it, but we have to make sure that we're doing it within the guidelines and the context of what these new rules are that we just can't say we have a worthy project. The house is going to stop us in our tracks and say, "Where's the money?"

**Vice Mayor Anders Urbom:** Then don't be afraid also with some of the leadership positions who are potential allies of ours. For less money than a larger district, they can get some PR out of helping us out too, so don't be afraid to tell them that kind of point blank as well. "Hey, look, you get a lot more PR out of helping us out for less money than trying to do it somewhere else." Whatever it takes, right? Then, mayor, I do feel like in terms of the historical preservation and these types of things, I have no doubt they're going to attempt everything they possibly can in Tallahassee, but I certainly think DC is probably where that rubber is going to meet the road.

Just in closing, sea level rise. Is there anything you're seeing that would help us with say like a sea wall project in the canal there for residents who have erosion and things to that effect?

**Richard Pinsky:** Possibly. Sea walls--

**Vice Mayor Anders Urbom:** I'm looking three to five years.

**Richard Pinsky:** Seawalls are a little more of a challenge right now. We have two outfalls in the village that need infrastructure improvements. Our lift stations need help. We cannot keep up with the sea level rise right now. That's why we're having the flooding issue. Before we harden, I think we first are going to need, and I think the village manager will dive into

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this deeper, but first we're going to have to get our infrastructure in place. Then comes the hardening.

Maybe we just pick one outfall. Something we're going to have to do, but we are one of the communities on the little river that are that are impacted by sea level rise. Whether it's fertilizer, whether it's what we're putting in our storm drain, whatever it is, it's going into the river and into Biscayne Bay. That's why I say I feel like we have a great story to tell, and if they're going to pick a water project, you want to pick a community that you can actually stop the problem rather than just saying--

**Vice Mayor Anders Urbom:** Right. One of my hopes with El Portal's desire to become a pesticide-free community is-- I'm a satirist if you get to know me. I thought of a joke a while ago where maybe-- I'm from Kansas originally. I'm thinking, you run somebody for governor in Kansas on the platform that you're going to sue Nebraska and everybody upstream from you who's putting stuff in the water, but it's a practical joke because if the public agrees to that, then you're acknowledging your responsibility for everything downstream from you.

I've always had that practical joke running around in my head for several years now, but I do believe that if we are able to accomplish something like becoming a pesticide-free community, that we would have an avenue for litigation of municipalities west of us and south of us who are polluting the canal.

Personally, growing up, I couldn't believe that anybody would ever sue anybody. Why wouldn't you just figure it out, but I'm an adult now, so I get it. I do think that that could be an avenue for El Portal if we're able to do that. Not just as a way to sue somebody, get revenue for the village, but I believe strongly and I certainly would like to convey that to the two of you spending time in Tallahassee, that our small size actually is a huge benefit to us because we're not asking for the same size tickets as other districts are or other municipalities are.

Additionally, we can make ourselves available for something like pilot programs if they're not willing to take a huge risk on something, maybe they can take a small risk and we could be volunteers for being part of something like that. When I think of specifically sea level rise projects, additionally, runoff septic to sewer, I feel like, yes, we're talking about the session, but we're thinking 3, 5, 7, even 10 years down the road.

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Geologically speaking, we're out of time already in terms of sea-level rise. It's already over. We're talking about 2060 as catastrophic sea-level rise and it's going to happen slowly. We'll be surprised in 2060, I promise you. As it stands right now in the way humanity measures time, we actually have a little bit of time. We've got probably 10 years before we're at a critical point and something has to be done ad-hoc, emergency. That's not to say we're dragging our feet, but at the same time, if we can keep those seeds planted, then when the budget does become more available, when the political will becomes more available, the idea is that we're ready to go for those scenarios too. Thank you, guys.

**Mayor Omarr C. Nickerson:** Councilperson Pirela? Thank you, Vice Mayor. You're good? Vice Mayor, are you good? All right, any question from anybody else before I go to anybody in the audience? Are you good? Madam Manager, you're all right? Attorney Geller? Madam Clerk? Everybody good? All right, anybody from the audience have any questions for the lobbyists? Anybody on Zoom have any questions for the lobbyists? No? We're good? All right, thank you very much, Richard. Thank you very much, Eli. I will be in touch. Thank you for all the emails and everything.

**Richard:** Thank you very much.

**Mayor Omarr C. Nickerson:** Thank you. Appreciate it. All right, you guys, thank you for that. Also, thank you very much-- Take care, Chairperson Carpenter. Thank you very much, you guys, take care. The next thing, you guys, we're moving on to agenda item H2. This is open council seats and the special election. I'm going to go to what everybody wants to know. [chuckles]

All right, the special election will take place on Tuesday, February 16th, 2021 from 7:00 AM to 7:00 PM. Tuesday, February 16th. What we're going to do, you guys, we're going to open qualification for two weeks. Qualification will begin on Monday, January 4th at noon, and qualification will close on Friday, January 15th at noon.

Again, qualification for the special election will open noon, Monday, January 4th. That's when everybody has that first Monday after the holidays and everybody goes back to everything: school and work and stuff. Noon, Monday, January 4th, and it will close at noon on Friday, January 15th. Two weeks.

**Councilman Luis Pirela:** Mayor, if I may?

**Mayor Omarr C. Nickerson:** Yes.

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**Councilman Luis Pirela:** Don't the Elections Department need two days to verify the signatures or stuff?

**Mayor Omarr C. Nickerson:** The election is February 16th.

**Councilman Luis Pirela:** Oh, February 16th. Okay.

**Mayor Omarr C. Nickerson:** I kept it on a Tuesday. It's on a Tuesday. Tuesday, February 16th. It gives the Election Department one month, which is what they asked for. One month, Tuesday, February 16th, will be the election for councilperson seat two and councilperson seat three. All right, Vice Mayor Urbom.

**Vice Mayor Anders Urbom:** Yes, just to say, for anybody who themselves is considering running for the position as well as anybody who knows anyone who's considering running for any of those positions, we certainly encourage that. We would love anybody who's even remotely interested to do it. I was very reluctant when I first ran. A couple of friends really leaned on me over a period of time and I finally said, "Okay." I am very glad that I did it.

It's been very interesting and it's been great to be so intricately involved in the matters of the village. If anyone's nervous, I'll tell you that as a new member on the council, there's really, honestly, not too much stress involved. Mayor Nickerson can tell you that most of the responsibility really does in fact weigh on the shoulders of the mayor. As a new councilperson, there is time and space to get acclimated to find your bearings and figure out what you're interested in and go from there.

I certainly would encourage anybody who's even a little bit thinking about running to do that or if you know someone who is, really, do like my friends did and just keep at them. [laughs] There you go. That's my two cents on that.

**Mayor Omarr C. Nickerson:** Thank you very much, Vice Mayor Urbom. Indeed, if you're thinking about running, go ahead and run. Two seats are open. Councilperson seat three, seat two, and seat three. All right, Councilperson Pirela, you have anything you want to add? You're good? Anything, Attorney Geller? Madam Clerk? Madam Manager? Very good. Anybody from the audience? Come up to the podium, please. Say your name and address for the record and go ahead. The floor is yours.

**Dr. Lightfoot Ward:** Dr. Lightfoot Ward. 415 Northwest, 88 Terrace. I'm glad you all had this on the agenda. Thank you. I don't mind telling everybody I've already spoken to the

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mayor. I do have an interest, but it was cost because of the straw poll. I'm just standing here to thank everybody who gave me such support. We did a straw poll there.

I thank a good friend over here, Vice Mayor Urbom, I'm going to get to know you. I'm going to get to know you. I want to say thank you to everybody for the straw poll that we took this past summer. If you really wanted me back on the council, I will be running. I'm making that announcement tonight. The council has a lot of things that we need to get taken care of. Three men and another person that has approached me said, "Mention my name." Name is Tracy Young. Those of you that don't know, this village acknowledged Tracy. She's Emmy award. She won an Emmy.

**Mayor Omarr C. Nickerson:** Grammy.

**Dr. Lightfoot Ward:** I mean, a Grammy. The Grammy, not the Emmy. The Grammy award. She has approached me. She says, "I'm a neophyte on this thing, but I sure would like to get involved." You're right. She's anxious to learn. What was that movie? Three something and a dog? It would be three men and two women if we win, but thank you very much for making that announcement. I look forward to serving again on this village council. We have a lot of work to do. Thank you for letting me know that and I'm ready. Thank you, all.

**Mayor Omarr C. Nickerson:** Thank you, Dr. Ward. Thank you very much. Is there anybody else from the audience that wants to come up or anybody on Zoom that has anything they want to say? Any questions, comments? I'm not seeing any. All right, thank you guys very much.

Once again, you guys, just in closing. Monday, January 4th at noon, come here to Village Hall. The clerk will be--

**?Dr. Lightfoot Ward: [inaudible 01:09:58]**

**Mayor Omarr C. Nickerson:** Yes, yes, yes. That is very, very true. Call Village Hall. January 4th, Monday **[unintelligible 01:10:09]** starting at noon, call Village Hall to make an appointment. Because of COVID, we can't have too many people, especially Village Hall is really small at the same time, so call Village Hall and make an appointment. You guys have two weeks. Monday, January 4th to Friday, January 15th at noon. We're not going to have the clerk here trying to verify your paperwork at 9:00 PM on Friday, January the 15th, you guys. Noon, all right? Noon to noon. January 4th, January 15th, 2021. Thank you very much.

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**Village of El Portal Regular Council Meeting**

**Date: 12/15/20**

**Meeting Start: 7:06 PM**

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All right, the next thing, you guys, we have is the usage of the El Portal village parks. The village manager is going to have to chime in with me on this, but you guys know with COVID, parks and all those things were closed for a while. Then things changed and things were updated as far as the stay-at-home order and things like that, so then parks started to open back up.

Parks started to open back up only if they could be cleaned, I believe it's once a day. They have to be cleaned from top to bottom. The village manager, she bought the backpack that can hold the cleaning agent, so we have that.

This is the problem, and me and the manager have been talking. We've been trying to find a way. You guys know this was a voting item, so you guys haven't been in the loop, but me and the manager, we've been all over trying to find a way because the problem that we're having is this. Most people are going to want to go to the park on the weekends. We don't have workers on the weekends.

Our public works guy, Angel, Mr. Hernandez, they're here during the week. That wouldn't be a problem with me if there's nothing-- In a way, it pulls them away from other things they could do because it's going to take a while to clean that park from head to toe. You have to spray it down from head to toe, every item that's on the park. It still takes them away from the other job.

On the weekends, we have absolutely nobody. That's the issue because most people are going to want to go to the park on the weekend, so that's the problem that we're having. We could give him more hours and ask if he wants to work on the weekends, but we have to pay him for that. That has to be a decision that we want to make. We'll take any suggestions, me and the village manager if we're trying to--

**Village Manager Alou:** If I may just say just to add to that.

**Mayor Omarr C. Nickerson:** Yes.

**Village Manager Alou:** You're right. I'm going to take this off just a bit because I lose my breath when I'm speaking, but I can say that I've also talked to the Vice Mayor Urbom about this as well. I know that some members of the community want to volunteer to clean it, but it really needs to be a regulated process with this equipment that is specialized for sanitizing the toys here. We just don't have the manpower.

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I wish we could find a way to do it because we do want to see our facilities utilized by our residents, but at this time, to ask someone to work seven days a week is a bit much. I don't know that he would be able to, but also, we would then also have to put some money towards that, and that's another inducement that we would have to really generate within our finance, and also internally with administration. I appreciate that residents have been patient. I understand the need. We're just at this point right now.

With the numbers going up at this time, we're right in the peak of something. We've been going through this as well with our Chief Magnusson who's also recommended against it just because of what he's been witnessing and discussing with the area chiefs and on the emergency management team, that it might not even be the right time anyway.

We want to see how things go. I'm still on the South Florida Parks Coalition. This is what is happening. Bigger municipalities have more staff and they're able to do the cleaning. We're just not in that place right now, but we are looking for ways to address it. It just may not be right now.

**Mayor Omarr C. Nickerson:** Vice Mayor, I'm going to come to you. Let me jump in really quickly and just say this. Because people have contacted me, and they're like, "Miami Shores is open." You guys, Miami Shores has the Public Works Department to be able to do that. That's the first thing. Second of all, people have offered and said, "You know what, as villagers, we can clean it and keep a log if it's been cleaned."

The only thing I would say about that is this, and this is just from my mind. It might not be valid or whatever, but just for some reason, when I hear things like that, my mind goes to liability and insurance. If somebody picks up COVID-19, and they're like, "Well, I got it from the park because the village allows individuals who aren't even trained-- The village allows villagers to spray down things instead of a professional who's trained." I just think that leads to a whole slew of just liability issues with that.

We just have to either find somebody who can do it on the weekends and pay them for doing it on the weekends, and then get Mr. Fernandez or a public works individual to do it during a weekday. Again, that will pull them away, though, for at least an hour, from something that they have to do.

