



**Village of El Portal
Regular Council Meeting
Date: 12/14/20
Meeting Start: 7:00 PM
Meeting End: 10:51 PM
Meeting Length: 03:51:38**

Mayor Omarr Nickerson: Good to see everybody here. The regular council meeting for Tuesday, December 14th, 2021 is called to order at 7:02 PM. Madam Clerk, we're going to do silent meditation, pledge allegiance, then we'll do your roll call.

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

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

Village Clerk Yenise Jacobi: Roll call. Mayor Nickerson.

Mayor Omarr Nickerson: Here.

Village Clerk Jacobi: Vice Mayor Urbom.

Vice Mayor Anders Urbom: Present.

Village Clerk Jacobi: Councilperson Pirela.

Councilperson Luis Pirela: Here.

Village Clerk Jacobi: Councilperson Lightfoot-Ward.

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

Village Clerk Jacobi: Darian Martin is not here yet. Also present for the record, Yenise Jacobi, Village Clerk; Christia Alou, Village Manager; Chief Mendez, and Geller is running late.

Mayor Omarr Nickerson: Thank you very much, Madam Clerk, I appreciate it. Next, we're going to move on to approval of the agenda. I do have some adjustments that I do want to make. First of all, I don't know if I see Ms. Fortune. Is Ms. Fortune here? No? I don't think I see. I saw them walking. What about Ms. Jean Diana? Yes, okay. How are you doing? Wait one second, and I'm going to get right to you. We start over with that.

I do want to move the resolution for the village-wide text notification service. I want to switch that with the short-term rental standards and regulations ordinance. When we get to resolutions

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and ordinances, I want to get to the short-term rental standards regulations first, and then we'll do the sign standards, and then we'll do the resolution for the village-wide text notification service.

Speaker: [unintelligible 00:02:23]

Mayor Omarr Nickerson: Yes, I will make I1, I3, and make I3, I1. We'll do it like that. Councilperson Lightfoot-Ward?

Councilperson Dr. Anna E. Lightfoot-Ward: Any particular reason why?

Mayor Omarr Nickerson: Because for I3, we do have a lot of residents that are here, and they're waiting to speak. I usually try to set up the agenda to where-- When we have guests or visitors, I try to do them first. The village-wide text notification service, we have no guests or visitors for that particular item.

Councilperson Dr. Anna E. Lightfoot-Ward: Very well said.

Mayor Omarr Nickerson: No problem. Thank you very much, Councilperson Lightfoot-Ward. That's my only adjustments. If I'm hearing nothing else for approval of the agenda, all in favor say, "Aye."

Speakers: Aye.

Mayor Omarr Nickerson: Very good. Actually, do I have a motion to approve the agenda?

Vice Mayor Anders Urbom: Yes, I'll move to approve the agenda as amended.

Mayor Omarr Nickerson: Motion moved by Vice Mayor Urbom. Do we have a second?

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

Mayor Omarr Nickerson: Second by Councilperson Lightfoot-Ward. All in favor say, "Aye."

Speakers: Aye.

Mayor Omarr Nickerson: All opposed say, "Nay." All right. Hearing none, moving right along. The first thing we're going to do is acknowledgment of visitors and/or special

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presentations. For F1, it's going to be adjusted some. I'm going to come up here real quick. Give me a second. I know some from the council are going to want to probably say some words, but I'll get this started off. For F1, I have it down to where-- what I do want to do, I'm going to move this to January.

What I do want to do is, I want to really recognize individuals throughout El Portal, residents who have passed on throughout the past year. The reason why I'm going to move this is because a couple of days ago, what ended up happening was that we, unfortunately, had another El Portal resident who passed away. That individual, she lives right back here, right in Sherwood Forest. It was crazy because I was walking, I was delivering flyers, and I saw her from across the street.

Councilperson Dr. Anna E. Lightfoot-Ward: Whoa, whoa, whoa, stop, man. Stop everything.

[pause 00:04:35]

[off-mic conversations]

Councilperson Dr. Anna E. Lightfoot-Ward: Let's put a mat down, somebody else-- [unintelligible 00:04:48].

Mayor Omarr Nickerson: Is everything okay? You're okay, Attorney?

Village Attorney Joseph Geller: [unintelligible 00:05:02].

Mayor Omarr Nickerson: What we know we need our attorney, so we can't have-- [laughs]

Councilperson Dr. Anna E. Lightfoot-Ward: Why won't you [unintelligible 00:05:09]?

Village Attorney Joseph Geller: It's a little slippery [unintelligible 00:05:11]. I'm sorry [unintelligible 00:05:13].

