



**Village of El Portal
Regular Village Council Meeting
Date: 10/26/21
Meeting Start: 7:12 PM
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Meeting Length: 02.18.14**

[silence]

Mayor Omarr C. Nickerson: Next is announcement of visitors and or special presentations. The first one we're going to do is the Citizen of the Year Award, we have a couple. First thing I'm going to do is get up here and-- Wait a second. Hi, guys. Hi, you guys, hello is it on we're good? All right. How you guys doing. I think it's this that's probably making it not go good, all right there we go. How's everybody doing? Good to see everybody here tonight, I'm not going to take up too much of your time. Just like last month, remember last month we did a few awards last month.

As we come to the end of the year this is how these things go because year goes by, and you have your yearly awards. Tonight, we have a couple of awards for Citizen of the Year. The first one that we are going to present-- I'm going to have vice mayor Urbom come up right now also. The first one we're going to present is going to be to one of our residents, Miss Maribel Fruitstone. Mrs. Maribel Fruitstone, come on up. Mrs. Maribel Fruitstone is not only the president of the women's club, she's not only the president of the women's club but she's also for the Sustainability and Resiliency task force, she's the former vice-chair and she's a member right now. I appreciate her and I know vice mayor Urbom knows her personally, so I wanted him to say some words for her personally while she's here.

Vice Mayor Urbom: Maribel, you wear many hats, for several different organizations not the least of which is an educator, and so I just would like the residents to know that behind the scenes of events that go on and take place, behind the scenes of meaningful significant actions that will benefit the village well into the future, you are behind a lot of that. You certainly are not someone who does it for the recognition, and you're also certainly not someone who frequently gets the recognition. Tonight, we just want to be sure that you know that the village greatly appreciates truly all the work that you do selflessly. We just want to say thank you and acknowledge the great contributions that you make to continuing to keep El Portal to be just a very unique place and ensure that that continues into the future. Thank you most sincerely.

[applause]

Maribel: Thank you. I'm so short. It makes me feel so short next to you. Thank you so much for this honor. I have lived here for 20 years, and all of this has been always to have the vision of where I want my daughter to grow up and be proud of where she lives. I will continue to try to assist in making that happen so that she has these beautiful memories. This would not be possible without the support of my husband who luckily was able to arrive in time and most

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especially the El Portal Women's Club. We started five years ago, with our former mayor's vision of reinstating it and so I picked it up, and these ladies nothing that we do in this community-- I am representing them. They are the ones that assist in doing all of this for us.

We appreciate the council's support on all of our crazy ideas. We're always just trying, like I said, to make our village better and where you want to have your children grow up so thank you.

[applause]

Mayor Omarr C. Nickerson: Thank you very much. We're going to do pictures, let's do pictures. Let me get one more, and then we're going to do pictures, so we'll do pictures. You're good. Let me also say that Maribel is not only the president of the Women's Club and the former vice-chair of Sustainability Task Force and I came on as a councilperson a long time ago we started this organization a community called the ALE committee which is the Architectural Landscape and Environmental Committee. We were a part of it. I see former vice mayor Harold Mathis just walked in he was a part of it also.

Through the ALE committee you guys, that is the reason why if you drive through El Portal, our street signs are blue instead of green, they did that. Also, when you see those, which vice mayor Mathis had a big part in that also the street signs. Also, when you're coming into El Portal, you see those welcome to the village El Portal signs, the stone signs and it says welcome to village El Portal, ALE committed did that also. We did a whole bunch of other things like that so but--

Speaker 3: [unintelligible 00:08:09]

Mayor Omarr C. Nickerson: Yes, the fire hydrants we have fire hydrants red instead of yellow we did a lot of those things. The precursor to what is now the tree board what is now sustainability and resiliency task force, what is now little river conservancy was the ALE committee. We even were the first ones who did a little river festival, it was a two-day festival started off at 6:00 AM with a bird watch thing and then we had concerts over at Horace Manfield. We did a whole river cleanup; it was a two-day festival. We had native Americans come out and serenade the river, it was a whole two-day festival when all day and you could pick and choose what events you wanted to go to, I might try to bring that back, Maribel. All right, well thank you.

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We had a Jazz Fest. We got so much. All right, pre-COVID you guys, pre-COVID. Moving on, we have so many-- I want to give a quick shout out to Cedric Urbom by the way, let me give a quick shout out to Cedric Urbom, I really appreciate her. Thank you for her. Thank you very much for her. Moving on you see the manager's waiting in tow and the reason why the manager's waiting representative Dotie Joseph, we appreciate you being here. The manager told me she said, "Not representative Joseph. Representative Dotie Joseph was coming in?" I said madam manager, "I need representative Dotie Joseph." She said, "Well I need to do the reading for her." She said, "Mayor, if you take this away from me, we're going to be fighting." I'm going to move out the way and I'm going to let the manager come up and do this reading, thank you very madam manager.

Village Manager Christia E. Alou: [unintelligible 00:09:46] Thank you I'm sorry I get a little bless her, so I'm going to put my mask down just for a moment. Representative Dotie Joseph, please come forward. Thank you.

[applause]

Village Manager Christia E. Alou: Our Florida State representative-- **[unintelligible 00:10:13]** Very good. Our Florida state representative district 108 is Dottie Joseph. Representative Joseph is an activist. She's a civil rights attorney, a proud daughter of Haiti and Miami respectively. Having attended Miami Dade Public Schools until graduation and then going on to attend Yale University and Georgetown University law. She is a fearless advocate for this district. When she was a freshman representative, I witnessed it myself, just a couple of years ago. She came in slugging, for us, for this district and for the village of El Portal, this little town as well. Sometimes she wins, and those were great times and sometimes she does not win, but she always turns any laws into an opportunity for the people she represents.

We are all grateful for her and all that she does and all that she has done and will continue to do for the village of El Portal. Please join me in a hearty round of applause for our 2021 Village of El Portal Citizen of the Year, Representative Dottie Joseph.

[applause]

Dottie Joseph: [inaudible 00:11:32]

Village Manager Christia E. Alou: [inaudible 00:11:33]

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Dottie: Thank you. Appreciate that. She just telling all my business. Here I am, trying to fly under the radar. When I tell you I'm not a typical whatever position I hold is-- Joe will tell you. I like to just fly under the radar and do the work. For those who don't know me, I am State Representative Dottie Joseph. I am humbled to be here and to share this award with you. Why don't you come [inaudible 00:12:01] Come on, you just standing over there. Come on over here. I do this because it's our community that makes things work.

Whatever happens in Tallahassee, Washington, these are far-off lands it feels like, but where the rubber meets the road is right here in our communities with what each of every one of us do day in and day out. I thank people who have taken up the mantle to serve because it's a challenge. Some people don't understand what a challenge it is, but it is. I was asked to do a little bit of a legislative update. What I'm going to do instead of a full legislative update because normally, I do that with my colleague, Jason Pizzo who also represents this district as our senator. We can give you a full legislative update, but I'll give you just a few highlights since we're here. If that's okay. I hate hiding behind the podium, so I'll just step off over here. I'm short, and I feel like it hides me. No, you're good. I want [inaudible 00:13:01] You're trying to save me. Thank you.

[laughter]

Dottie: He just rescued me. Hallelujah. Thank you.

[laughter]

Dottie: I'll talk about just the good because we can do the full legislative update to talk about some of the challenges that we experienced in the legislature, so good things. Every session that I've been up there, I've been able to pass meaningful legislation as a democrat. It's not democrat or republican because if I passed it, that meant republicans voted for it. I hope you all understand that. Sometimes we get so caught up in division. Lately, and I really want us to focus on the good things that unite us because there's so much more of that. You may not hear about it as much because it's not as sexy, but it's just as important, probably even more so, okay? First session, passed three bills. I'm not going to get into all of them. One of them that I want to make sure people are aware of, since we're still in the pandemic, and domestic violence is at an all-time high. Child abuse is at all-time high.

When, usually women, not just women, work up the courage to leave a terrible domestic violence situation, there are two big concerns. One is, "Where am I going to live?" Which is

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usually addressed by a shelter. Maybe a relative that takes them in, but also, how they're going to feed themselves and their family. If a person works with you, they're integrated into your life. They know where you work. That becomes an unsafe situation. After 10 years of various people trying to run this bill, we're finally able to make it through the finish line, and that is now law. If you are leaving your job because of a domestic violence situation, you get to qualify for unemployment compensation. Now mind you, that was before we knew how jacked up our unemployment compensation system was, but it's still a win, [chuckles] and I'm claiming it.

The second session, I have a colleague, Mike Gellan, who serves in the city of Tamarac, who alerted me to the situation with a young man, Dontrelle Stevens, who was shot in the back and paralyzed with police excessive force. Now, mind you, when this police debate happens, I'm on both sides. I defend law enforcement as a municipal attorney when it's appropriate. When they do wrong, that needs to be corrected as well. Justice doesn't matter what side you're on. It's about Justice. This man did everything he was supposed to do. Filed a claim, went through litigation, got a judgment, but there's a cap on judgments when you're suing a municipality. The way you exceed that cap is with something called a claims bill. In the history of the Florida legislature, there have been less than, maybe 17 claims bill passed, so I teamed up with a Republican colleague, Juan Fernandez Barkeen. We got a claims bill across the finish line that gave this young man access to a judgment of \$6 million. That was a win. He recently passed away, but we got it in before that so he could at least take advantage of some of that. The reason I mentioned that he passed away is sometimes we hold onto things, and if you can do it right now whether it's legislative policy or otherwise if it's your neighbor if you can do good today, do not withhold that. Do it now. If you can help somebody, do it now. Anyway, that was the second year.

Third year, so Florida is a two-party consent state when it comes to recording phone conversations. You cannot go around recording people on your phone without their permission. We created an exception whereby if you are a victim, whether it's domestic violence, stalking, whatever it is, and the judge says, "Hey you, you're not supposed to contact this person because we've termed it unsafe for you to do so." It's a no-contact order. If a no-contact order has been issued, most people's reflex when the person contacts them is to record it. The very act of doing that was illegal. What would happen is, the person would have the recording to prove the violation. They get stuck in a "He said, she said" spiral. They can't use the evidence that they have because that very evidence is illegal. Then if the person finds out that they had the evidence, then they want to prosecute the victim. Terrible, so I fixed it.

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Right now, we have an exception to that recording statute whereby the victim can now legally record their abuser if they are contacting them in violation of a written no-contact order that the judge has issued and that they are aware of. It can only be used for the purpose of proving that violations. I want to make sure people know about some of the stuff that we're doing. Another bill I passed, and I'll mention this one really quickly. In an effort to address healthcare disparities and just healthcare across the board, we found that for postpartum, from the time that baby is born, that first year is critical for the mother so we expanded Medicaid coverage. We, meaning representative Camilla Brown and I, working with the speaker and all the folks, from 30 days postpartum to a full year postpartum. Now that's covered.

These are some things that I just want you all to know some of the good news is coming out of Tallahassee. I'm honored and humbled to represent you. Thank you so much. We're going to go take a proper picture in front of here so you can see us. Thank you so much.