**Village Manager Alou:** Right. It takes a while to sanitize.

**Mayor Omarr C. Nickerson:** To sanitize, but you need to sanitize. If we're going to do it the right way, we don't want our residents to be in danger, so we're going to have to do it the

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right way. It's going to take a little bit of time, you guys. It's just something to think about, but I'm open to any suggestions, what you guys think? Vice Mayor Urbom?

**Vice Mayor Anders Urbom:** I'll just say, the manager and I had a conversation. I had one resident specifically reach out to me and essentially state that they could get a volunteer force together of people to sign up every day and do this, and that was exactly our discussion, was that liability issue.

I worked in bars for 25 years and I witnessed the weirdest scenes I've ever thought I would ever see in my entire life, which was the elimination of people going out. The weeks leading up to the initial shutdown, I got a front-row seat to watch public behavior change right in front of me. It was truly bizarre, otherworldly, something out of a sci-fi movie. Everybody's behavior just changed. Within seven days, every single person was acting differently. Time has passed now. The issue we're dealing with now in terms of the peak speaks to that. The time has passed, people have gotten complacent. Even the half that took it seriously from the beginning started to get complacent as well.

You have this desperate need for socialization, this desperate need to get the kids out of the house. It is a desperate need. At the same time, there has to be a practical approach to what the reality is of what we're dealing with.

I emailed the chief the other day because he gave us a report on what he was hearing from his meetings with local officials. I told him, "Look, I have more love for the bars than most people. I'm truly passionate about hospitality, and social gatherings, and events, and producing events, and things like this, and I feel wholeheartedly that the bars should remain closed."

This impacts me directly. I've been on unemployment since this thing started. For someone like myself who works 14 hours a day, six days a week, you don't do that. I told people for 20 years, I'll never be unemployed. I said that all the time. I would tell people all the time, "I'll never be unemployed." I can go to another country and not even speak the language, and I can get a job in a kitchen. I can do things in hospitality even without having to speak. I said for years, "I'll never be unemployed," and then here I am, sitting on unemployment, and it's weird. There has to be a prudent approach to getting through this.

As much as that desperate need for the socialization, a desperate need for having the kids out of the house is there, I do side with the decision of, if we don't have those resources to do it properly, if we can't ensure the safety of the public, then we just simply can't do it. Especially

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as the manager is saying, with the peak in cases right now, it's a good time for us to make a plan for when that becomes available, but I certainly wouldn't see that right now is the time to do that, and of course, everyone's going to have a real problem with that as soon as the winter break hits and the kids are home. Truly home, off the Zoom classes and everything else.

We're trying to deal with reality. You can either face reality or you can choose to ignore it. My mother is somebody who was certainly on the "COVID is a hoax" train from the beginning and I talked to her last week and a friend of mine from childhood, only a couple of years older than me, he almost died in the hospital last month. She now understands the reality of it.

She was begging us to make the trip and go to Kansas for Christmas and now she's like, "No, I get it." Then, for me, personally, I lost a friend very early on in this thing, so that certainly shaped my impression of what to do about all this. I got four kids, I promise you, I can't wait [laughs] to get them out of the house and go and do those things, but if we cannot ensure the safety, guarantee the safety of the public, then this is not what we need to be doing.

It's wonderful to see how many people are willing to help us out, but I think we really do need to consider the true impact of choosing to do that. I'm 100% in favor of opening the parks, but only if you're going to be able to guarantee the safety of the public.

**Mayor Omarr C. Nickerson:** Yes, we'll work on that, as you said, Vice Mayor Urbom, and try to find a plan on going forward, but, in the meantime-- We have nice neighbors, you guys. We have nice neighboring communities. Miami Shores, their parks are open and they're our sister community. Until we get to the point where we can do our tot lot effectively, I encourage us to go spend some time with our neighbors. Their parks are open, so they have the Public Works Department to be able to do that. Councilperson Pirela? Oh, sorry.

**Vice Mayor Anders Urbom:** I do have one final thing. That actually has to do with, at the state level, Governor DeSantis sounds like he's trying to split the baby right now, in terms of closing bars down. To me, that's frustrating because you either make the decision to close things and supply assistance, but the discussion in terms of saying, "Well, those who want to close can close, and those who want to stay open are open." Here's the problem with that. Now you don't have any responsibility towards anybody. [inaudible 01:22:25] open, that's on them and the people who decide to close, well, that's on you, too. There's no assistance for

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anybody wishing to do the right thing by closing. Then, there's additionally no assistance for anybody that would become ill from patronizing a place that's open socially.

I would not want us to try and split the baby on the top lot issue or other issues with COVID. We just need to make a decision based on data and understanding that. Understand this, too, that everyone's excited about the vaccines, but if you dive into what the medical community is telling you, you're not going to have coverage with vaccines potentially for two or three years. The reason for that is because this is a global pandemic, so one hotspot somewhere affects the whole planet, which is what we're all dealing with right now.

The truth is, what they're talking about is that the poor countries are going to take them three years to get these vaccines to the poor countries. You think, "Well, who goes to the poor countries?" A lot of people. We're a very connected planet. I don't see this thing going away in February because we're going to get vaccines in April. That's not going to happen.

Additionally, the medical community is very clear that, once the vaccines do arrive in mass, you're still going to have mass ordinances, you're still going to have social distancing regulations. Even with the vaccines coming online. This is not going to go away in February even if we get vaccines in April. I just want to say that. We're barely halfway through this thing as far as the medical community is concerned, so we better hope everybody brought a lunch, is what I'm saying. There you go.

**Mayor Omarr C. Nickerson:** Thank you very much, Vice Mayor Urbom. Councilperson Pirela? You're good? Anybody else from the audience? Madam Clerk? Mr. Attorney? Madam Manager? No? Chief, you're good? Anybody else from the audience? No? Anybody on Zoom? We're good?

All right, so moving on, you guys. The next thing is the newsletter community policing. I explained to you guys last meeting what my idea was. You guys will see that I'm going to have it done going into January. I will present it at the Public Affairs because we have committee meetings, so I'll just present at the Public Affairs Committee meeting, which public affairs is the third. Is public affairs the first? I think Public Affairs is the third. I'm going to do the calendar. That's why the calendar is on the agenda. I'm going to do the calendar and send it out.

**Vice Mayor Anders Urbom:** I have it as 19th.

**Mayor Omarr C. Nickerson:** Yes, it'll definitely be done. It'll be out by the end of January. Chief, we're good on all that stuff? Let me tell you guys something about Chief Magnusson,

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man. Remember I mentioned it at the meeting last time. You know how there's some people in life, you guys, that you have to stay on top of, but then there's some people that you just say something and before you even officially ask them, it's done?

I mentioned it, I didn't even say anything, so I go into his office the other day when I'm here, and I'm like, "Hey, Chief, Remember when I mentioned that whole thing about the first news that I wanted to be community policing, and the chief on the front and every page you turn is a police officer and a bio, so everybody in the community can know the police officer?" I walk in and I say, "Hey, Chief, it's December, we want to make sure that we get on top of that." He's like, "Oh, I have one more to get."

[laughter]

**Mayor Omarr C. Nickerson:** I was like, "Out of all the officers?" [laughs] "Out of all the officers, you have one more?" He's like, "Yes, I have one more bio to get." I appreciate that, Chief. That's the man. All right, you guys, that's community policing. Anybody else have anything else they want to say about that? Everybody good? How are we doing on Zoom? Any question on Zoom? Community policing? Councilperson Pirela, you're good? All right, moving on to the next thing.

The drone, you guys. Chief, you might want to come up for this because I might have a question for you about this. Might want to come up to the podium, Chief. I put drone for police department flooding, et cetera. Okay, so you guys know, recently, we had the Eta. With Eta, there was a lot of flooding, especially on the 86th street, some 87th street also on the west side, you guys.

One of the things that occurred was that one of our residents who acts like a consultant for the Sustainability Resiliency Committee, Hugh Gladwin, he's around. He's on everything. He's worked with the Tree Board, Little River Conservancy, and things like that. We were talking about flooding, and as far as for damage on flooding, to get financial assistance on the state level and things like that for damage and flooding, you take pictures of it. You have to document the flooding.

That Eta flooding was so bad for so many people in our community that if we would have a drone, because we actually reached out to people and they were like, "If you guys have a drone, then you guys can possibly apply for financial assistance for recovery." We didn't, so we weren't able to document just how bad it was for the Village of El Portal, which was

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terrible because if you saw people's individual pictures come out from their phones, it was terrible. We would have needed official documentation.

Drones aren't that expensive, you guys. You get good drones for like \$800, \$1,000. \$800, you can go get a really good drone. That's the first reason why I started to think about that. The second reason, though, was because, just overall, and, Chief, you might want to speak on this because you did send us a document a while ago, Chief, about-- Was it a program? It was the police program? It was a police executive research or something like that. Just speak for a second on the benefit of drones for your department, just as a whole.

**Chief David Magnusson:** Okay, in terms of policing--

**Mayor Omarr C. Nickerson:** You can speak on the flood situation, also, because you were in those emails also with the flood situation.

**Chief David Magnusson:** In terms of drones, I can see the benefits, certainly, of what you discussed in the sustainability meeting to take aerial shots. It's a fine line for policing. There would have to be very, very in-depth policies, procedures, training. If we had something in the size of our department that required a drone for an investigation, suffice it to say, we would be working as a support role for the county or the city of Miami, which is a much larger department that can handle such in-depth investigations.

That's not to say we can't or we wouldn't fall upon something and stumble into it, but as the investigation went on, we would probably turn for greater investigative resources to the county, per se, or like I said, the city or another larger agency. Why would we need a drone?

I'm not looking for a drone for any Fourth Amendment issue related things. What we could use in a police-related for a drone, missing child, missing elderly person. That's a police function that it's not going to upset the feeling of the community, or feeling they got their rights violated, that we're not doing the right thing. Again, going back to a Fourth Amendment type of situation.

Obviously, if it was something that did require a Fourth Amendment search with warrants and stuff, and I've applied for them and we know how to get them, but we would work again in conjunction with a larger agency that does this on an everyday basis that has a unit specifically for it. We're not going to fly by the seat of our pants on something like that.

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We would take our evidence and go over to a larger agency, and say, "Listen, we need your help. Let's work together." They would have the professionals in this that are better versed in it than we are, but there is a need for a drone.

You said the floods before, not crime-related, but certainly, we can lend a hand as we would in a hurricane or something, for an emergency stuff to do an overview. Again, the only other thing I can think of police-related at our function and our capabilities here, a missing child, a missing elderly person. To go up above the canals and see and get a quick view of that.

Of course, when we do have a missing child, Lord forbid, we would also reach out to the larger agency, the Missing Persons Unit or the county. An abduction, Lord forbid, they would certainly take over the investigation, and we would be a support role to them and assist what we can with our equipment, but they would certainly have better and more equipment than we do.

**Mayor Omarr C. Nickerson:** Let me just say, you guys. When I say this, everybody's going to shake their head up and down. Yes, because you guys understand how important this is, but we have missing elderly people often here. Yes, at least twice a year. A lot of times, we look for them for a while, and a lot of times, they come up deceased. One, last year, in the canal. We have a high elderly population here, you guys, are residents.

This is not something that's an emergency. I think right now we're in the dry season. Flooding is the priority of why I think we need one. Like I said, they're not that expensive. They're like \$600, \$800 for a really good one right now. I think it's something that, especially coming out of the dry season after the winter months are over, we should really look into getting one. Not only for the rainy season that starts back, but also for our elderly population and other things that the police might need it for. Councilperson Urbom, what do you have to say?

**Vice Mayor Anders Urbom:** Yes, I think you guys won't be surprised to find out I have something to say on this subject as well. For some of the privileged people at home who are looking up what the Fourth Amendment is right now, I just want to speak about what some of those concerns are, and then try to parse what we're talking about here.

One of the primary concerns that people have is privacy in terms of drone technology used by law enforcement. Going back over a decade already, what happened was, actually, I believe it was TJ in Tijuana, Mexico, with the activity of the cartels that was going on, they had incredible, unfathomable levels of violence.

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A company out of Michigan actually said, "Hey, we have a solution here." What they did was, they took a fixed-wing aircraft with a video camera running, and they just kept it over the city 24-- Flight patterns. They just recorded everyday activity over the city. Then when something happened, they said, "Okay, let's go back and look at the video. Here's what happened. Press rewind. See where everybody came from. Press forward, see where everybody went. They were actually able to solve murders of police officers by cartel with that technology, so it was incredibly useful.

Then they did it in Michigan. I believe it was Detroit. Might have been Lansing, but they did it in Michigan, and similarly, it worked. They were able to solve home invasions, they were able to solve different crimes, but this opened up huge problems with specifically the Fourth Amendment. This is not what we're talking about.

I don't like to give anti-examples, but I want to illustrate this, because I know there's people at home thinking, "There's no way El Portal needs a drone." We're not talking about a fixed-wing aircraft recording video of the village eight hours a day. This is not what we're discussing. What we're discussing is a small drone, like you might see at a concert or something like that, that would be taken out of its box when needed to document something for insurance purposes, specifically with the flooding, or just as the mayor outlined, God forbid, we had a scenario where we needed to find somebody.

