



Village of El Portal Regular Council Meeting

Date: 01/26/21

Meeting Start: 7:04 PM

Meeting End: 9:58 PM

Meeting Length: 02:54:43

Mayor Nickerson: All right, you guys, go ahead and get started. The Village Council meeting for Tuesday, January 26, 2021 is called to order at 7:04 PM. Let's have silent meditation and stand for the 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 Nickerson: Thank you very much. Madam clerk, may I have please a roll call, please.

Madam Clerk: Councilperson Pirela.

Councilperson Pirela: Here.

Madam Clerk: Vice Mayor Urbom.

Vice Mayor Urbom: Present.

Madam Clerk: Mayor Nickerson.

Mayor Nickerson: Here.

Madam Clerk: Mr. Mayor, you have a quorum.

Mayor Nickerson: Thank you very much. Right now, I'm going to approve of the agenda. Right now, if you have any additions or deletions, now is the time to say so. I personally have one deletion from the agenda. We're going to hold off on the fertilizer ordinance introduction. We're going to hold off on H1. We're not going to have that tonight. Any other additions or deletions to the agenda? Hearing none, all in favor of the agenda as is say, aye.

All: Aye.

Mayor Nickerson: All oppose day, nay. Moving on to approval of minutes, did you, guys, get a chance to look at the minutes? They were included in the package that went out for the meeting. I went over them. I appreciate Full Moon for the transcript. Do I have a motion to approve the minutes?

Vice Mayor Urbom: I'll make a motion to approve the minutes.

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Mayor Nickerson: Motion by Vice Mayor Urbom. Do I have a second? Do you have a second? Or do you want to table the minutes until the next meeting?

Councilperson Pirela: Yes, I'd like to table the minutes.

Mayor Nickerson: Do I have a motion to table the minutes until the next full council meeting?

Councilperson Pirela: I'll make a motion to table the second [crosstalk] the meeting until next--

Mayor Nickerson: Do I have a second to table the minutes to a full council meeting?

Vice Mayor Urbom: I'll second.

Mayor Nickerson: All in favor say, aye.

All: Aye.

Mayor Nickerson: All oppose say, nay. Moving right along, visitors and special presentation. Right now, you guys, Mayor Cubillos was going to be here with us tonight, but something came up and she wasn't able to make it, but she did have a presentation that she's been wanting to make for the citizen of the year. I'm going to make that in her stead. I'm going to go down and read the proclamation for that and then I'll invite the citizen of the year who's here. Good to see her and her wonderful husband here today. We'll go from there, all right? Let me step down real quick.

Good to see everybody. Our citizen of the year is a wonderful individual. I'm going to read the proclamation right now in a second, Ms. Elizabeth Carpenter, and I've had the pleasure of working close with her on Sustainability and Resiliency Task Force and she's not only very intelligent and intellectually astute, but she's also a nice individual. I respect her to the end of the world and back.

Her being citizen of the year is a wonderful thing. Very, very well appreciated. Here we go, you guys, whereas the citizen of the year award is given in recognition to extraordinary community volunteerism in an effort to make our village, the Village of El Portal in Miami-Dade County the best place to work, play, and live. Whereas the citizen of the year shows commitment, support, respect, leadership, responsibility, a positive attitude, honesty.

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Whereas the citizen of the year provides a positive image for the El Portal community, promotes the general welfare of the community, and whereby the citizen of the year gives freely of their time and energy for community betterment. Whereas Elizabeth Fata Carpenter, born in Miami knew from a very young age that she wanted to be an environmental advocate and save the planet. As a young girl, she spent most of her time at the Environmental Studies Center in Stuart, Florida, the catalyst to her passion for wildlife and the environment that continues with her to this day.

Whereas Elizabeth went on to attend the University of Florida from 2008 to 2012, graduated cum laude in psychology with the minors in environmental science and sustainability studies and it's where she met her now-husband, Joshua. Whereas she went then to work on-- to work as a park ranger in Oregon giving educational cave tours at Oregon Cave National Monument. Whereas she continued her passion and work at a salmon hatchery in Kodiak, Alaska helping keep salmon populations from being overfished or diminished.

Whereas thereafter Elizabeth came back to Miami to attend the University of Miami Law School with a full scholarship through the Miami Scholars Program which focuses on giving scholarships to students who have excellent academic credentials and also demonstrate an interest in public service, in her case, working to protect the environment.

Whereas Elizabeth graduated magna cum laude and was awarded as top 8% of her class from UM Law in 2016 where she was also the managing editor of the International and Corrupt and Comparative Law Review. Whereas upon graduation she briefly worked at a large international law firm called Cozen O'Connor but soon left to pursue her dreams of protecting the environment by joining Everglades Law Center, a local non-profit law firm.

Whereas she now works with local governments and groups to protect the environment and further sustainability initiatives to combat climate change with particular emphasis on protecting and restoring the Everglades which includes all of South Florida. Whereas Elizabeth and Joshua married in October 2018 and in August 2019, they purchased their first home in El Portal. Whereas they immediately fell in love with El Portal's charm and unique feel. They love our tree canopies, native environment, and the fact that we are a bird sanctuary.

Elizabeth loves the small-town feel with easy access to big-city amenities and they embrace our eclectic and tight-knit community where they have already formed real friendships with their neighbors. Whereas shortly after moving here they attended the mayor's open house for new residents during the 2019 Florida City Government Week in October and since then

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Elizabeth immediately engaged in El Portal and has shown commitment leadership and positive attitudes.

Whereas thereafter not only was she appointed to El Portal's first resident-led Sustainability and Resiliency Task Force, but she was also appointed by her peers to be the task force chairperson. Whereas Elizabeth recently approached our village with regards to a project the Army Corps of Engineers undertaking through Federal Comprehensive Everglades

Restoration Program and the potential impact to El Portal in her desire to represent our village's interests.

Whereas it is leaders like Elizabeth who come forward to contribute to work together and to be part of a better future that exhibit the extraordinary qualities of the new generation of leaders and I salute and commend her volunteerism spirit. Now, therefore, Claudia Cubillos, who's the mayor of El Portal and the village council do hereby proclaim Elizabeth Fata Carpenter our 2020 Citizen of the Year.

[applause]

Elizabeth Fata Carpenter: Thank you all so much. I thank you, Mayor Cubillos and Mayor Nickerson, the entire village council, and the village council from last year as well. When my husband and I moved to El Portal we moved here because we fell in love with the environment, the trees, and the birds, and the neighbors, but since we've lived here, we've fallen in love with the community.

I could not be more humbled and pleased to be receiving this award. I wanted to thank the entire council and Mayor Nickerson for the openness to allow citizens to participate in government. I hope that I can continue to live up to this award in the future. Thank you all so much.

Mayor Nickerson: Thank you very much. You guys give us a second we're taking a picture real quick.

[background noise]

Thank you very much for that, you guys. We have a very special guest in the house tonight. We did her proclamation. Last meeting, we were going to go over some highlights of this meeting. County commissioner Edmonson come on the County commissioner Edmondson.

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[applause]

Last time we were here, the former Vice Mayor Harold Mathis was also here. Your link sister, [chuckles] she made some wonderful comments about you. We all actually pitched in and we spoke about how great you not only have been to the Village of El Portal, but to the Miami Dade County as a whole. Attorney Geller made comments also. We were all making comments about you. I just want to say County Commissioner Edmonson, you're not only a legend within our community. Not only a legend within our County, but you're an inspiration I think, to all of us who get into local government. We really respect you in every major way. If you would say some stuff, thank you very much.

County Commissioner Edmonson: Thank you. [applause] I think you all know I started here in the El Portal. I lived here for 32 years and found a downsize after I was in the house all by myself. I downsized then went on to the county, but it was a pleasure when I worked here, it was a pleasure just doing and just being honored to have been elected here as the first elected mayor by the people of El Portal. It was an honor to me to have that privilege. Again, thank you so much. I enjoyed working with you and I look to working with you in the future. I leave that [unintelligible 00:12:39]

[applause]

Participant: Thank you.

Mayor Nickerson: If counsel personnel elect Ward would like to come up, she was a mayor of El Portal before.

Participant: She was the first.

Mayor Nickerson: She was the first, yes. Therefore, I know that she spoke last time about you also commissioned but since she's here, let's have her come back.

Ward: You got to all be commissioner. You got to always be mayor. You got to always be in El Portal. We miss you. We really do miss you. This was a very, very hardworking mayor and she didn't take nothing for granted. She was very good. Your Attorney Geller was right behind everything that she did.

If it was up, it was up. If it was down, it was down, but this was really a very good mayor, and she did come back to me, but that's all right. That's all right. She kept the spirit going, it

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was a gruff village once upon a time, but Audrey did her part and went on to do better things. Congratulations, my dear. Sister, congratulations.

[applause]

County Commissioner Edmonson: I was just thinking, this is the last time that I stand up here on the dais. There's only one familiar face left. He has a lot of beard here, by this jaw, and he was there for me and with me and I do thank you.

Mayor Nickerson: Let me just say very quickly for the county commissioner, you guys, when you look at El Portal and you see that our police officers are stationed here, a police department, that was then Mayor Edmonson. When you look at El Portal and you see the circular [unintelligible 00:14:29] in the front and those improvements that make El Portal look really nice, that was Mayor Edmonson.

When you look at the fact that we vote for our mayor, she changed that, but for her, they didn't vote for the mayor like that. That was her. Actually, the interior also, absolutely. All these things that gave the residents, the bathroom-- all these things that gave the residents more civic power. She's the one that made that possible you guys. As that come after her, all we can do is do our best to try to not let that legacy that she started down. I worked my heart out to make sure that that's possible. Thank you very much. I appreciate you. Let's get a picture.

[applause]

[background conversation]

The last thing I wanted to say to you guys before we transitioned to our agenda is that Mayor Cubillos was supposed to be here tonight. She was going to get a proclamation also, but unfortunately, she was not able to make it. I just want to say that here's the proclamation, but I just want to say that Mayor Cubillos, she took El Portal from-- I said this before in November when we all got put into office, we took our oath.

I said this then because on that day she was giving her goodbye speeches. I said that before her, El Portal was like the sleepy place that was in between Miami shores and the City of Miami. Mayor Cubillos really looked at the business aspect of what could be an El Portal and she got a lot of things started business-wise. Just like we were saying with the County Commissioner Edmonson, former Mayor Edmonson, and with former Mayor Ward, it's interesting.

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I was speaking to a resident couple of days ago, Mr. Courtney Kirk. Me and him always talk about politics and history and stuff like that when we speak to each other and we were talking about history and I was just talking about how somewhat civilizations, somewhat the brainpower. Then I kind of touched on in November, but I was talking about the brainpower, we were talking about how different civilizations, the reason why those civilizations, they come up.

They become so powerful is because you'll get a slew of individuals to where the brainpower of the citizens of that civilization or that country, it's like you hit a run where it's so much brainpower at one time that transforms like a country or a nation or civilization. You can see it. That's what happened with United States of America. We hit that mark where it was like, all the great inventions came out of the United States. That changed the world.

Where there's electricity, all those great things that Thomas Edison and Benjamin Franklin. Can you imagine all these individuals, George Washington, and all these people were living at the same time. When you have that much intelligence at one place at one time, that's when you start to have that type of success in a civilization, in a nation that brings you up. When you think about-- I'm so close like this, when you think about this, you guys, you think about Mayor Edmonson.

That goes from being the mayor of El Portal to a commissioner of the county. From small El Portal. When you think about Dr. Ward, being the first Black mayor of El Portal when you think about Mayor Cubillos being the first Hispanic mayor of El Portal and the different themes and we're also different in our characters that we all focused, and we were all good at different things. We all bring a little bit different to the village to help move it forward in a different type of way. Mayor Cubillos was a big part of that in El Portal history you guys. She's not here but this proclamation is for today, so I'll read the bottom part of it. " Whereas Mayor Cubillos' passion and concern about the well-being of the residents of El Portal and the greater Miami-Dade community is evidence through her community initiatives, her work in education, her support for the veterans, youth and senior community. The creation of local jobs and her commitment to help citizens create opportunities for tomorrow, today.

As her vision of working together to make El Portal a beautiful place to live, where everyone matters, can now be seen throughout the village at numerous community events and where property values in El Portal, Miami-Dade County increasing by double digits each year, for three straight years between 2015 and 2018. Now, therefore I, Omarr C. Nickerson, Mayor of the Village of El Portal do hereby proclaim January 26th, 2021 as Claudia V. Cubillo's Day.

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[applause]

Thank you guys and Mayor Cubillos thank you and hopefully, when COVID is over, the things that Mayor Cubillos started with the art fair and the things that of put El Portal on the map, those community events and things like that, hopefully we can get back to that. I really appreciate it you guys. Unfortunately, she couldn't be here tonight but Mayor Cubillos, you're in our thoughts and our prayers. Thank you very much.

[applause]

All right people. Here we go. I want to say really quickly, and I'm going to bring the chief up in a second, but I want to talk really quickly about human trafficking. You notice that on your agenda, human trafficking awareness month is this month. It's January. I just want to say before I bring the chief up that human trafficking is something that is not only interesting in a strange way that we're still dealing with this in 2021, but I do want to say that out of all the states in the United states that have the worst cases of human trafficking, Florida is number three.

That's sad in itself and when we are talking about forced labor especially on forced commercial sex. A lot of times to minors. It's not only very sad but it's very upsetting. I did want to take a moment to acknowledge that January is human trafficking month and I'm going to bring the chief up because the Chief recently was at an event where human trafficking was the subject. Chief, if you would come up to the podium and say what you got from that event?

Chief: Thank you, Mr. Mayor. Last week I was able to have the honor to attend a webinar. It was on identifying and assisting human trafficking victims and that was a wide umbrella for a variety of different topics that fell underneath, and one of them was a fascinating presentation by someone from the Kristi House on commercial sexual exploitation of children. Now that you hear of human trafficking, this is one of the facets that falls underneath it, and it's very real.

You mentioned we are the third largest state in the nation where there's human trafficking. I think one of the passwords or the watchwords that comes through all of this is raising awareness. There's certain things to look for and again, in all the literature, ask questions. Something doesn't seem right to you when you see someone, or it just doesn't sit right, ask the questions. There's always a reason why something doesn't settle right with you.

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I think all too often we say there's nothing to it, and you pay no mind to it, but there is a reason and I think humans are given that God-given ability, and you get that where they say sometimes the hair on the back of your neck stands up a little. Just something doesn't seem right, and you'll know it when you see it. I would suggest go into the website. Today as a matter of fact, the county in conjunction with the State Attorney's Office they had a human trafficking educational campaign press conference.

