



**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: The regular council meeting for Tuesday, February 23rd, 2021 is called to order at 7:13 PM. We've already had our silent meditation and pledge of allegiance. Madam Clerk, whenever you're ready may I please have roll call.

Village Clerk Jacobi: Roll call. Mayor Nickerson?

Mayor Nickerson: Here.

Village Clerk Jacobi: Vice Mayor Urbom.

Vice Mayor Urbom: Present.

Village Clerk Jacobi: Councilperson Pirela.

Councilperson Pirela: Here.

Village Clerk Jacobi: Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: Here.

Village Clerk Jacobi: Councilperson Martin.

Councilperson Martin: Here.

Village Clerk Jacobi: Also present for the record Yenise Jacobi Village Clerk, Interim Village Attorney Joseph Geller, Village Manager Christia Alou, Chief Magnuson, and from Plusurbia, Camila.

Mayor Nickerson: Thank you very much. I appreciate it. Next, we're moving to approval of the agenda. This is the time you guys where anybody on the council, if you have any additions to the agenda, or any deletions that you might want to make from the agenda, this is the time to do so.

Councilperson Pirela: I do have a question about the agenda items. It's all about discussions, right? Potholes and stuff like that.

Mayor Nickerson: Yes, pretty much. We're going to go item by item. All right?

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Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Councilperson Pirela: Okay.

Mayor Nickerson: Do I have a motion to approve the agenda?

Councilperson Lightfoot-Ward: To move.

Mayor Nickerson: Motion to approve moved by Councilperson Lightfoot-Ward. Do I have a second?

Councilperson Pirela: I'll second.

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

Councilperson Pirela: Aye.

Councilperson Lightfoot-Ward: Aye.

Councilperson Martin: Aye.

Mayor Nickerson: All opposed say nay. Hearing no nays moving on. Approval of the minutes. I had a chance to read both of the minutes from December and January. I can't be the one to make the first motion. Anybody have any questions comments?

Vice Mayor Urbom: I'll make a motion on the-- I'll be doing one at a time here.

Mayor Nickerson: Let's do one at a time.

Vice Mayor Urbom: I'll make a motion to approve the minutes from December 15th. I did not see any issues; I went through it.

Councilperson Pirela: Yes, on that with the exception of a- there's paragraph or something where it's my name and it was supposed to be Mayor Nickerson.

Mayor Nickerson: We have the Word version; we can just change the name of that paragraph. I saw that paragraph also. With the change do I have a motion to approve the December minutes?

Councilperson Pirela: Second to approve the minutes.

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Mayor Nickerson: Motion to approve by Vice Mayor Urbom, second by Councilperson Pirela. All in favor of approval of the December minutes. Say aye.

Councilperson Pirela: Aye.

Councilperson Lightfoot-Ward: Aye.

Councilperson Martin: Aye.

Mayor Nickerson: All opposed. Say nay. Hearing none, moving on the January minutes. I read through the January minutes also, but I can't be the one to make the first motion.

Mayor Nickerson: Yes, going through those really the only hang-up I think I saw was that Camila from Plusurbia, they had a difficult time with her name, I think but all the content was there. I'll make the motion to approve the January minutes.

Councilperson Pirela: Those as well. There's a paragraph on page 19 where it says it was me, and it was Juan [unintelligible 00:03:11] talking about.

Mayor Nickerson: Yes, because when they had Juan, they didn't have Juan's name, they had something that was like [unintelligible 00:03:18].

Councilperson Pirela: Then they put speaker and then they put my name on the right.

Mayor Nickerson: We'll change that also. Do I have approval a second of the minutes with the--

Councilperson Pirela: I'll second.

Mayor Nickerson: Thank you very much. Moved by Vice Mayor Urbom, second by Councilperson Pirela. All in favor say aye for approval of the January minutes.

Councilperson Pirela: Aye.

Councilperson Lightfoot-Ward: Aye.

Councilperson Martin: Aye.

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Mayor Nickerson: All opposed. Say nay. Hearing none. Moving on you guys. We don't have any visitors or special presentations for this particular meeting. Good and Welfare is the next thing. This right here will be the time where if you have something that you want to say members of the community, if you want to say anything about what's on the agenda in particular, you have three minutes to come on and do so.

How are we looking on Zoom? We're good? Okay. I'm hearing and seeing nobody else for Good and Welfare, so we move on to the agenda items. The first agenda item Madam Manager I might want to turn this over to you, is the stormwater grant agreement, and it goes hand in hand with the storm drains in the way. The grant that we got, and I'll let you take over Madam Manager. The grant that we received is \$550,000.

Village Manager Alou: Yes, it is.

Mayor Nickerson: Which is good to receive for a grant. This is something that we've been working on for a while in the village and things are starting to flow through. As you guys know about the FEMA situation also. Madam Manager, if you would like to take.

Village Manager Alou: Thank you very much.

Mayor Nickerson: We've been working on this El Jardin stormwater improvement design for a while. This predates me even coming to the Village of El Portal as the Village Manager. We also have on Zoom our engineer from Craig A Smith and Associates, Orlando Rubio, who has been working on this project from its inception. The El Jardin stormwater design is following the Village of El Portal stormwater master plan and improvements as we are able to get funding, we are improving stormwater throughout the village.

El Jardin is on the list and it is being funded finally because we did finish the design even after not getting the easement that we attempted some time ago. We ended up changing the design that was approved by FDEP. Then the grant agreement came last week, we reviewed it with legal counsel, and it is ready to go.

I don't know if Mr. Rubio is on the Zoom and wants to speak about what's going to come from it from this grant money, \$550,000, but it is going to upgrade the existing infrastructure in El Jardin neighborhood to the recommendations provided by our stormwater master plan. It's subject to final engineering design, stormwater improvements will consist of installing a

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new stormwater collection system to provide positive stormwater outfall with water quality treatment components.

These improvements will provide some protections for flooding for the roads under the County stormwater criteria. We look forward to utilizing these funds to begin the process, Craig A Smith and Associates, the engineers of record for this project will be assisting me with the RFP necessary to find those who will do the construction work for this project. This is just an agreement for us to accept the grant funds and to start work.

Mayor Nickerson: Is Mr. Rubio on Zoom? Is he by on Zoom, raising their hand to speak?

Speaker 8: [unintelligible 00:07:01].

Mayor Nickerson: Can we bring him over?

Speaker 8: Absolutely.

Mayor Nickerson: Mr. Rubio?

Orlando Rubio: Yes. Can you hear me?

Mayor Nickerson: Hi, how are you doing? Madam Manager I'll turn it back to you for the [unintelligible 00:07:26].

Village Manager Alou: Okay, thank you. Thank you for joining us. Orlando Rubio's here from Craig A Smith and Associates. He's our engineer for this project. Orlando, can you tell us what will come from these grants funds, the plan that was approved by FDEP for us to move forward on this, please?

Orlando: First of all, can everyone hear me?

Village Manager Alou: Okay. I think we have a little sound concern here.

Orlando: How about now? Can anyone here me?

Vice Mayor Urbom: Should we let him know? We can hear him. It's just quiet and they're working on bringing up the volume.

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Mayor Nickerson: Is your sound all the way up on your end, Mr. Rubio?

Orlando: Yes. How about now, is that any better or?

Vice Mayor Urbom: [unintelligible 00:08:18] says it's not you, it's us so they're trying to bring up the volume now.

Orlando: Okay.

Councilperson Martin: Put the mic on.

Vice Mayor Urbom: Say something again, Mr. Rubio.

Orlando: Hello everyone.

Councilperson Martin: Perfect.

Mayor Nickerson: We'll just be quiet so we can hear whatever you say.

Vice Mayor Urbom: Yes, much better.

Orlando: Sure. First, I just want to say welcome and congratulations to Councilperson Ward and Martin for coming onto the council, looking forward to working with them as well. Regarding the stormwater grant, yes, we started this project back in 2017. The design is complete. As Christia mentioned, we had the issue with a [unintelligible 00:09:07] legal easement through one of the lots on south of 86th street.

What we did, since we designed the whole system as we mentioned before in past meetings, we're going to phase the project and build a portion of it that doesn't require an easement through the folks South on 86th street, and that area will cover Northeast first court between 86th street and 87th Street as your first phase of construction, but the entire system serving the El Jardin, it's pretty much designed all with the except of the village trying to get [unintelligible 00:09:56] the Little River.

We hope we can

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revisit that in future and get that out for that area. The agreements ready to be signed, I believe I got the email from Christia. Once the village executes the [unintelligible 00:10:19] agreement, we can put up out this first phase of construction out for advertising.

Mayor Nickerson: If I'm not mistaken, madam manager, I remember this grant from before, I remember, this was already something that we had passed a long, long time ago and I told you to go find the money.

Village Manager Alou: Yes.

Mayor Nickerson: We appreciate that the money is coming in. This grant is what type of grant, is it a match?

Village Manager Alou: No.

Mayor Nickerson: It's not a match?

Village Manager Alou: No, it's not a match, no.

Mayor Nickerson: I just want to say that for the record, because I want the people out in the community to know that it's not like we have to match this with El Portal funds, which is very important. Like I said, it's something that we've been working on for a long time and it's been \$550,000. This is how I'm going to do this, you guys, I'm going to go in order of position seniority then last name.

For every item, I'll go through and ask you guys, you guys have something that you want to say. We'll go Vice Mayor Urbom, will go Councilperson Pirela, and then since you guys got to do the same time, we'll go Lightfoot-Ward and then you, councilman. Okay, sounds good? Vice Mayor Urbom, any questions or comments for him?

Vice Mayor Urbom: Hello, Mr. Rubio, thank you for joining us tonight. I just want to make one point or ask one question, I guess and that is just to confirm once again that without that easement for the outfall or outflow into the canal, at least for this first phase of construction, we're still in the clear that the design will work properly, or at least as expected, without having that clear path to an outfall yet, but then are we also still pursuing options as we enter next phases of design and construction to continue looking forward that outfall. That's really my only question.

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Village Manager Alou: I can start by saying that I was out in the field with Orlando extensively trying to find opportunities for the easement. We couldn't find many, or we couldn't get approval from the homeowners, but Orlando went back and redesigned it so that is a part of why it took so long for us to get here is because we had to redesign it to not need to use an easement or need to have an easement. He can speak more about that technically.

Councilperson Pirela: We still need that one connection. It's possible with the design they did to have it to work whatever they decide.

Orlando: In fact, we went to the second property owner, we got the okay, so we started. We even surveyed the lot and we started doing some work and then the property owner changed his mind on granting the village with the easement, but, as far as--

Vice Mayor Urbom: Okay, because there's one more question for me.

Orlando: We just, we phased it, we didn't really [unintelligible 00:13:31], we just reprioritize the construction phase of it to get the outfall.

Vice Mayor Urbom: Yes, I believe I remember that from because there's several phases, there's many phases, if I'm not mistaken. I remember as we went over that map, and so what's the timeline we're looking at for when that need for a solution to the outfall will become critical. Do you have a timeline in terms of years or months? I would imagine it's going to be-- we have a few years possibly Is that right?

Orlando: Yes, the landscape of the village, unless a developer comes buys up a lot to redevelop the area for some reason, but your land use isn't going to change. What is going to change eventually is, this is further way down the line is your climate change sea level rise when the Little River stages are going to start coming up in elevations to keep the saltwater out. That's probably about, 5, 10, 20 years down the line.

I think the village should probably still reach out to the residents we tried talking to in the past and see if they can accommodate a stormwater outfall for that basis, and that's going to help that road as well.

Vice Mayor Urbom: Okay, then my last question might be for the manager. If we are able to secure title to the River State Park specifically, does that become an option for us to--

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Village Manager Alou: No.

Vice Mayor Urbom: No. It's too far, okay.

Village Manager Alou: Oh, yes. Sorry, it's in the El Jardin area which is between northeast second and North Miami Avenue.

Vice Mayor Urbom: Okay, all right. I got you, I'll keep thinking on it.

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

Councilperson Lightfoot-Ward: Is there a way to have a brief, he's just given a very succinct, what happened. Is there a way you can distribute just a brief to let everybody know what the possibilities of, where this goes from here? It seems like we're not talking infrastructure, it seems we only talking planning still, help me [unintelligible 00:16:08] Vice Mayor if I'm wrong. I sat in enough council meetings to know what he's talking about, but right now that \$550000 is a lot of money.

I'm glad to see we got it because I've been hearing about it, but for benefit of the village, why is this so important? We know about the storm, well we know about the flooding, we know how this does first phase-- Will it be a visibility such that the villagers will understand and appreciate not only 2017, that's a long time to wait for a grant, that's seven whole years. Not really seven my math is off, isn't it? I know, it's pretty well off, four years.

A brief so that when we're talking about this, and we know first phase, we'll have something in the brief to lead us forward because this is not going to fix the problem, and if everybody feels, here's on the air that we got a \$550,000 grant, they're going to think something really phenomenal is going to happen. That's right village manager, you're right. Shake your head, it's nothing but it gets us on the first phase and the first phase means movement so a brief would be very good to have just so we can have it for benefit of the villagers.

Orlando: I can provide to the village manager a synopsis of what's transpired since we helped the village get the grant to the point where we're at now, but the design of pretty much the entire El Jardin basin is done, and if you had the money to build the entire system, you could put the whole system out to bid next month, but the construction dollars are limited so

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Meeting End: 10:41 PM
Meeting Length: 03:26:05**

you're going to put out a phase-out to bid for construction, but El Jardin design is complete with the exception of solidifying the stormwater output to the Little River.

Village Manager Alou: We will work on getting-- I'll work with Orlando to make sure we get that to everyone. Because it is good to have an update as to where we are, but this is following our stormwater master plan, which is broken down in phases because we can't do it all at once. As funding becomes available, and it's the council changes, and the villagers change, I'm sure, just updates as to what this project is, and what's next, would be a good thing for all of us. We'll work on preparing that for you.

Mayor Nickerson: Thank you, anything else councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: I yield.

Mayor Nickerson: Thank you, and part of the reason why or, the reason why this was on the agenda, and I put it on the agenda, you guys, was to do this so that everybody can become familiar with it and things like that, because like I said, it was passed a long time ago, we were just fighting hard for that money to come in.

Even though it came in, I didn't want to just have the money come in for us to just do what we had to do as far as what the grant stipulated. I wanted to come and bring it so that we were able to revisit this, talk about out in the open, catch everybody up, our villagers can hear about it and everything like that so that's why I'm doing this for transparency purposes as well [unintelligible 00:19:30] on the agenda. Councilperson Martin.

Councilperson Martin: I do have a follow-up question. Since the manager just explained that the stormwater plan is broken out into phases, and this is part of phase one. Can you just let me know how many phases, like how long of a process is his prospected to be.

Village Manager Alou: As the engineer said, it really is contingent upon funds, and as we get funds and apply for different funding opportunities

and present the projects to Tallahassee FDP and others, that's when these phases can be brought up, but Mr. Rubio maybe you can talk more about how long this will take and how much.

Councilperson Martin: Yes. How much.

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Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Orlando: Yes. If memory serves me right, I believe the construction for the El Jardin drainage area is about I'm going to say under \$2 million. I have to verify that. The grant as stated before it is going for \$550,000. We designed 100% of the system, but you're going to have dollars available to construct a phase.

Now depending on how much funding you get coming years from state appropriation grants, you can either finish the entire phase the following year or do another phase of this project or appropriate the money somewhere elsewhere if you choose to target another area in the stormwater master plan. It all depends on funding. We can break it down to 2 phases or 10 phases, it's just a matter of what the funding mechanisms provide.

Vice Mayor Urbom: I think I could offer my understanding and then be corrected if I'm wrong. The last time I think that we had met in person and discussed this if memory serves if people can picture this, the design is a series of L-shaped segments of design, am I correct in thinking that each-- is this how it's broken down into are these L-shaped pieces of the design that all fit together to make the larger design? Do I have that right so far?

Orlando: I don't know what you mean by L-shapes.

Vice Mayor Urbom: If I remember the map that we had in terms of where these phases were going in, if I'm not-- my mixing up the subject to sewer and thinking there's eight or nine phases outlined or eight or nine sections outlined that made up the El Jardin area that all fit together essentially in a knight's move-in chest, like an L-shaped.

Orlando: No, you might be thinking something for sewer but the whole drainage system for El Jardin is all interconnected with pipes and catch basins and drain fields and control rear boxes.

Vice Mayor Urbom: Then I think the question is you're saying total construction of just under two million to construct the full design including the outflow assuming we get the clearance to build one. You would think that, okay well then this is going to get us 25% of the way there or greater than 25% of the way there. Is that correct in thinking that that essentially there'd be four phases to the construction based on this first amount, or are you saying you can't declare how many phases there would be because we can't forecast the budget out beyond this grant?

Orlando: We can come up with a design.