Someone like myself who would be literally probably out in the streets if they were trying to put fixed-wing aircraft over my neighborhood to record everything, I just want people to know that this is something that could be of great use to the village. It's not something that's going to be hovering over the village all day long. Miami Beach did this for quite a while. I'm not sure if they're still doing it now or not, but I know for a while, they would put drones up on a section where they could look down several blocks. They put a drone up on another section where they could look down several blocks.

I don't know enough about it to know if they were recording video or not, but I know that they were at least monitoring crowds and activity and things like this. That's not what we're talking about for El Portal. What we're talking about is a simple little drone in a box that's taken out for specific situations. Hopefully, no more than say once a year, but just as the mayor is saying, in the past, there's two to three instances a year where this could be incredibly helpful.

One of my only concerns is if we get up into a certain tier of drone, do we then need somebody who would have, say, a commercial drone pilot's license to be able to operate?

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There are FAA considerations and things like this to take into account with drones. With the hospital just to the south of us, we've got low-flying helicopters. We all know that we've got the birds overhead on a Friday night for an hour at times. Things like this.

There are those very real considerations in terms, okay, what else do we need to understand if we're going to use this? Just as someone who's fairly cynical, I'll just tell you that I do think this would be something that the village could use and use well for many years.

**Chief David Magnusson:** I would just say that two things come to mind. First of all, whoever's going to operate it, training. The other thing is, stringent policy has to be written and there has to be a strong policy in place that would dictate the use or what's prohibited.

**Vice Mayor Anders Urbom:** Right, and that policy would be vital in our PSAs, for example, to the public, so they understand what we're using it for.

**Chief David Magnusson:** Yes, it's all policy and training driven.

**Mayor Omarr C. Nickerson:** I'm going to go to Attorney Geller. Give me one second, Attorney Geller. Right before you said that, Chief, in the document you sent us about police drones, Page 13 talks about developing training protocols, and then goes on to talk about the required drone training for all agency personnel who will be a part of the approval chain, so you can have people who are trained, and they're only the ones that can use it. That's the approval chain for using drones. This is straight from the police drone document that was sent out. For using drones or who will assist with the drone procedures to ensure operational profit proficiency.

It says you may want to first purchase an inexpensive drone for new pilots to practice with during the initial training after they are approved. Set ongoing training requirements so that the approved members remain proficient in the drone operations and up to date on FAA rules and regulations. The third tip they have here is to train visual observers in different units such as bomb squad, accident reconstruction personnel, to ensure that if you need-- For us, it would be like a missing person or something like that, to ensure that they understand how to use it and where to fly it and where not to fly it. Attorney Geller.

**Attorney Joseph Geller:** Thank you, mayor. Our very smart chief took the words I was going to say out of my mouth before I could say it. Leaving aside training, which is operational, which is very much not my area, I was just going to say until the Chief did that what we need is to have some kind of a procedural framework, basically, developed by the Chief that will clarify the kinds of issues that he and the Vice Mayor were discussing so that

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when people see that the village is going to be purchasing a drone, if that's something that you guys decide that you want to do, you go ahead with that so that they can see from the get-go what it's not going to be used for.

The Chief certainly, I'd be happy to review it. Or the Chief can develop something that will make clear that this is being employed for limited purposes and is not contemplated for something that's in any way violative of [unintelligible 01:40:50] anyone, or any other constitutional rights anyone has.

By having that in place at the time that you develop it and approve it, that should go a long way to clarifying what the intent is and more importantly, what the intent is not. On that basis, I don't see that it's a problem for you to do such a thing as long as it's done with that thoughtful policy development, and of course, the training and operations [unintelligible 01:41:22] manager. Thank you.

**Mayor Omarr C. Nickerson:** Thank you very much, Attorney Geller. Like I said, you guys, we're in the dry season now, so I don't think this needs to happen until April, something like that, to start considering the purchase till April, going into April, May. It gives us time to go over protocols when it comes to what we need legally and training and things like that to try to get those things ironed out. Go ahead, Chief.

**Chief David Magnusson:** The very vast majority of this usage, if not almost all of it, is going to be in a time of flooding, whether it's a hurricane or the other floods that Mr. Gladwin talks about, which really, it's a police function to assist, not so much a law enforcement function.

Again, I just want to reemphasize, we may chase after a doper, we may go into a door after a doper. We may catch a guy with some drugs on him, but to do a protracted narcotics investigation that will require the use of a drone to set up over a house, we're not equipped for that sort of investigation. I would turn it over, again, to the county with the information we have and let them run with it and support them. In which case, I'm pretty sure they would say, "Keep your drones on the ground." It's their investigation.

What makes us a good department is that we understand our capabilities, and so we're not going to overstep our boundaries in something we're going to get up in the air, start looking at something, and then what? Being that way, we can play a very good support role.

I think people in the village need to rest easy. That's not our task to be doing these things. If we do develop the information, we're going to forward it over to the right entities that can

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follow up on it and get the job done, and we'll be there with them to assist them in our village.

**Mayor Omarr C. Nickerson:** Thank you very much, Chief. Vice Mayor Urbom? Councilperson Pirela? Thank you very much. Anybody else? Mr. Attorney? Madam Manager? No? Anybody from the audience?

**Dr. Anna Ward:** Yes.

**Mayor Omarr C. Nickerson:** Yes, go on.

**Dr. Anna Ward:** Dr. Anna Ward, 415 Northwest, 88 Terrace. I'd just like to say I'm so glad we got a sensible chief. I'm so glad we do. For a city this size, we should be thinking about being a partner. If you've ever seen or heard the conversations nationwide about drones, you know El Portal ain't going into that fight. We're not going into that fight and the chief is absolutely right.

Thank you, Attorney Geller, always being on top of things. As a former city manager, there's no way in heaven, hell, or earth that we're going to do anything like this in a city or village, but we will turn it over to the appropriate authorities. Just like we do at our homes when they flood, we're going to make sure that we're doing what we need to do to document the fact that this is an erosional situation, not a drone protective or surveillance situation. I'm so glad we got a sensible police chief. Thank you, all. Attorney at the back.

**Mayor Omarr C. Nickerson:** There you go. We're good. Everything's good over here, you guys. As I said, you guys, in the beginning before I close this out, that the reason why this came on my radar is because of the flooding with Eta. The Eta flooding and we possibly missed out on financial assistance for our residents because we couldn't document that flooding properly.

**Dr. Anna Ward:** All right, you guys.

**Mayor Omarr C. Nickerson:** All right, you guys. Anybody else for drones? Are we good? Moving right along. Like I said, I just wanted to put this on your radar. We'll bring this back up for an actual vote sometime in March or April when the full council is set. All right. Okay, you guys. Moving on to the next thing. We're at potholes, street repair. Madam Manager, you might want to--

**Village Manager Alou:** Oh, yes. You have storm drains. **[inaudible 01:45:40]**

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**Mayor Omarr C. Nickerson:** Storm drains, storm drains pump, yes. Well, yes, I need you for both. All right. As far as the storm drains, you guys, and the pump. The reason I put pump after the drone was because this also had to do with the Eta flooding. During that situation when, like I said, 86th street, people on 87th street on the west side were in really, really bad shape, you guys, their backyards, especially those that were right on the river. It was terrible.

What made it even worse was that those houses, they have sewers-- They have septic tanks. I'm dreaming of what will be one day. [laughs] They have septic tanks, you guys, and being that those backyards flooded, a lot of those septic tanks got really messed up where a lot of residents had to come out of the pocket and pay thousands of dollars after Eta to fix their septic tanks.

Being that's the case, the Manager, during the Eta flooding, she did reach out and try to secure a pump for us. We did have an opportunity to get the pump, but this was a type of pumps that pumps out to somewhere. Since all the backyards and everything, the river had overflowed, it was flooded, you're going to pump it right to the same place.

We couldn't make use of that type of pump at that particular time, but I just want to start preparing you guys because El Portal is going to have flooding problems. The drone is preparation; trying to get a pump, this is preparation. I'm going to work on storm drains somehow over on that side. We need storm drains. This is preparation, you guys, this is preparation. Even H7 when we get the potholes and street repair, that's also part of preparation. Madam Manager, the problem with the storm drains, just explain where the funding would come from and we just don't have that funding.

**Village Manager Alou:** Right. Well, I can state and thank you, Mayor, for describing the Eta situation. Whenever we have the flooding such as we've had in Eta, we had that situation in May of this year as well. We had two flooding incidents that were very disastrous for those residents along the canal, Northwest 86th and all the way up through the northeast side as well as Northwest 87th, and backyards. Intersections were undrivable for days.

I was out there on a couple of those days with the residents, Chris Mclean and I were out there, the police as well trying to wade through some of that and just being really careful and trying to take the photos, so the drone would have been a lot more helpful because many backyards were flooded as well and we needed to really show that to document our damage to our residents.

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At that time because I'm, I guess, pretty vocal and engaged with the Miami-Dade County Office on emergency management, they know I'm going to call and I do in cases of emergency to see what resources are available for us. One thing that was available was the pump. Of course, they asked me, "What are the technical needs?" "I don't know." I'm calling around, "What do I need?" We got some information. I was able to fill in the request for the pump and then they said, "Well, who's going to operate it?" "Well, I don't know, but we're going to figure it out. Just give us a pump."

Unfortunately, we weren't a priority still in that incident, but we did make the request. We didn't get it, but what we did get was some mosquito mitigation because of the standing order. That's also a concern. The county was able to come out and do some spraying for us.

That was one win for us, but we have tightened our communications through our emergency management team as well as through the resiliency task force and our little river conservancy people. We have a really good group of community members who are working together to get the word out through our citizen's crime watch block captains as well as our own social media front police.

We are continuing to get the word out making sure people know where we are. It's an up to the minute, up to the hour play-by-play on what the levels that the canal, the rises and what's happening. We'll continue to seek out resources. In terms of our storm drains well we're still trying to get designs done trying to get things moved forward. We will pick this a lot back up. Things did slow down during coronavirus but the work is still there.

I am circling back with Craig Smith our engineers who are trying to finalize some stormwater drainage issues for the El Jardin project and we're also going to be picking up our other stormwater master plan items and some other things. Those things are coming, we will continue to work on those. They are priority as you see from our legislative team they're still priority too. It is my mission to continue to work on that to alleviate some of that flooding in that area.

We're always looking for residents who if you can give us some resources or lend us some suggestions or recommendations we also look at that as well. We've garnered some. I think someone was speaking about it. The vice mayor was talking about the pilot program that one of our residents brought to us perhaps that's an opportunity. We'll be exploring those options too

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**Mayor Omarr C. Nickerson:** Thank you, Madam Manager, I appreciate it. The manager and attorney Gellar will tell you that when she says that these things are a priority I have them on the phone. [laughs] We're at it. When she says, "You guys, it's an ongoing thing we'll work on it", it's not going to be like, "Oh it's an ongoing thing", just like try to like tell somebody something just like have them quiet for-- I get frustrated. I'm just like, "What do we need to do? Let's just do it."

We're really on top of it and we're really like at it. You guys will start to see a lot of things start to come to fruition soon I think. Vice Mayor Urbom, you got any questions for the manager? Councilperson Pirela any question for the manager? Attorney do you have anything you want to say? Madam Clerk, Chief Magnusson you're good. Anybody on zoom? How are we doing on zoom over there? We're good. Anybody else in the audience? Dr [unintelligible 01:53:10]?

**Dr. Ward:** I know y'all don't know who I am yet, Dr. [unintelligible 01:53:28] Ward, 415 northwest and 88 terrace.

**Mayor Omarr C. Nickerson:** It's good for the video and the transcripts. We appreciate that Dr. Ward, go ahead. The floor is yours.

**Dr. Ward:** Several years ago people were complaining when we planted the trees. Attorney Geller you remember that. They were also complaining when they wanted to destroy the swales. Those are the very two things that El Portal needs to maintain. People that violated the swales is why they have flooding. Isn't it amazing that around horseman middle school the swales are still there? Isn't it amazing that we didn't flood? Isn't it amazing that the very places that had water to the ankle and higher, were the ones that were digging up the trees? They didn't want the trees. The trees absorb the water. The swales give the water somewhere to go.

When I was a city manager I found out that this village is in a flood zone. More than 55% of this village is in a flood zone. It's not a quick fix, but the things that were done by our four people to minimize the flooding was the tree planting and the swales were maintained long before we got the grades put in. We live in a flood plain. The majority of this city is in a flood plain. Lets get used to it or do something about it. What you do for a flood plain area is plant trees. Keep the trees, they absorb water.

The swales, Horseman didn't flood. I just happened to learn that I done live in a flood plain and in it, I did not have to pay that water bill. When I tried to get a former manager to send

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the notice around to everyone that the portion of El Portal is not in a flood plain he didn't. She didn't. One of them, they didn't. Instead what they did was they buried it. But there are certain parts of this village that are in a flood plain just like Miami shores. My husband and I couldn't even get through the streets in Miami shores.

The further north you go which way is the water going to flow. It's going to flow south, isn't it? Well, guess who's at the end of something south? El Portal. When we get to doing the trees again don't back down. We got the trees. We got the swales. We need to protect, we need to make sure that it was the Florida water management district that went behind horseman and found a large main water main had been broken for seven years. Remember that Joe? Seven years it was broken.