I was able to see the replay of it. It is on the Miami-Dade Police Facebook, and it's well worth the half hour. You have dignitaries making some presentations there, and along with the State Attorney's Office, and just things to look for, and just to bring the awareness which is so much needed for this scourge of human trafficking. If I could just say in closing basically, they did put out a brochure too, and that you could see as well. A report on human trafficking, there's a human trafficking hotline.

There's a Miami-Dade State Attorney human trafficking hotline, and the fact is if something doesn't sit right with you report it to the police, use the hotline. Just don't let your suspicions fall by the wayside because it's just very, very real out there, especially in Florida where it's at epidemic proportions surely. Again, the awareness is quite important, so it was very eye-opening. I've learned a lot and you get a chance anytime, it'll run as often as you want to see it on the again Miami-Dade, with the Facebook page and you can read all about it today for the presentation they did with the human traffic trafficking. That's it.

Mayor Nickerson: Thank you very much. Chief correct me if I'm wrong, but the number for human trafficking is the 188-373-7888?

Chief: That is correct, and you also have the Miami-Dade State attorney human trafficking hotline which is 305-350-5567, and then the third option on this on this pamphlet is report it to your local authorities.

Mayor Nickerson: Absolutely. Thank you very much, Chief.

Chief: Thank you.

Mayor Nickerson: I really appreciate this.

Chief: Thank you.

Mayor Nickerson: Very important. Thank you very much you guys. Of course.

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Vice Mayor Urbom: Thank you. On this topic I just want to make three points. One, when I first moved to Florida, I landed in the Florida Keys. Within a year I was living in Miami and then I've lived many lifetimes and three of them have been in the Keys but moving to Florida the first time was in the Keys. I've had a fairly colorful life and I've existed most of it fairly close to what people call the underground. I would try and explain to people in Miami as I got to Miami, and we had discussions about this as co-workers in the hospitality to be perfectly honest because we see people come in, you got a couple at the table or a group of people, and sometimes things really just don't make sense.

This was back in 2001, 2002 and there was a high number of young Russian ladies, for example, being brought to the Keys. It was known and these discussions take place. Now, we're going to say, "Okay, well this only happens to people from other countries." A few years later, I read an article about a group of four women in Fort Lauderdale who were getting men drunk, drugged, and taking them back to their apartments where they would rob them.

To show how dastardly these women were robbing these wealthy men of Fort Lauderdale, they gave the rap sheet of one of the women. One of her charges was prostitution at age 14. How do you charge a 14-year-old girl with prostitution? I talked to my wife about this and she's watching Law and Order and she says well sometimes they have to arrest them to get them into the system where they can have help. That cannot be a solution. That cannot be a solution.

These were local girls in Fort Lauderdale. These were not girls brought from other countries, and one of them at least. People don't choose to grow up as adults and drug people to rob them. It's a cycle that happens usually from an earlier age and their options in this world become dwindling.

I would encourage people to take a second look at some of these crimes and understand that there is an opportunity as those crimes come in front of the courts to actually find out why is a 14-year-old girl engaged in prostitution, and you can find the people responsible. The other aspect of it is, there's a market for this and that needs to be addressed in this country. The Super Bowl is coming up, and The Super Bowl for those of you who don't know, is famous for the FBI using sting operations and local law enforcement as well, because they import women, wherever the Superbowl is occurring by the hundreds. This is through strip clubs, this is through after-parties, all of these activities. You'll hear about this in the next couple of weeks, most likely, because it's, thankfully, at least a news story in the past few years regarding the Super Bowl, and its prevalence for sex trafficking activity surrounding it.

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I was going to make a third point, but I think I made three points. I won't go too much further. I do think that we can do more as a society to acknowledge what's happening to young people when it's happening to them and address honestly, the issue of the market. There should not be a market for this. I'll just say that.

Mayor Nickerson: Thank you very much Vice Mayor Urbom. We really appreciate it. Yes, you guys just to wrap it up is really important. Vice mayor Urbom, to your point about the Super Bowl. Hillsborough in Tampa, Hillsborough County deputies arrests, this is from January 11, arrest 71 for human trafficking ahead of the Tampa Super Bowl.

Vice Mayor Urbom: There you go.

Mayor Nickerson: Took me that long to look it up. As soon as you said that I looked it up. There you go for the Superbowl. It's right there. All right, you guys. Thank you very much. Like we say very important. There you go. There's a real-time information from the Tampa Super Bowl 71 arrested for human trafficking already. All right, you guys. Next is good and welfare.

This is the part right here where anybody from the audience, if you have anything to say about anything on the agenda itself, there will be another good and welfare at the very end. The first good and welfare, if you have anything you want to say about anything on the agenda itself, you can come up right now and do so. That's the first good and welfare. Ms. [unintelligible 00:31:46] you'll be next. I know you're getting prepared. I'm seeing none there. How we looking on Zoom?

We're good? Okay. Moving right along, you guys. Next is Vice Mayor Urbom. I believe this is your agenda items. You want to go ahead and introduce it?

Vice Mayor Urbom: Yes. You see it on the agenda as business quarter street and road resilience presentation by [unintelligible 00:32:08]. I had reached out to; went to Camilla I think a month ago or something. We were talking about different aspects of-- I think issues of swales and things to this degree. One, let me know that they actually had been working on and have somewhat of a composed plan for what we call resilient streets.

My wife is probably going to create-- Tell me, I shouldn't have said this. In terms of next door, all right? I encourage anyone who's engaging in next door and saying that they want to see changes to, please, I'm begging you come to the council meetings, come to the committee meetings. In terms of traffic calming. What we have from [unintelligible 00:32:59] is the beginning of a comprehensive street plan.

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It takes a little bit of imagination, a little bit of faith. Also, there's quite a bit of science behind this. I will let **[unintelligible 00:33:12]**, explain everything. Just so you understand this is an all-encompassing idea. It involves traffic calming, design, it involves beautification design, it involves flood mitigation design, it involves all of those things all in one.

I asked him to just come and do a short presentation.

Hopefully, my hope is that the council would agree to bring this up in discussion and planning and zoning. If the plan that he's about to outline would be enacted, it will be probably a few years from now. This is not something that is a surprise. This is not something that we're going to be voting on to change everything next month. I think that it's something that the residents should be excited about, will be excited about. I know I am. Without further ado.

Participant: [00:34:32] Thank you. Can you hear me? Is this on? Okay, can y'all hear me? Thank you. I have two layers. If you can't hear me, it's normal. As you said, we discussed this about a month ago, but with the previous administration, we had also looked at it in part because it's an issue that-- There's a lot of issues in the village that could be resolved if we just looked at our infrastructure in a way that it's a little bit outside of the box. It's not just about moving cars, it's not just about planting trees. It's about what solutions can our infrastructure provide for us.

As you can see here, we're sharing screen, Camilla is sharing screen. That's the village. We have several different-- That's good. You have several different zones. You have the school, you have the residential zone, you've got the two main avenues, which are North Miami, and Second Avenue. You also have, obviously the FEC, the rail line that makes another separation, and then you have the higher density to the east of the FEC.

Cami, you hit next. I'm going to tell you a couple of things that you all already know. I'm telling you because we need to start looking at these in a different way. When you look at North Miami, and you look at Second Avenue, and you look at the FEC, we see thresholds, we see barriers, we see potential for mixed-use and a place to have a cup of coffee. We also see a lot of traffic we see a lot of accidents; we see a lot of potential also for walking, but not many people do.

I don't know how many in the audience actually walk Second Avenue or North Miami that often. If you hit next, you'll notice that we've outlined them, and we've realized that the village is different zones. I'm not talking about zoning and regulation; I'm talking about

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different pockets that don't mix together. In part again, it's because we have no ability to actually comfortably and safely cross from one pod, I'll call it a pod, to another. Go to the next slide. What are the issues that I'm talking about?

As most residents have noticed we have a flooding problem. This is a problem that is worldwide, of course. It's extremely prevalent here in South Florida and also in coastal areas such as El Portal. The river is considered a waterfront that creates this flooding. In addition to the fact that our elevation is quite low we are between-- I believe is between 5 and 15. In some areas, we are very prone to water coming from below. In other areas we're very prone to have water coming from the actual river.

In addition to that, you'll see in the three slides and in the three images in the middle. The one on the left, you can't see it very well but there's a sidewalk that actually gets right up to almost the corner, and then it doesn't go through. In the center image, you'll see a sidewalk on North Miami Avenue. I don't have to tell you how one would feel. I would encourage all of you to look at it the next time that you either drive by. I don't encourage anybody to walk on it. It is really dangerous.

It feels really uncomfortable if you're a pedestrian. You can only imagine how you would feel if you are on a wheelchair, or on a bicycle. Second Avenue and North Miami are very dangerous. They are not promoting the type of economic development that we could see. That could also have a positive impact into our village. Then finally at the bottom, I added a few others. There's some goods and bads to them. There's, as you can see a very good tree canopy. That's something that's enviable.

As we heard one of the presentations, somebody was saying that they moved here because of it and the bird sanctuary. That's something that we can encourage. We can actually see how the street sections could actually have more room for it, more room for vegetation, more room for walking, more room for biking. Then the one on the bottom right, you also see how that sidewalk, interestingly, goes all the way around a corner but doesn't cross. That's one of those residential streets that should actually cross, right?

You have to walk on the grass, on the swale. There's a little bit of lack of oversight as to how these things were put together. They were put together at different times. We've been looking at the maps from the past and, again, there's places that could be connected better. It might just take a little bit of concrete to just connect that sidewalk down there. Other places that are a much bigger project, like coordinating with a county and making sure that Second Avenue is and deservedly provides a better way to encourage development, encourage economic

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development, and also provide safer and more accessible mobility for pedestrians and bikes. Go to the next slide. We have not done any design, in the part because we have not been directed by the council to do so. We have made a lot of outreach attempts with the manager to the county. Especially for those streets that are county. We feel that one of our priorities as a village should be the improvement of Second Avenue. Without improving Second Avenue, we will not get development on Second Avenue. We don't get development on Second Avenue, our village revenues and our taxes and our et cetera won't come.

In addition to the fact that you won't be providing the residents a place to go for their daily needs. Whether it's a corner store, or a coffee shop or a nail salon, whatever it is, we have the zoning in place, we just don't have the infrastructure in place. That is something that needs to be done in collaboration with the county and probably in collaboration with the state to see if we can find a way to fund this. The image that you see here, though, it's a residential street.

What I want you to note here is that the width of the road, as it pinches is very similar to ours. We have between 15 and 20-foot asphalt in our residential streets. Which is not neither wide enough for a two-laner or narrow enough for a one-laner. We're somewhere in between. So, from a traffic perspective, hit next Cami, we could start re-envisioning how the streets-- Camilla I can you hit next? We could start re-envisioning how the streets start working for us, for mobility purposes. The slide before actually showed a bioswale or a rain garden, which could also allow for quicker drainage during flood events. This one you see better mobility.

Go ahead next. Or accessibility. I'm making sure that those sidewalks obviously we're not-- I don't think that we're going to get to an image like this wherein El Portal, not a city center. It makes the point of wheelchair accessibility and making sure that the surfaces are comfortable and safe and accessible for all. Hit next. Then finally, this one is an image that we found online, which is very similar to our Second Avenue with two and three-story buildings on either side with a calm pedestrian, comfortable, parallel parking, lots of trees, places for bioswales.

Second Avenue and potentially in the future if we feel the need for it, North Miami Avenue. Go to the next slide. I think this is my final slide. I'd like you to note a few things on this slide. The most important I guess it's the very quick look that we took at the street network. There is really not much reason to have a two-way street within the residential areas. Why is that? Two-way streets typically are a benefit when you have commercial or mixed-use. Why?

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Because you get a double the headlights going past commercial properties. You have potentially more patrons going by your place of business. In the case of residential, one way would not make much of a difference for a resident who wants to get to a place. It might take an extra 10 seconds to get to where you're going just because the direction of your street is one way instead of two.

The other advantage of it is that we can then reduce the asphalt and therefore improving our drainage and potentially increasing the size of our swales that would allow for more vegetation. Again, for better drainage and potentially for some either bioswales that would create a bowl-like destination for the water. If I may also room for other types of mobility like bicycles, and wider sidewalks. The other two that you'll see there obviously is the North Miami Avenue and Second Avenue.

Those potentially would be that main street that we discussed. We were looking at how the mobility would work on the east-west condition, on 87th Street. We would also keep the two way so that we can access Horace Mann and the village hall, and the crossing of the FEC. Don't hold this map or this diagram really. It's not even a map. This diagram too hard. We've done this really quickly.

We have looked at the potential that this village has to reduce the impact of cars to improve drainage and to increase safety through the reduction of the actual asphalt. It's something that we would like to study more. We believe that the first step, as I said, is contacting the county in a little bit more, I guess, with better direction from the village council, making sure that we do get our response and that we know what the next steps are moving forward.

Up until now, it's been just, an array of emails, and we've-- The village manager can probably agree to this. We send a few emails; we get a couple of responses and things die off. Because the county is very large, and they have a lot of things going on. At the same time, I'm encouraged to see that the shores has a different right of way on Second Avenue, which is much nicer. The city of Miami has just improved there.

Really, we're the only municipality with a landing strip going through our village. I think that that can be resolved, and the east-west connectivity for pedestrians and bicycles improved. That's what we have. I hope that you weren't expecting much more. We didn't want to put much time into this unless you guys feel that it's important as a 2021 goal and objective. Also, by the way, part of our comprehensive plan. I'll answer any questions that you may have.

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Vice Mayor Urbom: I'd like to just offer a couple of things and then correct me if I'm on the wrong path here. One of the largest priorities right now for residents, I believe is traffic calming. Just as you were saying, a lot of residents do not feel safe to be able to just go for a walk, cross at Seventh Street, cross Northeast Street, cross Miami Avenue. I know that we've hit a lot of roadblocks with the county in the past, right?

I'm not sure if any of you know who Philippe [unintelligible 00:47:27]-- I'm going to put here his name, but [unintelligible 00:47:29] He has been petitioning the State of Florida, or the county, the state anyone who will listen to lower the speed limit and change the design of Biscayne Boulevard because of the number of high-speed violent collisions from automobiles into buildings, into walkways, destroying crosswalk mechanisms, injuring pedestrians, all of it, right?

He has been emailing absolutely everybody, for years trying to get someone to pay attention to the design of Biscayne Boulevard. Because I drive for years. I think I said last time, I'm a confessed aggressive driver, okay? Now that I confessed that last time and you guys have all agreed that I shouldn't be an aggressive driver. That's great. What are we going to do about the other hundreds of thousands of people who are aggressive drivers that did not have the heart to heart with you that I just had, right?