[applause]

Mayor Omarr C. Nickerson: Let me just say really quickly while we're going over there that, if you guys remember from the state of the village address, and I was talking about the \$300,000. I was talking about all the different money that was coming in. One of those, the \$300,000 for the [unintelligible 00:18:56] traffic coming. She did that for us, so there you go. [laughs]

Dottie: Yes, come up. [inaudible 00:19:08] [background conversations]

Mayor Omarr C. Nickerson: All right, Fullmoon. How are we looking Fullmoon? How are we looking? Are we looking good? All right, we are good. The council can join me one last time, you guys, and then we'll move on to our [unintelligible 00:26:00] We're going to get started with our agenda pretty soon, but I just want to say really quickly I want to just bring acknowledgment and awareness that this month is breast cancer awareness month. Cancer as a whole but particularly breast cancer is something that touches so many individuals within our society. There are so many individuals even right now that I know that recently have discovered that breast cancer has come into their life. The other night I actually was texting one of them and I told her, and we all actually know her but I told her I said, "You know what." I said, I'm not going to let her name out, but I said you know what I said, "I think about you but I don't worry about you." I told her. I said because you know you are one of the most mentally and emotionally strong individuals that I've ever met. I said, "If anybody can get over it you can get over it." is what I told. My heart goes out to her. She knows who she is, and I

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really mean that. For everybody else just throughout our society, throughout our country, throughout the world that have to deal with breast cancer is something that not only physically is daunting to an individual but it could be psychologically and emotionally daunting because of the surgeries that you have to go through, because of things that you have to change your body in a certain way sometimes. I just wanted to acknowledge that and allow any of the council members, the vice mayor if you guys have anything that you want to say about this, I'll give you the opportunity before we move on.

All right, that being said. Yes, come up. Yes, absolutely. Come on up representative Joseph. We appreciated you staying with us. You could tell that she really loves us. She's family, right? Because most elected officials they take the picture and you never see them again for like two more years, right, but she's the best.

Dottie: I'm here to stay. You all can't get rid of me that easy. I just really want to emphasize if you are a woman aged forty or over, please, please, please, get your screening. If you don't have insurance, I'm going to be having some events and I will get that to your city manager, city manager, your village manager to distribute but I'm going to have one in North Miami and in North Miami beach. Those will be free. If you have questions about insurance, do not let that be a reason you can't afford it, for you not to get it. We will make it happen. If you have questions about that, you can call my office at 850-717-5108. We want to make sure that you get that screening. Early detection saves lives. Please, please, please, get screened. Thank you.

Mayor Omarr C. Nickerson: Thank you, everybody. We appreciate it, thank you.

Vice Mayor Anders Urbom: I will say one thing. My wife and I lost a very close friend two years ago, their members of her family have dealt with this going back decades. Some of you may or may not know but I'm a writer and a poet, and the current story I'm working on I've done a fair amount of research I have a character in the story that is actually dying of breast cancer in the year 1979. This character in the story believes that they understand the cause of her cancer and so for example, there are studies out of Cape Cod that associate breast cancer with the sprain of cranberry bogs with pesticides.

I would be remiss if I didn't take the opportunity to say that with all cancers we are dealing with causalities that I don't believe our society is addressing. I would just like to take the opportunity since I sit in that seat and I have this microphone in front of me to say out loud that many, if not most cancers that we deal with have a connection to pollution. It's not some granola tree hugging a sense of whatever you might want to call it. This is verifiable, there's

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plenty of research behind this and we need to talk about reality that we put carcinogens in mass into our environment and without slowing that down, my concern is that someone will actually cure cancer and then we'll say, "Well, we don't have to stop injecting carcinogens into our environment any longer."

When I was younger, I worked with Special Olympics for 16 years and I can tell you from having met thousands of people who deal with both physical and mental disabilities, that this is the same category of causality that we're dealing with the same way we see the affliction of cancer affecting almost every single human being on this planet. The EPA did a study just a few years ago, 33,000 tissue samples across the entire demographic of the United States. This is deceased persons. They removed tissue samples from deceased persons, 33,000 individuals, 100% of them contain plastics and solvents. This is something that needs to be said out a lot more often and I would be remiss if I didn't take the opportunity now to do so.

Mayor Omarr C. Nickerson: Thank you. Do you want to say something?

Village Attorney Joseph Geller: As some of you know, my wife was diagnosed with breast cancer in February of 2020, and that came six months after emergency triple bypass surgery. She was vulnerable. It was a bad time as the start of the pandemic. She battled it all year. Finally, after Thanksgiving, she had a mastectomy, which discovered that she was not at stage two as we'd been told, she was at stage 3C a lot more serious. She had six months of chemotherapy, eight treatments, three weeks apart, which was very tough, and five weeks of radiation, five days a week. Then she finished and we went on vacation with our daughter.

I am happy to say that they're not finding anything and today she visited the radiologic oncologist who gave her a clean bill of health. She will be taking some pills. She said, well, how long do I take them? And they said, 10 years, I thought that sounded pretty good because I like the idea. She is still going to be taking them 10 years from now and hopefully beyond that because all of us have made an effort on breast cancer as a society and because we've looked to prioritize women's health, which was so neglected for so long, it still is but less. Women are surviving this disease more than ever. We have a lot more to do but the diagnosis today is no longer in most cases, a death sentence, as it was not all that long ago. Long way to go but good news, not just for my wife but for a lot of women who are able to deal with this terrible thing. Our colleague, Representative Joseph, I saw Senator Polsky just today and she is in good shape, good spirits she's fighting. She knows she is going to beat it too. I just wanted to say that to everyone. Thank you.

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Mayor Omarr C. Nickerson: Thank you to Councilperson Lightfoot-Ward, who does remind us that breast cancer is not something that only women go through, but men go through it also. We appreciate it. Thank you very much council person Michael. Thank you, guys. We appreciate it. Okay. Moving on. You guys. Next is good and welfare. If anybody has wants to come up and say anything, right now about anything at all, now's your time to do so we do have another good in welfare toward the end of the meeting. Okay. How are we looking on zoom? Any hands up? We're good. Come on up. It's good. Just say your name and address for the record. The floor is yours.

Juliana Collinger: Hi. My name is Juliana Collinger. I live at 86-50 Northeast Miami Court. As you know, our street was the first street to start the new drainage system that they're doing on the sides of the road, and I just had a couple of questions. If there was a contact that we could have of the main person in charge or supervisor of the job, we have seen a couple of people coming in that look like if they're the bosses but then we talked to them and they're not. We would like contact that we could have, that's question number one.

Question number two was if it is possible to know where the grills that the water goes through, to know exactly where they're going because we're seeing that they're putting them in front of our yards but it's not necessarily the house that floods the most. It is actually up a house or down a house but the house where we know because we live there that has flooded the most, it's not exactly there so if that grill hole that they're doing that where the water goes isn't in the land that is up here, this is where it floods. It should be down here and we are noticing that they're installing it up here. Those are little items that we're noticing, and we want to know if there's somebody that we can talk to make them really assess these things before things get permanent. Those are my two concerns.

Mayor Omarr C. Nickerson: Thank you very much, Ms. Collinger. I appreciate you saying that. I'm going to have the manager. We'll send you an email tomorrow with that information, but I know that for the second question, whereas far as the construction plans, I'll see if we can probably try to find it but I'm sure it's in that link of those 300 pages that I sent you.

Juliana Collinger: This is exactly why I wanted to ask more specifically because I saw [crosstalk]--

Mayor Omarr C. Nickerson: Yes. It's a lot in that area but those construction plans that I sent you. We'll see if we can figure that out and we'll contact you.

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Juliana Collinger: We're just noting these little things that I think, with common sense that we're thinking is like, "The water is not going to go up. The water goes down," and we want to make sure it's filtering where it needs to be filtered and I believe that's it. Thank you very much.

Mayor Omarr C. Nickerson: We'll get you the information. Thank you very much. Anybody else getting welfare. No, hands up. We're good. All right. I see none. Moving on to agenda item H1. This is the new building official introduction. Madam manager, the floor is yours.

Village Manager Christia E. Alou: Thank you very much. We have Mr. Pedro Martinez here with us. He is the new building official for the village of El Portal. Welcome, Mr. Martinez.

[applause]

Village Manager Christia E. Alou: Now I know you all are well acquainted with Mr. Mark Jean, who has been our building official for about a year and a half now. He came in during COVID and we didn't get to see him too much in-person, but I see him all the time. He is moving on to another opportunity in North Miami and we have been blessed with Mr. Pedro Martinez coming to us. I've provided you all his resume. It is quite extensive, and it shows his very positions and depth of work and I think he'll lead our village with the building officials in that role.

Just to speak about the department a bit. Mr. Martinez will also be a part of the big scanning and the document management project that we are undertaking to make. I'm going to let him - Well, he said it in a way, a few days ago that I said, this just makes so much sense, but it will provide a faster service which is better for the customer/resident. We are looking forward to more efficiencies and better service and a better department. The document scanning and document management project will be starting very very soon. We think in the next couple of weeks, and we hope to have everything put into place for early next year. That is a great step for the village of El Portal in terms of technological advances that we so desperately need to have the efficiency we need to get this work done. Welcome, Mr. Martinez. Do you have any words you would like to say? Okay, well. We have the most confidence in you and we wish you well. Thank you and welcome to the village of El Portal.

[applause]

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Mayor Omarr C. Nickerson: Let me have Mr. Martinez come up very quickly so that the camera can see you because we want everybody to see your wonderful face Mr. Martinez. We want to get you on camera. [laughs] Just go up to the podium real quick for us. Say hi to the residents of El Portal. [chuckles]

Mr. Martinez: Good evening sir, everybody. Again, thank you for your confidence of with the help of the company I work with we will do our best to help we're part of the team for the city and we'll do our best to bring progress like it happens. I mean, history is progress. We always change and improve everything like you mentioned in your speech at the beginning. We're with you. We will do our best to improve everything.

Mayor Omarr C. Nickerson: Thank you very much, Mr. Martinez. We appreciate you. Thank you and welcome. Thank you very much.

[applause]

Mayor Omarr C. Nickerson: We're moving on to H2 you guys. This is the village personnel discussion. Vice Mayor Urbom, I believe you wanted the village personnel discussion. You wanted to talk about personnel in the village, I believe that was you.

Vice Mayor Anders Urbom: Yes. With just the previous item highlights you actually did a good job of addressing that in your state of the village as well. The situation that we're in right now tonight is that we won't tell Mr. Martinez how beloved Mark Jean was [chuckles] and how much he's going to be missed because truly Mark Jean was a phenomenal addition to the village, and we certainly are sad to see him go. I agree that the resume of Mr. Martinez is also phenomenal, and I think we're going to have great things there. We are in a lucky and fortunate position to have an immediate option of an excellent viable replacement for building official.

Next is Chief Magnuson. I believe that most of us knew as Chief Magnuson came on board that we were going to be fortunate to be able to have him as long as possible because someone of Chief Magnuson's caliber also is destined to be fleeting for us here at the village of El Portal because of the limitations of what we're able to offer somebody with that much experience and with that much clout. Certainly, we are incredibly grateful and glad to have had Chief Magnuson as long as we did, and we do agree with his assessment that we're in a good place with the police department to be able to continue all of the things that he built. Again, we're fortunate that we have certainly a named candidate but as well probably at least one if not two

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other possible candidates. We are in good shape with leadership in the police department. We are fortunate again in that regard.