It was spewing out water everywhere. They fixed that. The park didn't flood. The little park that we created years ago, that didn't flood but it used to. Trees and maintaining the swale is the most basic thing. The village is primarily in a flood zone. Thank you.

**Mayor Omarr C. Nickerson:** Thank you, Dr. Ward. The sustainability and resiliency committee has created a flood map that we'll be putting out soon. We're just going to get Attorney Geller to look at that. Also, the vice-chair is the liaison for the tree board.

**Vice Mayor Anders Urbom:** Yes. The chair the tree board now-

**Mayor Omarr C. Nickerson:** The chair the tree board.

**Vice Mayor Anders Urbom:** -I actually spoke with Robert Roano today and the tree board will meet within the first two weeks of January and tree planting with a mind for flooding mitigation is certainly a top priority.

**Mayor Omarr C. Nickerson:** Good. I appreciate it. Good to hear. Madam manager.

**Village Manager Alou:** Also just an update about the tree planting an item passed a few months ago and we did plant 33 trees along that Horseman in that area for the walkability canopy that we were trying to build that will assist with the mitigation. As Dr. [unintelligible 01:58:33] said there the trees help with the flooding. We have planted 33 trees along the northwest third and northwest second street and on some of the side streets through the tree matching grant that just happened two to three weeks ago.

**Mayor Omarr C. Nickerson:** Thank you very much Madam Manager. Vice-chair Urbom as a tree board chair which you're going to be a wonderful tree board chair. It runs through your

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veins I can tell. Check the dates on the-- because I want you guys to stay compliant because I think that you guys might [crosstalk] [unintelligible 01:59:13] of fourth quarter.

**Vice Mayor Anders Urbom:** That was the first thing that Robert Roano and I discussed today. We may meet briefly before the end of the new year-

**Mayor Omarr C. Nickerson:** That's good.

**Vice Mayor Anders Urbom:** -but we're not in any danger to do it within the first two weeks of January. That was the first thing we discussed today.

**Mayor Omarr C. Nickerson:** Perfect, I appreciate it. You want to maintain that tree city USA status. Councilperson Pirela any questions for madam manager, anything?

**Councilman Luis Pirela:** No

**Mayor Omarr C. Nickerson:** Do you have anything? Attorney Geller, madam clerk, Chief Magnusson. Anybody on zoom? How are we looking on zoom? Good on zoom. Anything else? No, nobody else. All right. Moving on you guys the next thing is the potholes in the street repair. I know councilman Pirela might want to come in on this also but I'm going to start off with Madam Manager.

The pothole, street repairs, so there's a lot with this. We had the Dr. Okonkwo situation which is the pediatric property. We had that where she's asking for that to be repaired. The thing about it was that this is an ongoing thing. Back before the manager was even here, Dr. Okonkwo was given a variance and that her street would be looked at to be repaired, and it never was. That's one thing. The second thing is also just the potholes period to the village. We seem to be getting more potholes. The potholes that were there seem to be getting larger and really dangerous.

My number one concern right now, as far as the- I'm just saying between the potholes and the street repair as a whole, are those potholes. Now so the question begs, Madam Manager, that some potholes can be filled in. We are hoping most potholes can be filled in, but then there's some potholes that, I think, there's a couple that are so large and just a nuisance that just filling them in won't work maybe.

**Village Manager Alou:** That is true. Also of most of the potholes on [inaudible 02:01:29] Northwest 86th Street, that's the big one that's really damaging to vehicles. That's a result of flooding. Flooding does a road [inaudible 02:01:40]. It really makes them dangerous

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especially here on Northeast 89th and Northeast 90th. It's awful on those two streets right at Northeast 2nd on both sides of Northeast 2nd for those streets as well. Yes, the erosion from the flooding contributes to that. Until we can get some storm drainage, the pothole issue will remain, but we still have to do something.

Also, we have been trying to get some communication with the county. Some of these are county roads. They are responsible for fixing those potholes. I know a resident had been working with me trying to do summer outreach to the county to see who's responsible for what. We haven't been able to identify which roads are county-owned and which are ours. I had a meeting with our CFO this morning, an extensive meeting, on just ways to fund this.

I did provide you all just the three quotes that we were able to finally get with the assistance of Councilperson Pirela as well who jumped in and made some calls too. Because they are so few, we are limited in the contractors who are willing to come out to do this work. They want to do a big job like road resurfacing as opposed to pothole repairs, but there is a lot being looked at right now. I know that will come before you all soon. I know Councilperson Pirela has been really active in trying to think about what those priorities will be for the potholes.

Then we can look at the resurfacing, and then we'll look at the bigger scheme, bigger picture with the road resurfacing at some point coming up. I know that probably before you all, but we did get that to you today. I hope we'll have a resolution for early 2021.

**Mayor Omarr C. Nickerson:** Yes. Before I go to Councilperson Pirela. This is what I want you, guys. I want in the January meeting, us to figure out the money that we have and what potholes that we can do. I want something done at the January meeting-

**Councilman Luis Pirela:** It'll be done. [laughs]

**Mayor Omarr C. Nickerson:** - as far as potholes go. I don't want to get to the January meeting and then be like, "Okay, you guys we're going to work on it. We're going to get to it. We're going to get to it." I want something done coming out of January meeting as far as starting to fill those potholes in, all right? Councilperson Pirela and then Vice Mayor, I'll come to you after Councilman Pirela.

**Councilman Luis Pirela:** Like I said-- thank you, Mayor- that we've been working together with the Village Manager and the Public Work staffer Angel Hernandez. Thank you. Hernandez, right?

**Village Manager Alou:** Yes.

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**Councilman Luis Pirela:** The manager and Mr. Hernandez, I guess, they had identified the priority, and prioritized on the potholes. That's what we've been getting quotes on and tackle. I think we're pretty much ready. It's going to happen. We finally got the third quote that we needed because like what the manager said, it's been hard for us to get a third quote from companies. They want to come and do a bigger job, they're not interested in small stuff, but we finally got it. We're reviewing the quotes. Two of them are almost a year old, then the one we just got or--

**Village Manager Alou:** Oh, no. One is a year old, but they've informed that they [crosstalk] [unintelligible 02:05:16].

**Councilman Luis Pirela:** They have honored the price which is good. They're all pretty much the same as matter of selecting a more reputable company that is going to give us the best for whatever we need to do. I think we're pretty much ready as the next meeting, public work meeting will come. We need to do the resolution and move forward. The funds are there. The funds are there, so we're pretty much-- with the quotes we have, we can work with a few potholes that the manager had mentioned which is the one on the Northeast and 89 in front of pediatrics which is pretty bad.

It's not just a parking easement, space that she was honored to use or whatever, but the pothole is eating the whole street, the whole road. It's huge, and the one in Northwest 86th St. and the ones by 88th. We have a few that we can actually cover and, at least, will alleviate some of the problems that we have with the potholes.

**Mayor Omarr C. Nickerson:** Thank you very much, Councilperson Pirela. Vice Mayor Urbom.

**Vice Mayor Anders Urbom:** I just want to reiterate what Dr. Ward had said in terms of the issues with the swales, we're talking about standing water issues. It's not just when a flood happens and washes out part of the road. It's any time we get enough rain to leave standing water, standing water is going to-- we don't see it, but it's eating away at the road when it's sitting there. I just want to reiterate what Dr. Ward was saying on that point because that's your maintenance plan.

For once we do work, if we don't get our act together, and then certainly, code enforcement will play a big part of that going forward in terms of swale issues and things like this. If we can be diligent to that degree, then that will help us with mitigation of the potholes in the future.

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**Mayor Omarr C. Nickerson:** I'm sorry, going back to that, what Dr. Ward has said, and we got an email from former Councilperson Vimari Roman before she left office and sent a few emails of. One of them was a resident from Northeast 90th between 5th and 4th. She was complaining about her house being flooded most of the time. She was going to sue the village and all of that. I passed by the street. You can go and pass by between Northeast 4th and 5th on 90th. More than half of those houses has the easement paved. The road there, the road is corroded. It doesn't have potholes, but it's all chopped. That's a big problem. That's a big issue with the easements and paving and all of that.

**Village Manager Alou:** That's true. Like I said too that really, it's a drainage issue that we're going to have to address. That's the longer standing issue we're going to have to resolve. The pothole repair is a quick fix that we're going to have to deal with. We'll do this in an economically favorable way or the best we can, but it is a bigger picture item that we need to review that it will be a part of the plan. Also Craig A. Smith, our engineers, they provided me a quote to repair all of the roads in El Portal as well. I'll provide that to you all. You can see the bigger picture, and you can see the smaller picture, and then we can compare and look at the funding.

We do have state gas tax that we can utilize that we have not utilized, that can be used to repair roads. Again, I want to call to task anyone else who owns these roads that they need to fix their roads and we'll fix ours. We'll review all that before our public works meeting. I'll do that with Councilperson Pirela and then share all that information with you all as it comes.

**Mayor Omarr C. Nickerson:** Thank you very much, Village Manager.

**Village Manager Alou:** You're welcome.

**Mayor Omarr C. Nickerson:** Anybody else, Mr. Attorney, Madam Clerk, Chief Magnusson? How are we looking on Zoom? Looking good? Anybody else from the audience on potholes street repair? Seeing here none. Okay, you guys.

January, I want something after January. All right. This next one, proposed lien releases. Okay. Let me just say this and then I'll open it up. We've had houses, there's one particular that the individual brought the house, Madam Manager, and once the individual-- because I'm just-- he has me up there for everything. I'm going to go ahead and do my major report. The individual bought the house, claims they didn't know that there were so many liens on it and now they're asking for a compromise on the lien.

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I'm going to open it up. Let me just say this, this is all I have to say about this. My heart goes out and I understand, if we want to uphold what our village is and how our village looks, we can't sit around and let somebody or let a property not do the right thing when everybody else is doing the right thing. Because of that they get fines, then there's a lien and the process goes. Then, when they want to, they just say, "Hey, just forgive part of my lien or forgive most of my lien, or forgive half of my lien", and we forgive it.

Because if that's the case, then what's the incentive on doing the right thing for everybody else. If everybody's just going to get liens and then later on as the villagers we're going to forgive the liens, then people are just going to think, "Well, it doesn't matter how much they fine me because eventually they'll end up forgiving it." I think we just need to be real careful, you guys, with this, real careful because there's another situation where the individual went to the-- where did they go, Madam Manager?

**Village Manager Alou:** They went to-- they're selling the property. You're talking about the other-

**Mayor Omarr C. Nickerson:** The other one.

**Village Manager Alou:** -thing that came up last week?

**Mayor Omarr C. Nickerson:** Yes.

**Village Manager Alou:** They are selling the property. They claim they had a lien release on the village and everything was perfect and they're moving forward, and then that came out not to be true. That went to Mr. Geller, he asked me about it but there were hearings.

**Mayor Omarr C. Nickerson:** No, but they went to a hearing, there was a hearing and there was a resolution to the hearing and he had a payment through the master hearing.

**Village Manager Alou:** Right, and they never--

**Mayor Omarr C. Nickerson:** They got a payment through the master hearing back in?

**Village Manager Alou:** 2009.

**Mayor Omarr C. Nickerson:** 2009. Didn't pay it.

**Village Manager Alou:** Yes. There was \$300 a day accrued on that from 2009.

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**Mayor Omarr C. Nickerson:** Didn't pay it and now they're like, "Oh, just forgive it."  
Attorney Geller.

**Attorney Joseph Geller:** The manager and I are talking about these couple of specific cases. I don't want to really address those publicly, but I just do want the council to understand as a general rule that code enforcement liens are not intended to be a profit center for the village. They're not intended to make money, they're intended to accomplish two things, they're intended to make sure that the village is not out of pocket money on trying to keep these properties in compliance.

Sometimes the village for instance has to mow a lawn or cut something down, or pick up garbage, or something like that, there's a cost to that and the village always needs to be able to recover its costs. The other purpose of code enforcement liens is they are supposed to be coercive, they are supposed to coerce residents into complying with the law. The fact is that unless there's a sale, they are very difficult to enforce.

They typically cannot be foreclosed on homestead property nor should they be because you don't want to-- particularly in difficult times, put families out in the street from their homes. That means that there's a little bit of a lottery involved. If you're somebody who needs to sell your home, you have to deal with the lien and if you're just sitting in your home perhaps you don't and that's not entirely fair either.

The rule of thumb on payment of them is that typically, most of them are forgiven not all of them and certainly never where the village has costs to be recovered. But some of these things that run for years and years at a time become virtually confiscatory where people are unable to even recover their value of their own property because \$250 or \$300 a day, or \$500 becomes impossible over time. It's the rule of thumb on liens is that typically a relatively low percentage of liens are collected once compliance is accomplished and that's the real issue here is to get compliance, that's what these things exist for.

So your point mayor about having the village look a certain way, yes, but there are inherent difficulties, there are inherent unfairnesses, and across all the cities that I've not just represented, but gone to people, the conduct of people does matter, if they're new buyers and they didn't adequately deal with it, that matters.