That has to be addressed. Since he's been emailing, I have been much more conscious as I'm driving on Biscayne Boulevard. I realized, one of my phrases is, "You drive the road." That's what you do, you drive the road. If the road permits, then you go ahead. Biscayne Boulevard permits 55, 60, 65 miles an hour, easily. You get frustrated when people are doing 35 and you're like, "Why are you in first gear? Let's go." That road should not be that slick to be able to hit 0 to 70 off of a traffic light but it is.

We can't do anything about that here in El Portal, right? We don't control the county. In this plan, what I see is an opportunity, just as he's saying is instead of trying to fight nature and say, "Well, how do we wide?" Because a lot of the streets now in El Portal need widening if we're going to do two lanes. A lot of streets enough in El Portal cannot accommodate two full lanes. They need widening, right?

Just as what I'm was saying, a lot of the streets also are wider than a one way. If we would enact a plan in El Portal town to make most of the residential streets one-way, I believe that we could reduce our speed limit posted. We don't post the 30 mile an hour speed limit in residential, right? 30 miles an hour is the speed limit in residential. That's our outrageously fast because the rule is nine over. If you post 30, throughout the neighborhood, people will

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go 39 very comfortably and think it's okay. Because nine over is the rule. I will argue with anybody who thinks that it's not. Nine over is the rule, I promise you. Everyone feels comfortable doing nine over. They know they're not going to get pulled over. They know it's within the realm of correction, right?

I would think that with the one-way plan, we would be able to post with-- Honestly, like beautiful signage, almost, a 15-mile-an-hour speed limit. Now, that's still going to get you people driving 24, 25 miles an hour, but it's a lot better than the 0 to 50, between stop signs that we see every day, right? My hope is that if we can take this seriously in planning and zoning, that we would end up with a street plan that would be the envy of almost every municipality in Miami-Dade County because it allows us as what I was saying, we gain all of this square footage by the hundreds of square feet of space that we can turn into a bioswale that accommodates flooding, path for pedestrians, for bicyclists, and for wheelchair.

I think that it's a phenomenally good design. I would love to see if discussed this and planning and zoning move forward it. Am I on the right track here one with those key points of the goals of the plan.

Participant: I think you're dead on again. This is not a plan. This is just a thought.

Vice Mayor Urbom: Right.

Participant: The only thing that I will add is the safest streets are those that you don't have to post the speed-sign on. That's narrow enough to slow--

Vice Mayor Urbom: This is why I was thinking of posting the speed limit, though, because then we can go to the county and say you've got the speed limit out here said this when all of the speed limits in our community are posted 15. I think that would give us some teeth with the county to help them realize that the design and the speed limit on East Second and Miami should be adjusted. In my fantasies, speed limits don't get posted in miles per hour anymore.

I mean, it's ridiculous. Nobody even spends an hour in their car between destinations. All speed limits should be posted in feet per second. Then I think people would start to really think about how fast they're going.

Mayor Nickerson: Thank you Vice Mayor Urbom, Councilor [unintelligible 00:52:37] okay. Anything from the audience? Come on. For more do you guys have that one connected or because I remember-- Do you have to go? Okay, just go. Yes, well maybe you just step

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away a little bit or you could, [unintelligible 00:52:52] if you could just step to the side. No, you're good.

Chairperson Carpenter: Hi, Elizabeth Fata Carpenter 237, Northeast 86th Street. I just wanted to speak in favor of this idea as well. I know that it is a thought and not yet a plan. In addition to the walkability, which I think is incredibly important, I am someone who walks Northeast 2nd Ave. You hug away from the traffic because it is unpleasant and slightly frustrating. In addition to the walkability and the obvious safety implications of traffic, I just wanted to speak in favor of the resiliency measures that this involves.

We've been working with Miami-Dade County, the task force has been working with Miami-Dade County, about different options for preventing flooding, but also in using the efforts that are implemented to prevent flooding, to also increase walkability. Especially as it relates to permeable surfaces. I just wanted to let the village councilor know that that effort is ongoing and bioswales as you've mentioned, greenways and blue waves are all one of five solutions that the county has proposed.

This would fit very well within the county's plan to address some of those issues in El Portal. I just wanted to just speak in favor of that aspect of it as well. Thank you.

Mayor Nickerson: Thank you very much, Chairperson Carpenter. I appreciate it. Chairperson Carpenter sent out. She's always on top of things as the chairperson of the Sustainability and Resiliency Task Force. I think it was Monday, she sent out an email that show webinars that are coming up. I sent that out, I think to the task force, and I think that you guys will probably have it also. We really appreciate that chairperson Carpenter. Anybody else from the audience? Any questions about what we just discussed?

Anybody on Zoom? How are we looking at Zoom? We're good.

All right, you guys before we move on to the next agenda item, I do want to say this really quickly. I want to picture, Mr. Carpenter was not in any pictures when his wife is a citizen of the year, and I think that's horrible. He has a suit on. He's looking dapper. He's looking great. Really quickly, you guys, bear with us real quick, let's get a picture of Mr. Carpenter in it with their phone, maybe somebody from Full Moon can help us out really quickly and just take a picture with their phone so we can do that, because we can't have that citizen of the year and her husband's not in it. We got to have a minute.

[background conversation]

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Okay. All right, you guys, we'll move on to the next agenda item, which is the variance site plan approval with the approval of variance, possible [unintelligible 00:56:42] decrease the minimum 15 feet secondary front setback the side street to the 10-feet for the proposed readdiction plus other conditions as per the staff report. We can go right into one, the staff report. We can start there, I think. This is from planning and zoning meeting that took place earlier you guys, committee meeting.

Councilperson Pirela: Certainly. Could I request Camila to share her screen again, for the application to be up for-- We have to refer to an image maybe the public might want to see what we're talking about. In the meantime, I'll read this out. This is a site plan approval and request for variance for an addition to an existing house. It needs to go through site plan approval because it's more than 50% of the existing building, pursuant of section 17-57 of the code of ordinances.

This application requires council approval within the zone three, Z3 suburban residents. The application we've been working with the applicant for a little bit. The application has changed and gotten closer to the code to the point that it complies with everything other than the variance that is being requested, which is 10-foot to the east setback, which is a secondary frontage that Camilla is pointing at right now.

There you go. Thank you, Camilla. It's that side, what you see on the left of your screen is the way that this corner lot is fronting the street. The requirement of 15 feet cannot be achieved. The applicant is requesting that variance. I'd like to make a note because I understand that variances are not something that the council takes lightly. The rest of the existing building is at 10 feet. As is the building behind it, the one next to it. This is the side of one of the blocks.

There's only two buildings, fronting this street on this side, which would make the extra 5 feet honestly, an oddity. It would look odd. When you're standing on the street itself, you don't see that much of a difference. Camilla, I'm not sure if you have a street view of this. I'd rather show that for the residents as well so that they see the actual existing conditions. In the meantime, while she's showing you the frontage, you'll note that in darker color that those are the two additions to the building.

You have to the bottom right, closer to the interior setback, a two-story addition to the existing building. You see here, that's the side of the building. You see the distance between the right of way or the pavement rather to the actual building phase is deep

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enough. That extra five foot is hardly noticeable. You'll notice also the garage that cam is pointing at right now. There. Thank you. The addition will be behind that garage between that two-story building which is the neighbor's property.

Essentially, Planning and Zoning recommends approval with conditions, which I will read to you right now. "We recommend approval with conditions pursuant of section 1753 requirements and procedures for site plan review.

A, the applicant shows good cost for compliance with the land use regulations under the development standards of this chapter and chapter 24.

The conditions are as follows; either approval is obtained by variants which is the request of this application for a 10-foot site setback for the addition of the proposed rear elevation moving it to a 10-foot setback, 5 foot less to the east complying with a 15-foot side setback.

The application supporting documentation, construction of the proposed project shall be in conformance with the applicant submittal package dated 11.09.2020 and subsequent revisions. All representations proffered by the applicant as part of the review of the application at public hearings and all comments made by staff reviewers and unsubmitted to the applicant to be addressed prior to the building permit."

Those are the conditions that we have in our staff report. I'll answer any questions that you may have.

Participant: Again, you should call a proper hearing to order [unintelligible 01:01:53].

Mayor Nickerson: Yes, no problem. The third driveway was definitely taken away [unintelligible 01:02:01]?

Juan: Third driveway was taken away, yes. Not in the renderings, but we never go by renderings. We go by plans. Those are the ones that regulate the application. The renderings are just for visual purposes.

Mayor Nickerson: Vice Mayor Urbom?

Vice Mayor Urbom: I don't think I have anything new to add on this. I'm certainly glad that the only remaining issue is that this variance and that everything else is able to be brought up to code. I was fairly impressed with the architect's answers at the last meeting. I don't think I have anything new to ask on this.

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Mayor Nickerson: Thank you very much, Vice Mayor. Councilperson Pirela? You're good? Anybody from the audience have any questions or comments? Closing and open up for public hearing. Anybody from the audience have any questions or comments? Hearing none. Anybody on Zoom? How're we looking on Zoom? Okay, no problem. [silence] No hand? We're good.

Closed for the hearing. Like we said before you guys, this was spoke about in length at the planning and zoning committee meeting. That's why it was brought back here to the full council meeting. Juan, go ahead.

Juan: I have one more thing to add. I just want to make sure that I say it because we went through a lot of trouble to put together those design guidelines. I have to say that this application does meet those guidelines quite well. It fits within the context. It fits with the existing architecture. The openings are consistent with what exists there, so it's not something that stands out as an oddity to the neighborhood. I'd like to say that this is a good application in that respect.

I questioned whether or not they should have that rolling door for that garage, that is not a garage anymore because it has no-- but I'll leave that to the applicant. It's not a negative to the design. It's just a use, what would you use that for. It's neither here nor there. It meets perfectly well with the standards, both zoning and the design guidelines.

Mayor Nickerson: Thank you, Juan. The applicant is here. If you want to come up very quickly just so we can see your face, and then I'll ask if anybody has any questions or comments for you. Say your name and address for the record, please.

Gustavo Gonzales: Gustavo Gonzalez, 101 Northeast 87th Street.

Mayor Nickerson: Thank you very much. We appreciate you going back and correcting the things that we brought up at the Planning and Zoning Committee Meeting.

Let's go and see. One second, Attorney Geller. Anybody have any questions for the owner, questions or comments for the owner himself? Attorney Geller, the floor is yours.

Attorney Geller: We just want for the record for you to state that you do accept the conditions that were outlined by [unintelligible 01:05:20] for the record.

Gustavo: I do. I accept.

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Mayor Nickerson: Thank you for accepting those. Seeing that out there, how're we looking on Zoom? We're back here and there's no questions or comments for you. Thank you, again, for complying to the things that we spoke about last time. We appreciate it.

Attorney Geller: Mayor, for the record, then, you want to take a roll call vote on approval on granting the landing the variance and approval of the site [unintelligible 01:05:48] one vote.

Mayor Nickerson: Yes, absolutely, one vote for both things, but I did write both things. Thank you very much, Attorney Gellar. I did write both things out so that everybody understood when they looked at the agenda that both things that would be coming up. Juan, any closing remarks before I go for the vote?

Juan: Just to add, with conditions.

Mayor Nickerson: With conditions, yes.

Participant: Approve with conditions which were accepted on the record. Thank you.

Mayor Nickerson: Thank you very much. We're good up here, everybody else? All right, Madam Clerk, can I please have a roll call please?

Village Clerk Latimore: Councilperson Pirela.

Councilperson Pirela: Yes.

Mayor Nickerson: No, hold on. Can I have a motion to approve? [laughs] Can I have a motion to approve the site plan approval with the approval of the variance also with conditions?

Vice Mayor Urbom: I'll take a shot at it. I'll make a motion to approve the site plan, with conditions.

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

Councilperson Pirela: I'll second.

Mayor Nickerson: Second by Councilperson Pirela. Madam Clerk, may I please have a roll call, please? Thank you.

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Village Clerk Latimore: Councilperson Pirela.

Councilperson Pirela: Yes.

Village Clerk Latimore: Vice Mayor Urbom.

Vice Mayor Urbom: Yes.

Village Clerk Latimore: Mayor Nickerson.

Mayor Nickerson: Yes.

Village Clerk Latimore: The item passes, three- [unintelligible 01:06:50].

Mayor Nickerson: Thank you very much, Madam Clerk, I appreciate it. All right, you guys, thank you very much, you guys. Congratulations.

Participant: Congratulations.

Mayor Nickerson: Welcome to the community. We appreciate it. Special election update in the next 1H4. With this one, all I want to say, and Madam Clerk. I'll bring you in, all I want to say is congratulations to Councilperson-elect Ward, Councilperson-elect Martin. Madam Clerk go ahead if you just want to explain what happened.

Village Clerk Latimore: On January 15th, at noon, qualifying closed for the special election for the Village of El Portal for the two council seats, seat two and three. We had three persons who qualify pending certification of petitions from Miami-Dade County. At the end of certifying or petitions, we had two persons who qualified. That would be Council-elect Dr. [unintelligible 01:07:46] Ward for seat number two, and Ms. Darian Martin for seat number three.

Mayor Nickerson: Thank you very much, Madam Clerk. I appreciate that. You guys, we will be having them take their oath at the next council meeting, which is the February council meeting, which is the fourth Tuesday in February. I believe that's February 23rd, if I'm not mistaken. Somebody want to look at it? Thank you very much. I appreciate that, Vice Mayor.

February 23rd, we'll have them sworn in, you guys. The election would have been February 15th, and therefore we're going to have the first council meeting after when the election would have been, is February 23rd. The same way with us, our election would have been in

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the beginning of November, and we got sworn in November council meeting. That's how we're going to do it.

We do have Councilperson-elect Ward here. Good to see you, Councilperson-elect Ward. Attorney Gellar, the floor is yours.

Attorney Gellar: There's a very quick one there. Besides handing my congratulations to council person-elects, Dr. [unintelligible 01:08:42] Ward and Ms. Martin, I just want to say for the record, especially considering some of the other items, I want to note what a really great job our interim clerk, Pam Latimore, did on all of these election procedures. This ran extremely smoothly. There were no questions. There were no issues.

Obviously, there was somebody disappointed that they came up a couple short in terms of certified signatures, but that happens. I really just want the record to note that our interim clerk did an outstanding job on conducting this entire process and getting us through it in an efficient manner so the council will be back at full strength.

Mayor Nickerson: Thank you very much, Attorney Gellar. I appreciate that. Thank you very much Madam Clerk Latimore. We appreciate you.

[applause]

Village Clerk Latimore: It looks easier on the outside but on the inside, it was [crosstalk]--

Mayor Nickerson: [laughs] Thank you very much. We appreciate that. Do I have anybody from the audience that has any questions or comments about the special election update? There will be no special election. That's the update. No seeing that how I'm looking on Zoom? We're good on Zoom? All right, you guys, we go to the next agenda item. You guys are good up here? Oh, go ahead, Vice Mayor Urbom [unintelligible 01:09:52].