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Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: I think it would be irresponsible for us to project because it's 100% has to do with funding. To go through the thought process of trying to project it, and then it would be going through that thought process for almost no reason.

Vice Mayor Urbom: We have a projection of total cost of being around two million, a little under two million. Here we have a little more than a quarter of that become available because different phases of completion will have different expenses attached to them.

Orlando: Correct.

Vice Mayor Urbom: Is that part of what we're talking about?

Orlando: Yes sir.

Councilperson Pirela: We need to make sure that the first phases of completely with the money, we got and then nothing incomplete and being like because we don't know when we can get the next grant.

Orlando: Correct.

Mayor Nickerson: Councilperson Martin.

Councilperson Martin: That's all for me.

Mayor Nickerson: All right. Thank you. Attorney Geller.

Geller: Mayor, just very briefly, I don't want to delay or moving on but when '17 was a pretty good financial year in Tallahassee. This year we're being told there may be a \$2 billion shortfall. Last year and this year there haven't really been much in the way of water projects. If congress passes something and provides for substantial assistance to the state and local governments, the situation in Tallahassee this year could turn around in a hurry. We just don't know.

Mayor Nickerson: Absolutely. Just for a point of education you guys, the reason why the water project slowed down is because when we had the school shooting a couple of years ago, a few years, then all the funding went to-- You guys know after we had the school shooting up in Fort Lauderdale, all the funding started to go to security in schools and armed

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Date 2/23/21
Meeting Start: 7:13 PM
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security in schools and the question of are we going to arm teachers, are not going to arm teachers?

That's where the funding went for that year, and then last year everything we can start to turn to COVID. That's the reason why water projects would have gotten put on the back shelf for the past couple of years or a few years. Also attorney Geller, we'll tell you this, what makes it hard this year for the first time anything that you get approved for in Tallahassee has to be a 50/50 match because the way it used to be even if you got approved for something let's say if it costs a million dollars, then if you were approved for, you can go ahead and do it, and then they give you a number of years to pay it.

Now attorney Geller, if this is correct but now for the first time even if we're approved for a water project or whatever we're approved for, we have to show the funds upfront upon approval. This hurts small villagers like El Portal in a major way.

Councilperson Martin: I do have a follow-up on that then. We're completing phase one with no real realistic way to gauge as to when we can come back and I suppose to finish what we started. Is there any detriment in doing that is? Is there a possibility that whatever was done in phase one can be in some way outdated or inconsequential by the time we do acquire those funds to take it to completion? Is it possible?

Orlando: No, I don't think so. Not from a drainage performance standpoint that it'll provide.

Councilperson Martin: If it took us another 10, 15 years, this would still be something that's valid to do in phase one? Whenever we're completing phase one.

Orlando: Yes, hopefully, sooner but yes you should be able to connect to it.

Councilperson Martin: That's all for me.

Mayor Nickerson: Thank you Councilperson Martin. Anybody else? Any other questions or comments for either village manager or Mr. Rubio? How are we looking on Zoom? Really good on Zoom.

Orlando: Good, good.

Mayor Nickerson: All right. Thank you, Mr. Rubio, before you leave though can you just say really really quickly because you guys know that when we're talking about stormwater,

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Date 2/23/21
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Meeting End: 10:41 PM
Meeting Length: 03:26:05

you guys know that flooding is a problem in El Portal, and so a lot of residents throughout the community want to just inquire about storm drains. Mr. Rubio explain to us the process of storm drains and how and the difficulty of why we just can't simply implement storm drains in certain area.

Orlando: We can install drains anywhere for established designs and it all goes back to funding but as far as what's in the ground now, it's all based on regulatory criteria, design, construction, and at the end maintenance and then there's external factors affecting the performance of the drainage system which could be higher water levels anticipate occurring in the Little River which all of our storm drains function by gravity.

If the Little River is coming up in elevation, there's going to be hard to get the water out quick enough into the river especially in that western area of the village of 86th and northwest fifth avenue as we've stated before in our original master plan. We did plan for a stormwater pumping station there once funding is available for such a design but with that, you have your limitations with the Little river and pumping systems, now you're talking about mechanically pushing water into a river and you're probably, you're going to need to raise the banks of the Little River to keep you from pumping out to yourself once the water gets high enough.

Mayor Nickerson: Yes, I think that we all need to understand or that the biggest thing is sea level rise is huge, and in order to have these storm drains and to implement them you guys, we have to a water level to where the storm drains can operate. Sea level rise is starting to really harm that, even when we had the added flooding that was our most recent flooding situation.

Myself and the manager, we were going out to bring in the pumps, the manager was going to bring in the pumps and the county was just like, "Look you guys, where are we going to pump the water to because right now the river, the Little River rose so high that we'd be pumping water right into the Little River and it'd come right back on the individual's properties.

We really need to implement this phase one and start to get that type of infrastructure done first, and then we can extend to storm drains and things like that you guys, okay? All right thank you very much, any other questions or comments for either Mr. Rubio or the village

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manager? Good. Mr. Rubio, we appreciate it, my brother take care, have a great evening. Thank you very much. Okay, bye-bye. Yes.

Orlando: [unintelligible 00:31:38]

Mayor Nickerson: Yes. Hold Mr. Rubio.

Councilperson Lightfoot-Ward: H5, the permeable road material?

Orlando: I'm here.

Councilperson Lightfoot-Ward: Was that-- because that was-- I don't know [unintelligible 00:31:52]

Mayor Nickerson: Yes, the permeable road material went hand in hand with the pothole street repair--

Councilperson Lightfoot-Ward: Okay, if we could keep him on for that?

Mayor Nickerson: Yes, we'll keep him on for that. We'll move on to you guys H3, so the users of the El Portal village parks, this is something as we all know. Residents of El Portal have been questioning about the village parks specifically the top lot and the top lot being open, and why isn't it open.

Councilperson Lightfoot-Ward: Mr. Mayor.

Mayor Nickerson: Yes.

Councilperson Lightfoot-Ward: A point of order. Are we doing H2 or we just skipped through it?

Mayor Nickerson: We did H2, that was the storm drains, when I asked about the storm drains.

Councilperson Lightfoot-Ward: Okay, when you made the comment, that took care of that, right?

Mayor Nickerson: Yes, that took care of that, yes.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Councilperson Lightfoot-Ward: All right, thank you.

Mayor Nickerson: Thank you very much councilperson. We're on H3, you guys, so uses of El Portal village parks. This is something that is difficult for us in El Portal because when you look around-- I think the frustration tends to be a lot of times with us in the community and things like that, is that when we look around there's so many other-- every other park seems to be open but our tot lot, that's right back here.

Before I open this up, I just want to quickly say that I'm not against opening the park up, I don't think the village manager is against opening the park up, we want our park to be open, but this is the problem. The problem is that El Portal just doesn't have the staff, particularly on the weekends because by the county mandate, you have to clean the park, I believe it's twice a day?

Village Manager Alou: Yes, and it actually should be probably more, but according to CDC guidelines and Miami-Dade County that mandate, we'd have to maintain those parks every few hours, sanitized and we just don't have the staff to do that. I understand people have volunteered and want to help but we have to have a staffer who works for the village to do this.

Mayor Nickerson: Yes, so we just don't have the staff, unfortunately, throughout the week. We have a small staffing, and they're dedicated to do the things that help our village run throughout the week. I think another thing that we have to think about, you guys is, there are a lot of people who are going to be going to the parks on the weekends, and we don't have a public works staff on the weekends on Saturdays and Sundays.

We don't have public works staff, so we would have to either hire a company to come clean it, so now you're talking about money, right? That'd be the only thing that we could really do, you guys. As far as somebody floated around the idea of having individuals from the community volunteer to clean. You guys legally, we can't do that because these individuals that would be volunteering to clean, they're not on government insurance.

They're not on El Portal insurance, they're not employed by us as a government. Imagine if somebody gets sick, and they say, because it wasn't cleaned correctly, it wasn't cleaned correctly because El Portal let some individuals that were just common citizens go and clean and represent them. It's a lawsuit waiting to happen you guys, so the park situation just a really difficult situation, but Vice Mayor Urbom, the floor of yours.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Vice Mayor Urbom: Well, I think El Portal has a lot of opportunities to lead because we can be nimble or what Chief Magnusson says frequently. My general feeling is, look the tot lot is, it's not just a matter of personnel, in my opinion, it's also a small space with one entrance and one exit. As soon as the tot lot becomes open, it'll be the most popular spot. I got kids, we know where we can go to get the kids on outside time, other than just out in front of the house there.

We know where to go to try and find some parks that are open but with the tot lot, I see it also as an issue of especially, on the weekend, we won't have people to supervise essentially the social distancing either. The truth is, I feel strongly that we lead by example and we're going to ride this thing out to the end. We're going to maintain wearing masks, we're going to maintain social distancing.

We're going to maintain that message to the public that they should be maintaining social distancing. I don't know that we can do much more than make it clear to the public, we don't have the personnel to obtain that and then even if we did, I would have then a concern that we had no controls over the occupancy of the tot lot specifically, right? I feel like, the end of the school year, everyone gets jittery, and here we see the light at the end of the tunnel.

This thing's almost over, everyone feels that way but it's just not, it's not over yet and I feel that, yes, it's not enjoyable for anybody, and but that's what I feel about the tot lot, specifically. I would like to use it as well, but we just got a little way to go here, let's just feel the burn and keep trucking, kick it in the final stretch and we'll make it, so that's how I feel.

Mayor Nickerson: Thank you very much Vice Mayor Urbom, Councilperson Pirela? You're good, thank you very much Councilperson Pirela. Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: Yes, we've done this before, we went over that. I take it, Mayor, that you've been getting complaints or concerns about the parks being open. Let's take the lead with what Miami-Dade county is doing, we are in Miami-Dade County. Miami-Dade County is being very selective about parks being open and why they are open as of the pursuant to the emergency order that was signed by the county.

They have been closed, they are opening because they're not all the same parks, the parks are different, are as recreational, and basically directed towards small children and families. For the record, I'd like El Portal to work with us the residents understand that this is a safety and health issue, this is a safety and health issue that the parks are closed.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

We don't have staff and I think everyone understands, we don't have staff that even when they're open, we don't have staff that keeps the parks regularly, this is a safety issue. That's the only reason we're going to continue to be compliant because we are a small village because our park is basically for children and we love our children.

We wouldn't want anything to happen to the children, bringing anything home or their parents being subjected to things that they don't have to, so please bear with us everyone that's listening to the meeting. It is a very much a safety more than it is our inability to keep the park, it's a safety issue and it's a health issue at this time. Continue to be patient with us, is what we ask that you all do.

Mayor Nickerson: Thank you very much Councilperson Lightfoot-Ward. Councilperson Martin.

Councilperson Martin: I think you guys have pretty much covered that [laughs]

Mayor Nickerson: Thank you very much, Councilperson Martin. Let me just say you guys, for the record that-- and I just want to give a shout out to former councilperson Dreher in the audience, good to see you, man. I just want to say really quickly, myself, the manager, and the chief, the chief, the day he got vaccinated actually, couldn't be with us physically but he was on-- I called him and put him on phone he was with us at the entire meeting.

This is just something to have in the back of your mind you guys, which is that we met with Horace Mann recently. I have it in my mayor's report actually, but we met with Horace Mann recently, and the chief and the mayor, and the manager will tell you, the entire time true or not true you guys,

I kept talking about them opening up their field.

Every time that they talked about, "What do you need from us?" I said, "The way you guys can get things started and show good faith--" Didn't I say this, Chief and Madam Manager? I said, "The way you guys can show good faith is to reopen the field because we used to have access to Horace Mann's field, and then you took it away."

I explained to the principal, I said, "It's one thing when a person never has no access, or never has something because then they don't miss it, but to take it away from our residents, we really felt that." I was really adamant about that at that meeting with Horace Mann. That's

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

something that is coming down the pipe. Sooner more than later, we probably will have access to at least a large space.

It might not be the tot lot, larger space, but at least you can play soccer there, [unintelligible 00:40:59] football, whatever you want to do. That's coming down the pipe also, you guys. All right? Any other questions or comments about the park? How are we looking in Zoom?

Participant: Good.

Mayor Nickerson: We're good? All right. Okay, you guys, that's it. We're going to move on to the next agenda item. Next agenda item is potholes, street repair, and permeable road material goes hand-in-hand with this because it's all about the road repair. Is Mr. Rubio still there? Okay, we'll bring him up. Madam Manager, we were discussing the potholes. This is something that's ongoing. I know it took us a while to get the different costs that we needed for choices that we needed for the potholes and street repair. Give us a background on--

Because this is the thing, you guys. A lot of people look at the potholes and they'll just say, "Why don't they cover the potholes?" Some of the potholes are so bad, it falls under street repair. They can't just be filled in as potholes. That's where it comes to be a little bit more complicated and more expensive when it comes to money. Madam Manager, the floor is yours.

Village Manager Alou: Thank you. Yes, the potholes have been an issue for a long time, ever since I started, and I think even beyond. I know that we had a pothole inventory and some areas were prioritized. Councilperson Pirela met with me and the Public Works and Maintenance staff were to go out and look at the potholes and rework the priority list. We came up with a list, we then had to get three new quotes for that list. That, unfortunately, takes a lot of time, but we finally got in our three quotes. I made a recommendation to the Council on February 19th.

I made the suggestion of, "Please," selecting One Stop Paving Inc. to do the pothole repair. I understand that not everything in the village is on this list, but I am a strong believer that once they get started, we can then maybe get quotes for what happens next. This paving company has actually done work in the rotunda in front of the Village Hall, so they at least show up. I know them to do that.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

It took so long to get these quotes and they were the first. They're always pretty responsive, but I just want to go with someone who's reliable, who I know can do the work, will do the work, and they also had the best price. This is my recommendation. I also believe that we should continue to add to the list, but we get started as quickly as we can, and then proceed with more that we can go out and add more to the list and bring One Stop in for that. That's my recommendation, I hope you will support it.

Mayor Nickerson: Let me just say, really quickly, you guys, I want to give a shout out to Councilperson Pirela because he was essential in this pothole situation, and he really stayed on top of it. As far as Madam Manager, I think one of the problems and Councilperson Pirela can tell you guys about this also, I think one of the problems was that El Portal is so small that sometimes these companies, to get them out here is a problem because they have much more financially great of possibilities from other cities. To get these quotes was a big deal, and I think we really need to take a really close look at them and try to lead us to a decision sooner or later. Vice Mayor Urbom.

Vice Mayor Urbom: Looking through the quotes, I have to say One Stop was not probably my first choice, but honestly, that was based on variables I didn't have answers to. Once I read the summary, it made sense, so I think I'm on board with the recommendation. It's funny because in the quotes, honestly, part of it came down to aesthetics of presentation, and so, truthfully, I acknowledge that a quality road repair company does not have to be good at graphic design. Reading this summary, I became very forgiving that way.

On the outset, my concern is that they are actually considerably less expensive, right? The other two were clustered closer together and this one's certainly much lower. I do actually want to thank also Councilperson Pirela for all of the work that he's done on this and the discussions he's had in-person with these companies. I'm going to have to trust the manager and Councilperson Pirela in their recommendation because, at the outset, you wonder, "Okay, are we going to get a quality job done if it really is that much lower than these other two?"

To be honest, the high bid, I'm sitting here thinking, "Maybe they tried to price us out because they don't really want to do the job." I know different types of vendors in different industries to do that all the time. Then they're surprised when the person says, "Yes." Then they go, "Oh, great. Now I have to go do it." In that regard, I'm admittedly in the dark a little bit on really what the history will prove out to be the correct choice was, but I do go along with the recommendation.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

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

Councilperson Pirela: When it comes to that, when Vice Mayor was saying as far as companies being aesthetic and the presentation and all of that, I don't know none of the companies, but I did went on Google [laughs] to search. It's not the same thing repairing pavers than actually paving the road. I see One Stop, one of the smallest companies. DMI, it's been in the industry for more than 60 years working with a lot of good companies. If you look at the quote, it's not as high as-- It's only about \$7,000 more than One Stop.

That's why I asked in the beginning if it was a voting item because I see a lot of differences in addresses not included in one quote as far as the other one. For example, the DMI, they included the 211, which is the doctor's office over there, which is one of the main repairs that we have. One Stop doesn't include that. If you really add all the addresses that are in one quote versus in the other quote, MD makes more sense to me.

Now, like I said, it's many addresses here that are scattered and are not actually the same in all the quotes, so for that, we need to-- I thought that the reassessment of the potholes was going to come to Public Works Committee first and then discussed in a Council meeting for voting. I'm not ready to commit to this because it has some differences in addresses and stuff like that.

Like I said, if anything, [chuckles] DMI actually includes more of bigger areas and also, the new potholes that we identified. Precise the same, but they're way higher, so we'll actually reconsider this and then just make sure that we have the same exact quote for every single pothole in our inventory.