Councilperson Dr. Anna E. Lightfoot-Ward: It's something out there.

Mayor Omarr Nickerson: No, you're good. You're good. You're never an interruption. What happened with a couple of days ago, you guys, I was walking-- I was delivering some flyers, and I saw her from across the street. She said, "Hi." She waved to me like normally when I see

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anybody, and she waved hi. Then she kept walking, but I just started to notice that she just kept her head down. She was just wiping her eyes and wiping her eyes. She's usually a very, very, very happy individual. We're walking in opposite directions, but when I saw that, I ran back and catch her.

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

Mayor Omarr Nickerson: Instinct, right? Councilperson Lightfoot-ward, I ran back and catch her. As soon as I caught up to her, she has looked at me, and she said, "Mayor, my mom just died." She just fell onto my arm, she just started weeping. My whole shoulder was wet, just started crying. I hugged her for maybe like five, six minutes. It was a pretty long time. I just didn't, I just hugged her. We were right out here, right over here in Sherwood Forest. I told her, I said, you know what I said was interesting about this is that I was going to read off a proclamation for all the residents who have passed.

I said, and I already told their family members, "If they want to come out, they're free to come out. They want to say something about them after I read the names, or while I'm reading the names. They're free to come on and say something." She was like, "Mayor, I really want to be there," she said, "but I have to bury my mother." She said, "I'm just not ready to be there yet." I said, "No problem." I said, "We can hold this off. No problem, not an issue."

I spoke to some of the other individuals, they said they're starting to travel a little bit, and they said it'll even work out even better, so I'm going to move that. The reason why I kept that on here, and you guys will really appreciate this, particularly Councilperson Lightfoot-Ward and Attorney Geller, who's also a state representative is because last week, what I did go to was I went to Congresswoman Carrie Meek's funeral. I wanted to talk about that briefly.

If anybody else had anything they want to say, you guys are free to come up and say anything that you want to. Congressperson, you guys might have saw it on the news. You guys might have heard about it, but Congressperson Carrie Meek, Councilperson Lightfoot-Ward, many of us wouldn't even be up here if it wasn't for her.

Councilperson Dr. Anna E. Lightfoot-Ward: I know. Keep going. This one was hard for me.

Mayor Omarr Nickerson: It's hard for all of us. You guys have to understand that-- and I'm going to let have it Councilperson Lightfoot-Ward and Attorney Geller. You guys have to

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understand that when you have individuals that are such of historical significance, and when you hear about certain things, and in your mind, you're thinking that these things happen so long ago, and so much has changed since then, but then you hear things like this because see, in 1992 Congressperson Meek was the first African-American lawmaker to represent Florida in the Congress since the Reconstruction of the Civil War.

When you think about things like that, when you think about things like the Reconstruction Era of the Civil War, the Jim Crow era, and things like that, you think about how they're so far off, but to think that she was the first African-American to serve in the Florida Congress since the Reconstruction of the Civil War, when you think about all she went through, when you think about how Councilperson Lightfoot-Ward, Attorney Geller, when she went to college, in Florida law, when she went to college, because of the segregation laws-

Councilperson Dr. Anna E. Lightfoot-Ward: She could not.

Mayor Omarr Nickerson: -she was denied. She had to go to Michigan. I don't want to make this too long. I know you guys are here. Councilperson Lightfoot-Ward, Attorney Geller, you're state rep. I know you served, so you guys can go ahead and jump right in.

Village Attorney Joseph Geller: Let me refer first to the Councilperson, but I do want to say something after.

Councilperson Dr. Anna E. Lightfoot-Ward: Mayor, you're kind to do so. I'm going to stay where I am.

Mayor Omarr Nickerson: Of course.

Councilperson Dr. Anna E. Lightfoot-Ward: I'm not going to talk much. It's very personal, very familiar, very emotional for me but we all know we got to go,. She was a beautiful person. Better than that, she was my mentor. Before I left Florida, before I got a degree, before I even knew what college was supposed to be about and yet I worked at FIU, Carrie Meek was one of the first among them that tapped me on the shoulder, "Come here, baby."

Just like that, "Come here, baby. What do you mean you're working in the library here at FIU, you got a degree?" "No, Ma'am." "You need to get a degree and you need to get it real soon. I'm your auntie from this point forward." See, Joe just put his hands up because he knows what I'm talking about. No matter where I was, no matter what I was doing, she wanted to know

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how I was doing and how my family was doing. Better than that, if I was in a crowd she'd make sure people knew I was in that crowd. She would make sure that I understood the civic responsibility.