Vice Mayor Urbom: I think you need to just close the [unintelligible 01:09:54]. Sorry. Just for posterity, the special election would have been held February 16th. That's it. That's all I've got. [chuckles]

Mayor Nickerson: All right, I'm going to have February-- Thank you very much Vice Mayor. I appreciate it. Councilperson Pirela, are you good? All right.

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We're going to go on to the next thing. This is pretty simple, the policies and procedures manual. Madam Manager has a mic now. She doesn't have to run to the podium. Good to see you over there, Madam Manager.

Manager Christia Alou: Thank you. Thank you, a lot.

Mayor Nickerson: This is something that was brought. It was passed through the Administration and Finance Committee a while ago. I brought it back through the Administration and Finance Committee just to update you guys that it was passed a while ago, and it needs to be passed before council. I don't know why it never was before. Councilperson Pirela brought up some concerns about it. The Manager, I believe, made those changes that Councilperson Pirela brought up.

Manager Alou: Yes, I did.

Mayor Nickerson: She resubmitted a new version with those changes. Vice Mayor Urbom, do you have any questions or comments?

Vice Mayor Urbom: I do not.

Mayor Nickerson: Councilperson Pirela, you have any questions or comments? Thank you very much. Anybody from the audience, questions or comments about policies and procedures manual? How are we looking on Zoom, policies and procedures manual? We're good? I have a motion to pass the personnel policies and procedures manual?

Councilperson Pirela: I'll make a motion to pass the personnel policies and procedures.

Mayor Nickerson: Thank you very much. Motion made by Councilperson Pirela. May I have a second?

Vice Mayor Urbom: I will second that motion.

Mayor Nickerson: Second by Vice Mayor Urbom. Madam Clerk, may I please have a roll call for that, please?

Madam Clerk: Councilperson Pirela.

Councilperson Pirela: Yes.

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Clerk: Vice Mayor Urbom.

Vice Mayor Urbom: Yes.

Clerk: Mayor Nickerson.

Mayor Nickerson: Yes.

Clerk: The item passes, three-zero.

Mayor Nickerson: Thank you very much, Madam Clerk. I appreciate it.

Village Clerk Latimore: Thank you, all.

Mayor Nickerson: The next item is the 2021 El Portal government calendar. I tried to make a pretty calendar for you guys. We've never had it like that ever before That's the first time we've ever had a real calendar with the colors. I tried to color coordinate and stuff for you guys. [laughs] Hopefully you guys like that. This is just pretty simple for a formality, just showing our government events over the calendar.

I did add one thing to it. I think earlier today, I was looking through everything just getting prepared, last minute preparation. I was like the state of the village, so I'll send that to the Clerk, or the Manager and they'll send that out to you guys.

The state of the village is going to be the fourth Tuesday in August. You guys know August, usually we don't have-- August is vacation for government, so we usually do the state of the village the fourth Tuesday in August because we don't have a meeting. It'll be the fourth Tuesday in August.

State of the village, we have to do by charter. The mayor has to do it, so it'll be the fourth Tuesday in August at seven o'clock, the same time it would have been in a normal council meeting. I'll put that in orange on the updated calendar. That's the only difference, change to it but it's all good. Vice Mayor Urbom.

Vice Mayor Urbom: Once we have the public affairs meeting in March, I believe we'll have a number of things to add to this calendar.

Mayor Nickerson: Absolutely. It's a working calendar. I was thinking about you as I was doing it, when I was putting together, Vice Mayor Urbom. I was like, "Oh, Arbor day and

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stuff, and all the different stuff." Once we get the Little River clean up, once we get all those dates, we can just start putting it on there.

If you look at other municipalities, they have a calendar type of setup on their website. I'm going to speak to Miss Gerber. As you guys see with the emails I'm always [unintelligible 01:13:15] putting everything on the website that I possibly can. We'll get a real calendar on the website hopefully, so when you click it, then an actual calendar that you guys see that I've made up, that comes on. We'll just add stuff to it and things like that and continue to have it on the website. That would be great.

Councilperson Pirela, are you good? Anybody from the audience, any questions or comments about the 2021 governmental calendar? We're good? How're we looking on Zoom? We're good? You're good Attorney Geller? I'm going to ask for a motion to approve the 2021 El Portal government calendar?

Vice Mayor Urbom: I will make a motion to approve the 2021 El Portal government calendar.

Mayor Nickerson: Thank you very much. Motion made by Vice Mayor Urbom. Do I have a second to approve the 2021 El Portal government calendar?

Councilperson Pirela: Yes, I'll approve the motion.

Mayor Nickerson: Yes, thank you very much. I got second by Councilperson Pirela.

Councilperson Pirela: I'll second

Mayor Nickerson: Madam Clerk, may I please have a roll call for the 2021 El Portal calendar?

Clerk: Councilperson Pirela.

Councilperson Pirela: Yes.

Village Clerk Latimore: Vice Mayor Urbom.

Vice Mayor Urbom: Yes.

Village Clerk Latimore: Mayor Nickerson.

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Mayor Nickerson: Yes.

Village Clerk Latimore: The item passes three-zero.

Mayor Nickerson: Thank you very much. As far as the next item is the mid-year budget review date. You guys know we're coming up on the mid-year budget review. Madam Manager, would you want to chime in? We can do it on the same day as the council meeting if we want to, but you guys understand if we're going through the mid-year budget review, we're going through the budget, so we might want to make it on a separate date.

Village Manager Alou: Yes.

Mayor Nickerson: Being that's the case, let me pull up the calendar really quick.

Village Manager Alou: I would like to just make a recommendation of maybe doing a weekend, maybe a Saturday morning.

Mayor Nickerson: A Saturday morning. We've had that in the past.

Village Manager Alou: Perhaps that would be a good opportunity for all the departments to come and the recommendations come in. We'd go through them, and community can weigh in, if necessary, or at least ask questions about where we stand.

Vice Mayor Urbom: We're talking March, right?

Mayor Nickerson: You're saying March, yes.

Vice Mayor Urbom: Just keep in mind that March 20th is the Little River cleanup.

Mayor Nickerson: It's March 20?

Vice Mayor Urbom: I believe it's a tentative date, but I believe it's written in ink, if that makes any sense. Unless there's other unforeseen obstacles, that is the date that they chose. I would recommend either the 6th or the 13th.

Mayor Nickerson: I'm good with either one of those dates. I'm looking right now at the calendar. Councilperson Pirela, how are your Saturdays scheduled? Are they bad for you?

Councilperson Pirela: 13th should be fine.

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Mayor Nickerson: You sure?

Vice Mayor Urbom: The other thing I was looking at is that the deadline for FEMA's response to us is the 12th. I would also say the 13th is ideal because we should have all of our pieces by the 13th.

Mayor Nickerson: Remember, even though that's the response, we wouldn't have time to really--

Vice Mayor Urbom: This is true.

Mayor Nickerson: We would know, though. I understand what you're saying. If you guys want to do a Saturday morning, which is good because then you have residents that may be able to attend, [unintelligible 01:16:49] and start to attend, and join us on a Saturday morning.

If you wanted to keep it during the week, it would have to be the 16th or something like that, but you're talking about all four Tuesdays in a row that month, which might be a little bit too much because we have committee meetings and the full council meeting.

13th everybody? Yes? We're good? Anybody from the audience have any questions or comments about the mid-year budget review where we'll go over the mid-year budget review? We're thinking about Saturday, March 13th. Any questions or comments about that in the audience? Seeing none. Zoom, we're good? Thumbs up on Zoom. We don't need a roll call for that. We're good. 13th? March 13th? Nine, ten o'clock AM?

Village Manager Alou: You could do 9:00 to 11:00 or 10:00 to 12:00.

Mayor Nickerson: 10:00 to 12:00?

Vice Mayor Urbom: I think 10:00.

Mayor Nickerson: 10:00 to 12:00?

Vice Mayor Urbom: Yes.

Mayor Nickerson: 10:0 to 12:00, you guys. I will add that to the calendar before I send it out to the Manager or the Clerk. We're good. I'll just close that up real quick.

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Next item is the Police Chief evaluation and possible pay adjustment. I looked over the evaluation. I've said it before, I'm not going to go too deep into it. The Chief is always there for whatever we need. He's there for me at all times of the day or night, keeps me updated on everything at all times. Madam Manager, the Chief has been working for us for how long?

Village Manager Alou: I think it's been about 19 months now.

Mayor Nickerson: About 19 months.

Village Manager Alou: At the end of May will be his two-year anniversary.

Mayor Nickerson: End of May will be his two-year anniversary. Madam Manager, if you just want to open up the evaluation process you went through with the Chief. Chief, I don't know. You might want to come to the podium just in case we have any questions or comments we might want to ask.

Village Manager Alou: I don't know that we need to get so detailed about the evaluation because as you all know, he's done a gentleman's job with the department, changed the culture of the department, really brought a sense of security and safety to the village itself and to the administration. I know that you all have appreciated his efforts as our Chief.

He got very good marks, as you see. He was able to do so much in this past 18 months that he's been with us that he was evaluated on. A lot of what that was curing some past ills. Now that things are in a great place, he's able to focus on innovations. We talked about some of those things in that evaluation, in our meeting.

I'm looking forward to more time with Chief Magnusson and see what he can really do with the proper resources. We're working on those things together. I recommend the 5% increase to salary. I wish it could be more, but as you all know, we have to be conservative and do what's proper. That is my recommendation. I hope you support that.

Mayor Nickerson: Madam Manager, 5% would be what type of monetary increase to the Chief's salary?

Village Manager Alou: The 5% increase would take Chief Magnusson's salary to \$78,750 annually. He makes \$75,000 now, so it's \$3,750-increase.

Mayor Nickerson: Thank you very much, Madam Manager. Vice Mayor Urbom.

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Vice Mayor Urbom: I would just say that, going through the evaluation, that it seemed that the one low score was in a category that, in my opinion, was largely out of the Chief's control. I would just echo the Manager's words in praise of Chief Magnusson. Sincere gratitude for a phenomenal job that he'd been doing for the village of El Portal.

Mayor Nickerson: Thank you very much. Councilperson Pirela, are you good? Anybody from the audience have any questions or comments about the police chief evaluation?

Councilperson-elect Ward: [inaudible 01:21:05]

[applause]

Mayor Nickerson: [laughs] That's what I was going to the podium for, to thank him and give him a hand. I appreciate that, Councilperson-elect Ward.

Anybody from Zoom? How are we looking, Zoom? Thumbs up? Do I have a motion to approve this pay adjustment? Do we need a motion for that? We don't need a motion for that, because we don't vote on that. We don't vote on that. The Manager's just letting us know what's going on. That's all.

Village Manager Alou: I just ask that you support. I wanted you to know and be aware of it.

Mayor Nickerson: Yes. We'll show our support. We'll do all the people. Ate. It won't be a roll call. Do I have a motion to support the police chief evaluation of pay adjustment?

Vice Mayor Urbom: I'll certainly make that motion.

Mayor Nickerson: We made that motion by Vice Mayor Urbom. Do we have a second?

Councilperson Pirela: I'll second that.

Mayor Nickerson: Second by Councilperson Pirela. All in favor, say aye.

Everyone: Aye.

Mayor Nickerson: All opposed say, nay. Hearing none. You have our full support, Madam Manager. Great job. Great job, Chief. We appreciate it.

[applause]

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Mayor Nickerson: The next thing is the [unintelligible 01:22:09] fee adjustment and public benefits. We brought this up last time at the Administration of Finance Committee. We said that we were going to do it staggered, turning things like that.

Let me just say this. I didn't do an ordinance. I'm going to have Attorney Geller jump in in a second. I didn't do an ordinance. We're starting more in a slower path, so we're just throwing out there whatever.

I decided that I wanted to have you guys support it, to start off with a directive or to instruct the attorney and for Plusurbia to make sure everything is good with the development agreement and make sure with us doing this, it doesn't affect any other part of the development agreement, and to give the individuals, the residents, more time to just know what we have planned and do everything in transparency as we were doing it.

That's the only reason why I slowed it down from doing the first ring of the ordinance now. I wanted to wait till the new members were also set because they'll be part of the Council also. Attorney Geller?

Attorney Geller: Thank you, Mayor. There really are two things. It's probably two different ordinances. We have, currently, a public benefit section of the Code of Ordinances. It was prepared, as is most of our form-based code, by Plusurbia under Warren's direction. There's a part of it that was adopted and then, simultaneously, was amended to provide for the receipt of these fees.

Separately, there is a development agreement with Kavista, their operating group, LLC, that calls for the payment of these.

I think both need to be amended. I think we need to amend the code section to permit us to receive the fees for a purpose other than what's stated in the code, and we need to amend the development agreement which is adopted by the ordinance. Note that that requires the other party of the development agreement also to go along with it, Kavista LLC.

It is frankly a very detailed and very thorough piece of work that Plusurbia has given us. It deals with the floor ratio. It's square foot by square foot. There's a ratio to accept it. To use the funds for another purpose, we want to be absolutely certain that we're allowing more flexibility in the use. The council has given some general direction as to how much we're talking about. We want to be certain also that we don't do anything that's going to take them off the hook from having to pay the same amount.

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We're not looking to increase the amount at all, but we are looking to broaden the purposes for which it can be used. This motion, it's not a resolution. It simply directs me and our village planners to work together to come back to you with an ordinance, or really, I think it's two ordinances, for first and second reading, to accomplish what the administration and finance committee voted to have done.

Mayor Nickerson: Thank you very much, Attorney Geller. I really appreciate that. The reason why this happens, because you guys know how, in the past, things can get started and then things that were-- This is something that we really need because we really need this with the police department and stuff. Things can get started and they fall to a wayside. This is like officially just a process started.

I don't know if you guys look at it, but it tells Plusurbia, tells Attorney Geller, "You guys, get together, start to go through this, start to set the language up to get this done the right way. Start to write the ordinances." This officially starts to get the project started so that it just doesn't fall to the wayside, and then six months from now we're like, "Oh, maybe we should've really jumped on that, " and then we're really bad shape.

I just want to pass, this as a council to instruct and direct them to get the work started so that there's no gray area about it. Start going through the material. Start to get this started so that we'll be in better shape down the line. That's basically what this is about. Vice Mayor Urbom?

Vice Mayor Urbom: I have a question for Attorney Geller. Regarding this, has there been any discussion whatsoever with the Kavista LLC?