Now, with officer Shahryar our code enforcement officer, again she came in replacing somebody who I was very grateful for, Officer King. Officer King, he really got us pointed in the right direction from a 10-year lag in code enforcement right and then with the health issues he had and then again because of the caliber of person he has received a better opportunity somewhere else. Those of you who know me know that coming from 25 years working in hospitality I will never in my life begrudge not a single person for moving on to a better opportunity. I have seen turnover that would make people's heads spin both good and bad but truly I've had co-workers in the past who've been like, "Oh, should I take this position or not?" My advice has always been if it is a better opportunity for you, go take that opportunity. Officer King left us and we were very lucky to have officer Shahryar.

Again, a highly qualified high caliber individual who has now also got a better opportunity. That is going to hurt because we were really truly moving in the right direction and the evidence of that was people showing up to code enforcement committee meetings. That was amazing to witness and have and hopefully, that will continue. I know resident showing up to a Code Enforcement committee meeting means that the resident is here to complain but without hearing the complaints we won't know what we need to be doing to improve. Also, as a restaurant manager if I ever thought somebody left the property without, if I was not as a manager able to find out about a complaint then you know that was a serious problem. It is encouraging to see the residents are feeling comfortable enough with the council to come in once again, that their voices are going to be heard, and the complaints are honestly welcomed news. Seeing residents show up to code enforcement committee meetings, in my opinion, speaks again to the quality of work that code enforcement officer Shahryar was doing. That is really going to be a challenge as far as finding a quality candidate.

Then as what happened with officer King as what happened with officer Shahryar retention is something that the council needs to seriously put in focus here in coming up with a strategy of as we do replace key personnel what is the strategy for retention. I know it goes to the budget which of course does come for the personnel does come directly from the property taxes, from the residents' taxes. That limitation poses its own challenges in terms of what have you, but we do have growth and, yes, that's good but for today there should still be a long-term plan of a retention strategy for key personnel.

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In addition to that, we lost a building clerk. There was a little bit more drama behind all of that. It might be a greater opportunity than a loss from what it sounds like but the point being that we did lose a building clerk. I just want to have a discussion on the council, and I encourage everybody to speak to this of getting to a place where the turnover should be a bit of a signal here that some things need to be addressed and looked at and understood why. I would like people to comment, and I will just start off with one question and that would be for the manager. Are we doing exit interviews with everybody who is leaving?

Mayor Omarr C. Nickerson: Before [unintelligible 00:48:12] you answer that I'm going to the manager and then I'm going to go to the council if you guys want to say something. Let me just say really quickly I just want to point out that retention is really a big thing. I think that one of the perfect examples of that is our new hire. Mr. Jean just announced that he was leaving, all madam manager had to do was call CAP and they sent somebody else right over. That's the reason why I was saying in my state of the village address I think instead of looking at individuals because we don't have the pay, you guys, that can combat other municipalities that can pay a lot more. That's one problem. Therefore, we don't have the amount of money that they can make to retain them a lot of times. They leave for better jobs, for better pay. Hiring these different organizations, these different companies like CAP that they take care of it, and they just replace if a person they're just replaced right away because Mark Jean he's leaving for another job at another municipality and therefore they just replaced him right away. I think that going forward is one of the main things that we should look into for retention. That's across the board because even you think about the building clerk who left, Mr. Garcia, you see we have a new building clerk already through CAP. I think that's one of the things we really need to focus on and keep in mind. With that, I'm going to turn over to Madam Manager and then I'll come back to the council.

Village Manager Christia E. Alou: Thank you. When I first became the village manager, I developed the personnel manual that outlined just what it takes from the first day of hire to your last day. Yes, an exit interview was required. Some people don't leave with the exit interview and that is fine [chuckles] they refuse it, we put that in the file as well. Yes, those who are presently leaving are doing as exit interviews.

Vice Mayor Anders Urbom: Now, that's great, because similar to being glad that the residents are coming in with their complaints, right? It may not be, it may just be as simple as a better opportunity but even just those components are critical to understand, I think in terms of how we shape everything, from job description, to salary schedule to HR issues, all of it. I just glad to hear that that's on the radar, and that we're using it. Then speaking to like with CAP being a

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good example for some aspects of what we're talking about in terms of personnel. It won't solve all the problems, but I do actually think it's a good solution. When I was younger, I used to think it was cutting corners to essentially outsource things but as I got older, I realized, "Okay, if you can outsource to a specialist, then you're actually gaining a lot of ground." I've definitely come around as I've gotten older to that.

Mayor Omarr C. Nickerson: Do we have a long successful history with CAP. Anybody from the council?

Councilperson Darian Martin: Yes, I'll chime in on this. I do think that-- I think interviews are very important to highlight any trends or negative trends that might exist but very rarely are you going to be able to combat the economics of the situation. The fact of the matter is, there are a lot of physicians that are now open and available. El Portal, when you look at the salary that's being offered is substantially below market in a lot of these positions. I do think that taking an innovative look at the situation and probably privatizing certain elements or contracting out certain elements might be a smart way to ensure that the city doesn't continue retraining these personnel and creating really great specialists in these areas, and then losing them and having to go through the training process over and over again.

I don't think it fits in every situation, but I do think that the manager is proposing a really great solution by way of utilizing CAP government to provide some of those services for the city. I do want to assure the residents that in contracting out, you may feel like you're losing that personal element of Mr. Gene and you know his face, and you see him all the time, but there's a certain level of efficiency that the city will be able to obtain, that I think in the long run will leave us feeling more satisfied with the services that we're receiving, and of saving us money.

I do think that the exit interviews are a great route to go, but I also know that in the current environment, El Portal is just not where the rest of Miami-Dade County is as far as salary is concerned. That is for most of the positions.

Mayor Omarr C. Nickerson: Thank you Councilperson Martin. Appreciate it. Anybody else from the Council?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes, Mayor.

Mayor Omarr C. Nickerson: Yes. Go ahead Councilperson Lightfoot-Ward.

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Councilperson Dr. Anna E. Lightfoot-Ward: To the benefit of the profession-- Everybody knows I'm a trained City Manager. I didn't get training from a little city. I trained from a big city, Dallas, Texas. In that training, as well as grad school, I learned that cities have different positions in government management. Very tiny cities are best training grounds. Please don't get it twisted, folks. We're never going to be able to do what Dallas, Texas, Miami, Florida, Austin, Texas, the big cities, but we will maintain and be proud that we not only trained.

We can just remember, students come out of a Master's in Public Administration for the benefit of getting a job. They study everything they can about city management, public management, government management. "How do you know, doc?" That's what I graduated, and my focus was on city management. Not county. I've been the City Manager for five major cities- three major cities, two small cities. It was as great experience.

Had it not, however, been for Dallas, Texas being my training ground, I would not know how to manage medium and small cities. We are a small city. No more than 2,700. We're the perfect training ground. Our manager can prove that. She didn't come in as a City Manager. She came in wanting to be the Village manager. She trained well. My program was two years. It took two years to perfect that training. Madame Manager did it on her own with the gumption that she has as a professional and came in here wanting to know how city management works.

Let's not forget. We are the perfect training ground for others that want to be City Managers. It's not just our city. They move from our small city to medium size cities, from medium size cities to large cities. Let me tell you, we got enough around here that they will see that we do the same thing medium and large cities do. We just do it on a smaller scale.

Madame Manager, I applaud you. The contractual effort will not only see people like what we just heard from the building official, you'll be able to see a whole lot more. This contractual thing, perfect, because if we have another bite at this apple, we will ask them to bring their interns in as well. We are a training ground. We are a perfect training ground. We've been here since 18-what? Yes, you all know. A long time.

But this is the first time- this generation is the first time we've had the professionalism. I came in here as a Councilperson. Correction. I came in here wanting to be the Village Clerk, and Joe knows the story. If you want to know how I was treated, and I'm a professional manager. I came in here to be the Village Clerk and was ugly denied. I'm on this Council again, 20 some years later, because I'm at that stage where I can be here full-time. Children are grown, everything.

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I'd love to see some interns in here. Take the load off you. They'll learn much. They're eager, they're hungry, they're going for that master's degree. Let us not forget, we have a plus here also. Not all people who train in City Manager, become City Managers. They become Assistant City Managers, they become building officials. They just got to do the license. They become other areas. Village Clerks. Village Clerk, did I not encourage you to go and get your certification? That's what we do as a little city. We are a value.

We may not be able to keep up with the Jones', I agree with you, but we don't have to think that we don't have the capability to make tomorrow's students into leading leaders in administrative management of cities. Thank you, Mayor.

Mayor Omarr C. Nickerson: Thank you, Councilperson Lightfoot-Ward. Anybody else from the Council?

Vice Mayor Anders Urbom: I just want to add exactly as Dr. Lightfoot-Ward's saying. We need to essentially be creative in finding way that we are more attractive to quality candidates. Maybe the retention plan is you retain a plan where we have eager, enthusiastic candidates coming through a two or a three-year contract, something like that. I just want to be on the Council's radar in terms of- in recognizing that we have gone through-- It's just not this round of personnel changes. It's been several years.

I just want to be on the radar of the Council, so that we can come up with some creative ideas of how we can create a culture here that makes people thing, "You know what? Maybe I'm not going to have the top salary, but I heard that this is a great place to go and work and get some really great experience." If we can create that environment, I think that we'll be in good shape for these personnel changes that in one way or another really are inevitable. Personnel changes is something that is a constant.

Mayor Omarr C. Nickerson: Yes. I think we're well on the way. The first resolution will show that also. Anybody else from the Council?

Councilperson Darian Martin: Just one more thing.

Mayor Omarr C. Nickerson: Of course, Councilperson.

Councilperson Darian Martin: I love being a training ground, but it does cost money and effort to continue to train. I think on certain positions, we can head in that direction, but in

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other more meaty positions, we need to come up with a solution that contemplates minimizing that constant turnover, because it does cost us in the long run. Yes, definitely for students, but also for innovative solutions like CAP Government.

Mayor Omarr C. Nickerson: Absolutely. I agree with that 100%, Councilperson Martin. Anybody else? All right. Madame Manager you're good? Anything else? You good? Okay. All right. Anybody from the audience? Anybody have anything they want to say? Any comments about this? How we looking at Zoom? Thumbs up. All right. Seeing that, moving right on you guys. We're moving down the Resolution I-1. Attorney Geller, do you want to read it into the record for us, please.

Village Attorney Joseph Geller: Resolution I-1. Resolution of the Village council, the Village of El Portal, Florida, authorizing the Village to approve and accept the CAP Government proposal for additional professional services including public works, providing for the incorporation of recitals, providing for an effective date.

Mayor Omarr C. Nickerson: Thank you very much, Attorney Geller. I could either go to Manager Alou or if anybody from the Council has any questions or do you want me to go to her first or-- Manager Alou, this resolution, it's pretty straightforward, but is there anything you want to add to it? It addresses what Vice Mayor Urbom was talking about.

Village Manager Christia E. Alou: 100%. It also it harkens back to what Vice Mayor Urbom was just saying about, this has been going on for years. We'd lost our public works and maintenance staffer about six months ago, again, to higher salary position elsewhere and then we've been without. I'm the City Manager, and I do public works. I do a bunch of other things as well, but I have been doing so much public work with his departure.