If there was some inadvertence or lack of knowledge, that matters and sometimes just if there was a hardship on the family that it wasn't completely willful that there was illness and there was a loss of income, or all kinds of things that we're seeing a lot of now. I'm not speaking

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specifically as to either of these, there's not one iron rule for these and whether people have been difficult in dealings with the village, your village can take that into account, but it is rare that all the money owed is collected and it's not intended, it's not as if the village is losing money when it compromises liens.

It's only losing money when it doesn't recover its costs and the rest is-- there are different ways to deal with different problems, but it's rare that the majority of what's owed is enforced or recovered. It's typically a smaller percentage because you also have to have some sympathy for your residents once they have complied and remember these, very high per day things sometimes that are difficult for people to deal with, people were elderly, people don't know how to do things, people have other things in their lives and I just want as-- this is not just my opinion.

There's literature about this, there's articles that are written about this. The thing to remember is if you have a high lien amount and you collect a smaller amount, but if you've accomplished your purpose of making the people comply with your code for the benefit of their neighbors and the neighborhood, and the residents, and everything else, they're not intended to be revenue producing. Just try to keep that in mind when you deal with it, those are the kinds of attitudes frankly, that can really discourage people from deciding to come in.

A reputation like that discourages people from purchasing in your community or wanting to be part of your community. Again, I'm not speaking specifically, we're working on this, we'll give you some recommendations about what could be done after we've had a chance to do some negotiations. But these are just general principles that are applicable in almost every single city at least here in South Florida.

**Mayor Omarr C. Nickerson:** Thank you, attorney Geller, so I think let me say this because I think you kind of misunderstood what I was saying. I said it like two or three times which I said you guys, these individuals want us to forgive the entire liens. That's what I was saying, I'm saying so we need to be careful with that. Because I don't want to get to a point in the village of El Portal where people don't do the right thing with their properties and they get fined through the code enforcement and then if we start to forgive full liens, that's what I said.

If we start to forgive full liens, people are just going to have the attitude of [chuckles] it doesn't matter how much they fine me because El Portal forgives full liens. So we had to find that middle ground, you guys, in January we're going to tackle this. This is why I have it on

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here, so start getting your mind right for January. In January we're going to tackle at least these two situations, we'll tackle this and come to a decision coming out of January.

My thing, I just wanted to say and I appreciate that Attorney Geller, what I just wanted to say was we have to be really careful with forgiving full liens. I personally think that's something that we should do, all right, so just be careful with that. We'll go councilperson Pilrela and then I'll come to vice mayor Urbom and the manager, go ahead.

**Councilman Luis Pirela:** No, when it comes to liens and I understand your point and it goes back to what you said, whether we set a percentage or saying that we're going to forgive half of it or whatever, it's still in their mind like, "I don't care if I get 100,000, 300,000 in fines collecting, because at they end they're going to just forgive half of it or whatever." That should be something that whoever is affected is the one that's selling the house and so that's why we have to keep it however it's been running for now and again there's a few cases.

One of them is like the house was sold foreclosed or it was cash sale so you end up punishing the previous owner that was the one that wasn't in compliance but the new owner that had nothing to do with it and all they want is to come, beautify and sell it. Actually, that's the only revenue [laughs] income revenue we have actually, property taxes. So for me the sooner we actually solve this matter or at least with that one particular property, the sooner they'll start construction and I heard they want to split the lot in two and make two houses.

As the other property goes, again if they weren't in compliance for all these years and now they're trying to sell the house, well then you have to be held accountable for what you didn't do through all these years. So it is what it is I think. [chuckles].

**Mayor Omarr C. Nickerson:** Thank you very much councilperson Pirela, Vice Mayor Urbom.

**Vice Mayor Anders Urbom:** You know I took notes from what attorney Geller was saying in terms of what things you take into consideration in terms of agreeing, "Okay, we'll knock this off and knock that", things that I also took notes on, I think you said it three other times, your goal, what the goal-- you got to keep your eye on the goal. What's our goal here, what do we want to get to. Then in all of that, I think we're in agreement in terms of agreeing that we don't want to encourage people to disregard compliance.

I personally believe that most anybody who owns property really should be able to do almost anything they want with that property. I'm very much on the side of property owners' rights. But then conversely, we've got health and hazard things to take into consideration and things

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of that nature. I know that in one of these instances I had asked at least, we do everything correctly from our end and we believe we did but we're verifying that.

Out of that, I think there's also a consideration of do we have all of our ducks in a row? Do we have our I's dotted and T's crossed? I think I would add that to the list of considerations in terms of knocking down what we're asking someone to pay on these liens. The other is in light of that one specific situation, do we need to like a lien audit of where we stand right now to be sure that any existing properties with liens on them are properly reported so that people are able to find those, discover those when they're looking at property to buy, invest in et cetera?

The other, with one of these issues the fact that it is a flipper is a whole other layer of considerations because if you've got a flipper hammering us on, asking us to cut corners, now I'm sitting thinking, "How many other corners are going to be cut on this property?" That's a little bit concerning to be perfectly honest from my end. So if we're going to act in good faith we certainly want everyone else to be acting in good faith as well. It sounds like a lien audit might be something we want to do.

But then in general, it sounds like it's a case by case basis, we can't really declare what we're going to do from one of the next because they are also individual. Then I reiterate again one of the points that attorney Geller made was our cost consideration in there. Do we have an accurate count on what our cost is associated with that? That's going to be your bottom negotiating line because it sounds like really under almost no circumstances do you want to go below that line.

If we understand that on an individual property then, madam manager would you have an idea, ballpark, of how many properties there are with liens on them currently in the village?

**Alou:** No, I wouldn't know unless we've pulled each property so that's over [crosstalk] [unintelligible 02:27:23].

**Urbom:** Right, so that would be kind of almost a new procedural thing that we would be doing over the next few years it sounds like, all right.

**Village Manager Alou:** From what I've seen we are filing appropriately, I haven't seen that we haven't yet but I don't know. We wouldn't know until we saw all of the properties but that would be a labor-intensive undertaking.

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**Mayor Omarr C. Nickerson:** Thank you very much madam manager. Any more questions, Vice Mayor Urbom, Councilperson Pirela? No, Mr. attorney any questions or comments, madam clerk, chief Magnusson? How are we looking on Zoom? Looking on Zoom we're good, anybody from the audience any questions or comments about the liens?

**Attorney Joseph Geller:** Mayor actually I will just say that in terms of what I said, I think the remarks that all three of you made are also correct and I do agree with what the three of you have said [**unintelligible 02:28:22**] those are also important considerations to look at. If my remarks didn't catch that flavor they ought to have. But I don't disagree with anything that was said on the dais. I think the points you've made are all correct and at the end, it is case by case and all of these needs to be looked at.

**Mayor Omarr C. Nickerson:** Nor do we disagree with you Mr. Attorney Geller, nor do we disagree with you. I hadn't finished quite saying what I was saying, but it's good you came in and said what you said because you kind of like allowed me to lead into the finishing of my [chuckles] the completion of my little speech there, I appreciate that. Nobody else for lien releases. So you guys, in January at least in those two cases, I want resolutions, so just like with the pothole situation, come in January ready to go.

H9 you guys is the interim village clerk position and clerk application. Remember you guys, the last time when we spoke, we did the clerk contract, it was [**unintelligible 02:2:28**] days. We're at that point. We need to extend the interim clerk. Still, we're getting applications here and there. As I said I wanted the clerk to at least be here through the election because I don't want to bring in a new clerk with the election process and stuff starting up so we'll need to to extend her. This December we need to extend her to February.

If we get any type of application or something that's from out of this world or something like that, then we can revisit it, but let's at least-- I think we should try to extend her through at least February. The election's February 16th then at least to the February meeting. I said at least to the February meeting which is the last Tuesday in February. It would after the election. All right. Even beyond the mask we can see the smile. This is December. We're talking about at least another 60 days, 90 days.

**Vice Mayor Anders Urbom:** I think individually, but just roughly counting weeks and multiplying by seven, it looks like to get us to the day of the election, we're already at 63 days. It'll need to be, yes, it'll be.

**Mayor Omarr C. Nickerson:** Through to 90.

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**Vice Mayor Anders Urbom:** Yes.

**Mayor Omarr C. Nickerson:** I'll ask for a motion and a second soon you guys for extension of 90 days, but before I get to that, anything you want to say, Vice Mayor Urbom about, the situation? Anything you want to say, Councilperson Pirela? Anything, Attorney Geller, Madam Clerk, Madam Manager? How are we looking on Zoom? Looking good. Do we have any hands up, no we're good. Anybody from the audience have any questions or comments, or anything you want to say about the interim clerk?

We're good. All right, Chief Magnason, you're good? All right, my brother, good to see you. Okay. You guys, 90 days, looking for a motion to extend the interim clerk contract for 90 days. We'll do a motion, we'll do a second and then we'll do a roll call.

**Vice Mayor Anders Urbom:** Yes. No, I agree that we need to keep the continuity through the election so I'll make a motion to maintain our current interim clerk for 90 days. That's my motion.

**Mayor Omarr C. Nickerson:** Do I have a motion? I have a motion by Vice Mayor Urbom. Do I have second?

**Councilman Luis Pirela:** I'll second that motion.

**Mayor Omarr C. Nickerson:** I have a second by Councilperson Pirela. Madam Clerk, may I please have a roll call?

**Clerk:** Councilman Pirela.

**Councilman Luis Pirela:** Yes.

**Clerk:** Vice Mayor Urbom.

**Vice Mayor Anders Urbom:** Yes.

**Clerk:** Mayor Nickerson.

**Mayor Omarr C. Nickerson:** Yes.

**Clerk:** [inaudible 02:32:25].

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**Mayor Omarr C. Nickerson:** Thank you very much, I appreciate that, Madam Clerk. Moving on you guys, to the resolutions ordinances. Earlier we spoke about the dates for the qualifying and special election. Again, the dates are January 4th through January 15th, Monday, January 4th starting at noon through Friday, January 15th ending at noon and the elections a month later, February 16th which is a Tuesday. We kept it on a Tuesday because that's like the government day and that would be the special election.

Earlier, you guys, I gave the dates and everything just because I wanted to give it to people or people that wasn't able to stay this long for the meeting, but right now we have to do the actual resolution to make it official. It says here the dates for the qualifying and for special election resolution 202042, a resolution of the village council of the Village of El Portal, Florida calling a special election for council person seat 2 and council person seat 3 of the Village of El Portal Council, setting dates for qualifying and for the special election providing a notice of election, providing for incorporations or recitals, providing for an effective date.

That's pretty much what it is. Does anybody have any comments, questions? Vice Mayor Urbom, Councilperson Pirela. Same thing with you before this is just a resolution to make it official you guys. Anybody from Zoom? We're looking good. Anybody from the audience?

**Speaker 1:** [inaudible 02:34:00].

**Mayor Omarr C. Nickerson:** Any questions or comments?

**Speaker 1:** [inaudible 02:34:06].

**Mayor Omarr C. Nickerson:** What's the question? If anybody from the audience has any questions or comments--

**Speaker 1:** No, no. That means call the vote.

**Mayor Omarr C. Nickerson:** No, I understand, but if anybody has any questions or comments, it's your time to say it now. I just want to make sure, Dr. Ward, especially on Zoom because everybody was asking about the dates and stuff. I just want to make sure we're good. All right, all right. Nobody has anything else to add you guys for resolution 202042. Do I have a motion to approve?

**Vice Mayor Anders Urbom:** Yes, I'll make the motion to approve resolution 202042.

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**Mayor Omarr C. Nickerson:** Do I have a second for resolution 202042?

**Councilman Luis Pirela:** I'll second the motion.

**Mayor Omarr C. Nickerson:** Thank you very much. Madam Clerk, may I please have a roll call, please?

**Clerk:** Councilman Pirela.

**Councilman Luis Pirela:** Yes.

**Clerk:** Vice Mayor Urbom.

**Vice Mayor Anders Urbom:** Yes.

**Clerk:** Mayor Nickerson.

**Mayor Omarr C. Nickerson:** Yes.

**Clerk:** The [unintelligible 02:34:58] passes, 3-0.

**Mayor Omarr C. Nickerson:** Thank you very much. I appreciate it. Moving right along, you guys, resolution 202043 is the interim village attorney's contract, a resolution of the village council of the Village of El Portal, Florida approving the contract of the interim village attorneys providing for an incorporation of recitals, providing for an effective date. This you guys, first of all, let me just say, you guys remember the reason why it says attorneys is because remember when we did the interim, when we hired the interim attorneys, we hired Greenspoon Marder as a law firm.

Joe Geller is the representative that is here with us most of the time as the go-to person, but we hire Greenspoon Marder as a law firm. That's the reason why it says attorneys, you guys, attorneys. Okay? Vice Mayor Urbom, we'll start with you, questions and comments about the contract.

**Vice Mayor Anders Urbom:** No, you just answered my only question I had about the plurality of the attorneys.

**Mayor Omarr C. Nickerson:** Councilperson Pirela, we're going to you next.

**Councilman Luis Pirela:** No, I don't have any questions.

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**Mayor Omarr C. Nickerson:** Are you good? No questions?