Attorney Geller: I actually had a fairly extensive conversation with their attorney end of last week. It was mostly focused on the fact that we are, and I was going to mention this in my report, we are also moving forward on the revisions to the building fee ordinance as so far as the building permit fees, but this is another thing that we need to take up with Kavista. They are asking us for some relief on that building fee ordinance. I think we're moving in a positive direction there.

This wouldn't cost them anything. It's just how we spend it. Presumably, while both are moving forward, we think there won't be a problem with having them agree to the amendment, I should say, to the development agreement that will give the village more flexibility as to the spending and proportion of the funds.

Vice Mayor Urbom: Okay. Very good. That's really [unintelligible 01:28:03] my question.

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

Councilperson Pirela: I do have something to say. I'm just going to put it on the record. As I was talking to Mr. Geller earlier today, I had the chance to look at the agenda items.

The directive, as much, I don't see it here in this piece of document. I wanted it to be very specific in how we're actually going to spend this money and how it should be the council's decision how the money is going to be used, not to have--

I know that the village manager's position allows it to have some expenditure up to \$5,000 without even asking the council. I don't want this to be part of that decision. I just want this money that's going to be moved to a specific purpose in solving problems that we have in the village. I just want to--

Vice Mayor Urbom: Are you referring to the discussion from the finance committee of allocating--?

Councilor: The \$350,000 [crosstalk]--

Vice Mayor Urbom: Right, from each individual payment allocating a certain specific set amount [crosstalk]--

Councilor: Yes, exactly, not to be spent on anything else than the purpose of [crosstalk]--

Vice Mayor Urbom: We get two splits for each payment, and you want that to be--?

Councilor: Also, how the payment has been split. Right now, we know we have \$366,000 so we just start with \$100,000, and then the second will be \$150,000, and then-- because it would be more closer to the reality for us to get \$1.1 million. The first draw should be \$100,000. Go ahead, Mr. Geller.

Mayor Nickerson: I think you're going to say what I'm going to say. Go ahead, Attorney Geller.

Attorney Geller: This is not intended to be anything different than whatever administration and finance said, but my understanding is that, and Councilman Pirela has had this conversation with me, he wants it to be explicit, and wanted something we'll need to take into account, that the money that is to be taken out of green space and be used for other purpose

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will be used only at the specific direction of the council, that it will require a council vote to decide how that money is to be spent.

Mayor Nickerson: Correct me if I'm wrong, Attorney Geller. Councilman Pirela, what you're asking, that would be in the ordinance?

Councilperson Pirela: Yes.

Mayor Nickerson: This is just to get the process started. That wouldn't be in here. This is just to get the process started to give them the guidance. When we get to the ordinance, then that specifically will be in the ordinance.

Attorney Geller: The point is that the Councilman expressed that to me, and I said, "This is just a direction to us to draft, but I'm keenly, and I suggest that it should be put on the record." In our draft, we'll put something in that says the money is to be expended at the direction of council only. I certainly am going to make sure that that's in our draft as we move forward.

The point to that is to the extent that the Councilperson wants to give that guidance if anybody else has that guidance, obviously, it's still subject to introduction. There'll be a first reading where you'll have five members, and then there'll be a second reading.

They may not necessarily both be at regular council meetings. We have some flexibility about that, but the idea is that there has to be both the first and second reading of the ordinance. The first certainly, it's still subject to any further amendment that you deem necessary.

Limited amendments are permitted at second reading depending on the nature of the amendment. It's still going to be subject to the public comment, the public knowing that this is coming. This is advance notice for anyone that does have particular issues or concerns, but it will go through the process of a first and second reading in order to be approved. It'll be voted on by a full council. Noted, Councilmember Pirela. We hear it.

Councilperson Pirela: Okay. [chuckles] Thanks.

Attorney Geller: Thank you.

Mayor Nickerson: I appreciate you guys. Let me open up the public comment really quickly. Does anybody from the public have any questions or comments about this particular

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subject? Yes, I was going to come to you next. I was going to come to you next. How's it looking on Zoom? We're good? I'm going to close for the comments. Juan, I was coming right to you. Go ahead, Juan.

Juan: Thank you, Mr. Mayor.

Mayor Nickerson: No problem.

Juan: I think this is really the first time that we've been able to really talk about this. I just want to say now that the sunshine and all, so that I have everybody here, we really have to look into this especially if we have to change the code.

We're going from- I'm going to call it trading; trading square footage for square footage. We've gone from that, which is what the code says, so there's no money exchange to money exchange for a specific purpose that is related to the additional square footage. In other words, the more units you have, you trade it for open space which is a benefit to additional people that are going to live there., to a fund that is now non-specific or specific for something that might be other than supporting additional people that are moving in there.

I just want to make sure that if we do change the code, I need very specific direction as to how we're going to do that, because I'm going to have to go back to statutes and we're going to have to make sure that we are completely on the book, that we're doing this completely legally and we have crossed every T and doted every I because this is not an impact fee. We have to look at whether or not this is a way out of impact fees, which would be a problem.

Mayor Nickerson: When I was speaking to Attorney Gellar, we were working on this for hours [chuckles] which is why we decided to start the process to get a direction so that they can go through everything and we can get it done the correct way.

Juan: I honestly would prefer not changing the code.

Mayor Nickerson: I understand what you're saying.

Juan: I changed the code at your pleasure, let's say. You have to direct. You represent the people, and you, as representatives of the people, need to tell us how the code needs to be. We, the professionals, need to make sure that it's legal within the statutes and in the legal conditions, but we will have to advise you whether or not we are treading a fine line or not.

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Mayor Nickerson: I understand, Juan. Thank you very much. Again, you guys, all we're looking to do here is we're just looking to take the money that's coming in. We're not looking to change anything. We're looking to take the money that's already coming in for the green space. From my understanding and what I've always been on about is because- is that from the tradeoff of the green space to what was built was the 800,000. We're barely even touching that. We're just going to that a little bit.

Like I said, this is why I'm doing it this way so that we get the process started and Attorney Geller and our planners and for Plusurbia can go through everything and do things the right way so that we're on the up and up with everything.

Anything else from anybody on the Council to get this process started before I start to ask for--? Go. No, I closed it. I closed it. When Juan was on his way up, I closed it. Anybody else? You guys get up here?

Vice Mayor Urbom: My question was actually going to be for Juan in terms of what his position on this was. I think he answered that succinctly. Like I had said in the admin and finance committee, assuming that this would even be a possibility, assuming that it would even be a possibility, what number did I say?

Participant: 70.

[laughter]

Vice Mayor Urbom: I [unintelligible 01:36:57] I say? If it turns out that we got to hold at eight, I think I'm obviously comfortable with that since I was pushing for not moving it at all. For some of the residents, this might be a tricky one because if they had not seen admin and finance committee meeting where we talked about this for about an hour, then there-- I would recommend anybody at home watching and you're thinking what are they even talking, about go to the admin and finance committee meeting from January this year, and-

Mayor Nickerson: The 12th, I believe, was it?

Vice Mayor Urbom: -you'll be entertained for hours. You'll be up to date as well. Having said that, I certainly agree with Juan in terms of-- I guess that's the idealist to me coming out. On the other hand, if we do have an avenue and it is legal, and we are able to do it, then, as I said, I'm amenable to discussing the options. I agree that any ordinance, obviously, would be very detailed in its prescriptions.

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Mayor Nickerson: Absolutely, absolutely. That being said, seeing no more, hearing no more from anybody else, everybody else, we're good? Zoom is good?

Let me get the exact language. Do I have a motion to approve the [unintelligible 01:38:28] fee adjustment public benefits directive to get started? Do I have a motion to approve that?

Councilperson Pirela: [inaudible 01:38:36] changes for the first and second--

Mayor Nickerson: Ordinates?

Councilperson Pirela: No, the [crosstalk] [unintelligible 01:38:45] 150?

Mayor Nickerson: Hold on a second.

[crosstalk]

Vice Mayor Urbom: I believe that-- Because we don't know if we can do that yet, I think what we're trying to accomplish right now is approve the directive to allow them to--

Mayor Nickerson: To start, yes.

Vice Mayor Urbom: -go to the process because--

Councilperson Pirela: What [unintelligible 01:39:08] here it says, first payment.

Vice Mayor Urbom: I'm with you. The payment would still be the same. The question becomes where--

Councilperson Pirela: Whether we can do it or not--

Vice Mayor Urbom: Yes, but the payment--

Councilperson Pirela: The first payment which is what the money is already in, that should be 100, not 150.

Mayor Nickerson: You want to do 150 where, Councilperson Pirela? At the end?

Councilperson Pirela: The second.

Mayor Nickerson: The second one?

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Councilperson Pirela: The second one.

Mayor Nickerson: What's the difference between the first and second? The police officers need the money sooner more than later. We just had a police officer, Saturday night, that was- he was in harm's way, ended up chasing down a suspect. His s car is now messed up. Now, we have a full-time police officer without a car. Now, we're even worse off. I think the 150 needs to be in the first one. It's dire.

Attorney Geller: Mayor, let me just point out that if you direct us to draft, we still have to [crosstalk]--

Mayor Nickerson: I understand. It can change.

Attorney Geller: It's not final.

Mayor Nickerson: Yes, it's not final. This is just to get the process started.

Attorney Geller: It's not the ordinance, and in that we don't have an answer yet if this is even possible.

Vice Mayor Urbom: There is a way. For policing I think it's--

Attorney Geller: Where there's a will, there's a way. Sure. The point being that--

Mayor Nickerson: Do I have a motion to approve the [unintelligible 01:40:34] fee adjustment public benefits directive?

Vice Mayor Urbom: I'll make a motion to approve the directive for the [unintelligible 01:40:42] fee adjustment.

Mayor Nickerson: Thank you very much. Do I have a second?

Councilperson Pirela: I'll second.

Mayor Nickerson: Thank you very much. Moved by Vice Mayor Urbom, second by Councilperson Pirela. Madam Clerk, may I please have roll call please?

Village Clerk Latimore: Councilperson Pirela.

Councilperson Pirela: Yes.

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Village Clerk Latimore: Vice Mayor Urbom.

Vice Mayor Urbom: Yes.

Village Clerk Latimore: Mayor Nickerson.

Mayor Nickerson: Yes.

Village Clerk Latimore: The item passes three-zero.

Mayor Nickerson: Thank you very much. I appreciate that. Now we're moving onto the resolutions ordinances. Attorney Geller, I'm going to bring you in on this, also.

Backstory, during the last council, before I was sworn in, we had a former clerk, Ms. Jacobi, who was with us for many years, served with us for many years, was a great village clerk, was always there, loved by the residents, always went above and beyond.

She was unceremoniously- put it that way-- She was kind of dealing with a lot back then, you guys, and it led her, she said because of a hostile work environment, to put in her letter of resignation. Once she does that, she had 30 days to finish working out, per her contract, but the attorney at that time, and some on the council at that time decided to have her not finish her 30 days where the clerk, like the manager, like the attorney, is hired, fired, given directives from the council.

It wasn't the full council that decided to not allow Ms. Jacobi to finish off her employment. It was never brought to the full council, or even give us a choice of that.

On my quest to continue to correct things from the past, and to continue to save the Village as much money as possible by anything that might come from a pending lawsuit or anything like that, I spoke to attorney Geller, then discussions with former clerk, Jacobi. We found a way to settle everything down where she would release any and all legal action against the Village- it would cost us a lot of money- and to reinstate her.

Attorney Geller, I'm going to let you come in now, and then I'll come back on the back end.

Attorney Geller: The Village has been very ably represented by Gus Bravo in this matter. Ms. Jacobi was represented by Matthew Sarelson. They have been in conversations with each other, and I've been in conversations with both of them.

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There are a number of claims of record that she had against the Village for some severance, in part just under the contract, in part because she was precluded from finishing out the term of her notice.

There were also claims that she could've brought related to the hostile work environment. She would be having attorneys' fees. Her attorney had asked for \$7,500 to that point, and we would be paying because the Village had determined to have retained outside counsel. Again, probably something I could have taken over, but we were being well represented in the matter.

The settlement calls for a payment only of some back salary that she was owed and had never received, and for just over half of the amount that her attorney had requested, only \$4,000 of the \$7,500. It also cuts off any possibility of other attorneys' fees to her attorney, and it limits our attorneys' fees should we have continued with the outside counsel, Gus Bravo, to whatever was involved in reaching the settlement.

She comes back with an hourly raise that she points out she had not received in a number of years and had been, in her view, promised.

In terms of an out-of-pocket expenditure for us, it's extremely limited, and we get back a good employee. I say that with great regard for our interim clerk who has always made clear that her status was going to be only as interim.

There are a number of benefits to us. Operationally, it's helpful. From a financial standpoint, I think it's advisable. You have a summary of the bullet points. There is actually, as of, I guess it's today, there's a full written document that expands on all the different things we're being released from. There are just a whole range of potential claims that we're getting a release from.

She continues, basically, under her previous employment agreement. She was working between 30 and 40 hours a week. She continues at that rate. It's a pretty low rate, in terms of the overall, compared to other clerks.

As I said, there's a full written document executed, except by the Village, pending council approval. The summary of those bullet points is attached here. I recommend it. It seems like a good solution, pretty much all the way around. The Village does give an apology for the hostile work environment, and we agree that we will take steps so that that does not occur again.

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It does say that we will attempt to turn the position full time, but frankly, that is- and the former, and possibly again, clerk understands the Village is extremely constrained financially right now- that's something we agree to do if and when we're financially able to do so, which is not this minute. She's aware of that.

I think that summarizes all the essential terms. As I said, I recommend the settlement. I think it's a win-win. It ensures that money isn't paid in legal fees, and it ensures that we're not liable for damages or severance or anything else.

Mayor Nickerson: Thank you very much, attorney Geller. I'll just move on to Vice Mayor Urbom for now.

Vice Mayor Urbom: [chuckles] Personally, I think this is a good resolution. Personally, I would be very glad to have Clerk Jacobi back, but I don't represent myself up here, I represent the residents, and so, if you could, Attorney Geller, please just speak a little bit more to the decision to bring the hourly from 28 up to 33- I think I calculated that at like 17%- if you wouldn't mind.

Attorney Geller: Her attorney actually had also requested, for what it's worth, that we agree that there would be an annual raise of a dollar an hour or more every year. I should say that we rejected that and said no. There is a procedure in there for annual evaluations, and raises can be tied to the annual evaluation, but they're not guaranteed, and that we would not agree. As much as we wanted this deal, we rejected that and said we would not agree to that, that we were going to rely on what's there.

Her point is twofold. Number one, that she did not get evaluations or raises, even cost-of-living raises, for, I believe it was two or three years that she felt she should have been receiving.