Mayor Nickerson: Attorney Geller.

Attorney Joseph Geller: Mayor, that's certainly Council's discretion. You certainly have the ability. The manager has a recommendation, but there's nothing that says it has to be acted on tonight.

It's certainly not improper in any way to have the council send the item for further detailed consideration at the next public works meeting, which fortunately is coming up pretty quickly.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Mayor Nickerson: All right. Thank you very much, Attorney Geller. Before I get to Councilperson Lightfoot-Ward, go ahead Vice Mayor Urbom.

Vice Mayor Urbom: I was just going to say, I mapped out some of these, and then I drove the route right to take a look at them. The addresses, Councilperson Pirela, let me know how exactly I should consider each individual address because as I drove and looked around these spots, it seemed like the addresses were general markers as to--

Councilperson Pirela: Yes, they were.

Vice Mayor Urbom: I wasn't-- I took the address as general markers as opposed to exact spots. Just give me some guidance on how much attention I should pay attention to that.

Mayor Nickerson: Let me just say for the record, let me point out, Madam Manager, this funding comes from a particular fund and it's not coming from the general fund or anything like that. I'm always about money. As far as how we're going to pay for this, this is a fund that we've been accumulating for or accruing for a long time for many years. There's a substantial amount of money in that fund. We can't spend that fund on just anything. Madam Manager if you want to explain that really quickly and then Councilperson Lightfoot-Ward will continue next.

Village Manager Alou: Thank you. Yes, it is. We are utilizing our six cents gas tax as recommended by our Interim CFO, Chris Wallace, who did do a deep dive to find out exactly what the funds could be used for. Its roads, sidewalks, traffic, and roadside landscaping. This is what we're going to utilize for the pothole repair. As for the DMI quote not being exactly like the others, DMI was one of the more difficult ones to get the quote from. They came in I think it was Thursday of last week just when I sent the recommendation to you all.

They held it up, but certainly, this is my recommendation. It's for you to determine since we're talking about funds that are beyond my purview anyway. I will definitely go back to DMI, ask them for a more accurate list and one that reflects the others so that we can get that back to you. Absolutely it can go back to public works so that we can move it forward.

Mayor Nickerson: Thank you very much, Madam Manager. Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: Thank you, Mr. Mayor. Since I've followed this, as a private citizen, I've followed this, I've headed up to my yin yang with the potholes. I don't

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

want to do it like that. The manager thinks we got three viable quotes here. We ought to manipulate this. We ought to make it, so it fits us. We've got three viable quotes. I have a problem that it didn't go back to committee, because had it gone to committee, we might not be talking about it like this. We might be talking about it from a holistic perspective.

I see some addresses on one and some on the other as my fellow councilperson pointed out. I didn't see this stuff before tonight. If I can come to a conclusion right now about something, but it's not this. I like the recommendations. These were the best of the best, then we should be able to negotiate what we want, and what we need because many of the addresses are the same. We just didn't get all the addresses they have been listing here.

Say, "Guys, we like what you gave us. Precise, we like what you gave us. DMI, we like what you gave us." The last quote, "We like what you gave us." Let me say it so that One Stop, "We like what you gave us." We need this because they've done a lot of work. "Can you match this with a price similar to what you gave us?" The first one that you can give us what we want-- This is a negotiation for a good price. I really think when we start doing things without having a vote from the committees, that's why we got these communities, then I think we're being premature.

I would hate to have been listed on one of these and not on the others. I would hate to be the resident that goes by that. We haven't. I see you, Mr. Attorney. I do. It just seems I'm not an advocate of the city manager continuing to do the same thing. I'm an advocate of us supporting what has been done. It's easy enough to see that all the streets on one or not on any of all of the other ones. We didn't tell him to go around and look at certain ones, did we?

Village Clerk Jacobi: Yes. We gave them the addresses.

Councilperson Lightfoot-Ward: We told them just these particular streets.

Village Clerk Jacobi: Yes. They were all given the same--

Councilperson Lightfoot-Ward: Yet some people left some of them off.

Village Clerk Jacobi: The same addresses were given to all three.

Councilperson Lightfoot-Ward: Some of them were off.

Councilperson Pirela: I'm sorry, Councilperson Lightfoot-Ward. What happened is--

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: Hold on one second you guys. One second because--

Councilperson Lightfoot-Ward: [unintelligible 00:55:55] here.

Mayor Nickerson: We lost connection to the hybrid, give us one second. The residents can't see us right now. I'll move that we recess. I'll move that we recess you guys. Do I have a second for recess?

Vice Mayor Urbom: I'll second the motion.

Participant: [unintelligible 00:56:23].

Mayor Nickerson: Seconded by Vice Mayor Urbom. All in favor for recess say aye.

Vice Mayor Urbom: Aye.

Councilperson Pirela: Aye.

Mayor Nickerson: All oppose say nay.

Councilperson Lightfoot-Ward: You did not get a quorum, Mr. Mayor. You did not get three. I don't think.

Mayor Nickerson: Let's do it again. I'll move the recess. Do I have a second?

Vice Mayor Urbom: I will second the motion.

Mayor Nickerson: Second by Vice Mayor Urbom. All in favor for recess say aye.

Vice Mayor Urbom: Aye.

Councilperson Pirela: Aye.

Mayor Nickerson: All opposed say, nay.

Councilperson Lightfoot-Ward: Nay.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: Okay. We're going to recess you guys until we get back up because we want the villagers to be able to see us. They can't see us right now.

[pause 00:57:10]

[background conversation]

Mayor Nickerson: All right, everybody. I think we're about to restart.

[silence]

Councilperson Lightfoot-Ward: Mr. Mayor, did you tell me we're in for restart?

Mayor Nickerson: Not yet. How are we looking [unintelligible 01:03:29] Foo Moo, we good? Yes? No? All right hold on.

Participant: [unintelligible 01:03:44]

Mayor Nickerson: No problem.

Participant: [unintelligible 01:03:46]

[silence]

Councilperson Lightfoot-Ward: Am I holding it up?

Mayor Nickerson: No, no, no. There. Okay? All right you guys, we're going to restart the regular council meeting for Tuesday, February 23rd, 2021. We had to take a recess because we had technical difficulties. Hopefully, everybody has rejoined us that is able to rejoin us. We left off with Councilperson Lightfoot-Ward. Councilperson Lightfoot-Ward, the floor is back to you.

Councilperson Lightfoot-Ward: I'm going to make the very brief. I commend the Village manager on providing these quotes. We've been talking about this too long. I'm going by these horrendous potholes every day, and I'm about ready to go out there and fix it myself but that's not what I do. Mr. Mayor, since this is an item that's being discussed without a motion, I have a problem with it just from that perspective, but I'd like to see this go to committee so that we can literally not have the manager have to do anything else.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

We have to come to a decision. She's got three quotes. One of them says we got 30 days to answer or it gets null and void. That's the first one. I don't think this is a hard thing, but I think we need to come to consensus that all of the streets listed ought to be on all of the quotes and each contract to get a second bite at the apple. They know what we want, including the ones that the manager listed as our initial problems, and some of those are not even on some of the list. That's just my thought.

I don't want to prolong this. I'm just as aggravated. Almost ran over the worst one that's in my area three or four times. I want to get it done. I don't want to do it like this. I'm going to side with my council partner here, my fellow councilperson in saying the addresses have all got to be the same. Ain't going to do a half-done job about it and whoever-- may the best person win. Right now, I got some that have some addresses and some that don't have them. I yield, Mr. Mayor.

Mayor Nickerson: Thank you, Councilperson Lightfoot-Ward. I'm going to come to attorney Geller, and then I'll come to you, Councilperson Martin. Just let me say for the record, I just want point out for the record for clarity that the reason why this is on the full council agenda is because-- I don't know if you guys remember, but when this was discussed in committee, we said we were going to move it with the manager coming back with the quotes.

We didn't say we were going to keep it in committee until she got the quotes because the problem is, is that since we meet in the committees every other month, we were trying to move this as quickly as possible. What we said coming out of the committee was that we were going to move it because we knew that the potholes were a problem. We were going to move it with the manager getting three quotes. That's the reason why it came to full council. I just wanted to-- just for clarity so people don't think that we're just bypassing committee and just jumping to full council.

Councilperson Pirela: Yes, exactly, and my issue is the fact that not all of three have the same addresses.

Mayor Nickerson: Yes. No, I understand. Attorney Geller, and then I'm coming to you.

Attorney Joseph Geller: Two brief comments. The first is, just to clarify, remember that the committee structure is designed to assist you, it's not designed to obstruct you. The committee structure is useful so you can spend more time and have in-depth discussions on

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

things, which, frankly, Councilperson Pirela did in his committee when this was discussed. It's never wrong to say we want to talk about this more in committee but remember that that is there as a convenience to you, it is not required.

There are some places, you cannot present something that hasn't been through committee, but here's it's to help you, not to obstruct you from getting something done if that's the will of the council. I do want to clarify one thing on the fact that there are a couple of addresses on one. There are at least two locations that apparently one of them commented on. Councilperson Pirela and I've been talking about this back and forth. We had a conference call on this, including the manager and Plusurbia.

There're a couple of locations where there is some real confusion about what is happening on the swale because where the swale is used for commercial parking, it's a little different situation than just the pothole in the streets. We're talking with Plusurbia, we've had a call about it. It may be the case that we need new legislation, we need some kind of a new ordinance because the Village does not want to be in the position where we're going to continue to have to fix, and then fix again, and then fix again someone's commercial parking.

Whether the cost is shared for that repair is one issue, but the issue of ongoing maintenance is another issue that we're looking at. When you say that they're not identical, that's possibly because there's a couple of locations we've suggested to the manager be not included in the first round of pothole repairs because they're not problems necessarily on the street, or if they are, it's because of something that's happening on the swale where there's commercial parking.

That's something that we've discussed with the manager and my understanding is that what she's requested has

from at least a couple of other companies, some of them may have gotten addresses-- again, this was a process of pulling teeth to get these estimates. Some of them were based, apparently, on earlier requests. Keep in mind, she only got the third bid just this past Thursday, so we're trying to respond to it.

I think it's important to understand, there are a couple of addresses there, and we want to compare apples to apples, and oranges to oranges but there are a couple of addresses there that, at this minute, the village is not going to move forward on until we figure out if we can

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

even negotiate with these particular owners, or if we want to have a village-wide ordinance that deals with maintenance of the swales.

Just one quick final word, again, not to belabor this. One of the issues that our planners raised is-- a couple of these same addresses, the two same addresses we're talking about. We're talking about on the side street, there's a serious concern about the main boulevard, which is Northeast Second there, and [unintelligible 01:11:11] we have a new county mayor to see if Northeast Second has been substantially improved in the city of Miami up to the El Portal line, and Northeast Second up in Miami Shores has been substantially improved, which is why they have a better opportunity for commercial development there.

One topic is, can we persuade the county to help us improve Northeast Second Avenue in the village between those other two improvements and in doing that, that would substantially impact what we might want to do with swales because then we're only talking about the swale on the side streets. I don't want to complicate this unduly but that's why the smaller number of addresses-- compare them as you will, but that's why the smaller number of addresses is the one that we're currently looking at. I hope that helps and not just further complicates.

Mayor Nickerson: Thank you very much, attorney Geller, appreciate it. Councilperson Martin?

Councilperson Martin: I don't want to belabor the issue either, but I do think that this is an issue that should be belabored. The need to compare apples to apples is the issue that I have because one of these potholes is actually my personal pothole. It is located right in front of my driveway, and I have to see people drop into that pothole every single day, strollers trying to navigate it, people walking their dogs trying to navigate it.

When we initially moved into our home in 2017, we had it filled, and it had since become even worse. That is the one that's located on NW 89th St. It is on the DMI quote but not on any of the other quotes. My issue with that is, we really don't know what the price is, from the other quoters, if they haven't looked at this monster pothole that I'm sure is not going to be deemed to be something that is either superficial to fix, it is significant.

For me, yes, One Stop appears to be less expensive, but is that actually the case? In addition to that, I do know that sometimes certain businesses will coach you, and then kill you with change orders, depending on whether or not the scope of work changes. I too would be

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

uncomfortable in making a final determination until I saw that all of the quoters are actually talking about the same scope of work.

In addition to that, especially when we're telling people that were not opening the tot lot, and people are really trying to get out there and walk with their kids and have a safe recreation, the least we can do is prioritize making sure that those streets are safe for kids and for disabled people and for pets because my pothole on NW 89th St is treacherous and not something that I think we should wait any significant amount of time to rectify.

If the manager could also speak about what the long term plan is, to go ahead and address that and not in the cosmetic way of like, "Hey, maybe for another two or three years we'll be fine," but in a substantive way of, "How do we get our streets in the condition where we actually are improving the quality of life of the residents?"

Mayor Nickerson: Thank you, Councilperson Martin. Attorney Geller?

Attorney Joseph Geller: One other option, and just to present the council with options, again. Certainly, you can simply approve something. You have some support, some objection. Certainly, you can send it to committee again, which would mean it has to come back to the council. I do want to point that you have a third option, to try to standardize. You can authorize the manager to proceed forward and negotiate with--

You would start with a low bidder, but you would need to-- for instance, I understand from just checking with the manager, that the one that Councilperson Martin is referring to was added to the list, but because some of the bids were older, they may not all have addressed that particular one that's distinct from the ones I was talking about, that have to do with the swales and with maintenance of them.

You could authorize the manager to go ahead and negotiate, with the understanding that she will, in the negotiations, go first to the low bidder. Make sure that they've included all the ones that she asked, I guess, their bid was earlier. It would include-- my understanding is the one that Councilperson Martin is referencing, and see, if including that, they're still the low bidder. and what kind of price they would give to do that. You have the funds. I'm not saying that's the right option, I'm saying that's-

Councilperson Martin: An option.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Attorney Joseph Geller: -a third option that you could-- Depending on if that's what you want to do, that's certainly permissible to authorize the manager to negotiate, beginning with the low bidder and then moving to the second bidder, in an attempt to standardize the list, excluding the ones that we're working on for future swale maintenance, but including the others, including the one that Councilperson Martin just referenced.

Councilperson Pirela: Excuse me, that was my point, that even including the one that is troubling with you know the 211 Northeast 89th Street, is included in DMI, it's only like what? Is it \$4,000 over, the least expensive quote? I understand that One Stop Paving is one of the oldest quotes because that's a year old.

Even though they came back and they were provided the list of the new potholes, again, it seems to be the lowest but again, it doesn't have the 211, which is one of the main items in discussion. DMI has it, and if you think about it, it'll be the cheapest. I'm not referring to precise because they're almost identical to the DMI and its \$38,000, almost. DMI is actually the cheapest.

Councilperson Martin: Are we saying that a reasonable course of action would be for the manager to renegotiate in the interest of, first of all, time, making sure that this doesn't take forever and **[unintelligible 01:18:35]**

Councilperson Pirela: It's just clarified, I don't think they have to even come back, it's just clarifying and making sure that all the list look the same. We already prioritized all the potholes. They're all pretty much-- I see the DMI, the quote manager sent me, or sent everybody, they're the only ones showing the pictures where they marked all the potholes. To me, it looks like a more of a complete and professional-

Mayor Nickerson: Let me just--

[crosstalk]

Councilperson Pirela: -company or quote.

Mayor Nickerson: Let me just say this, you guys, let me just say this. The first thing is that you guys said you want to move it back to committee. All right? That originally was the discussion that you guys said that you wanted to move it back to the public works committee.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Councilperson Martin: I would want a realistic estimate of what does that do to the timeline?

Councilperson Lightfoot-Ward: Wait, wait, wait, wait. Wait. Wait. Are we having a council meeting or are we having a discussion?

Mayor Nickerson: No, we're having a council meeting.

Councilperson Lightfoot-Ward: Okay.

Mayor Nickerson: We're having a council meeting.

Councilperson Lightfoot-Ward: Point of order.

Mayor Nickerson: Point of order. So--

Councilperson Lightfoot-Ward: Mr. Mayor, we have to recognize the point of order.

Mayor Nickerson: Go ahead, Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: The manager has provided this information to us, we've all spoken about what we think should happen. We all agree.

Participant: Without any doubt.

Councilperson Lightfoot-Ward: We all agree that everyone on these lists, the list should look alike. Instead of going back to committee, I did that. I withdraw that idea to the extent that we can get a final because I'm like this right now. We know what we want to do, we know we can pass it. Now we're just talking about the money. Now we're talking about process. I'm looking forward to passing something that puts this back in the hands of the manager.

Says, "Look, we need to have all the streets." Go back to the three bidders since they are the ones that she's recommending to us. Whatever the one that comes back that wants to do what we need to have done, she has the authority at that point to say, "You got it." We come back here and do it parliamentary, approve the manager's action to do X, Y, Z because the village

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

attorney has already explained. There really isn't any need to go out and do this again, to really doing the public-- It's not really necessary.