The salary is just too low. The way that we can address the services that are needed in this Village is through the contract. We can contract out with CAP Government, they pay the salaries, they pay the benefits, and we pay the fee to ensure that we have proper and appropriate coverage. These are skilled workers; these people are at a level they always come in and they do fantastic work for us. I think that with the public works department services that they are going to provide, that will greatly assist me.

We have talked about just all the funding that we're requesting, but a lot of that I will need technical assistance from engineering. I have been blessed to have the assistance of Craig A. Smith and CAP working on these projects with me, but we need to take it to the next level,

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which is once we get those monies, it has to be managed. These are reports, these are follow-ups, these are construction meetings and these kinds of things, and we have to have a public works department.

I'm happy that they're able to provide this at this price, I did meet with our CFO and our attorney as well as the Mayor about just what it cost to have a \$38,000 position for public works. There are benefits involved with that as well as the vehicle and some other expenses that comes out to be almost \$60,000 for a \$30,000 a year staffer. You may think that that's not that much, but in the end, it is.

We can use those funds to assist us with paying for this. I think it's more important to get the right personnel in a position to help us with the very substantive things that we need. This addresses that in this contract. I also have Carlos Penin on Zoom if you all have any questions specific to the CAP Government. He was not able to join us due to a death in the family, but he wanted to join, because he knows the situation, we've been in. If you have any questions for him or me, please do.

Councilperson Luis Pirela: You know what? I do have a question.

Mayor Omarr C. Nickerson: Go ahead, Councilperson Lightfoot. I mean, Councilperson Pirela.

Councilperson Luis Pirela: Well, it is more of a-- We spoke about it and Madame Manager about exhibit A on the maintenance technician to add. It doesn't say anything about overseeing the parks and making sure that they're taken care of. Especially now that we're going through a renovation. Hopefully--

Village Manager Christia E. Alou: No, we'll definitely- that would have to be included, and I will follow up, but I know for tonight's purposes and just so that we can these people in place is to contract- to make this contract. In terms of just the specifics, I did provide a job description of what I wanted this person to do, and they would have to do oversight over Village properties including our parks, all five. That will be included on this as well.

I'll bring the refined position and description to the public works committee as well as to the Council, so that you see what it looks like when we actually have the people in place. For the purpose of what we have tonight is to get these to go in place.

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Councilperson Dr. Anna E. Lightfoot-Ward: Ms. Manager.

Mayor Omarr C. Nickerson: Anybody from the Council?

Councilperson Dr. Anna E. Lightfoot-Ward: Ms. Manager.

Mayor Omarr C. Nickerson: Yes, Councilperson Lightfoot-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: I am reading the letter. I'm recalling the letter, and it says that the Village does not benefit from any compensation from the gross. They want the gross, 100% of the gross building permit revenues. We don't get one dime of the building permit revenues? It doesn't seem right. It says that the public works function be compensated on a fixed monthly fee basis.

The building department generated revenues, we can provide additional services, including the scanning of all paper documents and create an additional revenue stream to offset some of the cost of public works department. We estimate that we need to additional \$126,000 per year and \$1,000 a month to support the public works department. We estimate that the public works department services can be accomplished by a part-time public works officer engineer. I am very concerned that this is our revenue fund and 100% of our revenue fund from gross building permits, we'll not see one dime of it?

Village Manager Christia E. Alou: Well, by Florida State Law, we are not-- Building department revenue has to be used in the building department only. We aren't able to utilize those funds except for the maintenance of that department, so this would be the reason.

Councilperson Dr. Anna E. Lightfoot-Ward: I understand. I just need the residents to also understand that when they say 100%, that includes whatever we need too. Is that right, Madame Manager? We need our building painted. That company, CAP, makes sure that our building gets painted. We have problems in our building-- Otherwise, we have nothing to take care of us, take care of the Village itself. It says all, "100% of gross building permit revenues." Didn't say 50%, didn't say 75%, it said 100%.

Mr. Mayor, you know. You looked at the budget, you saw how much comes in. That's nothing to throw away. I just want to make sure that we're not just forgotten in this whole 100%, because there are times-- Madame Manager, if you hadn't told us we had a busted air conditioning system, we wouldn't have known it, but we knew how we were going to fix it.

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Right now, we have no revenue. I appreciate you, mayor. You said a lot of times in your State of the Village that we would not have to use taxpayers' money.

Well, building permit revenues, not necessarily taxpayers' monies. I am just concerned. That light outside needs to be fixed, that flagpole needs to be fixed, but it says 100% goes to CAP Government Inc. I have a concern. When do we get to finance what is wrong with our Village, what's wrong with our infrastructure? Somebody help me, because that's the only part of that that really got me into, "What? Where are we supposed to get the money to fix this when everything in the building department depends on the building stuff in the Village?" I do not see anything that says about, "We will make sure everything in the Village is fixed, the Village proper assets are taken care of." I do not see anything there. Thank you, Mr. Mayor.

Mayor Omarr C. Nickerson: Thank you, Councilperson Lightfoot-Ward. I think it's a valid question. Basically, what we need to ask Madame Manager is, of the 100% gross, how does that separate from net first of all?

Village Manager Christia E. Alou: We never would use infrastructure; we wouldn't use the revenue from the building permit department or building permits for that. That would come from a different revenue source. We have operational accounts. We went through this budget process and budget cycle, and there are different areas from which we take money for repairs, and that kind of thing. Building permit fees can only be used in the building department. That's we can't fix the roof with that or an air-conditioner with that. It's only for the operation of a building department.

Mayor Omarr C. Nickerson: I think what she's asking is the building permit fees that are going to be brought in by CAP, is CAP only going to be the one to use them or are they going to be using the building department at the Village of El Portal? I think that's what her basic question is.

Village Manager Christia E. Alou: I know, I'm sorry, I'm going back and forth with text messaging with Mr. Carlos Penin. Are you all able to bring him on [unintelligible 01:09:34] Thank you.

Mayor Omarr C. Nickerson: While we're bringing him on another thing to quickly point out, Madame Manager, is that you and I have been working for these funds to tie them into some of the money we're getting from our outside source also.

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Village Manager Christia E. Alou: Absolutely.

Mayor Omarr C. Nickerson: These monies, the way we're doing it with you guys is that we're pretty much there is that these monies wouldn't be used- these payments wouldn't be used from taxpayer dollars. It'll be used from some of the funding that we're bringing in that could be used for the building department and the building services and things like that.

Carlos Penin: Good evening. This is Carlos Penin. Can you hear me, okay?

Mayor Omarr C. Nickerson: Yes. Mr. Penin, we're you able to hear the last five minutes of the questions and answers that were going on?

Carlos Penin: Yes, Mayor.

Mayor Omarr C. Nickerson: Do you have a response? Just to recalculate it. If you just look in the- you may not have it in front of you, but in the second paragraph of the proposal it says that, "We propose that the building department services be compensated at 100% of gross building permit revenues, while public works department functions be compensated only at a fixed monthly fee basis."

The question was that the first part of that sentence, "We propose that the building department services be compensated at 100% of gross building permit revenues," we were asking, that 100% that will be coming out of the gross building permit revenues, is that money coming out and leaving the Village of El Portal or is that just building revenues for all building services of El Portal?

Carlos Penin: Okay. Thank you for your question. The revenues that are collected from the building department are different from those revenues that would be used, for example, painting the building. Those would come out of a capital fund that the Village will still have. If an applicant comes in and pays a building permit fee for a particular project, that we will then do 100% of the review, 100% of the inspections, and we are moving as the manager very well pointed out into electronic plan review. We're moving into trying to do more of the inspections remotely. All of that is a cost to us that is picked up from 100% of the building permit fees. Anything else that that goes on there is paid from individual budgets and not from the building department. I'm not sure if I explained myself.

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Mayor Omarr C. Nickerson: Yes, go ahead. Let me just say really quickly. In the third paragraph, it says by capturing 100% of these building department generated revenues, you all can provide some additional services including the scanning of all paper documents- because we do want to go digital- and create an additional revenue stream to offset some of the Public Works department costs. I think this falls into line to where you were going on with your last answer. I'm going to turn it over to Vice Mayor Urbom, unless Councilperson Lightfoot-Ward, you have a response? Let me go to Councilperson Lightfoot-Ward first, Vice Mayor, then I will come to you. Councilperson Lightfoot-Ward first, then I will come to you. Councilperson Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: All right. What's the gentleman's name?

Carlos Penin: Carlos Penin.

Councilperson Dr. Anna E. Lightfoot-Ward: Mr. Penin, I heard you, but I didn't understand what you were saying. You did not answer my question. I know right now the building permit- the building revenues have benefited us. Yes or no, manager? They've benefited the Village.

Village Manager Christia E. Alou: In the building department and goes to paying for things that are associated with building, because it can only be used for that. Yes, the building department, but it doesn't benefit us with capital improvements, repairs or salaries, except for the--

Councilperson Dr. Anna E. Lightfoot-Ward: It just pays the salaries of the person. That's all that building permits did, was pay the salary of the person?

Village Manager Christia E. Alou: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: That's it?

Village Manager Christia E. Alou: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: That is the first time I have ever heard of that, and I just told you, my background. That is the first time I've ever heard that, but that's not for us right now. Mayor, I'm at a quandary, -

Mayor Omarr C. Nickerson: Understood Councilperson.

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Councilperson Dr. Anna E. Lightfoot-Ward: -and I yield.

Mayor Omarr C. Nickerson: Thank you. Understood, Councilperson Lightfoot-Ward. Vice Mayor Urbom.

Vice Mayor Omarr C. Nickerson: Good evening, Mr. Penin. How are you doing?

Carlos Penin: Excellent. Thank you very much for asking.

Vice Mayor Omarr C. Nickerson: Very good. Okay. I'm hoping that I'll be able to bring clarity. As we've been operating, all revenues generated by the building department are to be used in the building department. I think the question is, assuming that there would be a year where the revenues generated by the building department would be in excess of the costs incurred by the building department the idea would be that there might be, what you might call, a building department reserve leftover that could possibly be used to bolster something like IT or-- I think that's what we're speaking to with the scanning of documents here. I think the question becomes, in the event that the building department generates more revenue than the cost of CAP Government doing business, what occurs with those overages? Is there a reserve held for El Portal to use within its building department or is that considered simply profit for CAP Government? I believe, Dr. Lightfoot-Ward will correct me if I am wrong, but I think that's what we're getting at with the question here of what occurs with the excesses of those building department revenues, should there be any?

Carlos Penin: Let me try to answer that. The building department- the additional revenues that come into a building department is because there's additional building activity. I think that we can all agree that a larger project, a four-story building or something like that will come in, that will generate additional monies, because they will pay more fees into the building department. But what happens? That project will go over a one-year construction, maybe a year and a half construction period, and we do not charge any more money than that building permit fee when it comes in the door on day one. When that permit is issued and they have paid 100% of the building permit fee, that is it. That is all we get.