Secondly, competitively, we've had the position open for a long time. We've been fortunate to have someone of the skill of the interim village clerk who is certified to be available to help us in this time, but we haven't gotten much in the way of any interest for anybody qualified to serve in the position because we are way below what other municipalities pay for clerks. I think that was a substantial factor in the interim clerk's decision that she would not pursue this on a permanent basis also.

It's, A, something she that she feels she was entitled to but, B, to get her to agree to come back, we have some competitive forces. My understanding is she's giving up quite a bit in what she's making at her new job and taking a substantial pay cut, even with the raise, to

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come back here, and without some adjustment that she felt she was already entitled to, she wasn't willing to forego that much more in salary. There's a competitive element to it as well as-- It's not just an entitlement.

Mayor Nickerson: That's very helpful because I know that there's going to be, certainly, pointed questions from the residents on that exact issue. I'll leave it at that. I'll leave it that. Anyone else? Councilperson Pirela? You okay? I don't want to say too much either. We'll turn it over to the public. Anybody in the audience have any questions or comments about the reinstatement of Clerk Jacobi? How about up on Zoom? Okay. Do have a motion to approve the reinstatement of Clerk Yenise Jacobi?

Attorney Geller: And a settlement.

Mayor Nickerson: And a settlement.

Vice Mayor Urbom: I will make the motion to approve the settlement agreement with Clerk Jacobi and reinstate her as well.

Mayor Nickerson: Do I have a second to the reinstatement and settlement?

Councilperson Pirela: I'll second the motion.

Mayor Nickerson: Motion moved by Vice Mayor Urbom. Motion second by Councilperson Pirela. Madam Clerk, may I please have a roll call, please?

Village Clerk Latimore: Councilperson Pirela.

Councilperson Pirela: Yes.

Village Clerk Latimore: Vice Mayor Urbom.

Vice Mayor Urbom: Yes.

Village Clerk Latimore: Mayor Nickerson.

Mayor Nickerson: Yes.

Village Clerk Latimore: The item passes, three-zero.

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Mayor Nickerson: Thank you very much, you guys. Before we move on, I just want to say really quickly, I spoke to her and everything and so she'll be beginning on the 1st-- Put that there. She'll be beginning on the 1st of February.

There's something that, though, I did want to bring up to you guys because we are living through COVID and a lot of times, people's employment is not good. Government is a strange thing sometimes. You have job security, in a way, but then [chuckles] you have no job security because you can be here and gone [inaudible 01:52:39] in government. Especially in local government, you'll see that you'll have individuals that might be working here, might be working in this city or that city, and things like that happen.

Sometimes it can be a shock to where you come in and you have your position, you have your job one night, and because no fault of yours, you don't have it anymore. That just happened to Clerk Latimore.

In my heart, I cannot cut her off tomorrow. I think that we should- I would say two weeks, but at least a week- we should leave her on the payroll because it could be a shock to anybody. Somebody comes into work tonight and then by the time they leave tonight, that's it. There's just no more payment at all.

What do you guys think about that? Vice Mayor Urbom, and then I'll come to you, Councilperson Pirela?

Vice Mayor Urbom: Well, I certainly agree. Clerk Latimore came in in incredibly difficult circumstances and has done a phenomenal job. I would say that I would support at least two weeks.

To be perfectly honest, from the same point that you're taking it in terms of from a human, empathetic standpoint, I would honestly support 30 days, to be perfectly honest. I know a lot of residents would take issue with that and say, "It's foolish. It's not wise," but certainly two weeks, I can absolutely agree to that.

Mayor Nickerson: I think two weeks is a good middle point. Councilperson Pirela?

Councilperson Pirela: I agree with that. Two weeks should be fine.

Mayor Nickerson: Yes, Attorney Geller?

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Attorney Geller: Mayor, just for the record, it's not as if Clerk Jacobi does not know the job. She certainly does, but she's been gone for a number of months and there's certainly- operationally, it's advisable to have the interim clerk go through with the returning clerk, everything that has occurred and bring her up to speed on all the stuff that's happened that she's missed.

Just to be clear, there is a perfectly valid municipal purpose in doing this for the purpose of making sure that the transition is absolutely complete. That said, it's not a matter of knowing the job, but there are a lot of things that have passed. There's a lot of things that need to be closed out, looked at, wrapped up. Everything needs to be signed. I just want the record to be clear there's a valid municipal purpose for that as well.

Mayor Nickerson: Thank you very much, Attorney Geller. We'll do "all in favor" on this, you guys. Go ahead, Councilperson Pirela-- I mean Vice Mayor Urbom. Sorry about that.

Vice Mayor Urbom: In light of what Attorney Geller is saying, I'll just say that four weeks from tonight, might not be 30 days but it'd be 28 days, but four weeks from tonight will be the February General Council meeting. That might be even an appropriate time to publicly acknowledge Clerk Latimore's service, give Clerk Jacobi and Clerk Latimore ample time to be on the same page.

Not to throw too many wrenches in the machine here, but I would support four weeks.

Mayor Nickerson: I hear you, Vice Mayor Urbom. I feel you, my brother. I hear you, but I just think that-- I understand, and I don't disagree with what Attorney Geller said, but Clerk Jacobi was here for a long time. I think she'll come back, and within like two days, she'll hit the ground running.

Vice Mayor Urbom: We know it.

Mayor Nickerson: You know this. I would stick with two weeks, but we'll hear what Councilperson Pirela, what you have to say.

Councilperson Pirela: I agree with the first option we had. Two weeks, it's a good time. We were going through the hiring of a permanent position anyway so it's not like it's something by surprise or anything like that. Two weeks is--

Vice Mayor Urbom: Are we saying two weeks from the 1st- Or the 31st, right? We're saying from tonight? [crosstalk]

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Mayor Nickerson: No, I'm saying from tomorrow morning. [crosstalk]

Vice Mayor Urbom: The 8th. [crosstalk]

Mayor Nickerson: No, I was saying from tomorrow morning. Yes.

Vice Mayor Urbom: We're saying now to the 9th, I guess, right?

Mayor Nickerson: Yes.

Vice Mayor Urbom: Okay.

Mayor Nickerson: I was saying two weeks from tomorrow morning, because we have to understand-- Vice Mayor Urbom had-- Humanity-wise, I agree with him 1,000%, but we have to pay both of them at the same time, and for four weeks to pay both of them is a lot of money for the village.

Vice Mayor Urbom: Yes, I'm giving our mayor some palpitations, I know. [chuckles]

Mayor Nickerson: To pay both for four weeks is a lot of money. I think two weeks is our limit when it comes to that.

Anybody from the audience have anything they want to say about any of this as far as the reinstatement? Yes, come to the podium. Say your name and address for the record? [silence]
Can you come to the other-- I don't think that one's working tonight. Thank you very much.

Velvet Connolly: My name is Velvet Connolly. My address is 3055 Northeast 87th Street

I know when I came in to find out about the special election and I saw Miss Pam and was able to talk to her in great detail about a lot of things and better understand her job and the pressures that there are, I know I was astounded. I know that I had actually said that to her. I was like, "Well, we need to find a way to keep you here." [chuckles]

I think, as I sit in the meetings, and it might be a moot point, I'm not sure, but as I sit in the meetings, just to be honest, it is a frustrating perspective that it's like we're not going after the best. We're not trying to do the most. We're constantly scraping and scrounging and doing what we can. I understand if that is the situation.

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As a resident, I would really love to see more push to solve that, to see it as a problem, not as like a, "Well, this is just how it is, and we have to work with it." Yes, we have to work with it, but it should be corrected. It just shouldn't be the order of the day that we just absolve ourselves to constantly not being able to do what's in the best interest of the Village because we simply can't afford it.

I know that money doesn't come out of the thin air, but I think you guys, at least from what I've

seen there our residents. There are so many people that seem to be willing and have skill sets that may be underutilized where maybe there can be a drive toward how can we have the money that we need as the village to do what really is in our best interest?

Mayor Nickerson: Yes, I hear you. Understand what you're saying. The first thing that I would say is that she's being reinstated in her part-time position. In March, we're going to have that mid-year budget review. Then from there, we'll be talking about fulfilling the full-time position for the clerk position. That job will be going out, eventually, be opened up and things like that. That's the first thing.

The second thing is, I understand what you're saying, and I agree with you 100%. Clerk Latimore was very essential to the village for the time that she's been here. I don't know if you've ever come into contact with Clerk Jacobi.

Velvet Connolly: No, I want to be clear. I'm not speaking-

Mayor Nickerson: She's been here now-

Velvet Connolly: -in reference to her at all. I've never met her so I'm not speaking about that. I am just saying in general, it seems like that's the consensus when there is an issue that it's like, "Oh, we don't really have the money, so we just have to do whatever we can."

Mayor Nickerson: No, I understand what you're saying. I understand what you're saying. We're trying to correct that. Part of the other agenda item for the development piece is another step towards that, towards not being able to just settle for whatever. I encourage you to continue to come. You already know how I feel about you. I wish one day you're up here with us. Even if I'm not here, I want to see you up here because I think you should be up here.

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Once you start to come in contact with Clerk Jacobi, I think that you'll realize just how great of an individual she is for the village.

Velvet Connolly: No, definitely, but she needs to be paid too. [laughs]

Mayor Nickerson: No, I understand what you're saying. I understand what you're saying. Like I said, that's why we're having the mid-year budget review in March. Then, we can see what we have and see how we can work things. Then, once we put that job, that position full time, we can open it up and really do what we can. You're absolutely right and I appreciate it. Thank you.

Velvet Connolly: Thank you so much.

Vice Mayor Urbom: If I could, I'd like to address as well. I don't have an interest in raising old drama, but I do want to clarify just a couple of things. The first is that the primary reason we're in this situation is because, without mincing words, we had an attorney who took that decision out of the hands of the council. That's what happened in a nutshell. This action in terms of reinstating her is a correction of that which was removed from the council.

The other is that, from the beginning, I do believe Attorney Geller is correct in saying, and Clerk Latimore, please correct me if I'm wrong, but she had expressed fairly sincerely from the beginning that she really did not have an interest in being here for a long time, full-time. We are truly lucky to have had her through all of this because as Attorney Geller had said, our candidates were--

She was head and shoulders above the other candidate in that scenario, with her declaration that she really did not have any intention of staying on beyond the interim period, that that initiated a search for a clerk. In that search, as Attorney Geller had stated, it became even more evident that we were originally quite lucky to have Clerk Jacobi with the skills and the diligence that she brought to the job.

I think some residents will look at one of the items in the settlement agreement which reads, "The village apologizes for the hostile work environment and agrees that in the future she will not be subjected to one." The reason we can make that guarantee is because recently, there was a decision from the Ethics Commission on a Sunshine violation. It said there was no Sunshine violation. What it outlined very clearly was that there was a single councilperson who lodged multiple complaints with her, which essentially was her allegation for more than a year. She sought help from the council and quite frankly from our attorney for more than a year to resolve that matter.

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Mayor Nickerson: Prior attorney.

Vice Mayor Urbom: Yes, priority attorney. [chuckles] There was a fantastic amount of drama which obviously is wasteful through that entire process. That is in a nutshell how we've arrived here tonight. I hope that helps. I don't know if it's [crosstalk]

Velvet Connolly: Definitely. I agree with that. I just want to be clear though. I wasn't really referring to this situation because I knew nothing about it. The part that I did hear tonight and that I did speak with Ms. Pam about was more the financial aspect of how this is all playing out. I was just speaking on that part.

Mayor Nickerson: Yes. I appreciate that. We're working hard week in, week out to correct all of that.

Vice Mayor Urbom: [unintelligible 02:05:35].

Velvet Connolly: I know you guys are.

Mayor Nickerson: I appreciate that. Thank you very, very much as always. Always a pleasure to see you here. All right, you guys.

Latimore: Mr. Mayor?

Mayor Nickerson: Yes.

Latimore: May I say something?

Mayor Nickerson: Yes, of course, Clerk Latimore.

Latimore: First of all, I want to say, thank you. You guys have been a joy to work with. First of all, let me explain something to you all. I am the professional mentor of Yenise Jacobi. I was her professional mentor when she came into the position. She is a wonderful municipal clerk. She and I had conversations over the years about certain things and how to deal with them, because this position can just be a lot sometimes.

With that being said, I have always sat in the seat with the intentions or the hope of holding it for her when things could come back to a more level-headed-- Sometimes you have to get away from a situation in order to see things a little bit more clearly. I want to say that I

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appreciate the way that you guys have handled her. I appreciate the apology that you have extended to her.

The clerk position can be really, really difficult sometimes because people need us, but they don't see us. They don't see us a lot of times until we're gone. Yenise will step back in and continue the wonderful work that she's always done because this is her system. I tell people all the time, I've done this for 20 years. I had a learning curve in this job because it's her system, and it's very difficult to walk into someone else's system and carry it on without making some things your own.

Again, I appreciate everything, working with the manager. Joe Geller and I have gone back for many, many years. We keep running into each other. I don't know what that says. Again, I appreciate you all and I thank you for the two weeks. I appreciate it. Anytime that you need me, or it is anything that I can do for the village, do not hesitate to call.

[applause]

Mayor Nickerson: Madam Clerk, we really appreciate you wholeheartedly. You came in when everything was just wild and crazy. We didn't even know if we were going to go up or down. It was budget season, if you remember, and then with the special election situation. A lot of stuff was happening. I was just coming in to be mayor in the end of November, December basically, the last meeting in November, so it's been a lot. We wouldn't be able to get through it without you. We really appreciate that.

Hearing nothing from nobody else you guys, I want to have a motion so that it's official that we keep her on a payroll for the next two weeks. Do I have a motion that we keep Clerk Latimore on the payroll for the next two weeks?

Vice Mayor Urbom: I'll make the motion to keep Clerk Latimore on the payroll for the next two weeks.

Mayor Nickerson: Thank you very much. Do I have a second?

Pirela: I'll second the motion.

Mayor Nickerson: Motion made by Vice Mayor Urbom and second by Councilperson Pirela. Madame Clerk, may I please have a roll call on that, please?

Latimore: Councilman Pirela?

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Pirela: Yes.

Latimore: Vice Mayor Urbom?

Vice Mayor Urbom: Yes.

Latimore: Mayor Nickerson?

Mayor Nickerson: Yes.

Latimore: The item passes 3-0.

Mayor Nickerson: Thank you very much, you guys. I appreciate it you, guys.

[applause]

Thank you very much again, Clerk Latimore. Thank you very, very much. You guys, moving on to reports now. I believe and I think the first one Madam Manager, I think you're up.

Christia: Thank you very um much. It's been a very busy month. I will just dive right in. We have a new Code Enforcement Officer. Her name is Michelle Shahriar. She's hit the ground running. Her first day was January 4th. I'll get a little bit more into what she's been doing in a second.