I know you saw it first, manager. I know you saw it first. If they all just lined up together, but since they don't, and if they won't, then you know you got to go back out, or you just come back to us and say, "Listen, I've got no consensus of any of them." In the meantime, I'm like my neighbor here because I go by that pothole every day, and I'm almost about to tell the city, "You better fix my tire." Because it doesn't even have any red things around it.

What I'm trying to say? Hazardous things around it. It's terrible. I'm ready to introduce, accept, provide for a motion that we put this item, that we accept what we have and that the manager be empowered to approve the best. Be it provided they all say the same thing. I'll move that. If I can get a second, Mr. Mayor. That's all I want to say on.

Mayor Nickerson: Well, let me just say-- but first of all, let me clarify this for everybody who's watching and just for all of us who just for [unintelligible 01:22:24] rule purposes, point of order means that she wants to jump in in the debate, but the chair is the one that decides if that point of order is allowed. Let me just say that for the record. I decided I guess that it was allowed.

Councilperson Martin: Mayor, may I speak?

Mayor Nickerson: Being that's the case, you guys. Let me just say this, madam Manager. Listen, to sum this all up, this is exactly what I was going to say before. Next, I want you guys to all listen to this because this is important for your decision. The public works meeting is next Tuesday. Madam Manager, how long did it take for you to get these quotes? [01:23:08]

Village Manager Alou: From DMI, it took quite a bit of time. This is the one at question and that's what I was going to speak about. DMI is [unintelligible 01:23:17] responding.

Mayor Nickerson: I know you were-- I'm on the same page. I'm just cautioning you guys, if you guys really want these potholes fixed in a timely manner, if she has to go out and re-ask for things, she might be waiting another two months. She can't force, she can't go and hold them hostage and say give it to me now. You guys, I'm here throughout the week, all throughout the week. When she comes up to me and she complains to me like, "Man, we've been trying to reach out to these people for the potholes.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

I've been waiting for two weeks. I've been waiting for three weeks." It was two months she was waiting at one point. We can say, "Okay, we can bring it back to the public works and then we can move it to the next council meeting," but if they don't get it back to her, we can't control that. Just keep that in mind. There's a motion on the floor Councilperson Lightfoot-Ward, repeat your motion, please.

Councilperson Lightfoot-Ward: To empower the village manager to get a final total on what-- to empower the city manager to negotiate a final price from all three for a final list with a deadline-- I'm going to caveat this, with a deadline for them to get back to you. Whoever gets back-- if they don't get back to you because we can't wait anymore. You've got a deadline, give them three days. Am I fair? Give them three days. If they don't get back to you in three days, you go with what you got.

Village Manager Alou: Understood.

Councilperson Lightfoot-Ward: If you would join me in that motion, for the second it doesn't come back here, she gets the authority to do what she needs to do. We know our potholes are going to be fixed and she comes back with a report next week as to when they're starting, or if they've started and where or how they progress.

Mayor Nickerson: Councilperson Lightfoot-Ward, she has three quotes. If you do not want her to come back to the Councilperson Lightfoot-Ward, are you motioning for a particular company? Because she has three choices. Which choice is she-- if she's not going to come back to the council, then we have to tell her what choice of company to go with.

Councilperson Lightfoot-Ward: Tell me process. I just want to make sure we don't stall this. Tell me what the process is.

Mayor Nickerson: The way I see is that the choice is either that she goes back, and she gets the remaining information and we bring it back to the March 4 council meeting for a final determination, or we give her, we tell her what company we want her to go with tonight, and she negotiates with that particular company and then does not have to come back to the council.

Attorney Joseph Geller: Mayor.

Mayor Nickerson: Attorney Geller.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Attorney Joseph Geller: You can authorize-- you've got three quotes already.

Councilperson Lightfoot-Ward: You've got that.

Attorney Joseph Geller: It's not like you're just saying to the manager, "Go out and make any deal you want to." That would probably, in my opinion, not be the best choice, but what you've got is you've got three quotes in front of you. To ask the manager to try to get further information to standardize them and compare them on a final list, and I'll just caveat that again, to say there's a couple that shouldn't be on because of the swale issues we've talked about.

There's some updating that needs to be done for stuff that was added after some quotes were received like the one that Councilperson Martin just talked about. If I understand, it's not strictly priced because the manager is entitled to take into consideration issues of responsiveness, how cooperative they've been because you want to get the work done quickly.

If you authorize the manager to continue to negotiate with the three who you've got quotes from, who've given you numbers and try to standardize the list, but if they don't get back to her in a timely fashion, Councilperson Lightfoot-Ward said then she's entitled to just go with what she's got. What you're doing is you're authorizing the manager to negotiate the best price for the best list with one of the three.

You can empower her to do that, in my opinion, because you've already got three quotes. You know some ballpark there is a little bit of difference because some were harder to get and some came over time, and some have different-- As she said, her and the committee chair, went out looked and reprioritized the list, for instance, to add the one that Councilperson Martin referred to. You can tell her to try and negotiate with the three because it's a finite list. It's not a blank check.

Mayor Nickerson: Thank you very much, Attorney Geller. Okay, you guys, here are our choices. Choice number one is that we actually have four choices. Some are good some are bad, depending on what you believe. Choice number one is that we take it back to committee, and we wait for the company to negotiate with her, and we do it that way. That's choice number one. Choice number two is that we don't take it back to committee, and she goes back and negotiates, and she brings it back to the next full council meeting in March. That's choice number two.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Choice number three is that we give her direction of a company tonight that we like the best and she negotiates with that particular company. That's choice number three. Choice number four is the motion that's on the table right now. That is that we've directed the Village Manager to negotiate in good faith. If they do not get back to her in time in order not to waste time, she makes the final decision.

Councilperson Martin: Point of order.

Mayor Nickerson: Yes.

Councilperson Martin: Okay. My primary issue is that that list is standardized, especially to include the pothole that is on NW 89th St and the potholes that are prevalent on the northwest side. Some of them are missing, but I know for sure the one on NW 89th St is gigantic and an issue. I want to make sure that the list is standardized. If the list is standardized to include all of the potholes, the manager is a professional, I'm sure that she can reach out to the companies and decide who best to move forward with actually fixing the potholes with the knowledge that if said potholes are not fixed, there will be fire popping out of everyone's eyes and everyone will be disappointed. I'm sure, that part, the manager can handle.

My main issue and priority is to make sure that the list is standardized, and all of the potholes are reflected, and we do not go through this process of fixing the holes, and still there are large swaths of our streets that our children cannot play in or our handicapped residents cannot reasonably access. With that being said, if I can get some confirmation from the manager that the list will be standardized to include the pothole on NW 89th St. Correct? That is included in the list that you currently have?

Village Manager Alou: That is not included.

Councilperson Pirela: Which one? What's the-

Councilperson Martin: 465 NW 89th street.

Village Manager Alou: No, that was not on our original list, the one we went out with.

Councilperson Pirela: 485?

Councilperson Martin: 465.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Councilperson Pirela: 465.

Councilperson Martin: It's 465 or 485. It's that big. It spans a couple of households. As long as that's included in this first batch of whatever is being fixed and I can get some confirmation that that's included.

Councilperson Pirela: Again, that's why I compare the quote from Precise and DMI.

Councilperson Martin: It's going to end up I think around about the same.

Councilperson Pirela: One Stop is not actually-- including most of the stuff.

Councilperson Martin: That's true. Can I get confirmation that that pothole will be included in whatever list that you are giving to--

Village Manager Alou: Let me go back to the quotes. This quote from One Stop was from February 2nd. The one after that was Precise from January 20th. We were trying to get these quotes in. I didn't know about the pothole in [unintelligible 01:32:05] until after.

Councilperson Martin: Definitely. I completely get that. What I'm talking about is going forward.

Village Manager Alou: Yes, absolutely.

Councilperson Martin: If you do receive the carte blanche, will you include that pothole in there?

Village Manager Alou: Absolutely. We went with the list that Councilperson Pirela and the public-works staffer had got out. I had added that after [unintelligible 01:32:23] but I will add it. Moving forward, this is on the list.

Councilperson Martin: Perfect. With that being confirmed then--

Attorney Joseph Geller: Mayor?

Mayor Nickerson: Yes.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Attorney Joseph Geller: Let me just say one point to the point of order. The only little further caveat, Councilperson Martin is that standardized-- Yes, it includes that one. First of all, yes. Also, as to your point, standardized list but with the provision that Councilperson Lightfoot-Ward said that it's standardized if the companies cooperate and get back within a reasonable time. Just to be sure that that's covered.

Councilperson Martin: For sure. That's reasonable. You're the person who's going to have to be working with them, and I do not want to make that any more difficult. My interest is to just make sure that the potholes are addressed as expediently as possible. With that being said and with your assurance, I have no problem seconding that motion.

Councilperson Pirela: The problem I have, up until now-

Mayor Nickerson: Did she just second the motion?

Participant: Yes, she did.

Mayor Nickerson: The motion was made by Councilperson Lightfoot-Ward. It was seconded by Councilperson Martin, you guys for the record. Go ahead, Councilperson Pirela.

Councilperson Pirela: The problem I have is since we started working on these or since I actually became a member, I've been hearing about these potholes, and I'm going to give you guys a little briefing on that. I've always been told that we were still waiting for a third quote, and we've been waiting for that third quote for like seven months. One day, I got a phonebook or Google and I googled a few companies, and I started calling. I said, "Listen, this is the problem we're having. Why don't you contact our village manager?"

"Yes, I can go there actually this coming Monday," or whatever. The third quote which was Precise, came within a week of me calling. We were still waiting for the reassessment of the potholes after I went out and pointed out the real issues, and the real potholes that were affecting a lot of-- like you said, residents. I got on the phone and I got the people to come back. Yes, it took them a little time, probably to come back with a quote, but they did.

I was the one calling the three people because they were a month out and they were still not coming back with the quotes. I don't know if it's communication issues. I don't know if it's with the manager and the vendors or are you delegating these into the public work staffer? I have experienced that actually the quotes that we have, and the third quote that we had was

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

because I actually got on the phone and did it myself. That's the problem I'm having. If I have to choose, I would choose right now, DMI. Period.

Mayor Nickerson: We have a motion; we have a second. Before we ask for a roll call, Madam Clerk, before I ask for a roll call, I'm going to close the council meeting over for public hearing. If anybody wants to come up and talk about this item at all, you guys come up. Say your name and address for the record and the floor is yours. You have three minutes.

Former Councilperson Andreas: Good evening. Welcome to the new council members. We've spoken before, but welcome. I look forward to speaking more. Thanks very much. Just to give you some background. I myself, as a resident, have been actually showing up to the meetings back maybe six months ago, when I had a pothole around my rotunda.

Mayor Nickerson: Name and address?

Former Councilperson Andreas: 486 NE 87th St. Warren Andreas. We've been trying to push that. We got it fixed when we had that previous mayor, Claudia Cubillos. We had the rotunda. We got that one done within maybe a month, month, and a half. Then there was another resident, Kristen. She reported a couple and then the whole inventory list was going to be put together. This was seven months ago.

The gentleman, he is right, Councilperson Pirela. Perhaps, let's leave it to a communication gap in response whether it's the vendor, the management, unto producing these final three quotes. I was in the council meeting. I was asking specifically for, "When are we going to have these three quotes?" The last council meeting was in January. Mayor Nickerson was kind enough to say, "I'm going to put it into the agenda." I'm glad we got the three quotes last Thursday.

My question is first, if we knew we had the three quotes on Thursday, why is it right now that we're finding out that the standard list is not consistent? Today is three days later, business days. Why is that? Can anybody answer that first question? That's my first question.

Mayor Nickerson: Former Councilperson Andreas, so your question is if we got the information last week, why are we just talking about it now?

Former Councilperson Andreas: Yes, why didn't we really find out that the three lists were not apple-to-apple?

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: One reason it's just coming out now and we're talking about it now because this is the first public hearing since we got the information. Even if somebody had that within their mind themselves, they weren't able to come out and say it until tonight because tonight is the meeting.

Former Councilperson Andreas: I do understand that's shared with the council, right? You guys get a package of what's going to be--

Vice Mayor Urbom: On Friday. [unintelligible 01:38:26]

Former Councilperson Andreas: On Friday, of all the items that are going to be coming for the agenda. I'm sure this is an attachment, an amendment to those items. Why are we just catching that right now? You guys got the package on Friday, today is Tuesday. We could have had one business day, or something, go back to the vendor and say, "Vendor, by the way, we missed one pothole." Why didn't you produce it as part of the quote? Now we're talking about, "Let's go back to another committee meeting." We going to be wasting-- We're not going to be wasting, of course not, but--

Mayor Nickerson: You're asking, basically, for the council members, why didn't they, on Monday, go to the village manager and get the village manager to try to fix it on Monday?

Former Councilperson Andreas: Not just the council members, but why are we? We know we had produced this list on Thursday, why are we just catching it right now, until tonight? Now, it's sad to hear our conversation now. We have four different motions. Another motion is to go back to the public works committee meeting.

Mayor Nickerson: Four different options he means.

Former Councilperson Andreas: This is becoming a little bit frustrating. I think [unintelligible 01:39:43] as a resident because I've been pushing this.

Mayor Nickerson: I understand, but think about this former Councilperson Andreas, right now, you should be happy because the motion that has been made and been seconded is the one that you want, which is it doesn't hold up

any time. The motion that's up right now, that was made by Councilperson Lightfoot-Ward and seconded by Councilperson Martin, that's the one that gives the manager the authority to

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

go try to get that information, and if that information doesn't come back in a timely fashion, she makes the decision based on the best information that she has. The one that's on the table right now is the one that you should probably like because that's the one that gets things done the quickest.

Former Councilperson Andreas: My second question is out of the let's say the inventory of the ten potholes if the three lists, are we saying is it two potholes that is the difference or are we saying it's a totally different list? Are we saying one of the vendors produced let's say out of the 10 produced one pothole less? Are we saying, is it a big difference, a significant difference?

Councilperson Pirela: I'm sorry if I may, going back again with what Mr. Geller has said. The issue is that, for example, One Stop, it doesn't have included the 211 address which is the one we're having issues with, with the parking and the easement, and all of that which Precise and DMI have them included on the quote.

If you think about it, if one is only \$4,000 more, it's not the most expensive one, it's the cheapest one, because on the addresses I understand, they're actually not in front houses, they're in between so one company may have got in the address from one house and not for the other. The thing is what I see here, I see numbers and I see one company is not including one which is the biggest one.

I will say let's go to DMI, tell them to exclude the 211, NE 89th St which is the one we're having issues with the easement because they have a pretty much long list of the new potholes which includes most of them on the Northwest side on 86, 89 and all of that, and try to negotiate with them like Mrs. [unintelligible 01:42:26] has said and say, "Well, let's take this off the list, and tell me how much is the final number." That will compare more to One Stop Paving which is the recommendation we had in front of us.

My assumption is once they take that off the list, it will be at least \$5,000 less because that's the one that has more trouble, has the biggest pothole on the easement. If you don't see it like that then there's a problem, there because that's the only issue I see. It's not much about many addresses being different, but it's the biggest issue that we have is with that particular property. That's the one that's costing a little more, and it's included in that quote that's 32,000 versus, 28,000 that doesn't have it included.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Former Councilperson Andreas: It seems like there's a 4,000 difference between the quotes and in just one area. We've spent maybe 45 minutes discussing something that we could have summarized in five minutes.

Councilperson Pirela: Again, like I said maybe One Stop is a little more reliable when it comes to answering and coming and stuff like that. Again, the only experience we have with them is fixing the paving, the bricks, not the road and they're in business for what? Seven years. These other company has been in the business for 60 years, so I don't know. It's all about choosing not the cheapest but the better vendor.

Former Councilperson Andreas: I'd like to offer what I was looking at when I was looking at the quotes. When I realized that the addresses were different, I guess I'm the only one here who I wasn't bothered by the lack of uniformity because what I saw as similarity between them was the manner of repair. Each one had eight addresses listed of a specific type of repair, then each of them also had two addresses listed of another type of repair with the exception I believe of One Stop.

For me, I guess I try never to make assumptions, but I guess I did make an assumption that what we're really talking about here was the number of types of repairs coupled with the approximate square foot accumulative within that type of repair. In that regard, honestly, I didn't think much of it that a couple of the addresses were different because in my mind I'm thinking, what we're trying to get done here in this first phase of pothole repair is eight types of this type of repair and then these two which were a little more detailed in terms of the type of intersection they interacted with, needed another type of repair which were outlined in the quotes.

I guess for me personally I wasn't thinking that apples to oranges was a problem in these quotes because really what we were talking about was type of repair coupled with square foot of that repair gives you the total cost. Correct me if I'm wrong Attorney Geller, but I believe that the motion on the table satisfies accounting for that.