It's up to us, the risk is on our side to balance everything else over that one-year period, because we're not going to make another penny out of that, so we need to balance it. When you see maybe that there will be one month when- and I am making this thing up. Say 50,000 or \$100,000 comes in because of that one large project, we have to make sure that we have enough

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money at the end, because it's our responsibility to continue to do plans review and inspections until that CO is issued and that project ends there.

We could have a windfall, but we will not necessarily spend it on something else. Now what we have committed to is to upgrade the software at our cost. There is a budget in the proposal for scanning. We are also-- As you saw, Mr. Vice Mayor, we are also covering part of the-- we've also submitted a proposal to do public works with a part-time position and a full-time position. That is the entire package that we submitted to the manager.

Vice Mayor Omarr C. Nickerson: Okay. I think one of the concerns is that as El Portal is experiencing growth, and then especially as we have septic to sewer on the horizon for a commercial corridor, the concern is that at the moment, while we may be able to generate the type of revenues from the building department that would allow us to do capital improvement to the building department itself, that we would be at that same moment losing that opportunity. I think the concern is that in the event that the risks that you take pays off, that we would then be missing a significant opportunity to do something like a capital improvement project within the building department. Dr. Lightfoot-Ward will correct me if I'm off base on the question here, but I believe that's what we're trying to get at.

Councilperson Dr. Anna E. Lightfoot-Ward: Your close. I don't care how you do it, I don't care how you see it, this is a lucrative contract. It is a very lucrative contract. At some point or another, we need to be able- for the Mayor's State of the Union Address- to say that we benefited from the project of a vendor working with us, and from that we were able to also get back a percentage. I didn't say what the percentage was because they're doing business exclusively with our tax, our people in our Village. This is just-- I've seen better, I've seen where these kinds of arrangements says at the point of XYZ occurring the Village was able to regain or was provided with X number of dollars. What I'm seeing right now is simply, "Hey, we've taken over everything and the rest is your problem," and I don't think that's fair. I don't even see where this was bid at. I see CAP Government Inc. I don't see anything else.

We allow this right now, what's in it for us besides they're taking over a staff position? A staff position. Am I giving it the simplicity that it needs? We're giving up a staff position, and that's it. We gave away the barn and we have no way of bringing it back, and I don't even remember this being a bid type of thing. It's just CAP Government Inc. I'm not even making fun of the company. I'm just saying what is it for the villager?

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Came in here, wanted to do some improvement, took out the permit, got the stuff done, everybody's happy, but the Village did not benefit at all. Are we really looking at this holistically or are we looking at it for convenience? I think we should-- This is our Village, we should gain something from it, financially.

Village Manager Christia E. Alou: Mayor.

Mayor Omarr C. Nickerson: Yes.

Village Manager Christia E. Alou: Again, building permit fees are the-- I hear what you're saying, Dr. Lightfoot-Ward, and yes, we always want to do the best or pursue the best opportunity for the Village, but again, when we are constricted as to the use of these fees and also we're presented with an opportunity to offset the gain for the public works department, and I think that is a good opportunity for us. I wish I had our CFO on with us tonight, because he too reviewed the contract with me and with the CAP, and we reviewed.

CAP Government is already our building official and our contractor for the building department. We did have one staffer, but the building official, the inspectors, all of that is provided through CAP. Anyway, we already have a contract with CAP that was actually renewed for a number of years I think it was two years ago. We have a contract with them, and I didn't put this out to bid, because we already have a relationship with them, a contractual relationship with them for the building department. If there is any other questions you may have, maybe this can assist a little bit, but I'm willing to take them. I am sure Mr. Penin will too.

Councilperson Luis Pirela: I am sorry. If I may, any legal advice, Mr. Attorney, as far as this contract goes? Because it is true, we have no saying of what we can actually get from all the building permits and everything that's been working on for the last few months. Now that we just raised the fees and all of that, we were happy to find out that we would be able to like it says over here they're planning to do, which is datalize the paperwork and all of that, but it's-

Village Attorney Joseph Geller: Councilperson, I reviewed the proposal. It is financial principally in nature. I don't really look at the finances, that's the manager and the CFO. There is nothing illegal or improper in the contract. You have an existing relationship with CAP, so the idea that you would choose to extend the relationship you have with CAP is at your discretion. Now you're obviously not obligated to proceed with their proposal to accept it.

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You can reject it, you can accept it, you could try to negotiate it further, but principally the concerns that are raised by Councilperson Dr. Lightfoot-Ward are financial concerns, and I'm not a financial analyst. There's nothing improper with this contract, but it is completely committed to the sound discretion of the Council as far as its financial terms. I'm happy to answer particular questions anyone has, but it's in proper form. You have to decide whether you think the numbers are the right numbers and work for the need to the Council, and I defer to the manager and her staff as to that issue.

Councilperson Darian Martin: I think it would be helpful to move the conversation while the CFO was here, but if the manager can give us any guidance on historically, how much we have as a Village collected in building permit fees, that would be helpful or maybe just what we did last year.

Village Manager Christia E. Alou: Well, I'll have to pull up the budget, but I also- what I did pull up was a Florida Statute 553.80 that states that all fees-- As we've done anyway in years prior and even now, we're required to utilize all building permit fees within the building and permitting or building department operations. I will have to pull the budget for you. One moment, Councilperson Martin. If anyone else has any questions while I'm doing that, please do.

Vice Mayor Anders Urbom: Just reading in this, I'm not sure anyone can answer manager, attorney, and Mr. Penin. It references the existing contract dated back to 2019. My question is, is there a defined end date or period of renegotiation or readdress on this contract or is this considered to be in contract until they would be decided to be out of contract?

Village Attorney Joseph Geller: Without the 2019 contract in front of me, I can't answer that definitively, but this proposal is not for a finite period of time. I would say that without specifying a finite period of time it's basically an at-will contract between two contracting parties. There are no provisions that prevent the Council from canceling it. It would be in the absence of some provision. Again, I'd need to see the prior one, and if there is something in there since this is incorporating that, that would possibly change my answer.

Otherwise, it's a contract that appears from this proposal to continue for as long as the two parties wish to continue their business relationship. It would be the same as if you were purchasing goods and services from anyone under any circumstances as long as both parties are willing and agree on the terms, you can continue indefinitely, and if one chooses not to, then you can do stop contracting. Again, I'd have to look at the prior one to make sure that

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there's nothing in that one. Based on what I reviewed and what's in front of me, there's no provision that limits cancellation or it requires continuation or anything like that.

Vice Mayor Anders Urbom: Very good.

Carlos Penin: Let me add something to that if I may. The original contract was the one that the Village Attorney was referring to that was dated 2019, and it was a three-year contract, and it gives the Village the option to-- Let me see, I'm scrolling down now as we speak. The Village has right to extend the contract for one additional three-year term. It's specified in page 3 of 10 of the original contract, and this is an amendment, if you would, and then additional services to that contract.

It does have an end date, and there's plenty of flexibility in there. Look, we've not ever been kicked out of the city. I think you know we've working in this space for 32 years which is when I started the company, we are focused on municipality and municipal services, we're focused on building department outsourcing and anything that has to do with this type of work.

The ability of our company to be able to lose an employee as we did with Margin and be able to come back and be able to find somebody as capable as Eva Martinez is one of the reasons that we are working in multiple cities, and we've been, like I said, in business for 32 years. Then the other thing that I might add is that, for example, the City of Aventura, we've been working with them continuously since 1995. We've been in Weston for over 15 years and Cutler Bay the same thing, and number of municipalities the same thing. To answer the question regarding the terms that's in page 10-- I'm sorry, page 3 of our agreement.

Village Attorney Joseph Geller: Okay. Let me add just based on what Mr. Penin has said. I'll note that he's referencing a contract adopted in 2019, and that was during a period when I was not with the Village. That's why I didn't see it and don't recall it, but based on what he said, and I certainly have no reason to question what Mr. Penin says, if it's a three-year contract that two years of which have run, then the contract has one year to run from now. Apparently it has an option with the Village to renew for, as Mr. Penin said, one additional three-year period. Obviously, before a contract is signed, I would always verify that, but I certainly have no reason to question Mr. Penin's word. I've known the gentleman for a long time.

I would say to you that whatever you adopt is an amendment to that contract. You're entitled to amend your contract, you're entitled to contract for some additional services, if the terms are acceptable to the Village. That's, again, the sound discretion of Council. If adopted with an

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amendment, then it runs apparently for one more year, at which point, the Village has a decision to make about whether or not to exercise its option. I presume there are some terms in there you have to give 60, 90 days notice or something like that, if you intend to exercise the option. Any contract can be renegotiated between willing parties at any time unless there's something that prohibits it, which I doubt there is. It's legal for you to do so, and the advisability is committed to the sound discretion of the Village Council, based on the finances as they appear here.

Carlos Penin: Mr. Geller, I think it is a 90-day out. There's a shorter term if it's for cause. Like I said, we've never been under those circumstances, thank God.

Vice Mayor Anders Urbom: Thank you.

Village Attorney Joseph Geller: Mr. Penin, I certainly take your word for it. As I said, it came during a time when I wasn't here, so I've never looked at the contract, but typically there would be how to exercise the option. It's not surprising that there is a cancellation provision if either side is unhappy with the terms. Typically, there would be one, as Mr. Penin pointed out. It'd be one set of cancellation provisions. If it was because of cause, generally there is an opt-out provision under other terms, which don't include cause that's just unilateral dissatisfaction. This should all be specified in the contract we have. The amendment, essentially, is additional financial terms in exchange for additional services to be performed. Again, sound discretion of Council.

Carlos Penin: It's 10 days with cause and 90 days without. Those are very basic terms and conditions that are very standard, as you very well pointed out, Mr. Geller.

Vice Mayor Anders Urbom: Okay, very good. Mr. Penin, I don't think that--

Councilperson Dr. Anna E. Lightfoot-Ward: Point of order

Vice Mayor Anders Urbom: Yes, Council talked about that.

Mayor Omarr C. Nickerson: Yes, Councilperson Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: This is going too long. 69,000, I'm looking at the final second budget hearing agenda. We budgeted tentatively for FY-2021 69,000 yet we projected 115,456. If 69,000 is what we adopted, which it is, and I'm thinking 69,000 buildings

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with fees. All I'm saying is, what do we-- I hear revenues coming in. That says to me we got money in the bank. That's what it says to me. Revenue's coming in. If the tentative proposal for revenues-- That's what I'm looking at, the revenue side. Pardon me. The revenue side, the total revenue on that, -

Mayor Omarr C. Nickerson: 213,000.

Councilperson Dr. Anna E. Lightfoot-Ward: -this is called a draw. If at some point, we figure out that we just went in a deal that we didn't have a full understanding of, we got to look at this again. I'm talking six months. If something's not right with this, that there's a bug in the water and I can't figure it out, because at 100%, we just sold the city. To me, when you give away 100% of your revenue, you just sold the city.

Councilperson Darian Martin: May I ask you a question, Mr. Penin? It's Darian Martin. Thank you for joining us tonight. Do you have any contracts with municipalities that envision capturing less than 100% of the building permit fees?

Carlos Penin: Yes, ma'am. We do.

Councilperson Darian Martin: We know that it's probably high.

Carlos Penin: Yes, we do.

Councilperson Darian Martin: Okay.

Carlos Penin: It is to commensurate with the services that we provide, Ma'am.