She is one of half a dozen people that is the reason I'm the way I am today. I know I act a little bullish, but I got that from my mentors. I know I'm pretty persistent about what should and should not be but I got that from my mentors. I know that it's not right to carry on something you know should not be made into law. I know that the people who are going to be impacted are the most important, not us up here, the people are going to be much impacted by what we do. These are the kinds of things that Carrie gave to me.

As I say this is personal, this is not just a person I'm talking about, this is a person who loved me and I loved her. I could call her Ma' Carrie. She said, "No, I'm mom. I'm mom" She didn't know my mother but I knew Carrie Meek. I didn't just know her. Anywhere I was, Washington DC, the state capitol, no matter where I was, if she was there, "Come here, baby, you're coming in with me. This is my grandchild. This is my grandniece." I called her auntie. She called me niece.

I didn't plow into that huge funeral because I remember she was, "Don't be giving me my flowers when I'm dead, you give them to me to now. Give them to me now because if you don't show up, that'd be all right with me." It was devastating for me to hear but I already knew, she was very frank with me, "I'm sick. I didn't retire from Congress just because I needed to retire. I hope you make it here someday." That's not an aspiration of mine you all but she was a dear, dear, family person to me. Thank you.

Mayor Omarr Nickerson: Thank you, Councilperson Lightfoot. Attorney Geller.

Village Attorney Joseph Geller: I will also be brief. Thank you, Mayor. I want to just start by thanking our police department there for lifting me up off the ground. I appreciate that. That was very nice of you. It was not so easy to get up as it was to get down. I really do appreciate that very much. I knew, if you'll forgive me if I call her Carrie because she was my friend, I knew Carrie for a long time. She first took office upon the tragic death of a real also pioneering trailblazer by the name of Gwen Cherry who was a legislator and a trailblazer and died in a tragic car accident up in Tallahassee.

I got to know sister Carrie pretty well. I was chairman of the Democratic Party when they redrew the lines in '92 to seat her as the first and at the same time my other friend Alcee

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Hastings and then a woman up in Jacksonville named Corrine Brown. Three when there had been none. Carrie was an organizer, she was a strategizer, but most importantly, she was a great human being who cared about other people. She was a fighter. She made a difference. She made a difference when she was in the legislature.

She went to Congress at an age when most people thought it was past the point in her life to be starting a congressional career. Boy, she made a difference up there because she was always a moral voice. I spent a lot of time with her. I was in a lot of rooms with her. We planned and plotted a lot of stuff together. She had a great team. She is dearly missed.

She had a long illness at the end as a while since she stepped down from Congress in favor of her son Kendrick, but she was one of a kind and I'll tell you we will not see her like again. I was able to get out to the wake over there at Miami-Dade North where she had a career as an educator too. She is dearly and deeply missed. Nobody was like her. Thank you, Mayor.

Mayor Omarr Nickerson: Thank you, everybody. I was there at the funeral. I did represent El Portal. The family was very thankful of that. Thank you. Moving on, you guys, the next thing that I want to say is I want to give congratulations and turn the page into something a little bit more festive. Ms. Jean. Ms. Jean come on up with your family. I know your mom's here, I believe. Who else is here? Your sister. Is your sister here? Your dad. Yes, come on up.

[applause]

I spoke to Mr. Jean on the phone. Come on up Mr. Jean. I spoke to Mr. Jean on the phone, and we were texting, we were speaking on the phone. This right here, you guys, the reason why Diana-- How are you doing? [chuckles] Good to see you. She was at Horace Mann, and she was the outstanding last year. She was the outstanding. Come on up, come on up. The whole family, come on up. All of you. Come on mom, come on dad, come on Mr. Jean, come on little sis. She was the number one outstanding individual as far as academic achievement last year. Yes, number one as far as academic achievement. [laughs]

[applause]

I just wanted to because Horace Mann is in El Portal, I wanted to reach out and have her here. I think Councilperson Pirela has something also that he wants to present to her but I want to reach out have her here. I have something I'm going to present to her because Horace Mann is

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in El Portal. I think that as far as, I mean, anybody who knows me, you guys know how I am, I'm all about outreach and unity and things like that.

I'm trying to establish just a communication and establish a relationship that's a strong relationship between El Portal and Horace Mann Middle School. That's why I wanted to have you here. Thank you for being here. If you want to say anything, you can say something. You're good? [chuckles] I do want to say thank you Mr. Jean for organizing this and bringing the whole family out. We do appreciate this. I'm going to give you your plaque and I'm going to read it to you. Give me one second. I'm going for it, Mr. Jean.

[off-mic conversations]

Councilperson Dr. Anna E. Lightfoot-Ward: What was the academic achievement. What's your GPA? What's your GPA? [chuckles] Wow. Okay.