My only other concern about the motion was we have our three quotes, does this motion assuming that only one company responds to the manager, and not three, do we still get to qualify this as three quotes? That was my only other question with the motion.

Attorney Joseph Geller: If I may, can I answer.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Former Councilperson Andreas: Yes.

Attorney Joseph Geller: The answer to me in my opinion it's yes because you have three quotes, you've satisfied the requirement, you are allowed to do negotiation as far as what's in the best interest of the village. The other thing is and maybe I'm wrong because I haven't studied the addresses but the other issue that came up was apparently the low quote is one of the oldest, and it's not just the swale issues.

It's also the fact that the committee chair took the time with the public works staffer and the manager to go out and update the list to include for instance the one that Councilperson Martin is discussing. There are some other differences, it's not just 211 because the village has expanded some priorities. That's why somebody has to go back when you got a quote Thursday.

Thursday the manager issued a recommendation with the backup information as to the details. Once you've done that, you've got some decisions you have to make, that was done, it's received, it's issued that's what you're looking at, that's why it's committed to your discretion. The mayor outlines correctly different options. You have a motion on the floor you can vote it up, you can vote it down, but there is some desire to try to have them standardized as to list as well as you're correcting what you pointed out vice mayor.

That as Dr. Lightfoot-Ward says, it takes some process and your task is to choose that process. She's made a motion, you don't have to adopt it, but you have to choose some process, and that process should include standardization to the degree possible, to the degree the companies part of the motion that they respond timely. If the motion passes, you don't have to sit there again and wait until all three choose to respond, but the process is at your discretion.

Mayor Nickerson: Thank you very much attorney Geller. Anybody else for public comment? How am I looking on zoom? We're good. All right closing the public comment. We have a motion on the table you guys, we have a second. Everybody understand the motion that we're about to vote on? Anybody need clarification?

Vice Mayor Urbom: Let's clarify.

Mayor Nickerson: Councilperson Lightfoot-Ward, correct me if I'm wrong. the motion is to allow the village manager to negotiate for the missing information, and then she can offer

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

expertise, make the best decision. That's basically what the motion is, we'll just stop there. Is that a correct interpretation of the motion?

Councilperson Lightfoot-Ward: That's as simple as it gets.

Mayor Nickerson: Thank you very much. I was about to say more but I was like let me just keep it simple.

Attorney Joseph Geller: [inaudible 01:49:53]

Mayor Nickerson: Let's start, oh lord. [chuckles] Let's start right there. Does everybody understand the motion? We good? Okay, Madam Clerk, may please have a roll call, please?

Village Clerk Jacobi: Councilperson Martin?

Councilperson Martin: Yes.

Village Clerk Jacobi: You said yes?

Councilperson Martin: Yes.

Village Clerk Jacobi: Okay. Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: Yes.

Village Clerk Jacobi: Councilperson Pirela?

Councilperson Pirela: Yes.

Village Clerk Jacobi: Vice mayor Urbom?

Vice Mayor Urbom: Yes.

Village Clerk Jacobi: Mayor Nickerson?

Mayor Nickerson: Yes.

Village Clerk Jacobi: Motion passes five to nine.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Mayor Nickerson: Thank you very much. I appreciate it, you guys. The next item, you guys, the permeable road material. This is what I'm going to do for the sake of time. I'll just bring the permeable road material information to-- the reason why I put, the permeable road material H5, H6 to water flood pump H7, the bus stop on North Miami Avenue, these are all things that residents have been asking about. I wanted to introduce these ideas to you guys so that we can start to research these ideas so that at future meetings, we can start to come back with concrete discussions about them. That's the only reason why I had it on here.

The permeable road material, it falls hand-in-hand with the pothole street repair because it's about road materials, about pothole and street repair because we deal with a lot of flooding and stuff like that. There are different permeable road materials out there. You guys should start to look into this on your own for future meetings. There's different permeable road materials out there that once we start to fix the streets that are really messed up, especially in front of the doctor's office, where there's potholes and it's really messed up.

If we can start to get businesses to start to replace or start to fix our own streets to replace things with more permeable road material, it will last longer than regular road material. It helps with the water much better than regular road material. We'll be fixing a lot of different issues that we have in the village with just that little change, with changing the road material to more permeable road materials. I'm going through this quickly because the last one took much longer than I anticipated. Vice Mayor Urbom, do you have any questions or comments about that one?

Vice Mayor Urbom: No, just to say that the pothole discussion, for example, the concern is that if the job is not done to a high enough quality, then it will begin to degrade rapidly, and we'll have to do it over again. With permeable, the same thing. We'll find that it's an emerging industry, yet it has ancient practices to it or philosophies to it. I think it's going to be possible to get overwhelmed at the options, honestly.

The cost will be higher than doing traditional asphalt. However, just as you're saying, it provides a long-term solution and mitigation to some of our most pressing issues with having that water-- allowing that water someplace to go when once it hits the ground.

Mayor Nickerson: Councilperson Pirela, questions or comments? [crosstalk]

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Councilperson Pirela: No, that's fine. I actually was considering to do my driveway with a permeable material concrete about three years ago when I did my driveway and it was considerably expensive. It was almost 70% more than what I paid for it for regular concrete.

Mayor Nickerson: That's why I just want to put it on the radar, you guys, because you have to offset that with if we fix the road with regular road material and then it messes up later and we have to fix it later, we weigh that against the. [crosstalk]

Councilperson Pirela: No, it will mitigate a lot of the floating issues and stuff like that because the water then they don't have to run nowhere. It just sits there and evaporates, or it goes down to the ground. The other thing is if we, hopefully, we move forward with a septic sewer, all the streets are going to be destroyed again. Then we'll have to consider the permeable material and stuff like that. The potholes right now is a patch to have it at least for two three years. Hopefully, we start the project then the for septic sewer and then we have to repair the whole entire village.

Mayor Nickerson: Thank you. Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: You said these were examples. I don't want to talk about it now. You said you want us to do some research and catch up with you. I don't want to talk about it.

Mayor Nickerson: Councilperson Martin?

Councilperson Martin: No comment. I'm good.

Mayor Nickerson: Anybody from the audience are we looking on Zoom? We're good, thumbs up, appreciate, of course, go ahead.

Vice Mayor Urbom: I'll make a comment while we're bringing them over.

Mayor Nickerson: Go ahead.

Vice Mayor Urbom: If that's okay. On this issue, just as Councilperson Pirela's saying, the truth is we should have a savings plan anyway, but what you're talking about is trying not to do things twice. If we are going to tear up the streets with septic-to-sewer if we are going to tear the streets with the stormwater drainage installation, then in theory, we have a plan for redoing the streets after those projects, or as those projects are completing at the same time.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

That would take an incredible amount of coordination, but still, regardless, that's going to be the opportunity to get it done properly.

We have a little bit of time, precious little time to come up with a plan for savings to be able to afford some of this and stuff. That's it.

Mayor Nickerson: Thank you, I appreciate that. What does Mr. Rubio have to say?

Mr. Rubio: No, just the conversation regarding pervious pavement or pervious concrete or previous pavers. As one of the councilpersons mentioned, it can be very costly. It's not recommended on travel lanes on roads. If you can put them on install them on off-street parking, in parking lot areas, that's where you apply them because pervious pavement requires soft soil underneath for the water to perk and you can't put that on a travel lane. You can put it on, say, where a business uses parking for things like that.

Mayor Nickerson: Thank you, I appreciate that, Mr. Rubio. Anybody else for permeable road material? We good? Hearing none. The water and flood pump, you guys, this is something that the Village Manager is going to continue to look into. This is something I want to put this out there because I want to be more proactive than reactive when it comes to our flooding and we're going to get back into the rainy season. We're going to get back into the hurricane season. It's going to come before we know it.

We really need to look into, myself and the manager, I know she's going to cover it later. We had a meeting today with County Commissioner Hardeman and it went really, really well.

I did bring this up. I brought this up in our meeting about the flooding, about pumping stuff like that. I'm trying to build these relationships so that, and the manager will tell you that even in the meeting, it wasn't all business. I reached out to him I said, it was a friendly meeting.

Instead of just coming and saying I told him on a couple of occasions, Village Manager would tell you that I said we're not coming here with our hand out. We're coming here to build a relationship and I even got-- we spoke candidly about his frustration on coming into a new position and stuff like that. I had him opening up even emotionally a little bit, you know what I mean?

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

I'm doing that though to establish those relationships so that when we do have this flooding and stuff and we do have these storms and things like that, we're not at the back of their mind. We're at the front of their mind. I just want to let people know that because, again, this is something just like the permeable road material that residents have been contacting me for, consistently, have been contacting the village for consistently. I want to put it onto the record out in the open that it is being discussed. Things are being done about these different situations. We do hear you. Vice Mayor Urbom, anything about the water flood pump?

Vice Mayor Urbom: No.

Mayor Nickerson: Councilperson Pirela, anything about the water flood pump?

Councilperson Pirela: No.

Mayor Nickerson: Councilperson Lightfoot-Ward, anything about the water flood pump?

Councilperson Lightfoot-Ward: Negative.

Mayor Nickerson: Councilperson Martin, anything about the water flood pump?

Councilperson Martin: No.

Mayor Nickerson: Okay, public discussion, anything about water flood pump, how we're looking on Zoom? Thumbs up with Zoom. All right you guys. The next thing is the bus stop on North Miami Avenue. A lot of people have been reaching out to the village. A lot of residents saying there's a bus stop on Northeast 2nd Avenue, there is a bus stop right there on close to 87th Street.

A lot of people were saying why is there not a bus stop on North Miami Avenue? I've been getting that a lot. Madam Manager will tell you guys and I see former Vice Mayor, Mathis, in the back. How are you doing, Harold Mathis? Madam Manager will tell you guys that that road is not only owned by the county but that was discussed before previously and they said that they didn't feel comfortable. They didn't want to put a bus stop there. Another thing, you guys, once bus stops do go up understand understand that El Portal has to maintain it. Just understand that. Anything you want to add to that Madam Manager?

Village Manager Alou: Yes, I would like to add that the bus stop that is on Northeast 2nd Avenue in front of the Sanctuary Project Church. That was a stop that was garnered through

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

an interlocal agreement between Miami-Dade County transit and the village that was a federally funded Americans Recovery and Reinvestment Act back in 2009. There were bus shelters put throughout the county and El Portal got one. We do have to maintain the bus stop and we have to do a lot of reporting for that bus stop, but the bus stops don't belong to the Village of El Portal. They belong to the transit which would be Miami-Dade County.

It's up to them to put the bus stops in and the shelters or what have you. We'd gladly maintain them if we would get some, but it's their decision and we follow suit with what they're giving us. We are putting in our own little shuttle stations for our circulator at the village hall and at the nature trail but outside of that, we don't have a transportation system to run on our own.

Mayor Nickerson: Looking forward to that shuttle station. Vice Mayor Urbom, anything about bus stops on [unintelligible 02:01:27]?

Vice Mayor Urbom: I'm just looking at the map here. On Northeast 2nd Avenue, it looks like there are three northbound bus stops and two southbound. The two southbound are at the extremes of the north and south of the village boundary. Then on North Miami Avenue, there's a single northbound bus stop just north of 88th Street and then there are two southbound, one being close to 87th. I'm all for extra bus stops, but then I know also that improving the shelter, the quality of shelter from the elements of the existing bus stops might also make a significant difference. Maybe that's a path that would be-- maybe we can work on both of those at the same time even. That's all I have.

Mayor Nickerson: Thank you very much, Vice Mayor. Everyone appreciates it. Councilperson Pirela?

Councilperson Pirela: No.

Mayor Nickerson: Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: Thank you, Mayor. I don't know which part of North Miami they're talking about. I'm talking about where the number two bus runs up 90th Street. There's been a bus stop there but there's never been a seat, a bench. That's the issue. Everybody knows that I served on CITT up until Thursday and then they'll give me my goodbye because you can't hold two offices. That's what I'm talking about. We're not talking about the absence though; we're talking about there's a bus stop but there's not a bench.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

That's what we're talking about and everybody knows at the village, we don't control it, but we can at least ask for it.

Old people catch that bus and they're standing there. When the number two comes back around, you know number two turns around here in the village, right? Everybody knows that, right? The number two actually comes in turns around, and then goes back out. It's last stop coming out of 90th Street is that where the sign is but there's never been a bench. I don't know what the rest of the-- what they're talking about, but it feeds into North Miami Avenue, but that's all I'm talking about.

It's just if we got a stop there, why don't we have a bench there? If we're not going to put benches everywhere, let's say why we're not going to put benches everywhere. We're not going to ask for it, it's okay. I served them on that trust long enough to know they're going to say it's okay because it may not be cost-effective. It may not even be efficient. I just wonder because that's in my home, I don't always want to drive a car, I want to catch a bus. That's all.

Mayor Nickerson: Thank you, appreciate it, Councilperson Lightfoot-Ward. That's exactly why I put this stuff on there, you guys because residents bring it up and we come up with ideas. If we want to start to go after certain situations with the bus stop, then we can start to do that. That's why I bring these stuff up. Councilperson Martin.

Councilperson Martin: No comment.

Mayor Nickerson: Thank you. Madam Manager let's look into that. Let's look into putting a bench at the bus stops that we have in our village that don't have. Attorney Geller.

Attorney Geller: Mayor, just to say and disclose, I have a former client who is in that business. Not a current client, but a former client of mine. I want to put that on the record. They put benches and shelters. They do it typically in exchange for being able to place advertising and receive the advertising revenue usually with some little split to the municipality that allows it. I want to be clear that they don't get to decide where there are bus stops. Bus stops are decided strictly by transit, but if you have a bus stop and the goal is either a bench or a shelter there, that company company's not the only one.

There are companies that provide benches or shelters in exchange for being able to place advertising. It is not typically something that is-- it certainly would not be very lucrative for a village as small as ours, but it's not something that comes with a cost. It should be revenue

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

positive but with our very limited number, it would be very minimally revenue positive. If they can sell ads, they're willing to put up the physical structure and then maintenance is a negotiable issue.

That's different than the federally funded one that the manager discussed. That is certainly a possibility and if it's something that you're interested in, I'd be happy to furnish some information on that, not just about that one, it's a competitive business. To the manager, what you would need to do though, you don't-- it is not a sole source. It's not like one company does it and you just call them up and you make a deal. You have to do a competitive solicitation, whether we would get much interest because we have so few stops is hard to say, but you could do that. You could put it out and you could see who's interested in it.

Councilperson Martin: Point of order.

Attorney Geller: Yes.

Councilperson Martin: Also, when we're thinking about that, I just want us to think about the aesthetics of that and whether or not that's something that matches where we're trying to go in the village and the pros and cons of that. I would be on the side of not doing that.

Mayor Nickerson: Yes, go ahead.

Village Manager Alou: Thank you, Mayor. Also, just a clarification for one of the benches on Northeast 2nd Avenue, State Farm actually sponsors that bench. Again, that's outside of El Portal's purview. We had nothing to do with that, but the State Farm Insurance purchased that. I agree that perhaps the advertisements may be against our aesthetic. We don't have advertisement in the Northeast 2nd Avenue shelter because that was a federally funded program. Something, again, that we have to maintain and replace when there's problems and report every month, and a quarterly report and a yearly report.

There's quite a bit of oversight for that, but that is a different animal than this bigger bus shelter advertisement thing that we are considering. I will ask the question and maybe provide a brief report to you all to let you know the options.

Mayor Nickerson: Yes, it just gets the options. It's good to hear the options and then we can decide if we want or not. Maybe in a perfect world, maybe their advertisement would be like a tree.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

[laughter]

Councilperson Martin: Maybe, unlikely.

Mayor Nickerson: Not likely, right. We appreciate that. Any public comment on the bus stops? No. How are we looking on Zoom? Thumbs up Zoom. Traffic solutions is something that is an ongoing thing in the village. I put here long-term short-term. A lot of people say things like, we need more stop signs because speeding is a major issue. Particularly on 87th Street. On every street, speeding is a major issue, on every street.

The former Vice Mayor right there is holding his hand up for, what's that, 90th Street? On every street, speeding is an issue. I myself and the village and probably you guys also get a lot of calls about why don't you guys just put up more stop signs? Why don't you guys put up lower the speed limit? We get that a lot. Why don't you guys lower the speed limit? I just want to say for the record that, El Portal can't just nilly-willy put up stop signs.

We don't have that authority to just change a speed limit sign and stuff like that at a lower speed limit, now what we can do, is we can-- and did we do this years ago Madam Manager, we did this years ago which was we did a traffic study. Now traffic studies are not free.

Our last traffic study that we did, and we do the traffic study then they'll come out and they'll get how many cars come by and all that type of stuff, and Councilperson Lightfoot-Ward, would know about this also. Traffic studies aren't free and Madam Manager, our last traffic study was about-- how much was it do you remember?