Vice Mayor Anders Urbom: All right.

Carlos Martin: Okay.

Vice Mayor Anders Urbom: Mr. Penin, it is Vice-Mayor Urbom again. Just to finish and come to the conclusion of my final question, and it follows right behind Councilperson Martin's question. That is, do you have any contracts with other municipalities that do have 100% gross in the contract?

Carlos Penin: Yes, Vice Mayor. We do.

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Vice Mayor Anders Urbom: Okay. Then, I just want to be clear that-- Oh, sorry. I can't stand when people say that, but I do want to be clear. Truly, the question of the competency or the level of service is not even remotely a question right now, it is simply a matter of the fairness of the financial side of this. This is actually-- Madame Manager speaks to my-- I forgot to mention CFO in my comments about the personnel issues. Regardless of whether this passes tonight or not, I think it is clear that we need Interim CFO Wallace, to be able to address this specifically at the next Admin and Finance Council Meeting so that the Council can have more clarity on what this is.

Then, Mr. Penin and Attorney Geller, sorry to interrupt the sidebar. This has the original contract date of March 27, 2019, as outlined in this document. That would put 90 days as December 27th. In theory, this Council has until December 27th, to analyze whether or not we're in an equitable agreement, as essentially that would be the end of our review period to announce whether or not we intended to renew the contract for another three-year period. Is that correct?

Village Attorney Joseph Geller: [inaudible 01:36:09]

Vice Mayor Anders Urbom: Three. I said three, I'm sorry.

Village Attorney Joseph Geller: Okay.

Vice Mayor Anders Urbom: Yes.

Village Attorney Joseph Geller: I'm sorry, I didn't hear my mic on. I'm not aware of anything--

Carlos Penin: The original--

Village Attorney Joseph Geller: Go ahead, Mr. Penin. [inaudible 01:36:21]

Carlos Penin: I'm sorry, Attorney Geller.

Village Attorney Joseph Geller: Go ahead, Mr. Penin.

Carlos Penin: The original contract was March 27 of 2019.

Village Attorney Joseph Geller: Yes, 2019.

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Carlos Penin: Yes, that is correct.

Village Attorney Joseph Geller: Let me say this. I am not aware of anything that would give rise to a cancellation for cause. If there is something, it certainly has not been presented to me. If we're adding this topic tonight as an amendment to that contract, and we see by December 27th of this year, 90 days from the end of the contract, the three-year term, if we see by then that this is going in the wrong direction for the Village, then we would have cause to at least renege on that amendment or otherwise adjust the contract. Is that a deadline for us in terms of not resuming?

Carlos Penin: Not really.

Village Attorney Joseph Geller: Let me say, if tonight, for some reason, you wanted to terminate the existing contract, you could give 90-days' notice. I understand. Again, I've no reason to question Mr. Penin. He is in this business for a long time, but I don't give opinions on contracts that I haven't read.

Carlos Penin: Right, got you.

Village Attorney Joseph Geller: That's a bad practice. I try not to do that. If, and it's got to be an if-- Again, I'm not questioning this gentleman's word, but if you have a contract with a 90-day cancellation clause, you can then exercise that clause basically at any time. Now, if you're, as I understand, you're in the last what is it? Four or five months of a three-year contract, that's when the contract expires. It would seem that in order to renew the contract, you need to give some sort of notice prior to the end of the contract, that you're exercising your option.

I'm not positive what that provision is, but it's certainly waivable by CAP. If you have to give 90 days' notice to CAP, they're entitled to say, "If you don't tell us the contract is over," but they're equally entitled to say, "You only gave us 85 days' notice. We are going to waive that. We want to keep doing business with you." That is their choice if we don't timely exercise our notice of option.

Now, if you amend the contract, which is the other question-- You have contract, all right. This is not a separate contract, it is not a different contract. If you amend your contract, which is what this proposal is to do, you cannot then say, "Oh, well, we want to go back to the old contract. We don't want the amended part because you have one contract." If it's amended, then the contract as amended is your contract.

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You could exercise your option to renew it under any set of circumstances in accordance with the contract. Again, I don't know if it's 90 days in advance, but as you point out, if it is, that's coming up probably before this contract more or less even takes effect. If you continue with the contract and you've only exercised your option to renew it, then again, subject to my actually reading the terms of it, which-- Always ask your lawyer to read the contract before he gives you an opinion, but there's nothing about exercising the option, at least that I'm aware of, not having read it, that takes away your right to cancel on 90 days' notice.

If you have to renew it 90 days before it expires, or 60 days, or whatever the renewal is, if you've amended it, if you've exercised the option, if you go 60 days into the new three-year contract-- My understanding is it is just a single three-year option, but again, contracting parties in agreement can enter into a new contract called a novation and amend their existing contract. Again, it's a matter of both parties agreeing.

The contract as amended, or even not as amended, if you exercise the option, you could go 60 days, 90 days, 120 days into the new contract if you don't like what's going on, you have an option-- I don't want to use that word so it's confusing, you have an option. You have the right to say, "This contract is being canceled on 90 days' notice because that's a decision the town has made," and that can happen when you're in the new contract, so you really-- It's not a deadline. If you have a contract that says you have the right to cancel for no reason on 90 days' notice, amending it or exercising your option would not-- If that's the exact language, would not take away your right to cancel on 90 days' notice at any time.

Councilperson Darian Martin: Mr. Mayor, could I--

Mayor Omarr C. Nickerson: Yes, Councilperson Martin.

Councilperson Darian Martin: I think we might have just fallen down a cancellation rabbit hole. For me, I'm not saying that this is a bad contract. I'm just saying that we don't have enough information to determine how good of a contract it is. I know that it contemplates some public works help, some Building Department work, modernizing the Building Department, I think it's going to be great for improving the level of service we can provide. All of those things are good.

I think some of us on the dais would just really like some hard numbers to look at, and the reassurance that that 100% number has been negotiated down to the point where it not only makes sense for CAP government, but it makes sense for El Portal as well. Maybe a reasonable

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course of action would be to just express those concerns to the manager and have her try to go back to the table, and have CAP government sharpen their pencil and come up with another proposal, and maybe some of the auxiliary information, and present it to us. Maybe at that point, we will be in a better position to move forward with this one, but I feel like we're beating a dead horse.

Mayor Omarr C. Nickerson: Agree, Councilperson Martin. All right, you guys, there's two options here-- Before I ask for the options, is there anybody from the audience or anybody on Zoom that wants to say anything about this? We're good? Yes, come on up. Say your name and address for the record.

[pause 01:43:47]

Dwight Garmon: Good evening. My name is Dwight Garmon, 415, 88th Terrace. I came in a little late, but I heard something that kind of-- You said it was 100%. My question is, how many contracts you have have the-- Is the same size as this particular village that's actually paying out 100%? That was my question.

Mayor Omarr C. Nickerson: Mr. Penin?

Carlos Penin: I don't know the answer to that. I know that we have two municipalities in Broward County where we have a similar contract, but I don't know the answer to that, to be honest with you.

Mayor Omarr C. Nickerson: Right now, this is I think one of the things-- Because I think I know what's going to happen right now. We have two options. We have one option where we could motion, second, and vote on accepting the contract. We have another option where we could motion, second, and vote on tabling the contract until we get more information. I think-- A couple of things. First of all, I think the first question that is really heavy on the council is why 100% for El Portal? what differentiates El Portal from the other municipalities where you don't have 100% coming out? What are the reasons, or what are the details for that?

Carlos Penin: If that's a question for me, it's that we've included a number of items in there that we would not normally include, and [crosstalk]--

Mayor Omarr C. Nickerson: Is that 100% because of the technology aspect and the offset of the public works?

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Carlos Penin: Yes sir. That is exactly right.

Mayor Omarr C. Nickerson: Okay, so that 100% is because of the technology aspect of going through the digitization of the documents, which is needed because we have our documents in blue storage right now. We've had a couple of occasions where they've gotten ruined, and as the government entity, we can't be having those documents getting ruined. The second aspect is the aspect of adding the public works services to that. I'm going to turn over to Madam Manager right now, the only thing-- And I understand exactly what the council's saying. I don't necessarily disagree with the council, but if we're going to move on this, we need to move on this and figure we're going to do more sooner than later.

I will point out that right now, not having a Public Works Department individual and not having a public works engineer is hurting us. Just yesterday, because we didn't have a public works engineer to help out with doing public works engineering work to apply for funding, we missed out on permeable pavements that we could put-- Permeable material for permeable pavements and stuff like that we could put throughout the village, we missed out on that yesterday because we do need a public works engineer to help out with those types of things.

Councilperson Darian Martin: Can we-- [crosstalk] Oh, sorry, Mr. Mayor--

Mayor Omarr C. Nickerson: No, go ahead Councilperson Martin.

Councilperson Darian Martin: I think if we got just a quick look at what are the building permit fees in total that we are getting, and maybe add just a rough number on to some of those things. Public works is costing us X amount, and having a building official, the salary was this amount. Then we can look at the actual numbers of the thing and say, "Hey, this is a reasonable amount to pay, or forego what we're receiving."

Village Manager Christia E. Alou: Can I also please-- Sadly, my computer is not connecting, and I cannot pull up the contract or anything, but thank you very much for providing me with the budget document. Our projected to the year-end for the last fiscal year was \$173,000 for the building permit fees, but our expenses were the \$69,000. In this instance, I don't have the contract in front of me, but I'm asking if Mr. Penin does, how much of the building permit-- What's the percentage you take presently without the amendment that we're talking about tonight?

Carlos Penin: Give me a second to look at that.

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[silence]

Councilperson Dr. Anna E. Lightfoot-Ward: Mr. Mayor, while he's looking, the revenues for the Building Department were \$213,609 per permit. That was projected revenues for the Building Department Fund. Therein is my problem.

Village Manager Christia E. Alou: Well, that's proposed for this fiscal year but [crosstalk]--

Councilperson Dr. Anna E. Lightfoot-Ward: I know, but we adopted it.

Village Manager Christia E. Alou: It's \$173,000, was what we earned last year.

Councilperson Dr. Anna E. Lightfoot-Ward: Okay. Final second budget hearing agenda on 2020/10-- 9/23/2021, that's what I'm looking at. That was projected Building Department Fund. I understand that was a projection, but that's a lot of money, while the expenditures were only \$69,000 projected. That's why I'm having this trepidation. We're getting that kind of money in, and we get nothing to say, "Hey, we made a good deal." To just turn the whole 100% over-- This is a big company, not a little village with one person trying to do everything. I understand that, but it's just that something's not right about this, and I don't have enough time, and we don't have enough time tonight to reconcile this.

Vice Mayor Anders Urbom: Right, and with this amendment, we got to calculate the Public Works Department costs as well, because that's what part of this is addressing too, so-- I agree.

Mayor Omarr C. Nickerson: That being said, you guys, do I have a motion to table for further information for the future?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Mayor Omarr C. Nickerson: Oh, you want to-- Yes, come on up, say your name and address for the record.

Rihanna Collin-Grady: This is Rihanna Collin-Grady, 650 Northeast Miami Court. Real quick about the public works. When they're talking about the 100% fees, when somebody is asking for a permit [unintelligible 01:52:15] you normally pay through El Portal, would that mean that they would have to pay directly to the company, or it goes through El Portal?