**Councilman Luis Pirela:** No.

**Mayor Omarr C. Nickerson:** Attorney Geller, anything you want to say? Questions, comments, Attorney Geller?

**Attorney Joseph Geller:** Only that as the resolution itself reflects the city was very ably represented by Richard Sarafan, the attorney for the City of Miami or I guess the Village of Miami Shores as it's proper and I represented my firm. I just wanted the record clear. I know there have been issues about that in the past, Mr. Sarafan, I think did a very thorough job for the village. He cleaned up a lot of things to ensure that the contract protects the village and I just again wanted the record to be clear that I was not providing any advice to the village in regard to this contract that you had independent outside counsel which I think is the proper way for it to be done.

Candidly he did a good job in fixing up the agreement so that it works for the residents and for the village. It's not supposed to be principally for the benefit of the attorney. With that, I'm honored to have this service and we look forward to continuing here as long as you guys want me to.

**Mayor Omarr C. Nickerson:** Thank you very much, interim Attorney Geller. Let me just say for the record, if you guys remember before Attorney Geller was even on, you guys remember I was the one that asked the council back then if we could use the Miami Shores attorney, Richard Sarafan. Just for the record, it's not like Attorney Geller when he got his own attorney to negotiate with him.

I was the one and that's on record, that was past meetings, I was the one that reached out to Attorney Sarafan from Miami Shores, because I just figured it's our neighboring village so might as well reach out to our neighboring village. Anybody else? How are we looking on Zoom? Very good. Anybody have any questions or comments about the--

**Councilman Luis Pirela:** I do have a comment.

**Mayor Omarr C. Nickerson:** Yes.

**Councilman Luis Pirela:** I don't know if it's-- It's about the legal fees because that has been my biggest thing, but paying what we were paying before was a little bit too much and we

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couldn't really afford that. That was my-- I don't know if we're resuming to set up because since it was a RFQ and RFP, and the price was never discussed.

**Mayor Omarr C. Nickerson:** Yes, I think that-- the reason why it became an issue and correct me if I'm wrong, Councilman Pirela, the reason why it became an issue in the past was because everything seemed to be outsourced, so it ballooned to a great number. I think we should give Greenspoon Marder a chance, an opportunity because as you see, it says attorneys, plural there.

**Councilman Luis Pirela:** That was one of the reasons why I leaned more towards them because it was the whole firm. It was, they have all every single department that we can actually get used of and it's more like an in-home service.

**Mayor Omarr C. Nickerson:** I think we should give them the opportunity because before it wasn't that the pay to the attorney was too much. It was that everything was our house so it just ballooned, that page is ballooned up into craziness. I think now it may be different. I think we should give the opportunity. We can always come back and revisit this. What say you, Vice Mayor Urbom and while he's speaking, you think about what-- Yes, I'll come back to you. Think about the price that you have in your mind and we'll see if we can agree. Vice Mayor Urbom.

**Vice Mayor Anders Urbom:** Yes. I imagine that whether it's going to be February or March, we have a mid-year budget review.

Then additionally at that time starting in January we're going to restart the discussions on finalizing the official RFQ process for a permanently established attorney. I share Councilperson Pirela's concern, wholly I completely share that concern. I also agree with Mayor Nickerson that in a matter of a couple of months here as we approach the mid-year budget review, additionally finalize the discussion of finalizing the RFQ process I think all of those pieces will come into light so that if we are going down an avenue of ballooning expenses again it's not going to be a year before we catch it we're going to catch it in February or March. I'm trusting Mayor Nickerson on this quite a bit. Then at the same time, I'll be looking to talk earnestly about it as we get to it for mid-budget review as well as the finalization of the RFQ process.

**Mayor Omarr C. Nickerson:** I think you should give it a chance. I think it'll be different from what you I think have in your mind. Go ahead [**unintelligible 02:41:26**]

**Speaker 1:** No, I'm good.

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**Vice Mayor Anders Urbom:** Just keep it in consideration [**unintelligible 02:41:30**]

**Mayor Omarr C. Nickerson:** Of course. I think what Vice Mayor Urbom said is 100% fact. We'll be finalizing and revisiting all this when we picked the permanent village attorneys or attorneys.

**Vice Mayor Anders Urbom:** Don't eat too much over the winter break because we're going to have meat and potatoes in January.

**Mayor Omarr C. Nickerson:** [laughs] Exactly. All right. Anybody else? Anybody else, any questions or comments about this particular item before I ask for a motion? Anybody? How are we looking on Zoom? We're good on Zoom. Anybody in the audience? No. Hearing none, do I have a motion to approve resolution 202043?

**Vice Mayor Anders Urbom:** I'll make the motion to approve resolution 202043.

**Mayor Omarr C. Nickerson:** Moved by Vice Mayor Urbom. Do I have a second?

**Councilman Luis Pirela:** I'll second the motion.

**Mayor Omarr C. Nickerson:** Second by Councilperson Pirela. Madam clerk, may I please have a roll call.

**Village Clerk Pamela Latimore:** Councilperson Pirela.

**Councilman Luis Pirela:** Yes.

**Village Clerk Pamela Latimore:** Vice Mayor Urbom.

**Vice Mayor Anders Urbom:** Yes.

**Village Clerk Pamela Latimore:** Mayor Nickerson.

**Mayor Omarr C. Nickerson:** Yes.

**Village Clerk Pamela Latimore:** [**unintelligible 02:42:29**].

**Mayor Omarr C. Nickerson:** Thank you very much. I appreciate it. Moving on to--

**Attorney Joseph Geller:** Thank you very much.

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**Mayor Omarr C. Nickerson:** Thank you very much, Attorney Geller. Moving on to the reports madam manager if you want to breeze through your report. I know a lot of things in your report we already talked about tonight pie hoes and street repair, flooding, and all type of stuff.

**Village Manager Alou:** It's really nice so I'm going to make it brief. First I want to wish everyone a safe and healthy happy holiday season and a fantastic 2021 since this is our last meeting of the year. I also want to let the council and our residents know that I've hired a new code enforcement officer her name is Michelle [unintelligible 02:43:17]. She was the code enforcement office at Surfside. Then she was also the code enforcement officer at City of Hollywood.

She will be starting with the village on January 4th. We're excited to have her. She's got lots of good experience and I'm excited to add her to our roster and to get her in place so that she can make a difference here in El Portal. Besides that, I have put my manager's report on the village website for all to review. I don't have any further updates outside of the things we discussed besides the one item which is our circulator pilot project shuttle. We had a very nice town hall meeting on December 3rd at 6:30. We had a virtual meeting. It was attended by our mayor and vice-mayor who had some fantastic questions.

The recording of that meeting is on the village's website for residents to take a look and perhaps they have questions they can always reach out to me. Reviewing that it's only one-hour and it's, I promise you, not a boring one-hour spin. It'll be exciting to hear about a new project that will really affect the village's resiliency and sustainability and narrowing our footprint in Miami-Dade county but also providing opportunity for transportation to and from downtown Miami for free. We're excited about that project. We're hoping to get some things finalized with FDOT who is providing the 50/50 match with the village of El Portal.

We're using our CITT transit funds to fund that pilot project and we're hoping for a start date of early to mid-January. That will be something that will be rolled out very soon and we're excited about it. It's an electric vehicle. We'll have an electric stall here on the west side of the village hall at the end of the parking lots here and residents can utilize our electric vehicles. They may utilize it when the electric van isn't using it. Besides that, we continue to work hard to serve our residents, and if anyone has any questions feel free to email me or give me a call. That concludes my manager's report for December.

**Mayor Omarr C. Nickerson:** Thank you very much. You took a lot because one of mine was the freebie also. We talk about every day we're on the phone we talk every single day.

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We talk every single day. We should be up [unintelligible 02:46:00] the same exact report. Thank you very much, madam manager. Does anybody have any questions for the manager? You are all good. For the mayor's report, first of all, before I get to the freebie thing there was-- I'm on the mayor's coalition, I'm on different mayor coalition things now.

One of the things with the County Mayor Levine Cava we actually have a meeting tomorrow some mayors with her. There's a lot going on as far as what this county where we want to draw the line when it comes to COVID because the numbers are rising but at the same time we can't ignore its a state law and our governor has a different idea than a lot of our us mayors here in Miami-Dade county.

We led by Mayor Suarez and Mayor Levine Cava, City of Miami Mayor Suarez and County Mayor Levine Cava, we did do a resolution as the coalition of mayors that we're sending to the capital about just the concerns down here in Miami-Dade county and trying to find that fine line between allowing people to go to work and make money like they have to but to also be safe as I know for Councilperson Pirela is all about safety.

Like I said, we have another meeting tomorrow at-- What time is it? Where's my Zoom link? At 4:30 PM. We'll see you guys. No, Thursday at 4:30 PM. Thursday, December 17th at 4:30 PM. We'll see and hopefully, we can have some of Dade county's needs be respected as far as safety goes. Also, there was the whole thing Madam Manager with the CARES Act funding. Just for a background on that, a quick background on that, I'm not going to be too long so we get out of here. A quick background on the CARES Act funding so that was money that was given by the national government about COVID.

The problem is though is that your municipality had to be above a certain number of a population to be able to qualify for the funding. Any money that was lost because of COVID you were going to get reimbursed. The problem with that is that the way that the national government set it up would be that the only municipality in Miami-dade County that would qualify would be the City of Miami. That's it. That would be the only municipality that would qualify.

Kudos to Mayor Suarez what he would try to do is well, the former county mayor-- Let me start there. The former county mayor wanted to just keep the money that they got and Mayor Suarez fought to say, "You know what? I'll split the city of Miami's money with every other municipality." Very good Mayor Suarez and now County Mayor Levine Cava is behind that also. That's just an ongoing thing that hopefully now can come to pass and hopefully, not everybody will be looked out for evenly.

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That's pretty much it as far as [unintelligible 02:49:55]-- I'm working through the sustainability committee with Attorney Geller. We'll be looking into this for January. The Biscayne Bay protection resolution, the friends of the Biscayne bay reached out for that. We're still in discussion, Attorney Geller, Madam Manager about the building fee adjustment. Remember, we told Mr. Jean to find that scale so that it would be written down so that we have that going on. I'm not going to touch on the freebie theme because the manager already did that and Vice Mayor Urbom was the one that Zoom town hall, thank you very much, Madam Manager for putting that together.

There was some real interesting information on that, Vice Mayor, really interesting information came out of that especially with the pilot being only one year and how does it look after that and things like that. It was really interesting when it comes to that type of stuff. Let me just say this now. I'll close with this. Being that people are going through hard times and things like that right now which Attorney Geller pointed out a little bit earlier when we were talking about the lien situation, I don't know how we would do this or find this information.

I'm going to think more on it, you guys, also start to think on it and start to maybe come back in January with maybe how we could do this going forward because there are families in El Portal that are hurting. Not everybody's doing great right now. A lot of people are not doing great. I just came into being mayor in November. I came to be a mayor right in the holiday season so it's hard to get things going so quickly for the holidays coming in and right during the holiday season.

Going forward, I think we should do something like look into trying to do something like an adopt a child program. Ideally, it would have been great this time of the year because we could have got presents for a child or something like that, but I'm talking about-- not teenagers. I'm talking about like 10 and under or 9 and under children. Because once they get to even 12-year-olds, all they want is an iPhone, a new iPhone it's like a \$1,000.

I want to really look into somehow creating an adopted child program here in El Portal to help out with kids in El Portal that attend under-- With their birthdays like birthday presents. That's throughout the year, things like that. Then if we start to work on that now, we'll be highly prepared for next holiday season for Christmas and things like that. It doesn't have to be just like a-- That's why I said birthdays. It doesn't have to be one family, one child, and we forget about all the other children, but if we do a child program and we adopt many different children, age 10 and under, and we get all their birthdays and things like that, maybe we can do things for them that are not so expensive but that to show them that we care and help

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alleviate some of the financial burden for a birthday or presents, and stuff like that on the family itself.

I really want to look into and adopt a child program, and I'm going to do everything I can to try to figure it out, but I'll have more details in January. I really want to get this started and have it be an ongoing thing throughout the year with different families and different children from different families. I'm really going to be passionate about this. Start to brainstorm and think about that and we have a lot to tackle in January. That's my mayor's report. Any questions about my mayor's report? Any questions or comments, Councilperson Pirela and Vice Mayor Urbom? You guys are good?

Anybody on Zoom, questions or comments about the mayor's report? Attorney Geller, you're good? All right, Madam Clerk, are we good? Chief, are we good? Attorney Geller, attorney reports.

**Attorney Joseph Geller:** In view of the hour, I'm going to try and be brief. Speaking of that, congratulations to the mayor and the council for having what I understand to be one of the shorter meetings that this council has had. It's barely 10 o'clock and we're wrapping up, and that speaks very well of everybody on the dais doing what needs to be done and not what doesn't.

**Mayor Omarr C. Nickerson:** Emma's proclamation took about 40 minutes itself though. We didn't even get into the real agenda until 45-50 minutes into the meeting.