Village Manager Alou: No, I don't remember the price, but I know that the county it was in conjunction with the county and it was an analysis done by, oh my gosh, done by--

Mayor Nickerson: Well, let me say, every time that we've done this, and we've done it since I've been on council like two or three times, and every time we've done this, the county's always come back and said that we don't get enough to lower the speed limit. That's what they've come back and said for the ones we've done in the past. Now, as years go by, our community changes, the village changes and things like that, population rises, more cars come through, so we can start the process to try to do another traffic study, if you want to see that. People asking about why don't we put more of the humps in the street to slow down--

Village Manager Alou: Traffic calming devices.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: Right, the traffic calming devices, to slow down individuals going fast at certain places. We just don't have that authority to do it ourselves. Another thing also is that I remember we were going to do like temporary, we were looking into temporary traffic calming devices,

Village Manager Alou: Speed bumps, sir.

Mayor Nickerson: Temporary speed bumps. I remember the ones we were looking at were costly.

Village Manager Alou: Well, yes they were costly but at the end of all of this because we had so many people willing to donate contribute, we were told by Miami-Dade County traffic engineer, came out and talked to us as a village back in May of 2018 and said that those are county feeder roads and we cannot put down any calming, we cannot put up any unauthorized signage that would all be removed. That's when we said, "Well can we do something about lowering the speed limit, and that's when they did the study to see that it had to be a consistent flow of 10 miles or more over the speed limit--

Mayor Nickerson: Exactly.

Village Manager Alou: -and it wasn't.

Mayor Nickerson: It was not.

Attorney Geller: Now if I may--

Mayor Nickerson: One second, so what I would say is that we not only, and we'll discuss this in public safety but what I will say is that we not only ramp up our speeding situation, monitoring our speeding situation but that we start the process to do another traffic study, so that we can see where we're at. Vice Mayor Urbom do you mind? [crostalks]

Vice Mayor Urbom: Okay yes. When we conducted the traffic calming study it was done by Miami-Dade. It's something that the village can pay for itself and be more probably more in favor of our situation than having an outsider because pretty much Miami-Dade County is an outsider even though we're within Miami-Dade County. They obviously don't pay much attention to the small municipality, and having us doing our own traffic calming will it add any benefits to? Will get somewhere with that or?

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Village Manager Alou: Well, I'm not sure. I've been advised by other city managers who've conducted their own because they met with the same opposition. When they did their own studies, they then took that information somewhere successful in lobbying for a lower speed limit. Some were not, but we are certainly able to go out and commission our own. I know the growing rate is about \$50,000 for the traffic study.

Vice Mayor Urbom: I was going to ask you because as you were, I guess it's even you commented it was in front of the street that Miami [unintelligible 02:14:45] put speed bumps, so I was just curious in knowing how come they can get away with that and some of the streets and we can't. Is it that they're conducting their own arm traffic studies or?

Mayor Nickerson: Attorney Geller.

Attorney Geller: I always hesitate to comment on policy, because certainly everything you're talking about is legal, but as the manager said, Miami-Dade County traffic, are notoriously hard-headed and resistant, that doesn't mean don't do it, but you may find it desirable to talk to them first not just to spend the money for a study and then find they don't care.

At least try to find out what they're open to, what they need to see, what would be persuasive to them from a study, if the answer is nothing, then you're wasting money, and if you can focus on what it is that they're looking to find out, you don't need to pay for other things in a traffic study, you just want to pay for what they're looking to see and see if you can make your case to them.

I just would say that although it sounds like you may want to start with the study that may be step two or step three in your process after you talk to them and maybe their boss or the county commissioner or the mayor can try to give you some push there. You want to know if anything will work and what it is that's going to work before you contract with somebody again. I hesitate to give policy advice but that's a little bit.

Mayor Nickerson: I appreciate that, Attorney Geller, that's why I said we should start the process to move towards the study. Councilperson Pirela you're good, Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: No.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: No. Councilperson Martin.

Councilperson Martin: No comment.

Mayor Nickerson: No comment. All right you guys--

Vice Mayor Urbom: Sorry.

Mayor Nickerson: Sorry about that, Vice Mayor, I'm sorry about that.

Vice Mayor Urbom: I'm going to start the timer on this one and I will keep it to three minutes, and I'll try to be clear as I speak, and I'll try to cover a lot of ground. As I said in the past, I am a traditional lead foot. Now that we've had this discussion and I've been a part of this discussion among the council and trying to find a solution in the real world for municipality for speeding, right?

Now, I could be a reformed lead foot, now I see the error of my ways and I am not going to be speeding anymore, children have changed that in my life for me, so my driving habits are not as severe as they were when I was younger. Okay, great so I've changed my ways, and what about the other 200,000 commuters who come through this area as local commuters every single day.

Northeast 2nd Avenue, down here south to 76th street, I'm going to call it, all right? They repainted the lines, one of the left lanes is left turn only. Every single local drive that road knows it's suicide to go in the right lane. You go straight through there ignore the painting on the pavement and you go straight why? Because if you get in the right lane, there's going to be a truck unloading at the store, there's a bus stop there, there's the intersection there.

Every local knows you ignore those lines and you go straight in the left lane or else you're going to get rear-ended or smash into the back of somebody, right? El Portal lowers the speed limit okay? Great hooray, the county lets us do it. We put in speed bumps, great hooray the county lets us do it. The speeders out there are, by definition, scoff laws, all right there you go an old-timey phrase for you, scofflaws, all right?

Speeders don't listen to signs that yell at them, they take it as a challenge. Speeders do not slow down for speed bumps, they find out what the harmonics are, and they increase their speed to reduce the impact on their vehicle Brakes, suspension, everything is less impacted

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

when you hit a speed bump at speed, it's far easier to take it. The ones that plateau or the effective ones because now you're playing dukes of hazard by speeding up on those, but there are all kinds of restrictions on where you can place speedbumps driveways things like this.

You have to understand what is going through a speeder's mind, a speeder sees where they're at, and where their next turn is basically, a turn is where they have to slow down. They have no choice, they have to slow down for turns, right? You have to break up those linear spaces, you have to take a linear space like from Miami Avenue to Northeast 2nd on 87th Street and you have to break up that space, that's what the roundabout here at Village Hall is, it's to break up that space.

Maybe we can use things like brightly colored intersections, for example. If the county will allow us to submit options for signage, then we should do that. I do think in communities where you have like the lowdown signs that say, "We love our children," I think those actually are somewhat effective. In addition to that, if you put a small print sign, the social distancing shirt that says, "If you can read this, you're standing too close."

How about a sign below a speed limit sign that says, "If you can read this, thank you for driving safely," and put it in smaller print, for example. There are imaginative things that we can do, and I don't think that a solution is to wait for the county to let us do what we want. We have to find solutions that work within what existing county rules are, and then also match that with psychology of what is happening in the mind of someone who is just speeding from point A to point B.

It took me 20 years of driving to learn, I don't gain anything inside of city limits by speeding. I don't gain any time at all. Now I'm a person who I don't take the shortcut to gain time. I take the shortcut to get away from traffic and actually slow down a little bit, where I don't have to be in the rush of the river of traffic to be going. I can get off of that and I can actually slow down a little bit, take some more turns and hit some more stop signs, but it's easier on my mind. My soul is happier. I think if we don't address the psychology of what's happening with the local speeders who come through here every day, we're not going to fix anything.

My recommendation is we have to figure out ways to break up those spaces so that they don't seem like a straightaway anymore. That's the issue of Biscayne Boulevard. I'd referenced in the last meeting. Philippe [inaudible 02:21:40] has been petitioning the county and the state even for years trying to get them to even acknowledge the design flaw of Biscayne

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Boulevard, because it's built as-- I grew up in Kansas and we love our V8s, 0 to 60, 0 to 100, quarter-mile, half-mile. This is what you do.

When you're out here on Biscayne Boulevard, you've got straightaway's that are mile long, and so at 2:00, 3:00 in the morning, you're sitting there in a Lamborghini V10 with RA Audi package and you're going to go, "Oh, I bet I could go 0 to 100 in 15 before I have to slow down to the next stop sign. This is what's happening in the mind of a speeder. They see straight lines. The real drivers can take turns at speed, but you find out that most people really only know how to drive in a straight line.

You have to break up those line, the sightlines so that they have to look at more things. They have to pay attention to more things, and then the foot comes off the gas as they negotiate that deciding when they can get back down on the pedal again. That's what you're doing is you're buying yourself time with the speeders so that they're not encouraged to just drop the hammer as they go between two blocks. If we don't address that psychology, then we're never going to get anywhere on this. That's all I have.

Mayor Nickerson: Thank you very much, Vice Mayor. No, you're good. Thank you very much Vice Mayor Urbom. I think the manager has direction to know what she's going to do to start the process, you guys, and she'll look into those long-term and those short-term solutions. We'll get back to you. Go ahead, public hearing. When I first became a councilperson a long time ago, this was the first thing that I passed was that after every--

When we were doing every subject matter, that before we moved to the next, they have a chance to come up and speak and stuff like that before we vote and stuff like that to get their voice heard. That was my first thing I passed here a long time ago. [laughs] Say your name and address for the record former councilperson.

Participant: [Inaudible 02:23:52] 486 Northeast 87th Street. I wasn't clear sitting in the audience. What would be the next step as far as the study with this calming? Is it going to come to the committee? I just want to get clarity. It wasn't clear for me.

Mayor Nickerson: All right. Yes, it was going to come to the committee but if it can come to this upcoming committee, but so we have a long-term solution. The long-term solution is that we're going to start the process to move to a traffic study. Because as Attorney Geller pointed out, there are certain things that lead up to the traffic study. It's a long-term solution.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

The short-term solutions are some of the things that Vice Mayor Urbom was speaking about, but as he said, we have to make sure that we're allowed to do those things like the--

Participant: I quite didn't follow the-- That's what I'm trying to clarify here.

Mayor Nickerson: No problem. No problem. I forget some of them, but Vice Mayor Urbom said about, for example, he said, "On a speeding sign, what if we put some other type of language that sticks out more?" He said that what sticks out more when you're driving down the street are sometimes the ones that are really bright about like, "Look out for children and places like that." He says, so let's try to get some other signs and signage that we can get quicker that we don't have to go through the county. We can afford to buy it ourselves and things like that, but let's first check and see if the county would allow us to do so.

Vice Mayor Urbom: I'll give you one more quick example. Take 87th Street between Miami Avenue and Northeast Second Avenue. We can't attach just whatever sign we want to any signpost because the county government has signs on that road. The county has to give us permission to either add a sign to a post or add a whole new post with a whole new sign. The county oversees whether or not we can do any of that.

What they don't oversee, for example, when you used to drive with the keys, when you hit the stretch, there's passing lanes. Before they redesigned, they had the signs that said, "Be patient." Then a quarter mile later was another sign that said, "Two miles to passing lane," or "Two minutes to passing lanes," and then in said again, "One minute to passing lanes." They had these three signs spaced a total of a mile apart from each other so that people would think to themselves, "Okay, I'm going to wait before I decide to pass."

We could use residents who would volunteer to say, "I'll put a sign in my yard," and you can have signs spaced out that say, "45 miles an hour, you've covered this distance. 35 miles an hour, you've covered this distance," and you start educating the public on what's happening as they're increasing their feet per second and their velocity. Just that process of getting them thinking about that brings the foot off the pedal while they're thinking about it.

That's really the goal. The goal is to get the foot to rise off that pedal instead of being dropped to the floor on that thing. Anything you can do at all to cause a driver to have to start to process things is what's going to cause that foot to come back off the pedal. We have to think of things that we can do without having to wait for the county to catch up because the county's never going to catch up on this issue. It doesn't seem so.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Participant: Just to put a title to that proposal you're bringing, what will you call it? Because we hear the long-term from the mayor.

Vice Mayor Urbom: This is part of what [unintelligible 02:27:19] has already worked on that they're calling Resilient Streets. Traffic calming and the speeding issues is part of the Resilient Streets plan that [unintelligible 02:27:33] is actually quite always down the road on in development. As an overall plan under the umbrella of what's called Resilient Streets, there's everything from flood mitigation design to traffic calming design as well.

Participant: To have a name now, is it called resilient planning?

Participant: Yes.

Mayor Nickerson: Resilient street planning.

Participant: Resilient planning.

Vice Mayor Urbom: It's been introduced essentially to planning and zoning. It hasn't officially been introduced to planning and zoning yet. It was brought as a special presentation at last month's general council meeting and will be presented as an option. It's essentially going to be presented to be introduced to the tracking report within planning and zoning. It's a long-term view on what streets are going to look like in El Portal.

Participant: We have two long-term solutions now.

Mayor Nickerson: We also have short-term, we also have speed enforcement, which we've started. The chief's been really good with that and we're going to get even more aggressive with that.

Participant: Can you provide an update? How aggressive is it and what's the--

Mayor Nickerson: He can, because--

Participant: [unintelligible 02:28:48] here because we have two long-term solutions and then the short-term. That would be great.

Mayor Nickerson: Yes. I'm on the [unintelligible 02:28:53]. He can, and this is something that has been restarted recently. I don't know if you had a chance to hear about the last public

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

safety committee meeting which I'm chair of, and that's when we really hit it back up and had it full notch to get back started. We've started to get some good results out of that chief with the speeding enforcement that we've been doing. Now, what we can't do, we can't say what days we're going to do it.

We can't say where we're going to do it. We can't say next we'll be focusing on this street. You know what I mean? We can't say that, but we've been doing it and it's been bringing back good information. The chief knows this, I want to get into merging those thoughts, so I want to get really more aggressive with it. A lot of our problems with that is manpower with the police, but we're going to try to figure out a way around that.

Participant: Okay. We have two long-term solutions and then the short-term that the chief will talk to us later.

Mayor Nickerson: Yes, short-term, yes.

Participant: All right, awesome. Thank you.

Mayor Nickerson: Thank you, appreciate it. Thank you. Anybody else for traffic solutions?

Councilperson Pirela: Yes, I do have a question for the village manager. As far as the money we have for the roads and stuff like that, we found out we have a little more than what we thought we had. The traveling area that Vice Mayor Anders is talking about it's from Northeast 2nd to North Miami on Northeast 1st. On N87, there's plenty of space there to do a rotunda like they did here.

That will actually break that straight line that you're talking about from the Northeast 2nd to the traffic light on North Miami Avenue. Is this some possibility that we can actually with that money or try to do some sort of like a not if it's not a rotunda, I don't know how much that cost but at least the intersection. It's only a two-way stop sign, have some sort of brick stripping in all four directions. As a part of a road repair, probably try to use that to do that.

Village Manager Alou: Yes.

Councilperson Pirela: That'll be fantastic.

Village Manager Alou: Possibly but I must caution you about that because we don't have that much money. We have about 276,000 and it's to be used for roads, sidewalks, traffic,

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

and roadside landscaping. What you're talking about is going to cost some additional money for engineering. We actually requested from the legislature last year.

Councilperson Pirela: Yes, and we lost it. Yes, the one by the school, right?

Village Manager Alou: Exactly, but that was \$500,000. We don't have enough for that, but we can certainly request it.

Councilperson Pirela: Yes, from one end to the other and for all four corners do a strip of bricks with a concrete but raise it up a little bit so at least that will give some with that type of money, I don't know, with road repair money. That's what I saw here. You say now that we have 200, but in the last meeting, I was told, or we were told that we had \$600,000 in those funds but now it's \$260,000.

Village Manager Alou: I also told you we have a lot of money in the fund, but we can't use it for this.

Councilperson Pirela: Use everything for that. Okay, you were going to find out how much we can use from those funds, that's correct.

Village Manager Alou: This is the exact amount.

Councilperson Pirela: We should look into that because it's more-- there's some money there that we can probably use to like not to do the full rotunda, but at least some sort of like [crosstalk].

Village Manager Alou: It wouldn't hurt to ask. I'm actually meeting with the county tomorrow morning at 10:00 to discuss this. I was told in preparation for this meeting, I was getting my notes out from a couple of years ago when I went through this and I reached out to the county. I was told, "Look, we're not doing any more studies until after the pandemic is over because the roads aren't being utilized in normal circumstances right now, but we can at least start the conversation like the mayor was saying. He was aware of that. I said let's just get the ball rolling.

Councilperson Pirela: Perfect.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Village Manager Alou: I did take note from the Vice Mayor's suggestions and I'll take your notes as well to her and see just what our options are, if there are any and what we can do on the short-term and long-term. I'll let you know.

Councilperson Pirela: Good, thanks.

Mayor Nickerson: Thank you very much, Councilperson Pirela. Anybody else for traffic solutions?

Vice Mayor Urbom: Just one last comment.

Mayor Nickerson: Of course.