Police Chief Magnusson and I have been exploring some communication services to improve messaging for public safety matters. This was an effort that was brought to us by a member of the Sustainability and Resiliency Task Force. We're exploring those items now. I think it'd be a great opportunity for us as a village to just have better communication, especially in emergency situations. We're looking into that and we'll have something to you as soon as we get some quotes.

Another bright note is that the village has submitted its appeal for the de-obligated reimbursement funds from FEMA. We did that on Friday, January 8th, through attorneys with Baker Donelson and our own interim village attorney, Joe Geller who served as well with this appeal process. Mayor Nickerson and I work with DP&O, our contractor tirelessly to get that appeal in.

Simultaneously, as we are waiting appeal, responding to appeal questions, we're also responding to the recosting of those de-obligated funds and the submission of the \$600 to

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\$60,000. That is something that I work on daily, but we are getting closer and I hope that there won't be much more to tie it up, but we are hopeful. I have been keeping you all abreast and apprised of everything as I get information.

Special projects. As you all know, we do have these green space fees that we can utilize, and we put on the backburner the parks project as we transferred administrations with the county as well as within El Portal. I was able to just make some inroads with the new administration to get us back on chart. The property ownership matter with the River States Park and the nature trail, they're both undeveloped transportation rights-of-way according to Miami-Dade County. They're under the jurisdiction of the Department of Transportation and Public Works.

I reached out a number of times to staffers trying to get some assistance in just figuring out how we can get rights to those properties, and I, just as late as this afternoon, was given something from 1982 that states that the right-of-way was given to the village, but it doesn't give us the ownership. I'm going to have to dig a little deeper from 1982. I don't know where that will lead us, but I'm trying to secure those properties or at least some authorization to utilize properties the way we want to so that we can redesign, renovate those parks.

Also, just an FYI, the neighbor to the River States Park, it's a new property owner, has paid for a bond and has permits to install a pool. The River States Park at this very moment is a bit torn up. They have not done anything to the newly erected plant stand but they did drive over the grass so some of that grass is up. We did secure a bond that the property will be restored to the condition it was in before they needed to dig for that swimming pool.

That is our building department trying to do the best for us as we move forward with that resident and try to assist them, but we also have to maintain what we do have. That is a new fee that we are imposing, and that's part of those new fees that we discussed that we do have to get bonds for our right-of-way properties when people are conducting construction.

We are expecting our shuttle circulator pilot program to start in February or March this year. We're a little bit late because of FDOT just being a little slower after the pandemic, but we're still on course. The village has submitted all of its necessary documents and secured the service provider. I'm working still with the attorney, Mr. Geller, for the master service agreement for the service provider, but in the meantime, FDOT is still working on the grant contract and will be hopefully submitting something to us within 30 days. We are hoping to get that started very soon.

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The property owners of the sanctuary have been contacted on a number of occasions are working presently with our new code enforcement officer, Michelle Shahriar. They have a number of maintenance requirements that they need to tend to and we are very happy to have Miss Shahriar address some of the lack. She's working with the sanctuary as well as even Kavista and talking to the Barrington owners to update, upgrade their properties.

There have been some illegal dumping, she's addressed some of those issues as well as well as the 16-acre former trailer park. She's even working with them to get that property back into some code compliance because it has been a little bit too long and it looks pretty sad and paltry. We want to get those properties back to be in compliance with our code, but we would also like to see them developed. I'm hopeful that that will light some fires and as we get through this pandemic, we can see some more activity, especially on the annexed area.

Miss Shahriar did start earlier this month. Unfortunately, the vehicle has broken down twice in this month and it's still in the shop after a week. It went in last Tuesday and it's still there being looked at. We're really in a bad situation with the code officer's vehicle. While she's waiting for the car to be repaired or at least patched up enough for her to drive and do some work, she has been finding innovative ways to improve the administration or the administrative aspects of code enforcement.

She's actually been working with BS&A to improve the courtesy notices. She's doing all of this online as opposed to print outs and that's another way for tracking. It's going to improve her abilities to get cases that aren't solved. She's able to download things faster and also send those to special magistrate when that time comes. I'm very excited about her, just bringing these new ideas here and working on those things.

She's working on the technical items, but we need to get that car back online. She has used her personal car even to do some code enforcement, which I'm very concerned with because I just don't think that's a good mark for us. I really want us to explore something. I'm hopeful that we can work these developers' fees out or something because we do have to get that car replaced.

We also, as you know, have the new building clerk. He's been with us for two months now and he's doing a great job. They're both working very hard. I think they're very happy with the village. I have to just say that I'm pleased with the staff we have. I think everybody's more than capable, and they've got great ideas. I just continue to encourage and promote a healthy and happy work environment, peaceful and I want to continue that. I'm pleased that

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things are looking better here in the Village of El Portal. I want my staff to feel comfortable and empowered to do the best that they can do.

Also, this month, I did attend the tree board meeting under the new chair vice mayor, Anders Urbom. We had some great discussions about ways to address some of the resiliency matters that planting our trees and being Tree City USA can bring to the village. I'm looking forward to seeing what comes from that. We also want to look into tree surveys and tree planting plans. We have some good things coming down the pike with that.

Our water projects are all on schedule, everything is up to date. We are just reaching out and getting some more things done, revisiting our stormwater plans as well as the septic to sewer. I know that our village attorney and I've been working on some things with that and we'll continue.

I am requesting a town hall community meeting for our solid waste contractor. I think it's really important that our residents get to hear directly from them, that we could do some Zoom Town Hall. I want to plan that. I've actually asked Coastal to provide me some dates that they would have for the month of February. We've had a lot of issues with bulk pickup, with trash pickup, with receptacles and all kinds of things. I just attribute that to growing pains with the new service provider, but I really want us to all get on the same page. I really need our residents to be able to get the answers that they need as we do the transition because I'm sure we can work it out. We have had a lot of hiccups along the way with this transition.

Let's see here. I'm sorry. North Miami Avenue street lighting has been out for over a month. I think it's been about two months. We finally made some contact with the Miami-Dade County. I was written an email yesterday that said they would address it this week. I'm hopeful. I will stay on them about that because response has been a little lacking but we're hopeful that things are turning around now that the new administration is up and running.

Also, this month we revealed our new website. We're very excited about that and have some really good things, really good information on there for our residents. I want to welcome our new Councilpersons Dr. Anna Lightfoot-Ward and Miss Darian Martin. I'm really looking forward to working with the Councilperson-elect Ward and Councilperson-elect Martin.

I think that the village is definitely on the upswing. I'm happy about the change and I'm happy about where things are headed and it's looking good. That concludes my report. If anyone has any questions, please don't hesitate to reach out to me. I'll be placing the report-- I know it's long, it's 14 pages, but it'll be on the website tomorrow morning.

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Mayor Nickerson: Thank you very much Madam Alou. This is the thing, the manager and me and the attorney are on every meeting, every day, hours and hours every week. Seriously, we're talking about every week since Attorney Geller has been here, Attorney Geller has been here since I've been mayor, mayor-elect even, every week, we've been in meetings two times at least, three, normal, and especially going through the FEMA four times a week, two-hour meetings. It's crazy. When we were on meetings today, we were for hours. We were meetings today for hours. A lot of stuff she has, a lot of stuff that I have.

I will say this though, being part of the Mayor's Coalition, we get a lot of schools and different things, and different individuals reach out to us, different organizations. I'm just talking fast because I just want to make this quick so we can go ahead and then move on and finish the meeting. Miami-Dade College North Campus reached out to me and said that they're offering an incentive covering up to 13 to 18 credits, and tuition fees alone.

If you get accepted, they'll cover up to 13 to 18 credits for free and give you \$325 for spending fees. Classes start either January 25th, which is yesterday, February 8th or March 8th. To register you can reach out to Alexis at 305-237-1200, 305-237-1200, or you can email her at npsc@mdc.edu. Npsc@mdc.edu. We've done a lot of FEMA stuff.

Before we got started with our January 12th committee meetings, myself and Vice Mayor Urbom were here when the community forum for flooding started, and flooding is really huge in the Village of El Portal, even it was crazy because I was here watching it. The vice mayor was watching it with me and then the manager was in her office watching it. We were all watching it. It started at 5:30, ended at 7:00. Our committee meeting started at 6:30 though, so we had to get off for a half an hour early when we went to their breakout rooms, but it was real great information about flooding. That was on January 12th.

On January 14th, they did another one about flooding. That was really good and very important. You guys, we have some more coming up. I know the manager sent some stuff out also about the-- What was it that you sent out today?

Christia: [inaudible 02:23:58]

Mayor Nickerson: Yes, I have it here. I was going to go to the one that Chairperson Carpenter sent me but the one that you sent was called the B305 Challenge. You guys, there's a webinar B305 Challenge that the manager sent out. It's about saving energy, water and money. There's an info session January 28th from 12:00 to 1:00 PM. It's through The Miami-

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Dade Resiliency Office. If you guys just Google "B305", it pops up. There's a website here to register but it's a really long website. I'm not going to read that.

Christia: It's on our website.

Mayor Nickerson: It is on our website. We posted it on our website, so we do have that there. The last thing I'll say just for sake of time is that for the items that are coming up Chairperson Carpenter actually reached out, and she said that there's going to be more webinars, you guys, as far as resiliency and things of the such. There is one this upcoming Friday, the 29th about water quality in the Little River that affects us directly. Friday the 29th from 12:00 PM to 1:00 PM. We'll also have this put onto the website and then they'll be more coming up in February.

There's one about septic systems, you guys. There's one about septic systems, February 10th, Wednesday, February 10th. These are short for little lunchtime webinars, through the Miami-Dade County Resiliency Office. Also, February 10th, Wednesday February 10th 12:00 PM to 1:00 PM about septic systems, you guys. That's really big for all of us.

I'm going to stop there. There's a lot more that I can say but we don't want to spend too much time, you guys. Let's get ready to go home. Any questions or comments about my particular report, the manager's report? How are we looking on Zoom? We good?

Christia: Mayor, I'm sorry. I will be remiss if I don't say this because my staff also helps me with the monthly reports and give their highlights, and I skipped over this page from Chief Magnuson. I'm not going to give it all because he has a lot, but I do want to say that the traffic detail has started on the 87th Street corridor, and that the FDLE CJIS technical audit was conducted last week. Fantastic results. Just a couple of little things that need to be tweaked that are really outside of the office and more so from the tech part. We're doing fantastic things in addressing everything in McGrath as well as just staying up to where we need to be.

Then the chief, as you know, has been in trainings for the human trafficking, ADL classes on extremism, FBI security webinars, all kinds of things that he keeps us all apprised of. He's doing those things and the department's doing well. I also attended a three-hour ethics training today for managers, so I just wanted to put that back out there too.

Mayor Nickerson: Thank you. I appreciate that Madam Manager. Another task force member, Sandra Valencia also sent out information. There's a seawall Q&A. The Miami-Dade County Office of Resilience and Office of Historical Preservation is doing a seawall

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Q&A through WebEx, two o'clock PM to three o'clock PM. We'll see if we can get that information on the website. What she sent me, it was an image, it wasn't an attachment, but I'll see if I can-- Go ahead.

Vice Mayor Urbom: Do you have a date?

Mayor Nickerson: Oh, sorry about that. It is Thursday, Thursday the 28th. It's Thursday, in two days. Thursday, January 28th the seawall Q&A through WebEx from 2:00 PM to 3:00 PM. Seawall Q&A, and we'll try to get that up on the website also. Like I said, what she sent me was an image, it wasn't an attachment so we're going to have somehow grab the image and put it onto the website.

Martin Luther King Jr. holiday Day of Service, there was the community plant swap through the El Portal Women's Club. It's a beautiful set up, you guys. It's right there at the corner of North 86th Street and Northwest Second Avenue. Second, correct? It's second, right? 86th Street Northwest Second Avenue. Everything is a blur right. 86th Northwest Second Avenue.

I was there. They built the stand. The community plant swap stand is beautiful. The pictures are up on their website. You guys go to the website, you can see all of that. The very next day, there was the Pelican Bay Harbor release. The hawk release. The Village Manager was there. The Chief was there. That was great. That's also on the website where Pelican Bay Harbor, they brought-- [laughs] Our camera man behind that works for Full Moon, he is the only man that I know that is scared of birds. He is terrified of birds. As soon as I started to say there was the hawk release, if you guys on the other side of this camera could see his face, he is now bright red. He is scared of birds.

We did do that, and those images are on the website. Shout out to Full Moon, man. Those images are on the website. We also had a COVID county-wide moment of silence. Chief, I appreciate that. Chief and Officer Owens who's in the back. Is that Officer Owens?

Owens: Yes.

Mayor Nickerson: How you doing Sandy? What's going on? Officer Owens is in the back, he also joined, and Sergeant Sharp joined us. We joined the county-wide COVID moment of silence. That was great also, you guys, to acknowledge everybody who has died so far from COVID-19. We did that. We turned the police lights on and everything. That was a great moment. We all did a moment of silence. Even I asked Manager Alou to get in touch with Mayor Cubillos, who came out. Councilperson Pirela was there with us with the officers. He was on his way home from work. He was like, "Hey, I got to come join you guys because

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this is an important cause." We appreciate that, Councilperson Pirela. Thank you very much. Let's get ready to go home, you guys. Thank you very much. Attorney Geller, I know you want to say something in your report.

Geller: Yes. There's a lot to say, but I'll try and keep it very quick. You're doing so great, council, getting through this in such a short order. We had a two-hour conversation internally today regarding the PBA. We have a bargaining session set for Friday at 11:00 with the PBA. I'd like to take this opportunity, council members. We obviously have a lot of financial issues with the PBA and from our conversation today, I think we may have underestimated, or somebody did, maybe not us, but somebody underestimated the financial impact that came from not appealing that impasse ruling. It's extreme for the next fiscal year, worse than we may have expected, but we're working it.

However, Friday, we're also going to be hearing from the PBA about non-economic issues that they may want to take up for the purpose of the bargaining. For instance, in the past, one of those was take-home cars. There are issues. I'd like to take this opportunity to ask the members of the council if there are any issues that you think that the village needs to raise on our side of the negotiation with the PBA other than strictly economic issues, please get them to me or to the manager hopefully by Friday when we have our session at 11:00 AM.

If we don't raise things, I won't say for sure, it has to be at this session, but as time passes, we cannot bring things up that have not been bargained between the sides. If you do have something that's a non-economic issue that you would like us to address, please get that to me or the manager. We spent the time today with the mayor as well, but also with our village CFO crunching numbers trying to find ways.