Councilperson Dr. Anna E. Lightfoot-Ward: It goes through El Portal.

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Rihanna Collin-Grady: Okay, it will go through El Portal and then-- Okay. The next question is, would this in some way increase any permits in the future? Did I miss that part maybe?

Mayor Omarr C. Nickerson: No. We have our set permit fee schedule. We updated it a few months ago.

Rihanna Collin-Grady: Yes, it was, right?

Mayor Omarr C. Nickerson: Yes, so that's what it is.

Rihanna Collin-Grady: Okay, thank you.

Councilperson Dr. Anna E. Lightfoot-Ward: Very good questions.

Mayor Omarr C. Nickerson: Thank you. Anybody else? Anybody on Zoom? Anybody in the audience? No, we're good. All right, you guys, so what motion-- I'm going to ask for a motion. We can motion to accept, or we can motion to table to get further information? Do I hear a motion? Do I hear a second?

Vice Mayor Anders Urbom: I would look for a commitment from the manager that the interim CFO Wallace will be at the Admin and Finance Committee meeting in-- When is it? Two weeks, three weeks?

Mayor Omarr C. Nickerson: Yes, in a couple of weeks. Second week of November.

Vice Mayor Anders Urbom: If we have a commitment to that effect, then that would potentially affect my vote.

Village Manager Christia E. Alou: I will certainly do my best to get him there, because I do want to resolve it, but I understand your concerns. I will ask him [crosstalk]--

Vice Mayor Anders Urbom: Can you on his behalf commit that he is going to be there and prepared to address this topic specifically [crosstalk]--

Village Manager Christia E. Alou: I will prepare as best I can

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Vice Mayor Anders Urbom: I know he's tried to be in a lot of meetings in the past, but we need to know that this is going to-- That's our only opportunity, is that November committee meeting to address this.

Carlos Penin: You have my commitment to continue to work with the manager to come up with the best equitable deal for both my company and the village. This is a partnership, it's nothing more than that. It's a partnership.

Vice Mayor Anders Urbom: Mr. Penin, I certainly have no doubt about your commitment. My concern lies with our interim CFO.

Councilperson Dr. Anna E. Lightfoot-Ward: Mr. Mayor--

Mayor Omarr C. Nickerson: Yes, Councilperson--

Councilperson Dr. Anna E. Lightfoot-Ward: I'm going to table.

Mayor Omarr C. Nickerson: I got a motion on the table. Do I have a second to table?

Councilperson Darian Martin: I second.

Mayor Omarr C. Nickerson: Motion made by Councilperson Lightfoot-Ward. Second made by Councilperson Martin. Let's do a roll call for table, Madam Clerk, please.

Village Clerk Yenise Jacobi: Roll call. Councilperson Martin?

Councilperson Darian Martin: Yes.

Village Clerk Yenise Jacobi: Councilperson Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Village Clerk Yenise Jacobi: Councilperson Pirela?

Councilperson Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Vice Mayor Urbom?

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Vice Mayor Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Mayor Nickerson?

Mayor Omarr C. Nickerson: Yes.

Village Clerk Yenise Jacobi: Motion passes five to none.

Mayor Omarr C. Nickerson: Thank you very much.

Councilperson Dr. Anna E. Lightfoot-Ward: Thank you, Mayor.

Mayor Omarr C. Nickerson: Thank you very much, Councilperson Lightfoot-Ward. Moving right on, resolution I-2. Attorney Geller, as soon as you get back, you're up for I-2 resolution, Craig Smith & Associates' renovation of parks proposal.

Village Attorney Joseph Geller: I-2, a resolution of the village council of the Village of El Portal, Florida, authorizing the village to approve and accept the Craig A. Smith & Associates parks renovation proposal, providing for incorporation of recitals, providing for an effective date.

Mayor Omarr C. Nickerson: All right, thank you. We've been over this before, you guys, but I'm going to go to the manager, and then I'm going to go to Councilperson Pirela, because I know Councilperson Pirela from last time was involved in this. Manager, start it off. Or do you want me to start with Councilperson Pirela? Either way.

Village Manager Christia E. Alou: Either one. What is your [crosstalk]--

Mayor Omarr C. Nickerson: Councilperson Pirela, if you want to jump in first?

Village Manager Christia E. Alou: I'll let you go. Or do you want me to go first?

Councilperson Luis Pirela: Go ahead.

Village Manager Christia E. Alou: Okay. I'll just say that we have been planning these parks renovations for a little bit over a year now, and moving quite quickly in terms of just getting all of our items checked off the list. We're now at the point where we need a little more assistance, and we need to get these parks-- The architectural or landscaping designs

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completed. I've enlisted Craig A. Smith & Associates to just do project management in this respect for us, and they have assisted on lots of civil engineering items. They do have a contractor that they work with who does the landscaping, architecture, and engineering.

We brought this to the council last month, it was tabled because there were some questions from members of the council. I did meet with each member of the council about their concerns, but more specifically with Councilperson Pirela who had a little more detail. We did meet on Friday-- I believe it was on Thursday or Friday we met, and I believe we came up with a good discussion, we got some things answered. From there, I will let Councilperson Pirela to take the mic.

Mayor Omarr C. Nickerson: Councilperson Pirela.

Councilperson Luis Pirela: Well, yes, like the manager said, we actually reviewed, revised the scope of work. [unintelligible 01:51:57] was able to actually capture a little bit more of what was needed for the parks and the renovations with the designer and the scope of work being described by the master plan from the Miami Park and Renovation team.

We ironed some things out, and we were more clear about what was needed for the parks. I think we came-- It was a good discussion, and I'm very pleased with what came up out of it. We got some-- I don't know if you guys got it on the package. I think we got the wrong-- Right?

Village Manager Christia E. Alou: We haven't issued this one yet, because it wasn't advertised since we just got it today.

Councilperson Luis Pirela: Right. Essentially, it went almost \$10,000 down from what originally was presented, without sacrificing actually any design elements or anything. We have Mr. Orlando Rubio here from CAS if you guys have any questions or anything, but so far, it's--

Mayor Omarr C. Nickerson: So far so good?

Councilperson Luis Pirela: Yes.

Mayor Omarr C. Nickerson: Thank you, Councilperson Pirela. Councilperson Lightfoot-Ward?

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Councilperson Dr. Anna E. Lightfoot-Ward: I appreciate Councilman Pirela acknowledging saying the last time we looked at it, it was like \$75,845. What is it now? I don't see that.

Councilperson Luis Pirela: Right now, it is \$65,665.

Councilperson Dr. Anna E. Lightfoot-Ward: So, Mayor, you made the right decision. Let them [unintelligible 01:58:59] a little bit. That is commendable.

Mayor Omarr C. Nickerson: Absolutely. Thank you very much, Councilperson Lightfoot-Ward. Thank you. Anybody else from the Council, questions, or comments? We had this last month also. Anybody from the audience? All right, you guys, looking good. I want to see construction all over. I told the manager-- I tell her all the time-- I said, "Manager, I'll be in my perfect dream state when I'm able to drive around the village or walk around the village, and almost every other corner I turn, there's construction going on." [unintelligible 01:59:34] the sewer, flood mitigation, park renovation-- I just want things to be done in the village so that it can set us up for the future and for our future generations when it comes to infrastructure. All right, that being said, there's no question. Do I have a motion to approve?

Councilperson Dr. Anna E. Lightfoot-Ward: [inaudible 01:58:00] I am sorry, Mayor, I don't see in the package the number that [crosstalk]--

Mayor Omarr C. Nickerson: You're talking about the new proposal?

Councilperson Dr. Anna E. Lightfoot-Ward: The new proposal. I'd rather Councilman Pirela make the motion based on the agreement that you all came up with, as opposed to just saying amen to the resolution-- Did you read it, Joe? Did you get a chance to read it?

Mayor Omarr C. Nickerson: Yes, he read the resolution.

Village Attorney Joseph Geller: I read the resolution. There's a new proposal, but I understand the only thing changed basically was--

Mayor Omarr C. Nickerson: The cost. Everything else is the same in the resolution.

Village Attorney Joseph Geller: --the cost and what is provided in exchange for the cost. There's a couple of things that they took out.

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Councilperson Dr. Anna E. Lightfoot-Ward: Yes. All I'm concerned with is we get that correct dollar amount, and not just reading this. We want to read it from the correct dollar amount.

Mayor Omarr C. Nickerson: Absolutely. Yes, we do that frequently, Attorney Geller will tell you-- Because the resolution is accepting the agreement between, and if we know the cost amount, the cost amount can get written in there later, but we accept the agreement, is what this resolution is all about. It's about accepting the agreement. That being said, Councilperson Pirela, would you like to make a motion?

Councilperson Luis Pirela: Yes, I will make a motion to accept the contract agreement, right?

Mayor Omarr C. Nickerson: Yes, proposal.

Councilperson Luis Pirela: In the proposal from Craig A. Smith for the new amount of \$65,665, right?

Mayor Omarr C. Nickerson: Yes. Thank you very much, Councilperson Pirela.

Village Attorney Joseph Geller: The revised proposal for the [crosstalk].

Councilperson Dr. Anna E. Lightfoot-Ward: Mr. Mayor, before we actually get your second in there, because I'm going to-- Well, let me do this, I'll second with the preface that it aligns the resolution based on the new amount-

Mayor Omarr C. Nickerson: Yes, proposal amount. Absolutely.

Councilperson Dr. Anna E. Lightfoot-Ward: -so that Mr. Smith and Company will not say, "Hey, what did you all do?" It's on record.

Mayor Omarr C. Nickerson: Absolutely.

Councilperson Dr. Anna E. Lightfoot-Ward: Thank you.

Mayor Omarr C. Nickerson: Thank you very much. Got a motion, got a second. No further discussion? You're all good? Madam Clerk, may I please have a roll call?

Village Clerk Yenise Jacobi: Roll call. Councilperson Martin?

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Councilperson Darian Martin: Yes.

Village Clerk Yenise Jacobi: Councilperson Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: Yes.

Village Clerk Yenise Jacobi: Councilperson Pirela?

Councilperson Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Vice Mayor Urbom?

Vice Mayor Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Mayor Nickerson?

Mayor Omarr C. Nickerson: Yes.

Village Clerk Yenise Jacobi: Motion passes five to none.

Mayor Omarr C. Nickerson: Perfect. Thank you very much, you, guys. Moving on to committee reports, mayor, manager, comm-- Well, we do not even do committee reports anymore. Mayor, manager reports, and attorney reports. Madam Manager, go ahead.

Village Manager Christia E. Alou: Thank you very much, Mayor Nickerson and the council. I provided the manager's report to the council today, as well as posted on the village website. This month has been a whirlwind. We have been so overwhelmed with activity in terms of the HR and staffing, and trying to find suitable and appropriate staffing for the department heads who will be leaving at the end of this month and into next month. That said, we will survive, we always do. We managed to find fantastic staff members, and we are going to find some more. We are going to continue to do good work and to be proactive and technologically advanced as we have committed to doing.