**Attorney Joseph Geller:** That bodes well for this council. It also bodes well for your residents who try to keep track of this and may have to have school or work in the morning. Again, I'll try to be brief, but there are a couple of things. I have to just be very-- Well, first let me say thank you for approving our interim contract, we appreciate that. I have to be candid though and say that mayor, and vice-mayor, and councilman, you have come in to a situation that is not ideal and there are quite a number of outstanding problems that seem to have festered and not been dealt with.

I'm working together mostly with the mayor, but also I've tried to be sure that each of you is briefed and knows what's going on, but with the manager and the chief, and the CFO to address these problems. Our goal is to make sure that you get the opportunity to look forward and think what you want to do to improve the village and not have to be constantly turning around and looking backwards at mistakes or problems that have been made or haven't been dealt with, and to try to free you from that.

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First and foremost, we have a serious issue, as you know, with FEMA. We've spent a lot of time. I had another conversation, I haven't even had a chance to tell the mayor because it was at 4:30 today, with the attorneys for DPNO. We have about three weeks to get our appeal into the end of the first full week in January. We're working on it. I've tried to brief each of you individually. We think we're entitled to considerably more money than what FEMA has offered so far and we're going to work to see how we can get that money, if we can get it from FEMA, great, if we need to look to other parties, we'll look to them, but the village needs to be made whole.

We're not going to get 100% because that doesn't happen, but we're trying to get not only the loan paid off, but to see that the money the village has had to pay as interest on that loan is also recovered for the village and it's a sizable sum, and any other expenses. That's what we're trying to do. We're working on it, I will continue to be briefing each of you on this dais as often as there's some news. We are a little under the gun. We've got to get that done. I'm working with the manager, I'm working principally with the mayor, as I said, but any of you that have questions or comments, or thoughts, or whatever, I'm available to you more or less at any time.

If I'm not in court and I'm not in the shower, I'll take the call. That's our principle number one because it is a real-time deadline and keep track of that. As we move closer I'll try to keep you posted, but don't hesitate to call me. Another issue is the wastewater, stormwater. We've had conversations, we're having ongoing conversations, how to get that project done, and how to keep the village out of litigation. If litigation is necessary, we will litigate, but litigation is rarely necessary and should be sparing.

We should not have litigation wherever possible. We need to solve these issues, we need to make the best of what we can. Usually, if it's compelling that there is no choice but to resort to the courts or if someone chooses to sue us, we defend but we're not here to make lawyers rich. We're here to solve problems as cheaply and correctly as possible for the benefit of the citizens of this village so they don't have to pay extra money in taxes. We will continue to do that. Based on some conversations, I'm hopeful, I could almost go as far as optimistic, that we're going to be able to get these issues resolved, and hopefully it will be without resort to any kind of litigation. It's a pressing issue second only to FEMA.

We are working and I've had the opportunity to talk with the chief about this as well as with each of you and with the manager to try to achieve some kind of labor peace with our officers. We have one of those distinguished individuals as well as our chief in fact. We value the police officers who protect this village and who risk their lives every day. This isn't

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the most violent city, but anything can happen anywhere and we've been caught up in people and things, and we've had people come through this village and we've had people from this village who just are off-duty, but they can be pressed into service at any moment. This is not a rich village. We have to do what is within our means, but it is a principal concern of most of the residents that they be safe. That's why there is an El Portal, pick up the garbage, keep the residents safe primarily ahead of everything else. We have some innovative ideas I've discussed with each of you that will be fair to the officers, but also be fair to the residents, try to provide some predictability, try to provide what can be done within the limited means that the village has available.

I just want to say for my preliminary investigation that we have officers here who are making less than they could otherwise and part of that, and I'll just put this on the record because I've heard it more than once, is because most of our officers have enormous respect and admiration for your chief of police who apparently is a very extraordinary leader and they think that they admire his leadership skills, and feel that they can learn from him. That keeps people here, but we can't count too much on that.

We need to see based on the fact that this matter had gone to impasse, which frankly what not occurred typically and then the impasse was handled in a questionable way, we need to find ways to make that a smoother financial issue for the village and at the same time to respect the men and women who serve this department and who serve these citizens. We are working collaboratively with the PBA to try to make that happen. I've worked on more issues already than I can count with the manager.

We're in constant communication and it's my goal to make sure that on any issue that comes before this village that the manager knows that she has stable, reliable, prompt and accurate legal advice to assist her in resolving issues that she has to deal with so that she can do her job and in my opinion of course, she does that very well. There will be some other individual issues we could talk about, there's a couple of contracts that we've mentioned that we're trying to get in line such as the circulator, there's a few other issues that come up, but those are the ones that are principal issues at this time.

We're trying to knock down the biggest ones first and move past them and as I said, put this village in a position that all of you and your two soon-to-be new colleagues are able to achieve what you came to this day is to do which is to move the village forward and to see if we can help you get out of the difficulties of the past, put them behind you and look to the future. I'm happy to answer any questions.

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**Mayor Omarr C. Nickerson:** Thank you, thank you very much. Thank you very much, Interim Attorney Geller. We appreciate that. Councilperson Pirela, do you have a question? You're good? Vice Mayor Urbom is good? Anybody have any questions, anybody from the audience have any questions for the attorney?

**Attorney Joseph Geller:** I shouldn't sit down without saying a word in praise of the interim clerk as well. I've mentioned everyone else in the room. The interim clerk does a great job too and thank you, Madam Clerk.

**Mayor Omarr C. Nickerson:** Thank you very much, you guys. We appreciate it. Thank you. Right now you guys, we're going to move to unfinished business and general orders. We have none of those. Anybody? We don't have any unfinished business, right? New business, you guys. Vice Mayor Urbom is up with the public affairs update.

**Vice Mayor Anders Urbom:** Yes. Just quickly, public affairs has been off the radar for a while, but we're going to be back on the radar soon here. This month, I just want the residents to know that they are more than welcome to come and take selfies in front of our non-denominational tree out front and email those to the manager at [vope@villageofelportal.org](mailto:vope@villageofelportal.org). I'll bring my family out for a photo by the end of the week and we'll get that there and honestly, anybody taking the holiday photos of the family, please feel free to share them and we'll get them up on the website.

More importantly, I will say that on the 20th, that is of this month, December 20th, there's going to be a carol vaning activity. It will be the first kind of activity we've seen since March in the village here. It's spearheaded by the women's club which is in turn spearheaded by Maribel Trujillo-Fruitstone. If you have any interest in participating, it would be essentially your family and your private vehicle decorated however you'd like and we will caravan through the neighborhood with the assistance of the police department, loudspeakers, celebration, and the kids will be-- It might be off-key, but it's going to be full joy. If you have any interest at all in participating, please do reach out to either Maribel Trujillo-Fruitstone with the women's club or the village manager. You could also reach out to myself and we'll get you organized. That's December 20th this month, carol vaning through the neighborhood, spreading joy and cheer to all.

Our public affairs committee meeting is January 19th following the admin and finance committee meeting. I encourage all residents to come out to that public affairs committee meeting because we'll essentially be outlining what the rest of the year is going to look like and how that's going to go with COVID, and the budget.

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I'm sure people have great many opinions and we certainly welcome every single one of them. In a nutshell that's my public affairs update.

**Mayor Omarr C. Nickerson:** Thank you very much, Vice Mayor Urbom. Let me ask a question real quick. See, I know it's too late, but let me ask a question real quick, chief. What is our fire station? Fire station 30? Is fire station 30 our fire station? Is it fire station-- Is it 30?

**Speaker 1:** Yes.

**Mayor Omarr C. Nickerson:** We should call them and see if they would join us on the 20th with one of their fire trucks. We could have somebody dress up like Santa, lead the way, the bright lights, the noise, police cars following the cars. That would be really good at least for part of it. Can we have somebody call? Does anybody know a contact over there? Yes? Because that would be really good to at least lead off. I think it would be exciting, it would be nice for the village. The kids would love that, something like that.

**Speaker 1:** Great idea.

**Mayor Omarr C. Nickerson:** Yes, that would be great. That would be really nice. They might not be able to stay the whole time, but at least part of the time. That'd be really, really good. Let's see if we can look into that and get back to Vice Mayor Urbom since he's spearheading that. I appreciate it, chief. Thank you very much, Battaglia, Officer Battaglia. I see you my brother back there. Anything else about public affairs for the vice mayor? Are we good? Okay. Not seeing that.

Moving to the 2021 calendar. I have a question for you guys, Vice Mayor Urbom and Councilperson Pirela. First of all, for the 2021 calendar I'm going to work on it. It'll definitely be done within the next week or so and then what will happen is I'll bring it back in January, and you will just give it a final approval. We never have voted on it in the past, but I remember Attorney Geller recently said, well, you guys should have been voting on that. We'll do that in a January meeting, but I'll put it together.

I do have a question though for you guys right now, Vice Mayor Urbom, Councilperson Pirela. Okay. The way our committee meetings usually go is the first on Tuesday is public safety code enforcement public works, then planning and zoning will be the second Tuesday, and the third Tuesday would be administration and finance, and public affairs. Also, well, the first thing planning is only used to be every month. I want to take it back to the same as the

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other committees. I want to take it back to every other month. It used to be every month. That's how the former mayor [crosstalk]

**Vice Mayor Anders Urbom:** Well, the way I remember is it used to be every other month along with the others, but what happened was we wound up with such a backlog that we decided to go monthly.

**Mayor Omarr C. Nickerson:** Now I want to put it back to every other month.

**Vice Mayor Anders Urbom:** If we're feeling like the--

**Mayor Omarr C. Nickerson:** I think we're good.

**Vice Mayor Anders Urbom:** If we're feeling like the docket is back to a normal workload, then I think that's fine. That's a tricky one because as long as we're sure that the docket is under control because things kept popping up where a meeting was either-- There were two planning and zoning committee meetings which had their full agendas tabled back to back, that meant that six months later the next planning and zoning meeting actually occurred.

**Mayor Omarr C. Nickerson:** [crosstalk]

**Vice Mayor Anders Urbom:** Just from that backload essentially is what got us into the situation. We said we got to knock this down and go monthly. We had people waiting on developments, we had people waiting on new construction, we had people waiting on various places. As long as we are-- Because it worked out. We hammered it out doing that monthly and it's not a terrible thing to track it that often. My only concern is it's not broken right now doing it every month, but it is just the three of us. As long as we are feeling confident that we can handle that docket, then I'm okay with saying okay back to every other month.

**Mayor Omarr C. Nickerson:** I think we should try every other month. It seems like--

**Vice Mayor Anders Urbom:** I believe [inaudible 03:10:52]

**Speaker 1:** Well, two points. We can keep it as it is, it was nothing from the agenda, nothing from an employee, we cancel the meeting because there is nothing on the agenda or we can do it every other. If you seem to have something [inaudible 03:11:12]

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**Mayor Omarr C. Nickerson:** We have a special meeting every month. I think we should find out and if it seems like we need to have every month, we can go back to the every month.

**Vice Mayor Anders Urbom:** A concern I'm going back and forth on that is that residents need consistency to know. I don't know that enough time has passed that residents are used to having it every month right now. If we go back to every other month, I think we're probably okay, but whatever we decide should be for the future.

**Mayor Omarr C. Nickerson:** This is what I think. I think we should do-- I want to come to a consensus before we leave here. I think we should do every other month just like every other committee meeting. That's my--

**Vice Mayor Anders Urbom:** The only thing I would throw in there is because we've taken the January planning and zoning, and already held in December, right? In theory if we continue monthly, February will be a planning and zone, but if we go back to every month, every other month now we're to March. I'm thinking let's get to March monthly. We've already had January's meeting, right? Let's do February.

**Councilman Luis Pirela:** In December when we move the one from January to December, so let's do it in March. Next one would be in March.

**Vice Mayor Anders Urbom:** Which confused me because I thought we were on monthly and I'm thinking now we're going to have one on February. My point is if we can just stick with it. January is done because we had it already, we moved it up, right? Do February as if we were doing monthly and then in March we have it.

**Mayor Omarr C. Nickerson:** We're doing March.

**Vice Mayor Anders Urbom:** We're back on schedule, we can go every other month.

**Mayor Omarr C. Nickerson:** Perfect. I'll have no problem with that.

**Vice Mayor Anders Urbom:** That way we're not going three months without having a planning and zoning.

**Mayor Omarr C. Nickerson:** I'll have no problem with that. That's perfect, that's perfect. We'll do a February, we'll do a March, and then in March we'll be back on. Attorney Geller.

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**Attorney Joseph Geller:** Well, let me just say, the other thing is in terms of the public knowing since all of your meetings are every other month for everything else, you don't want to have planning and zoning not on the same calendar whatever you do. When are the other committees scheduled or everything will meet in January?