Vice Mayor Urbom: I know that the residents along 87th at least are starting a petition to address this issue. Maybe it's possible to start with some of those residents on that petition to see if they would be amenable to having some sign of-- I'm thinking like the two little post sign you have almost for election season. Just a little simple sign like that, it could be removed for storm easy enough, doesn't take up a lot of space, is not expensive.

Some of them might be amenable to using some of the yards as a place to put some messaging, I really do-- when I was younger, and I really truly believed that I knew better than absolutely everybody about how fast I should be going. I will say that when I encountered areas that had positive messaging, I slowed down and when I encountered areas that had angry, yelling you're a terrible person messaging, I sped up.

That's just my personal experience remembering it probably incorrectly from when I was younger, but I really do find that to be common among my fellow lead foots. I am convinced that some positive messaging will actually be helpful. Maybe they might be amenable to see even seeing if it will work. Something to that effect.

Village Manager Alou: Okay and just another note about the rotunda we were proposing for the west side. It was only being allowed because it was considered a school safety measure and that's how we were able to get, as you know, the funding didn't come through. We're asking again this year for that. I'll continue to pursue it.

Vice Mayor Urbom: Then if we can demonstrate that the students have to, as pedestrians, access 87th, then hopefully, maybe they would see that that would be helpful also.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: Thank you very much, Vice Mayor Urbom. Thank you very much Madam Manager. Anybody else? How are we looking on Zoom? Public comment? We're good? All right you guys. Moving on, we're good, everybody else? We're good? Okay. Moving on to the next topic which are fire hydrants. We've come to a point to where I've had people reach out to me talking about the fire hydrant color. Fire hydrants are supposed to be yellow when they turn to red. A long time ago, we had this committee called the ALE Committee, the Architectural Landscape Environmental committee. I was only a Vice Mayor; Mathis was on it and some residents that we started there.

Let me tell you this, through the ALE committee, not only did we get the fire hydrants painted red instead of from yellow, but we also and Vice Mayor Mathis, ALE this was his pet and he gets all the credit for this. That's the reason why your street signs are blue instead of green. We try to do different changes so when you drove into El Portal you knew you hit El Portal. I just wanted to put out there so we can, we're just at a point where some people were just asking me about the fire hydrants.

I said, "I'll bring it out to the public." We worked hard to get those red from yellow because we have to go to the county and all that type of stuff to get their permission. I have no problem keeping them red, if you guys want to think about changing them back to yellow, you guys can start to think about that if you want to, but I just want to put it out there. People have been reaching out to me about it. If they're going to stay red, I just say that we make sure that we keep them up and that they stay shiny and beautiful. I just want to put that on your radar. Vice Mayor Urbom, any comments about that? Councilperson Pirela? You're good. Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: We're good.

Mayor Nickerson: Councilperson Martin?

Councilperson Martin: No comment.

Mayor Nickerson: Okay, we're moving right on. Congratulations again to the-- public comment, how are we looking on Zoom? Zoom thumbs up? Thumbs up Zoom. The next thing is ethics training. Congratulations again to Councilperson Lightfoot-Ward, Councilperson Martin. The clerk will be in touch with you guys as far as when the next ethics training that we can find.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

You guys were part of a special election, the primary ethics training classes courses that I took, or whatever. Usually, when people get after a major election like the one that took place in November, after that they usually have the ethics training to where I was in there and stuff like that for all the newly elected and people coming back. Now we have to find a special time. Especially when it's going to be happening so you guys can be a part of that. You have to pass that in order to be official and all that type of stuff. The clerk will be in touch with you with that. Attorney Geller.

Attorney Geller: Yes, I just want to add for our two new members although I've spoken to both of them, if you have any questions about the ethics training or after you've had the ethics training, please don't hesitate to contact me. I'll help you through it.

Mayor Nickerson: Thank you very much, Attorney Geller. Any questions about the ethics training questions or comments Vice Mayor Urbom? Councilperson Pirela? Councilperson Lightfoot-Ward? Councilperson Martin?

Councilperson Martin: No.

Mayor Nickerson: All right, thank you very much. Anybody out there? How are we looking on Zoom? Thumbs up? Thumbs up Zoom. All right you guys. Selection of village committee members. In the past, this has always been chosen by the mayor and it's always been chosen to where the mayor just chooses who he wants basically, he or she wants. Sometimes some mayors will ask for what do you guys prefer, and you guys give them kind of like a preference and then they still choose what they want. I'm a lot more transparent so I just want to do this out in the open. One of the main reasons why I want to do this out in the open was because in the past, I don't-- because a lot of times lack of communication can cause issues in relationships. Lack of communication causes issues in any relationship you guys know that.

A lot of times, in the past, what I would see just in government would be that the mayor would choose the committee chairs for everybody else in the council and things like that. Then you would start to hear talking underneath just throughout the community about, "Oh, the mayor gave me that because the mayor doesn't like me. The mayor gave this other person that because that's favoritism. They like them, they don't like me."

I said, "You know what," when I became mayor I said, "I'm trying to get rid of everything, those type of situations as much as possible. I'm going to do everything out in the open," which is why I bring all these things out in the open. Every subject matter I possibly can, I

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

bring it out in the open. This is what I'm going to do, you guys. Previously, it was just the three of us, so we all had two committees.

I don't want to overwork anybody here, so I'm going to take the brunt of the work. I'll take two committees. I'm going to stay with the two that I was on which is public safety, and administration, and finance. I'm going to chair public safety, administration, and finance. This is how we're going to do the rest. We're going to go by, everybody hers this. There's a logical method to the madness. This is how we're going to do it.

We're going to go by position, seniority, alphabetical order by last name. Position the next is vice mayor. Vice Mayor Urbom will pick next. He'll pick one, then we'll do Councilperson Pirela because seniority. He'll pick one, then we'll do L, Lightfoot-Ward. L comes before M. Then Lightfoot-Ward will pick one, and then Councilperson Martin will pick what she'll have what's the last one is.

To make it fair, what I'm going to do is when you get your last one, you tell me another one that you would have wanted to have like your top love of the committees, and you'll be vice-chair of that committee. I'll make sure.

Councilperson Martin: I'm a believer in fate. Whatever I get, I will love.

Mayor Nickerson: I'll make sure your vice-chair of that committee.

Councilperson Martin: I'll be fine.

Mayor Nickerson: Okay. We're going to do that right now.

Councilperson Lightfoot-Ward: Mr. Mayor?

Mayor Nickerson: Yes, Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: A question.

Mayor Nickerson: Yes.

Councilperson Lightfoot-Ward: Are these mandated committees or just committees that we typically have done?

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: By charter. These committees are in charter.

Councilperson Lightfoot-Ward: Charter? [crosstalk]

Mayor Nickerson: Your mic.

Councilperson Lightfoot-Ward: All I'm trying to figure out is why we got six committees.

Mayor Nickerson: By charter.

Councilperson Lightfoot-Ward: [unintelligible 02:42:51] five people?

Mayor Nickerson: Yes. These committees are in the charter. These committees are in the charter.

Councilperson Lightfoot-Ward: I didn't see them.

Mayor Nickerson: Yes, they're in the Village El Portal Charter. These committees are in the charter.

Vice Mayor Urbom: You haven't read it then.

Mayor Nickerson: No, the charter doesn't matter. I choose whoever is the chair, but that's why I said that I'm doing things more open, but, yes.

Vice Mayor Urbom: There has been a discussion of consolidating these committees but that would require changing the charter.

Mayor Nickerson: Exactly. All right, you guys. We're going to do that, and I could bring up that charter.

Councilperson Lightfoot-Ward: I wasn't finished.

Mayor Nickerson: Go ahead.

Councilperson Lightfoot-Ward: You say it's in the charter?

Mayor Nickerson: Yes.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Councilperson Lightfoot-Ward: Okay, we're going to take this up another day. Go right ahead.

Mayor Nickerson: No, go ahead.

Councilperson Pirela: I'm sorry. I do have a question or a doubt about that, about the committees. Is it the councilmember takes one committee, right? Isn't that committee-- can that committee be formed by few residents or no? It's just within the council like the vice-chair or vices from or no. It's just, well, members of the public can comment or send you any ideas or concerns but is it something that or is restricted to us?

Mayor Nickerson: Lawyer.

Attorney Joseph Geller: Thank you, Mayor. There are other committees than the charter committees. You have, for instance, a tree committee which is composed of citizens. You have a resiliency and sustainability unless they have that backwards sustainability and resiliency which is composed of citizens with one liaison. Typically, there's one liaison. You can have other structures. Without rereading it, I'm not really aware of anything that absolutely says it's prohibited for you to add citizens to it, but they are committees of the city council.

The presumption is that at least the membership of them is going to be made up of members of the city council. There's nothing that says that you have to have three on each, but you have a problem with quorum and other things if you don't, but there are some committees, for instance, that have all five of you as members, but they still function as a committee. If there was really a strong desire to say that you were going to add some citizens to the mandated charter council committees, I'd want to go back and re-read that. I have some questions about that.

Mayor Nickerson: Let me just choose a question.

Attorney Joseph Geller: Thank you.

Mayor Nickerson: All right, thank you, guys. Vice Mayor Urbom?

Vice Mayor Urbom: I'm torn because I've spent so much time with code enforcement that I don't want to-- it sounds crazy to say it now, but I don't want to walk away from code

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

enforcement. I can't believe-- it's hard to imagine, I'm saying that out loud, but at the same token, I may not be the most qualified person to chair code enforcement.

Then when it comes to public affairs, I feel that I've taken many steps already down that path. I really am torn about which one I should stick with in this moment. I've seen this coming so I should just make a decision. I was wondering how this would all go back before the special election was declared necessary. I really am torn. I have--

Councilperson Lightfoot-Ward: I'm not torn.

Vice Mayor Urbom: -I will yield actually, yes. I will yield and let others have voice there, their desires.

Mayor Nickerson: Really?

Vice Mayor Urbom: Yes, I really will. Yes.

Mayor Nickerson: Councilperson Pirela?

Councilperson Pirela: Sorry. I think I'm going to stay with the public works. I like code enforcement, though.

Mayor Nickerson: Yes, let me know. I'll give you code enforcement. What do you want? Which one do you want?

Vice Mayor Urbom: Can I just say something about code enforcement?

Mayor Nickerson: You can say whatever you want.

Councilperson Lightfoot-Ward: I'm not torn, I know exactly what I want to do.

Vice Mayor Urbom: The fact that code enforcement has, we have staff. I feel strongly that I don't want to just walk away from commitments that I've made to our manager and staff. That really is the source of my conflict is that I don't want to walk-- the public affairs, I feel personal responsibility towards, but we don't have staff necessarily in public affairs. That's really where my conflict lies. I just want to be sure that our staff is supported by whatever does occur in code enforcement.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Attorney Joseph Geller: Mayor?

Mayor Nickerson: Yes, attorney Geller.

Attorney Joseph Geller: If your first two choices are both torn about which one, they want, you could always give people another day to think about it.

Mayor Nickerson: I understand, attorney Geller. I appreciate that. Councilperson Pirela, did you want code enforcement or?

Councilperson Pirela: I like them both.

Mayor Nickerson: Do you guys want me to pick on my own?

Councilperson Pirela: Sure, we want you to.

Mayor Nickerson: I know. Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: Administration finance and code enforcement.

Mayor Nickerson: I'm already administration and finance chair and public safety chair so I'll put you vice-chair administration-- I'll put you code enforcement because there's nobody code enforcement.

Councilperson Lightfoot-Ward: Then let me do this.

Mayor Nickerson: What's that?

Councilperson Lightfoot-Ward: [unintelligible 02:49:33] up on that, code enforcement planning and zoning. Code enforcement planning and zoning, how do I look?

Mayor Nickerson: Doctor Ward, is your microphone on?

Councilperson Lightfoot-Ward: It's on. It's sitting right here talking about green. It's green.

Mayor Nickerson: We're picking the chair. You want to be chair of which one?

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Councilperson Lightfoot-Ward: I just want to be on the committee. We're taking too long to do this.

I'm not good with somebody else's money. I don't want to tell administration what to do when I'm a city manager-type. I want to do something I've never done before. I know code enforcement a little bit and planning and zoning is one of those big one that just keeps on coming up. Now, you just tell me where you want me.

Mayor Nickerson: I think you'd be wonderful for code enforcement. I think you'd be great for code enforcement. I don't know.

Councilperson Lightfoot-Ward: Anybody trying to get, this man doesn't want to give it up so I'm just trying to--

Mayor Nickerson: Remember you guys, let me just say this. Everybody hold on for a second. Hold on, everybody, everybody. Hold on, hold on, hold on. It's not one person on every committee. Even if you're not the chair, it doesn't mean you're not going to be the vice-chair or another member of the committee. Everybody has the paper I gave them? Do you see how many people on every committee?

We will all be on administration and finance and planning and planning and zoning because I said, "You know what, I want all of you guys--" Before I became mayor, it was only three people in administration and finance forever. We changed to five as soon as I became mayor because I said, "I want all of us to be involved with the money," because I don't want any situations like what I walked into. Just because you're going to be the chair, it doesn't mean you can't be on the committee.

Let me just say for the record and Councilperson Lightfoot-Ward knows I love her. I love you to death Councilperson Lightfoot-Ward. Section 4.01 council meeting procedures E. There shall be the following committees established to the council. This is our charter, the council to meet and make recommendations to the council for consideration that a public safety committee, one. Public works committee, public affairs committee, administration, and finance committee, planning and zoning committee, and code enforcement committee.

It says all six and F, in our charter F under this section says, the mayor shall appoint a Councilperson to be the chair and other members of the council as members of each committee. The mayor should appoint, but I'm not going to appoint. I'm here to pick.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Councilperson Lightfoot-Ward, what do you want to chair? Code enforcement, planning, and zoning?

Councilperson Lightfoot-Ward: No, I'll let the brother keep it. I'll let him keep it. Let's do public works.

Councilperson Pirela: I'll have public works.

Councilperson Lightfoot-Ward: You love it.

Councilperson Pirela: Yes.

Councilperson Lightfoot-Ward: See chief, they want it to be [crosstalk].

Mayor Nickerson: Councilperson, public safe-- all right, I'm chair of public safety.

Councilperson Lightfoot-Ward: What are you all trying to throw code enforcement on me?

Mayor Nickerson: No, I'm looking for a chair. The ones that are open Dr. Lightfoot-Ward-

Councilperson Lightfoot-Ward: Name one.

Mayor Nickerson: -are code enforcement.

Councilperson Lightfoot-Ward: I'll take it. Taking us too long.

Mayor Nickerson: Councilperson Martin, you have public affairs, you have planning and zoning, I think. Pirela, did you stay with public works or no? You haven't decided yet. Public works?

Councilperson Pirela: Yes. [unintelligible 02:53:03].

Mayor Nickerson: You're public works. Did you pick one? You didn't pick one. Councilperson Martin, you want?

Councilperson Martin: I'll go ahead, and I will select-- I do have a question. Are the meeting times set in stone or is there a fluctuation?

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: They are.

Councilperson Martin: Okay. I'll go ahead and get planning and zoning.

Mayor Nickerson: Planning and zoning?

Councilperson Martin: Yes.

Mayor Nickerson: Okay, very good, very good. Vice mayor, you're public affairs.

Vice Mayor Urbom: Sounds good.

Mayor Nickerson: Okay. Because this took much longer than I thought, I will pick the rest of everybody else's. I'll fill in other spaces. I won't try to have you guys be on so many committees. I'll try to spread it out evenly.

Councilperson Martin: Vice-chair.

Mayor Nickerson: Councilperson Martin, where do you want to be vice-chair?

Councilperson Martin: Public affairs.

Mayor Nickerson: Public affairs.

Councilperson Pirela: What do I have? Public works?

Mayor Nickerson: You have public works. Vice Mayor Urbom, what do you want to be? I'll go backwards. Councilperson--

Vice Mayor Urbom: I'm going to show up to all of them anyway.

Mayor Nickerson: Yes, me too. Councilperson Lightfoot-Ward, what do you want to be vice-chair of? What other community do you want to be on? You are the chair of code enforcement; give me another committee you want to be on.

Councilperson Lightfoot-Ward: Public safety.

Mayor Nickerson: Public safety. You're vice-chair of public safety.

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

Councilperson Lightfoot-Ward: You're the chair.

Mayor Nickerson: I'm the chair. Councilperson Pirela, what another committee do you want-- what do you want to be vice-chair of, or what other committee do you want to be in?

Councilperson Pirela: Code enforcement.

Mayor Nickerson: Code enforcement vice-chair, Pirela. Vice Mayor Urbom, what do you want to be vice-chair of? Public works, administration and finance, planning and zoning?

Vice Mayor Urbom: What did you say? You said.

Mayor Nickerson: He's code enforcement vice-chair.

Vice Mayor Urbom: Yes, I'd like to stay in that committee code enforcement.

Mayor Nickerson: All right, I'll put you code enforcement. All right, vice mayor. I think I'll take care of the rest myself. Okay?