Just updates about the-- the report is pretty long, but I will just [unintelligible 02:03:34] the residents to know about the bridge on North Miami Avenue. I've made several inquiries of the county-- It's a county project, it's not an El Portal project. The project is a Miami-Dade County project, and they're awaiting permits based on a revised plan due to the bank. Banks are in disrepair, and they need certain permitting, and so we're still awaiting that construction

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finalization. I just want you all to be aware that we are on it. The residents are on it as well in terms of just asking what's happening with that bridge, and why is it holding up the morning traffic and the evening traffic every day. The county, they respond to us, and they tell us that it's still awaiting permitting.

Our parks renovation project, it continues. With tonight's passage, we will then be meeting with Craig A. Smith to start devising some designs and working with Public Works Committee to get that underway. That's a very exciting opportunity for us because, like Mayor Nickerson says, we want to see things happening, and things are really happening.

Speaking of that, this transportation circular, the electric vehicle, still on order, but it's coming any day now. I've already seen or proof the way it's going to look. We don't have many options in the appearance, but we know it's coming. The contractor is Freebee, and they will be installing an electrical charging station here at the village hall in the very last parking space here, next to the tot lot. That charging station will be available to anyone else with an electric vehicle. It really does lend to the village being green and really pursuing our resiliency and sustainability. We're excited to get that project off the ground. We're just awaiting the vehicle, so we hope to see that very soon.

We're also happy to see a lot of the old police cars have been removed, and more are on the way. Lieutenant Mendez has been coordinating with enterprise and other entities to get those vehicles off the lot so that we can then make room for our new fleet. We're expecting that any day now, but we all know that based on supply chain demands and vehicles shortages, at this point, we don't expect anything until after the holidays, but fingers crossed. It would be lovely to have new police staff, and new cars, and a new code enforcement car coming into the early 2022.

The sanctuary project, they continue to update us that they are still waiting for certain mitigation-- **[unintelligible 02:06:33]** mitigation. They're trying to dry out the property, but they are still underway. I've been in touch with the Kavista developers, and they too are making tremendous strides. They expect to start development in early 2022, so that's going to be a fantastic project. Finally, we'll see some good things. Also, on the annexed area, the skate park is delayed in its opening, but we're expecting an opening before the holidays this year. We're hoping for November to see some movement over on our annexed area.

As we stated before, we're expecting to hire three police officers very soon. Chief Magnusson and Lieutenant Mendez have been fielding resumes again. We'd like to hire good people

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because our residents deserve it, so they are vetting and recruiting and really working to get us the best of the best. Our police department has also been working with the construction project, just ensuring the maintenance of traffic to keep El Portal safe, because with construction, there will be some concerns and issues. We apologize for any inconvenience, but progress sometimes has a little bit of inconvenience. We hope that you'll be really happy with the end result though. I think you will be, and I think the rest of the village will be very jealous with the El Jardin project, but we'll go into the next phase as funds become available for that as well.

Code enforcement officer, Sharyar, has determined to move on to a higher paying position with Fort Lauderdale Code Enforcement, and we wish her the best. Before she left, we did upgrade our software for code enforcement. Part of that software upgrade is that we will now have online capabilities for residents to report code violations that they may witness, so that's a technological advance. We would just have to monitor those reports, but that helps us in maintaining. Our police officers are also going to be stepping in as they always do to ensure some adequate code enforcement until we identify a good candidate.

I mean, so many things are happening. Mayor Nickerson and I have been meeting with Mayor Cava, and many department heads at Miami-Dade County to kind of push a partnership-- I shouldn't say push it, but just to work together on something.

Mayor Omarr C. Nickerson: And she gave us her entire staff.

Village Manager Christia E. Alou: Entire department heads.

Mayor Omarr C. Nickerson: She gave us all of her department heads, all of them, and was telling the department heads like, "This one does this, make sure they do this for you. This one does that, make sure they do that for you," all based on relationships. When we first came on, she said, "Mayor-- I consider you a friend, Mayor." That's what she was saying. She said, "Whatever you guys need--" All of her department heads, you guys. All of them at our disposal.

Village Manager Christia E. Alou: And they have been following up. In fact, we've had two meetings now, and we are scheduled for a third one on Thursday. We are meeting with their department heads, with leadership at the county in economic development, water, and sewer, even the Community Action Director, to see how we can work together to breed some kind of energy and create our business corridor Northeast 2nd Avenue. Also, the walkability. There's

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a pedestrian-first program that we're really pushing with her that will help us with sidewalks, and again Northeast 2nd Avenue, making that more of a main street for the Village of El Portal.

Mayor Omarr C. Nickerson: Yes, Madam Manager, everything. I mean, we had a meeting with department heads that were talking about elderly services, and helping to pay for bills, helping to pay for electricity, all types-- Every department head she has, every department head at the county, she put in our disposal. Every department head, and told them in front of our face, "Whatever they need-- This person does this, make sure they do something for you. This person does that, make sure they do something for you." She really hooked us up.

Village Manager Christia E. Alou: She did, and so we're going to take advantage of it. We've jumped to the opportunity to work with them. There are a myriad of things I continue to do and work with residents as well as members of the council. If there are any questions, please don't hesitate to reach out to me. I've been calling on Fridays, but I think I haven't talked to some of you. I'm going to start calling on Mondays before council meetings and committee meetings, just to assist and answer any questions so we can get some of this done before we get to this body, it would help [unintelligible 02:11:40] and the residents as well. I'm here working with you, and I'm just a phone call away or an email away. That concludes my report.

Mayor Omarr C. Nickerson: Thank you very much, Madam Manager. I spoke so much on the State of the Village, you guys. I want to save my report for next time, and I'll just sum it all up. I did that last time, so I'll sum up all those months next time, right before we got off for our Thanksgiving break. All right, moving right along, Attorney Geller.

Village Attorney Joseph Geller: Very briefly. A little while back, we settled with somebody who we had liens against. It took us a little time to get the money collected, but the money's come in, \$35,000. We've received the funds, and hopefully, we can do more of those. If you give somebody a break and knock down what they owe you, they will write you a check. That concludes my report, happy to answer any questions.

Mayor Omarr C. Nickerson: Thank you very much. Any questions for Madam Manager, or any questions for Attorney Geller, or myself? Are you guys good? Thank you very much. Moving right on, you guys, good and welfare. This is the time right here where if anybody from the audience, anybody on Zoom, if you guys have any questions or comments? Anything you want to say, you can come up, you have three minutes. Name and address for the record, and the floor is yours. Come on up, my brother. [chuckles] Former Councilperson Aubrey

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Brunson, I did shout you out in my State of the Village. I did definitely do that. [chuckles]
Name and address, and the floor is yours, Mr. Brunson.

Aubrey Brunson: Good evening to you all. Aubrey O. Brunson Snr, 70 Northwest 87th Street. Lovely El Portal, how're you doing now? I want to give shoutouts to my Mayor, Vice-Mayor, Councilperson Dr. Ward, and the rest that I don't know, I know you by face. I understand the job. I understand how tedious and how hard it can be. To my famous clerk person right here, and my manager, and my attorney-- I feel like I am at home. I just want to say that the job that you are doing, I've been there. It is tough making decisions.

I was so happy to hear that you tabled this decision a little earlier, because there is some things you have to work out on that. When I saw the [unintelligible 02:13:48] you were asking about the 100% and stuff, and I know they provided a service, CAP-- I look at it like a pyramid as well. They are providing the services for salaries and stuff like that [inaudible 02:13:56] what happens if everybody just stopped getting permits? What happens if the salaries disappear? The county will no longer pay that, so that is the effect on El Portal, not having an individual on the seat because [unintelligible 02:14:08] is not there.

My main purpose-- One of the reasons, I wanted to come tonight to address law enforcement. I am pro-law enforcement, I've always been pro-law enforcement, and I'm glad to hear that we're putting additional three officers there. I think it is a long time overdue. We should have done it two, three years ago. We are losing officers for various reasons, I won't get into that, but I'll just caution us all, we have to really jump on it. I hear about funding for the park and all that, but I know [unintelligible 02:14:39] the funding, and I know the Mayor has been working about the funding for new police officers. Let us make this a priority.

This is our village, this is our community, this is where we live. Sooner or later, it's going to be found out that we don't have proper coverage in El Portal. The law enforcement, we do not have proper coverage. I am a former law enforcement myself. When that will be found out, you think other municipalities are having problems, we are going to have bigger problems.

We had a little flashbang on the news, it came in, and it went out as quickly as it came in, but what happens when they start targeting us, and we start being the target of crime? We do not have nobody to cover [unintelligible 02:15:20]. I hear about the park; the park is going to need some type of security. Some officer is going to need to go by that park to make sure everything is okay. We have not talked about that. We need to think about that. How much coverage do we have? Can we adequately cover this village?

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It was known before that [unintelligible 02:13:52] come in El Portal because the police were always on you. Now, I am almost patrolling myself. I am looking forward to having the police department upgraded really. Sorry to say, Chief [unintelligible 02:15:55] I haven't seen him in two years, when he would come to my community. I have not seen him. I see him back there now, this is the only time I [unintelligible 02:14:15], and that is a shame. We got to get out of this office, get out of here, and ride around the community. This is our community. I am paying taxes here too. I want to see services from the police department.

I'm here 100% behind the police department, I'm willing-- And I told the chief when he first got here, "I'm here. You need me, use me. I'm here to assist and help the police department." It has not happened. I am a really honest person, you know how I am, but I think there needs to be a step-up [unintelligible 02:16:30] police department, get the morale back where it used to be.

I hear nothing but wonderful things about you, Mayor, that you have supported the police department, and the officers, they tell. We need that. I want to say again-- I am going to close it up. Councilperson, it is a hard job. You read the reports, and you go through it. I respect and I appreciate it. I think I need [unintelligible 02:16:54] a little bit more, but I was glad to see you table, that you're not in a rush to make a decision, because you probably need to talk about that CAP thing. Some municipalities getting 100%, some not getting 100%, why? Who determines that? How is it determined who gets and who doesn't get? Those questions maybe need to be asked.

I am like Dr. Ward, I don't believe [unintelligible 02:15:31] 100%. You could do something [unintelligible 02:17:20] 100%. I want to say thanks for the time, thank you all for your time tonight, and may God bless you.

Mayor Omarr C. Nickerson: Councilperson Brunson, I appreciate you. Anybody else, good and welfare? How are we looking on Zoom? We are good, thumbs-up. Wrapping up-- See nothing in good and welfare. Do I have a motion to adjourn, you guys?

Councilperson Dr. Anna E. Lightfoot-Ward: [unintelligible 02:17:40]

Mayor Omarr C. Nickerson: Motion moved by Councilperson Lightfoot-Ward. Do I have a second for adjournment?

Councilperson Darian Martin: I second.

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Mayor Omarr C. Nickerson: Second by Councilperson Martin. The regular council meeting for Tuesday, October 26th, 2021, is adjourned at 9:33 PM. [slams gavel] Thank you, you guys, I appreciate it. Getting ready for Airbnb stuff coming up second Tuesday? It is going to be good stuff, looking forward to that.

Councilperson Darian Martin: [unintelligible 02:18:07]

Mayor Omarr C. Nickerson: Yes, you have also-- You guys have also. I appreciate, you guys.

Councilperson Dr. Anna E. Lightfoot-Ward: Adios.

[inaudible background conversation]

[02:18:14] [END OF AUDIO]

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