**Vice Mayor Anders Urbom:** January.

**Attorney Joseph Geller:** Then everything will meet in March.

**Vice Mayor Anders Urbom:** Correct.

**Attorney Joseph Geller:** You really don't want to schedule, I would think, a regular planning and zoning meeting in February. If you did the mayor's idea, I figure that you had January and then the next one is March. At least it's on the same calendar as every other committee and it'll continue with every other committee on the same calendar if you did that and as I think the clerk points out, if you have something that's pressing-

**Vice Mayor Anders Urbom:** Special.

**Attorney Joseph Geller:** -you can call a special meeting, but if you took the mayor's suggestion and just made sure that you had P&Z so that people know this is the month when the committees are meeting and to have one in February, and that's the only committee that's meeting in February, maybe you have one item that's not even pressing. If it's pressing you can have a special. The other thing is that it used to be, until quite recently I think, that it wasn't the first, the second and the third. The idea that you necessarily need a complete separate night for P&Z is not necessarily accurate. What are the two that are the third? There are two of them, right? I forgot what you said.

**Vice Mayor Anders Urbom:** Well, [inaudible 03:14:46] public affairs and admin and finance are the third Tuesday.

**Attorney Joseph Geller:** One of those is typically very short.

**Vice Mayor Anders Urbom:** Public affairs.

**Attorney Joseph Geller:** One of them may have some issues, but what you could do because I know planning and zoning can run long, but it doesn't necessarily have to be on a separate night. If you simply schedule public affairs first because it's very quick, move it to admin and finance, give it a reasonable time and then call P&Z at the end of that. If P&Z

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unfortunately runs a little long, again you don't need necessarily a separate night for it. It used to function that you had three and three, and you can still do that every other month as long as you're not hesitant to call a special meeting in P&Z if it's required.

I think for what it's worth just as a suggestion, that's how you use the function here and that would be in keeping with what the mayor's suggestion is to try and you have a failsafe, you have the failsafe of the special meeting.

**Vice Mayor Anders Urbom:** Yes. I don't disagree with that. In my mind I almost feel like the committees could be consolidated where code enforcement goes to public works, admin and finance goes with planning and zoning. You put them together and then public affairs and public safety, you got your PSA and PSA. That's a logic. Maybe they could stay separate but you move those to the same nights. My only concern right now is the what the situation we found ourselves in last year and that was six months without a planning and zoning meeting.

**Attorney Joseph Geller:** That's inexcusable whatever your schedule is. That's just inexcusable.

**Vice Mayor Anders Urbom:** In that regard, I do believe we have knocked down the backlog of planning and zone considerably. Just keep in mind the wrench here in the machine is that we've moved the January planning and zoning, and have already held it this in this month. There will not be planning in zoning in January. If we keep it every other month and put it back in line, then we will not have a planning and zoning in February. Now in the third month here we're having planning and zoning meeting.

**Attorney Joseph Geller:** Unless you need one.

**Vice Mayor Anders Urbom:** It was not a good situation last year to go through that. My only thinking is no harm, no foul, hold it in February and we get to March, we're back on track. That's my thinking on that and then of course as I explained, I'm more than willing to overhaul the entire structure of the nights in the committee.

**Mayor Omarr C. Nickerson:** Well, let me go through this. I think that we should keep it.

**Vice Mayor Anders Urbom:** The agenda might dictate whether or not we have a meeting in February.

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**Mayor Omarr C. Nickerson:** If you have to have a special meeting, we have a special meeting. We'll keep in touch with Juan and Camilla for [inaudible 03:17:47]

**Vice Mayor Anders Urbom:** [crosstalk] March next regularly it's going to be March.

**Mayor Omarr C. Nickerson:** That's the first thing. The second thing you guys is this, our meetings used to be second Tuesday and third Tuesday. Right now we'll say we'll put planning and zoning with administration and finance, and public affairs.

**Vice Mayor Anders Urbom:** It would be first, third, and then general on the fourth.

**Mayor Omarr C. Nickerson:** General on the fourth.

**Vice Mayor Anders Urbom:** We're skipping the second week.

**Mayor Omarr C. Nickerson:** We're skipping the second. This is my thing, I think that we should go first, second and skip third because if there's anything that we need to do a-- Because we're doing committees to move things to full council. It makes no sense to have them on the third Tuesday when the full council is fourth Tuesday because it gives people no time to get together stuff to move to full council. Exactly. It should be first Tuesday, second Tuesday, nothing on the third Tuesday and then the council meeting. All right?

**Vice Mayor Anders Urbom:** I agree.

**Mayor Omarr C. Nickerson:** We're keeping the same, the first Tuesday is public safety, 6:30, 7 o'clock code enforcement, 7:30 public works.

**Vice Mayor Anders Urbom:** Do we have the ability to consolidate?

**Mayor Omarr C. Nickerson:** In our charter it says we have to have these committees and names of these committees. We have to have these committees per charter.

**Vice Mayor Anders Urbom:** Let's match them up on the same night. That makes sense for January. For example--

**Mayor Omarr C. Nickerson:** Please tell me [inaudible 03:19:10]

**Vice Mayor Anders Urbom:** I think code enforcement and public works should go together.

**Mayor Omarr C. Nickerson:** On what night, first or second?

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**Date: 12/15/20**

**Meeting Start: 7:06 PM**

**Meeting End: 10:32 PM**

**Meeting Length: 03:28:18**

**Vice Mayor Anders Urbom:** It doesn't matter to me yet on that. I don't have an opinion honestly and then the second week, admin of finance and planning and zoning should go together. Maybe we do have to split up public affairs and public safety.

**Attorney Joseph Geller:** Well, you can just add one of them to each of the others.

**Vice Mayor Anders Urbom:** Right. Public safety I would say would go with admin and financial, and planning and zoning.

**Mayor Omarr C. Nickerson:** On the third week? On the second week?

**Vice Mayor Anders Urbom:** Public affairs and code enforcement both are short, you got a short Tuesday, there are public works, public affairs and code enforcement and then you got your big night in the middle of the month, the second week there with public safety, admin and finance, planning and zoning, all your big items.

**Vice Mayor Anders Urbom:** right.

**Mayor Omarr C. Nickerson:** Respectfully what if you switch public safety to the first one.

**Vice Mayor Anders Urbom:** Okay.

**Mayor Omarr C. Nickerson:** The two shorter ones to balance it out. [crosstalk]

**Vice Mayor Anders Urbom:** Counselor.

**Mayor Omarr C. Nickerson:** Board people didn't want finance and PNG together but start that one with public affairs which is likely to be short.

**Pirela:** Very good. I'm on board with that. Public affairs is second Tuesday?

**Vice Mayor Anders Urbom:** Yes.

**Mayor Omarr C. Nickerson:** Yes, second. Public works is searched first.

**Vice Mayor Anders Urbom:** Yes.

**Mayor Omarr C. Nickerson:** Okay. Follow the safety's first, code enforcement's first.

**Vice Mayor Anders Urbom:** Public works.

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**Mayor Omarr C. Nickerson:** Public works is first. Administration, finance, public affairs, planning and zoning is second.

**Vice Mayor Anders Urbom:** Yes

**Councilman Luis Pirela:** I like this [inaudible 03:20:46]

**Mayor Omarr C. Nickerson:** For the first Tuesday of the committee months public safety can be the first thing of the night.

**Vice Mayor Anders Urbom:** I'd say then public works and end with code enforcement.

**Mayor Omarr C. Nickerson:** You want to do it like that.

**Vice Mayor Anders Urbom:** Yes.

**Mayor Omarr C. Nickerson:** Public work is the second thing in the night.

**Vice Mayor Anders Urbom:** This law enforcement's going to have the shortest agenda always.

**Mayor Omarr C. Nickerson:** Code enforcement the third thing of the night. For the second Tuesday, what do you guys want to first. Put the fairs first. [inaudible 03:21:29]

**Councilman Luis Pirela:** I would say keep PNG until the end.

**Vice Mayor Anders Urbom:** Okay

**Councilman Luis Pirela:** [unintelligible 03:21:35] wrong.

**Mayor Omarr C. Nickerson:** For just like we plan for public safety as good as first on that night, because the chief has to be public safety. For the second Tuesday, we have to have the CFO for administration and finance. Public affairs is going to be short, though he won't be waiting that long.

**Councilman Luis Pirela:** Right, and then you do administration and finance. He can leave, he doesn't need to be here for whatever time you need to spend on [unintelligible 03:22:05]

**Vice Mayor Anders Urbom:** Right and the audience for planing and zoning is usually only for the interested parties.

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**Mayor Omarr C. Nickerson:** That's bad though, because we'll have residents waiting through administration and finance.

**Councilman Luis Pirela:** I think it's great if residents wait through administration and finance. I would love to see [laughs] every resident here for admin and finance meetings. [laughs] **[inaudible 03:22:24]**

**Mayor Omarr C. Nickerson:** I'm just trying to think of people's schedules, (crosstalk) because we're going to have residents waiting through administration and finance and public affairs and we're going to have for Serbia waiting, we have Juan and Camilla waiting through to the last meeting also.

**Councilman Luis Pirela:** Let's say what time do you start?

**Mayor Omarr C. Nickerson:** There's 6:30, 7:00 or 7:30. that's what we have down, they usually run longer, but we have to advertise those like that.

**Councilman Luis Pirela:** You can tell you cannot start P&Z early.

**Mayor Omarr C. Nickerson:** No

**Councilman Luis Pirela:** You cannot start it before it's noticed, so you can just tell Serbia that they have to be here by 7:30.

**Vice Mayor Anders Urbom:** We'll do public affairs first, administration and finance second, and then P&Z is third on the second Tuesday.

**Mayor Omarr C. Nickerson:** That's pretty much all I want to know. That's a good start. I'll do the rest of the--

**Councilman Luis Pirela:** Maybe we should just take a quick. [crosstalk]

**Mayor Omarr C. Nickerson:** Yes, I'm going to do that. It's definitely because we changed things around. **[inaudible 03:23:24]** We're to talk about January's meeting yet. I'm going to work on it now, and then we're going to adopt the calendar January's meeting. I do want to take a roll call, because we are changing the **[unintelligible 03:23:38]**

**Vice Mayor Anders Urbom:** the adoption of the calendar will take place after all of these committee meetings in January though.

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**Mayor Omarr C. Nickerson:** Yes, so I'm going to do that. We can keep signing over. As far as the committee meeting, so for the record we have on every other month starting in January the first Tuesday the first meeting of the night will be public safety that is at 6:30. The second meeting of the night is public works, that will be advertised at seven o'clock. The third meeting of the night is code enforcement that will be advertised at 7:30. The second Tuesday of every month starting in January the first meeting of the night will be public affairs advertised at 6:30. The second meeting of the night is administration and finance advertised at seven o'clock. The third meeting of the night is planning and zoning advertised at 7:30. Do I have a motion for the new committee meeting assignment calendar?

**Councilman Luis Pirela:** I motioned that to approve to adopt a new calendar for the committee meetings

**Mayor Omarr C. Nickerson:** Thank you very much have a motion by a council person Councilman Pirela. Do I have a second?

**Vice Mayor Anders Urbom:** I will second that motion.

**Mayor Omarr C. Nickerson:** Second by Vice Mayor Urbom. Before I go on do I have any questions, comments? How are we looking at Zoom audience and nobody else? Very good. Thank you very much. Madam Clerk, may I please have a roll call for the new committee assignment. [inaudible 03:25:15] Yes

**Village Clerk Pamela Latimore:** Vice-mayor Urbom.

**Vice Mayor Anders Urbom:** Yes.

**Village Clerk Pamela Latimore:** Mayor Nickerson.

**Mayor Omarr C. Nickerson:** Yes.

**Village Clerk Pamela Latimore:** [unintelligible 03:25:21].

**Mayor Omarr C. Nickerson:** I appreciate it. Let me just save this. I have that done. I will work on that later. Thank you very much. That is it. We're going to Good and Welfare. Anybody from the audience, anybody from Zoom, have anything they want to say, about anything at all, this is your point and time to say so. You're good, sister [laughs]? Heading on to Good and Welfare, We're good on zoom, nobody on welfare? Thumbs up. Shout out to

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Full Moon, man. We love Full Moon. Motion to adjourn and second. Do I have a motion to adjourn?

**Village Clerk Pamela Latimore:** No, no not yet.

**Mayor Omarr C. Nickerson:** We don't. We have madame manager comes up

**Village Manager Alou:** Just one quick. I just want to remind everyone that bulk pickup is still scheduled for December 22nd, 23rd and 24th depending on your zone. Please, don't put your stuff out until then or as close to that time as possible. Also, there will be a special holiday tree pickup after the first of the year. Please, stay tuned to the village website to see the date for the special holiday pickup of trees only one day, but we'll go through the village to pick up trees as a special pickup. That is it.

**Mayor Omarr C. Nickerson:** Thank you very much, madam manager. Remember your both pickup and your tree pickup coming soon. Thank you very much. Anybody else have any last comments? Good. Everybody else out there. Good. Do I have a motion to adjourn the meeting?

**Councilman Luis Pirela:** I will motion to adjourn the meeting

**Mayor Omarr C. Nickerson:** Do I have a second.

**Vice Mayor Anders Urbom:** I'll second.

**Mayor Omarr C. Nickerson:** Thank you very much. The regular council meeting for Tuesday, December 15th is adjourned at 10:32 PM. Thank you very much, you guys. Perfect.

[inaudible 03:26:56]

[laughter]

[03:28:18] [END OF AUDIO]

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