Councilperson Martin: One question. Will you circulate a list?

Mayor Nickerson: I will. Yes. No, absolutely. After it's done, I'll definitely circulate it. For example, when I did the last one before you guys came on, this was it. That was the last one. I'll do the same thing. Like I said, I'll spread it out evenly because I don't want to overwork you guys especially, I don't want to keep you away from your kids for too long, so I'm not going to put you on too many committees. [chuckles] I'll spread it out evenly and make it right.

Again, just for the record, we have to have committees in our charter. The committees are in our charter under Section 4.01. Did somebody call me? The next thing is, any questions, comments? How are we doing on Zoom? We're good on Zoom, thumbs up. We're good? Everybody good? You guys good back there? Everybody good? Are we good? Okay. The manager report is next, I believe.

Village Manager Alou: Thank you, Mayor. I'm going to keep it brief. I know it's 12 pages. It's on the village website for those who want to read, but I'm going to save the top news for the mayor. I'll go on to just to give you some highlights. I gave a presentation before the South Florida Parks coalition last week about El Portal park's renovation and renewal project

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

that we're working on. With the Cavista funds, we had planned to do a renovation of all five parks.

We ran into a little snag with the authority to utilize or not utilize, but to do the renovations in two of the parks. They are really considered rights-of-way. I've been in communication with Miami-Dade County quite a bit to find a solution for getting the authority to do that in those rights-of-way. I will be drafting a letter with Mayor Nickerson to request the authority to utilize the rights-of-way to improve them or even to see if we could get the ownership of those rights-of-way and make them the parks.

Those are the two parks on the west side, nature trail and the other is the River State Park. By the way, the River State Park was, I guess given to Miami-Dade County to be a park or green space in 1946. We're looking at documents from way back in the day. It's been a very interesting history lesson doing this research to get to find out who the real owner is, and what the revisionary clause is for that property.

There's more to come with that, but in the meantime, we're moving forward with our parks plans and I'll be meeting with the architects that are provided by Miami-Dade County's parks department to assist with that revitalization plan that we have. Our circulator pilot project shuttle is on its way. Our interim village attorney has been reviewing our contracts and I've been trying to work things out with the service provider but FDOT also provided the contract for the 50% match funding.

We are on the way, and we're expecting to have something very soon in El Portal. We're excited about that. You see some improvements on this code enforcement in terms of the annexed area starting to look a lot better because our new code officer, Michelle Charier, has been very very effective in getting people to respond. She has brought in so much a refreshing vision for code enforcement. You'll see a lot of changes. She's out there. She's doing a lot and she worked on Saturday after attending our community forum on solid waste.

She did work Saturday and really made a lot of progress [unintelligible 02:59:26] the village. We're excited to see what happens and I think we're going to be having some magistrate hearings sooner than you think. Next thing is just a matter of public safety. Our El Portal Police Department is doing a lot but they're going to be called to task when the 87th St railroad crossing will be closed on March 9th for two to three days for repair. Just an FYI, that chief Magnuson, and his staff will be doing a detail

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

for safety as well as for securing the closure site.

El Portal Police Department's providing the off-duty officers for that. It's another way of our officers are being utilized and paid to do the specialized work. We're excited for that. I'm sorry, Chief Magnuson was recently interviewed by the media for COVID vaccines story as it relates to law enforcement officers. As you know he's very involved with the Miami-Dade chiefs and has been a lead for the COVID pandemic response.

Also, they are working on a case that was difficult for us all a couple of weeks ago, a domestic violence case that is wrapping up but being investigated and has a lot of different levels to it. They're very busy and doing well. Our officers have just completed their taser training. Officer Riverroam provided that training to the staff. We had a full house which was nice to see. I haven't seen everybody here at once on a Wednesday in a while.

It was good to see everybody and to see that they are now trained and have that other layer of protection for themselves that doesn't go right to using a firearm. I did speak about code enforcement; I'm going to skip over to public works. I did attend the CITT transportation coordination meeting this month, and I provided the quarterly report. As you all know we do a lot of reporting.

There's a lot of administrative details that still have to be done in the village even though we're doing all these other things, we still have to keep up with those things. I attended the tree board meeting and will be attending Thursday's tree board meeting here in the village hall. We're excited about lots of plans, and lots of energetic things that the tree board's doing that you will see. We did receive a \$50,000 grant this month. We were given this grant by the CDBG Hud, critical facilities hardening grant.

That was a nice award for us to utilize. We're going to replace the doors that would be leading outside for the police department only. We will be installing a generator here at the village hall. We don't have one, if you could believe it. That's going to be really helpful to us moving forward and that was a nice win. We are also awaiting payment for our CARES Act funds. Everything has been processed and those funds should be coming in very soon.

We had a solid waste and bulk community forum on Saturday at 10:00 AM. It was well attended by our council, and the video will be put on the village website for all to see. We're happy to have some more prices for the rates for a special bulk pickup. It will be \$15 per cubic yard and those payments and arrangements should be made to coastal waste and just

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Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05

check our village website for information on any special bulk pickup that is needed or any extra containers that are needed.

The extra containers meaning extra trash cans would be \$12 per month as an assessment on the property. Let's see. One last final thing I want to say that I did attend the Florida City and County Managers Association's Winter Institute Conference. It was three days of a lot of interaction with other managers, and information sharing. It was very enlightening. I do enjoy meeting with other managers and getting their spin on different ways to solve problems.

It was very informative and gave me some refreshing ideas to implement here in the village as well as an ethics training, I attended today to round up my ethics training. There are a myriad of other activities I'm participating in with the staff. The one that we're planning for Friday is a MPDES training for all of the staff here because we again have to report to stay in compliance with these federal requirements for water safety and water quality.

Our code enforcement, public works, and building department will be doing that training on Friday here at Village Hall. That concludes my report. If anyone has questions or concerns, please feel free to email me, or check the village website because it is loaded with lots of good information. Thank you.

Mayor Nickerson: Thank you, madam manager. I appreciate that. I have so much that I could say. I have much that I could say, so many different meetings, so many different things going on especially with sustainability, so many different webinars with resiliency, and things like that. I know if you guys check your village emails, I always FYI you guys on all type of webinars and things going with the sustainability and resiliency and things like that.

That's in my report but instead of doing that, you guys got an email from me last night. If you checked your email since last night you guys got emailed from me last night with very great news, which is we got our first chunk of money back from FEMA. This was something at \$467,318.70. Every bit counts. I almost cried madam manager, I almost cried attorney Geller. The hours and hours of meetings that we did.

If you saw in the email, I sent you guys, I said I want to thank the village council, I want to thank you guys because we have to continue to facilitate positivity and good relationships. This money came like this because of the positive energy and the great relationships that we've created. I'm not going to go too deep into this, this is the last thing I'll say about this

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

because I have it in my state of the village address that's going to be in August. People don't understand how bad it got for us where they started to float around attorney Geller.

Where they started to float around the idea that the state was going to come and take over El Portal. You guys don't understand the meetings we've been in two hours, three hours where they were like, "Oh you guys are basically like Opa-Locka." No money. Not getting any money. I love yawl. Chief, the chief's been on some meetings with us. Attorney Geller, priceless. Madam manager, priceless. Our community, we work hard for you guys, all of us up here the entire council.

This is just the first step. I put that in the email, this is just the first step. We're looking for the rest of that money or more of that money to come in and not only that, because of these relationships that we've built, more things that are out there are going to start-- We didn't say anything. We didn't say anything. We kept it to ourselves madam manager, but it was hard. They gave us the statute number that they used for Opa-Locka when the state came to take them over.

I appreciate you guys. I love this village, and I'll die working tirelessly for this village. I appreciate all of you guys up here, not only for being residents but for putting yourselves out there and becoming public officials and elected officials. I love you guys up here too. As a community, man we're going to get through all this stuff, you guys. That's my report for right now. The rest I'll send it to the village clerk, and it'll be on the website, you guys. Thank you. Attorney Geller [unintelligible 03:09:37]

Attorney Joseph Geller: I'm going to try and go very quickly. There's a lot of stuff we're working on. Some of what you've been told is just routine stuff. Stuff like the circulator or the stormwater grant. I just want to focus in on just four particular challenges very quickly that are the most important. First and foremost is this FEMA. There's nothing else that we have that is really like-- everything else we have could be dealt with. That was the one that you know was an existential threat. We got a nice chunk, \$467,000. You should know that money has gone immediately to the bank. Our debt is now less. Instead of owing a \$1.2 million approximately whatever it was, the mayor had-

Mayor Nickerson: \$787,000 I think it is.

Attorney Joseph Geller: Yes. Under \$800,000. That's a big reduction. It immediately means we're paying less interest. It also means that the bank is in a position to deal with us

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

favorably moving forward because we got them a big reduction finally in what we've owed them. There are other monies that are approved. They have to work their way through but we should be seeing approximately no less than another \$140,000. We don't know if it's in a month or if it's three months but that's already approved.

Then just to bring you up to speed, I'm always hesitant to put too much on the record. I'm happy to talk to each of you. We believe in transparency, but we also don't want to give advantage to somebody that we're dealing with when we try to negotiate things. Our appeal is filed. Our appeal is pending. I've spoken to people about it. We have reason to feel good about our appeal, and I can give you more details on that. Hopefully, it would bring us at least enough to entirely retire that debt and more.

I say hopefully because there's not a guarantee. That's our goal is number one, to retire that debt completely and number two, to see if we can at least recoup some of the other out-of-pocket expenses the village has had in terms of the interest and fees on the loan. We're surely not going to get a 100%, no one does. I shouldn't say no one but typically not. This is concrete. This is money in the bank. This is money the bank already has. I can't tell you how much the work that was done on this-- the mayor, the manager, and again I have more details for anybody.

That is just the payment we've received already has significantly altered the landscape that we have to move forward with. Like I said, we are approved from the Feds, has to work through the state for approximately a minimum of \$140,000. Sometimes you get a little different story from them, but that would bring that down again and all that helps.

Number two, we have been speaking with the building official. We have been speaking with the attorney for the Barrington Brothers for Cavista. We have exchanged some ideas about adjusting our proposed building fees. We want to be sure that we're doing something that'll bring money to the village. We also want to be sure that we're not doing something that poisons the well to make sure that we do get this development in place. Make sure that nobody wants to come and do anything else in the village.

We have at least as you know one other major property that we're trying to attract people. We've looked at a number of different options. We've negotiated some back and forth. Hopefully, we'll bring this to conclusion prior to our next council meeting, that's my hope. Just to give you one concept from it, and I don't want to belabor, one of the things that our building official located was a city that does a stepped back building permit fee.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

They don't reduce the rate for the first tranche of money to be spent, but they charge the full rate on that first amount. Then when you get above a certain level, the rate is reduced but for that level. Then it's reduced again and then reduced again, so that the larger your project, the higher expenditures are reduced fees which makes sense because there are economies of scale. Also, because what you're doing on a single-family home no matter how expensive is not comparable particularly if it's a high-rise project.

That's the concept we're looking at. We're working on exchanging numbers back and forth. Let me just say one last thing, our approach is that we want to come up with something that will be done as legislation, done as an ordinance, so that would be across the board effective for anybody who wants to come in, not special arrangements for any particular developer or development. I think it was two and a half, almost three-hour conversation the other day, you heard tonight about El Jardin Stormwater which is important.

Our contractor Craig Smith is working on that. As you know there's another major issue which is with another contractor, Pannoni that helped us secure some funds from the state. 80% grant, 20% loan at very favorable terms. We had a two and a half to three-hour conference that the mayor participated in, the manager participated in, our CFO, and we have what I think are some exciting ideas. They've sent us a great deal of information in the last few days which we're analyzing and looking at.

There is reason to be optimistic that we will be able to find some solutions which will also help with stormwater as well as wastewater in a western part of the village. By the way, specifically, since it was commented on tonight, by doing both at the same time, typically there is money included in these projects for the restoration of a roadway. If you tear it up, you got to put it back. By doing both at the same time we can save money. It's not just the money, if you're on that street you don't want to see him tear it up, inconvenience you, put it back, and then tear it up again.

That's why people hate government. We're working to try to address that. Let me say it this way, we talked about resilience issues, when we talked about storm drains, the thing to remember about storm drains is you can put in the drain but the water's got to go someplace. It's got to drain to something. When that's the Little River, that's a problem.

Rising water table is a major environmental problem as well because much of the village is on septic tank, if the water rises to the level of the tank, we've got a terrible problem. Septic to sewer is a huge priority not just for us, for Miami-Dade County. There are some very

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

exciting possibilities that we're going to try to be working with the county because it's their priority, leveraging money that we're getting as grant from the state to see if there's any way the county can help us with part of the loan portion that we would otherwise be undertaking.

It is over 20 years, at almost no interest. It's not quite but it's terribly low interest. If we're going to help the county, we should hope that the county will help us. It's both of our priorities to move to sewer, and away from septic as much as possible. It's a financial priority. It's an

environmental priority. Frankly, there are a couple of other things about it that make it a financial priority for our residents as well.

Finally, we have been in active negotiations with the PBA. I want to again recognize the chief for assisting us with it, and for maintaining an environment here that has officers who are underpaid still willing to stay here because they appreciate the leadership that our chief provides. Obviously, if the chief's doing a good job, the manager that put him there deserves credit for that as well.

We made a substantive proposal to the PBA. I'm going to take this opportunity to formally on the record request an executive session of the council, we'll figure out a date, but to discuss ongoing labor negotiations with the PBA. It's one of the few kinds of things we can have an executive session. I don't like the term shade session that people use. Sounds shady to me.

An executive session is appropriate. Just understand that the reason you do it that way is because you can't negotiate with somebody who's sitting there listening to every part of your negotiating strategy. Understand these are permitted under statute, they are recorded by a court reporter. Once the issue was resolved, that whole record, who said what, who did what, who was in favor of what, it all becomes a public record but after the negotiation is concluded.

We don't want to go to impasse like they did last year. Then we had an unfavorable recommendation from a master for whatever reason the village-- it was not appealed; we're bound by it. I'll just try to say this as quickly as possible. We are facing right now a very difficult burden next fiscal year. To summarize and I've said this to some of you, we are proposing to pay some of the money that's built-in for next year and a smaller raise built-in for the following year.

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

We're proposing to pay some of it this fiscal year, retroactive to the first of the year as an incentive to the officers and then a much smaller frankly than would otherwise be the case next year, and then backload some into the third year. By increasing year three, and by paying down part of it in year one, we're asking that the members of the force give us some relief next year so that we can implement these raises.

Not trying to take a nickel away from the officers, just reallocate it, some more upfront, some more at the back end, A to give us a smoother path instead of like this, and B, to allow some of these things such as the reallocation of fees on Cavista and some other developments, some property taxes allow this stuff to come online to help us by being able to pay more in the out years. I'll give you details of that. We don't like to negotiate in public, so I'll be happy to speak to each of you.

The PBA is considering our proposals. They'll get back to us. It was a very amicable, friendly discussion. Some of the officers participated and raised some particular concerns which I can go through with you. We were glad to hear from individual members of the bargaining unit. We're optimistic that we will have labor peace on a three-year contract with our officers that will be fair to them and also not unduly burden us next fiscal year. That's a little more long-winded than I planned to be.

Those are the priority items and again, if anybody has questions, I'm happy to discuss them. I might prefer if it's a sensitive issue to talk to you one-on-one because we try not to spread our negotiations on the public record when we can. Thank you.

Mayor Nickerson: Thank you very much, Attorney Geller. I appreciate it. Any questions for attorney Geller? You guys good? All right. Moving on, any Zoom for any of those reports? All right. We're good. All right. Moving on you guys, unfinished business, general orders, anybody have that? Are we good? No. Moving on, new business. Anybody with new business? No. All right. We're to go in welfare right now. Anybody who wants to come up and say anything at all about anything at all happening in the village and the community?

Anything at all? How [unintelligible 03:25:28] Zoom? Thumbs up on Zoom. We have no good in welfare, you guys. Seeing none moving right on. We're moving on to adjournment. Before I adjourn, anybody have any last words? Anything that you guys want to say? You guys good? Thumbs up? All right. Do I have a motion to adjourn?

Councilperson Lightfoot-Ward: [unintelligible 03:25:43]

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**Village of El Portal
Regular Commission Council
Date 2/23/21
Meeting Start: 7:13 PM
Meeting End: 10:41 PM
Meeting Length: 03:26:05**

Mayor Nickerson: Motion to adjourn by councilperson Lite foot-Ward. Do I have a second?

Councilperson Martin I'll second it.

Mayor Nickerson: Second by councilperson Martin. All in favor say aye.

All: Aye.

Mayor Nickerson: All opposed say nay. Hearing none, the council meeting is adjourned. The council meeting for February 23rd, 2021 is adjourned at 10:41 PM. Thank you.

[03:26:05] [END OF AUDIO]

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