We're exploring. I'm not going to be long-winded. We've talked about what the basic approach is and that's what we're trying to do. It does involve trying to see if there's anything that can be done to get a three-year contract and to do something for this fiscal year. We are so constrained financially that that's just not easy for us to do, but I just want to comment one of the things I said during our meeting today is, "This is like a jigsaw puzzle." The money that we're now obligated by law to pay in the next fiscal year to members of the police force who were underpaid who deserve to be paid, we certainly want labor peace.

One of the places we can look if we get the general revenue is some of the money that's coming from Kavista. In order to get that done, one of the things that will be helpful to the general environment is to come up with a definite solution on the issue of the building permit fees that we just got some-- We had a discussion last week and we're in conversation on. It

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does look like some adjustments on our part, especially for higher-value projects, is appropriate.

Davey has a model that building official called to our attention. They charge on the first portion and then if you exceed that, they don't just cut the fee, they only cut the fee on the second portion. Then I think they charge a fee for the first 15 million in value. They cut it not for that part but for the second 15 million. They cut it again if you go over 30 million and again if you go over 45 million. That stepped plan seems appropriate to us, but, of course, the devil is always in the details.

Our FEMA appeal is filed and we're pursuing it as the manager has told you. We hope to see the first tranche of money that FEMA approved. It's approximately one-third of the total and roughly half of what we owe in the loan. The manager and others had a conversation, our contractor with State Department of Emergency Management. We hope to see that first tranche in 30 days.

Now, again, we get none of that money. That money all goes to reduce our loan. It's pledged as collateral, but if we get that payment that does save us, presumably, some money in monthly interest payments because it reduces the debt. That would be still somewhat helpful.

These things are all related. They're pieces of a jigsaw puzzle that the manager and I, usually with the assistance of the mayor, our CFO and the police chief, we work at trying to get all of these problems kept in our past. There are other, obviously, ongoing issues such as we're working on the pothole issue, we're working on the swale issue. We've got what you've directed us to do on Kavista, which could certainly provide some relief to things like the cost of policing, which will increase as a result of that. It's not an impact fee, but there's got to be a way for us to do what we want and need to do.

There are other issues that we're working on. We try to take them serially; we try to get solutions. I think we're making good progress on getting a lot of these things solved. Our goal is to be able to put you in a position where you're not held back by past problems, you can have a stable financial base, not have these issues gnawing at you and be able to look to the future, moving forward and improving the quality of life for the village residents. I'll be happy to answer any particular questions but that's an overview of what we're working on.

Mayor Nickerson: Thank you, Attorney Geller. I know we have somebody. Do we still have the individual who wants to ask the question?

[background conversation]

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Miss Garcia, if you could just say your name and address for the record?

Garcia: Yes. Can you hear me?

Mayor Nickerson: Yes.

Garcia: Perfect. Ibis Garcia, 500, Northwest 87th Street. I just wanted to take a moment to publicly thank Miss Alou. A few months back when we were having one of the last council meetings, the issue with the FPL wooden poles was discussed and the ability for them to be removed because of all the concrete poles that had been exchanged.

The pole over here was hindered because Comcast and AT&T both had cables on that pole. After about three years of trying, we were able to get Comcast to change the lines, but not AT&T. It took us three or four years of trying to get them here and it never manifested, but with the help of the village manager and the village themselves, I'm happy to report that AT&T finally came out, moved the pole lines and cleared the pole so that FPL can remove it. That was the last hurdle that FPL had stated.

I would just like to publicly thank the village manager because the AT&T gentlemen did mention that the city was behind the push to get the work done. I don't think if it was not for that effort from the village, it would probably be another four years before any resolution would have been done because there was nobody else to call at this point to get any action done.

I'm happy to report the progress. I just wanted to publicly say thank you to the village and the village manager for at least giving us some hope that after 2015, when they told us the pole would be gone in six months, it might actually look like we're getting much closer to that goal.

Mayor Nickerson: Thank you very, very, very much Miss Garcia. We really appreciate that. I always appreciate good news. You've always been a wonderful resident. Miss Garcia was my painting partner when we were putting together the community plant swap. [chuckles]

Garcia: A little [crosstalk] Thanks. It came out gorgeous. I am going to boast that the women's club did do a wonderful job, and the color that was chosen my fellow dolls, we did a wonderful job. It looks beautiful. I hope the villagers enjoy it. They can swap plants. We have a little watering can there so that anybody who happens to be there can water the plants. Come and feel free to take a plant, drop a plant. That's the whole idea. A community plant swap.

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Mayor Nickerson: It was absolutely beautiful. Miss Garcia did a wonderful job. She worked nonstop that entire day, that entire morning to get that done. I really appreciate that. I couldn't have had a better painting partner than her.

Garcia: I thank all the ladies because everybody that was there did a wonderful job. Without their effort and without all the ladies that were involved, we would have never gotten this accomplished.

Mayor Nickerson: Absolutely. It was absolutely wonderful. Absolutely day of service. Exactly what it was meant to be.

Garcia: Again, thank you. Thank you to the manager. I did send her an email. I just wanted to do that publicly because I have been fighting this battle for 2015, so six years now. Thank you for the help.

Mayor Nickerson: Thank you very much, Miss Garcia.

Christia: I just want to say thank you, Miss Garcia, also for saying that. I often talk to residents every day, but it's nice to hear some kind words. I did get your email earlier today and was happy to see good news. Progress is good. It means a lot-

Garcia: The progress is being made.

Christia: -when you see that your efforts are paying off. Thank you.

Garcia: Yes, progress is being made. I appreciate it. I like to make sure that everyone knows when they're doing a good job. Even when I bitch about someone doing a bad job, I like to make sure I balance it out. Everybody needs to know the good and the bad.

Mayor Nickerson: Thank you, Miss Garcia. Really appreciate it.

Garcia: Thank you. Thank you for your time.

Mayor Nickerson: Thank you. Have a good night. Okay, thank you. Bye-bye. All right, you guys. Anybody else in the audience? You guys good? Yes. Come on up. Former Councilperson Drear. How are you doing, man? Good to see you. Just say your name and address just for the record. The floor is yours.

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Drear: My name is Warner Drear, 486, Northeast 87th street. It's great to hear there's been a lot of catching up for the village. New people coming in, coming out. I've been here attending on a frequent basis. One thing I keep bringing up is on the potholes. I know there's been an initial effort already. Joe Geller did mention about it. I wasn't sure on the manager's report where are we at, but I would appreciate the council looking into the potholes.

I do see still the pothole on 86th street. During that meeting we had Christine, I think she reported it. I will ask the council to see how we can continue moving forward with that. We want to make sure our village looks nice. I know we're cleaning our internal stuff right in the village but as a resident, we want to make sure everything's looking nice for ourselves and our folk side visitors.

Mayor Nickerson: Absolutely. I appreciate that, Councilperson Drear. I don't want to step on the toes of Councilperson Pirela or Manager Alou, but I already do have the potholes as an agenda item for the next meeting. I already have that agenda halfway done. I'm going to let the manager jump in. We do expect to have some type of resolution within the next four weeks by the next meeting. Let me have Manager Alou and then Councilperson [crosstalk]

Christia: Well, thank you. As we have addressed the change in the priorities list, we had to get more quotes. Unfortunately, we had to get three of them. Some people are responsive, and most are not. We've gotten two and we're still awaiting one more to finally address those potholes. We're ready to go. I know we discussed this at our last public works meeting, how much money we have to utilize for this. We just need to get that last quote. That's just a part of our procurement that we must have three quotes for a work this size.

Mayor Nickerson: Chairperson Pirela-

Christia: It's coming.

Mayor Nickerson: -is this the public works chairperson. Chairperson Pirela [crosstalk]

Pirela: Just to continue with, Mrs. Alou had just said, yes, the priority list have changed. I actually went around with the public work staffer to make sure that we had the right list of the priorities for the potholes in what needs to be addressed. That's why we needed to hold on a little bit more. I had been in contact with the manager asking for those reassessment of--

Like I said, I had to actually [chuckles] get the phone myself and call some of these people to try to get in back into the village to give us a new quote. That's something, now that we know that we have some money to do the repairs, that will be done. On the list, unfortunately, has

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been discussed for so many months before I even came on board. These potholes on 86th Street weren't on that list, part of that list.

I was surprised that they weren't because I don't even live in the westside. I noticed that they were really, really bad from years ago. As I drove around and show the public work staffer which is the one that's actually guiding or being in charge of showing the vendors where the streets needs to be repaired along with the village manager. That's where we're at right now. Hopefully, we get the third vendor to respond to the new list. Mrs. Alou, we already spoke about it yesterday actually. It's my priority and it's going to be [chuckles] hopefully addressed pretty soon.

Drear: Great. No, I appreciate it. Thanks for looking into it. If I understood correctly, then the next council meeting you'll have a resolution to reprove of whatever vendor you guys have selected?

Mayor Nickerson: As long as the vendors come in. I have it as an agenda item already on there. I'm not the chair of public of works. That's Chairperson Pirela. He works with Manager Alou to get that part done. I can't overstep that. He's the chairperson. I already have it on the agenda. I'm halfway done with February's agenda. I already have it on the agenda. It's already on the agenda item.

Drear: I look forward to it. [unintelligible 02:47:19] Thank you very much again.

Mayor Nickerson: Thank you very much, Councilperson Drear. You good? Councilperson Urbom?

Vice Mayor Urbom: I've got one good and welfare.

Mayor Nickerson: Yes. Go ahead. Anybody else about anything that was mentioned in any of the reports? The manager? The mayor or Attorney Geller's report? Everybody good? We good? Zoom, we're good? All right, we're good on Zoom. Next one is unfinished business in general orders. No unfinished business. Seeing none. Next is new business. You might want to bring up anything new. Anything new coming to the mind, popping in your head? No? We're good. Next is good and welfare. Vice Mayor Urbom, go ahead.

Vice Mayor Urbom: I just wanted to make an announcement of 99.9%. I'm correct in saying this. Manager Alou, you might have information on this, but beginning March 9th, FEC railroad is going to be fixing the gate over here on 87th Street. Now seeing all the activity,

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they have up and down the tracks, what I don't have is any notice on if any of the other intersections are being affected either at the same time or around the same time.

Certainly, residents should be aware that March 9th, which is a day for committee meetings, there will be major disruption because this intersection at 87th at the railroad track will be closed for repairs. That's why all the FEC workers are present because of the additional rail traffic. They say that the signals have declined to the point of needing immediate repair. I saw a notice that March 9, that's going to begin right here on 87th Street.

Mayor Nickerson: We got that email, you guys, from the village manager that Chief Magnusson wrote back. He responded to that email with a great point, or a great suggestion. He said, "Maybe what we should do is we should block off traffic at the circle, at the rotunda." Come up, chief, come on up. He doesn't want all of the traffic to just end up coming there and getting stuck. He made a great suggestion, which made a lot of sense when he made it, he'll come up and explain it right now, to where we should just consider maybe stopping traffic beforehand and sending those cars that are coming in.

Vice Mayor Urbom: As we discuss that, chief maybe, you might know, I'll certainly look into it, but just to know if there's any other intersections being affected at the same time.

Magnusson: The word we got was, it's going to take a couple of days. They're going to leave 79th Street and 96th open. My initial thinking was to keep the traffic from coming off 2nd Avenue going eastbound because they're only going to get lost and it's going to get congested. If you have a citizen that lives there that's coming around, they know how to come around 88th and come back west to get to their house. Remember you're not going to have anything coming westbound because it's going to get stopped off the Boulevard, so that won't be the problem.

My concern is people coming off during rush-hour going east on 2nd and then getting all tangled up here, then going all through the neighborhoods and getting lost what have you. If we can block it off on 2nd Avenue, they can keep going but we would just guide them down and keep going to 96th, tell them to go to 96th or something or have an early warning sign telling them to go to 96th if they're going northbound, rather than coming down eastbound on 87th Street. Once you get down eastbound of 87th Street on your middle near the circle, it's too late. That's just my initial thought.

Vice Mayor Urbom: The other thing is, if they don't know why that's closed at that time, they will just cut right on 88th, 89th, 90th and then, as they always do when traffic backs up

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Village of El Portal Regular Council Meeting

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in these situations, they'll do roll stops at 15, 17 miles an hour. It always happens whenever people are diverted, you get frustrated, confused and they're all speeding. Just take that into consideration.

Magnusson: My understanding is the rail police are going to be on some of these stops, maybe not right on 87th Street, I'll have to find out on that. Certainly, if we block off the road or if we have an early warning sign telling them the only access across the tracks is on 95th, they're not going to cut across 94th. They'll know where to go and then get across the tracks. Going southbound too, there would be another sign put across the tracks on 79th, "You can't get across."

We're going to go social media [unintelligible 02:52:16] and I just thought it was too early right now. By that time, they'll forget about it. We'll go [unintelligible 02:52:20] maybe two weeks out and then pick it up 10 days out and get it that way. That was just an initial thought. There's enough time to throw those out there and then fine-tune the plan.

Mayor Nickerson: It's a great suggestion because we don't want to get the traffic all backed up like that day. Thank you chief, appreciate it. Anything else, Vice Mayor Urbom? You good? Madam Manager, you good?

Christia: No. My days are so filled with information and this was just a couple of days ago that I alerted you all to this. I got that information from another village manager who said, "Hey, FYI this is on your street." I did reach out to Florida Rail and they explained the situation and said that they would provide police and they would do the detouring.

I asked them if they were going to let the community know.

They said that they would appreciate our assistance and also that we let the school know because the school bus would be an issue as well because they don't alert people at that level, but we certainly should reach out to Dr. Thompson at Horace Mann as well and just let our community know. Like Chief Magnusson said let's do a big push, but closer toward that time because we want to keep it fresh in people's minds. It's only for no more than four days but I was told it shouldn't be more than two. We'll see, but we'll have a nicer, safer intersection once it's over at no expense to the village.

Mayor Nickerson: That'd be perfect, thank you very much. Anybody else for anything? Councilperson Pirela, you good? Alright. Anybody else? Any hands? Zoom? How are we looking on Zoom? We're good? [unintelligible 02:53:57] people over there at Full Moon. Moving along, you guys, may I have a motion to adjourn?

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Pirela: Motion to adjourn.

Mayor Nickerson: Motion to adjourn made by Councilperson Pirela. May I have a second?

Vice Mayor Urbom: I will second the motion to adjourn.

Mayor Nickerson: Seconding the motion to adjourn is Vice Mayor Urbom. All in favor say, "Aye."

Councilmen: Aye.

Mayor Nickerson: All opposed say, "Nay." Hearing no "Nays". The regular council meeting for Tuesday, January 26th is adjourned at 9:58 PM. [strikes gavel] Thank you very much you guys. That's with the proclamations and everything, we're moving.

[02:54:43] [END OF AUDIO]

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