Mayor Omarr Nickerson: Here. This first of all is for you. It says, "It is with distinguished honor that Horace Mann Middle School proudly presents you with this overall academic achievement award, 2021. Thank you for your unwavering dedication to our school and educational system." It has the village of El Portal seal on the top.

We just want to say that sometimes, you guys, when you're talking about young people within our society, young people within our city, within our state, it's so easy for young people today to be distracted through social media, some people are into video games, through all type of things. So, for somebody to be so dedicated to stick with it to where they achieve so much academically, I think in this day and time is even harder than it's ever been before with all distractions. I think this is something that really, really, should be applauded. We really do appreciate you.

[applause]

We have something else for you that Councilperson Pirela is going to give to you. Give me one second.

Councilperson Luis Pirela: Well, hello, everyone. Well, first of all, thank you Mr. Mayor for putting this together. I mean it's great to recognize the good work of students at the school is great. I hope this continues. It's just a little something to congratulate you and recognize your work and I hope you keep the work, keep going. [chuckles] Okay, thank you. Take care.

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[applause]

Mayor Omarr Nickerson: All right, let's get a picture real quick. We'll get a picture real quick. You guys, come to the front. Come up to the front over here real quick and get a picture.
[off-mic conversations]

Cameraperson: You got to be closer together. Don't be shy.

[pause 00:20:45]

Cameraperson: Congratulations.

[applause]

[off-mic conversations]

Mayor Omarr Nickerson: Thank you very much.

Mr. Jean: Thank you.

Mayor Omarr Nickerson: All right, take care.

[off-mic conversations]

Mayor Omarr Nickerson: All right, you guys. Thank you very much. Thank you for bearing with us, for everybody here. I know the short-term- Trust me, we're going to get to it. It's going to be well worth it, you guys, when we get to it. This is the last meeting of the year, so the last few minutes, we've had to do awards and things like that. Next up, Chief, our brand-new Chief, Chief Mendez.

[applause]

Come on up. It is on you, my brother. It is your time to shine. [chuckles]

Councilperson Dr. Anna E. Lightfoot-Ward: Chief Mendez.

Police Chief Mendez: Ladies and gentlemen, good evening.

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Village Manager Christia E. Alou: Good evening.

Police Chief Mendez: I'm very happy to be taking part in the swearing-in of our two newest members, of our Village of El Portal Police Department. Without further ado, Carlos Vives.

[applause]

Police Chief Mendez: I-

Officer Carlos Vives: Carlos Vives.

Police Chief Mendez: -do solemnly swear-

Officer Carlos Vives: -do solemnly swear-

Police Chief Mendez: -that I will support-

Officer Carlos Vives: -that I will support-

Police Chief Mendez: -protect and defend-

Officer Carlos Vives: -protect and defend-

Police Chief Mendez: -the Constitution of the United States of America-

Officer Carlos Vives: -the Constitution of the United States of America-

Police Chief Mendez: -and of the State of Florida-

Officer Carlos Vives: -and of the State of Florida-

Police Chief Mendez: -and that I will, in all respects-

Officer Carlos Vives: -and that I will, in all respects-

Police Chief Mendez: -observe the provisions-

Officer Carlos Vives: -observe the provisions-

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Police Chief Mendez: -of the Constitution of the State of Florida-

Officer Carlos Vives: -of the Constitution of the State of Florida-

Police Chief Mendez: -and the Charter of the Village of El Portal-

Officer Carlos Vives: -and the Charter of the Village of El Portal-

Police Chief Mendez: -and that I will faithfully-

Officer Carlos Vives: -and that I will faithfully-

Police Chief Mendez: -discharge the duties-

Officer Carlos Vives: -discharge the duties-

Police Chief Mendez: -of which I'm about to enter.

Officer Carlos Vives: -of which I'm about to enter.

Police Chief Mendez: I do further swear that-

Officer Carlos Vives: I do further swear that-

Police Chief Mendez: -I will faithfully serve and protect-

Officer Carlos Vives: -I will faithfully serve and protect-

Police Chief Mendez: -to the best of my ability-

Officer Carlos Vives: -to the best of my ability-

Police Chief Mendez: -all citizens-

Officer Carlos Vives: -all citizens-

Police Chief Mendez: -regardless of race-

Officer Carlos Vives: -regardless of race-

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Police Chief Mendez: -color or creed.

Officer Carlos Vives: -color or creed.

Police Chief Mendez: I accept the law enforcement Code of Ethics-

Officer Carlos Vives: I accept the law enforcement Code of Ethics-

Police Chief Mendez: -as my standard of conduct-

Officer Carlos Vives: -as my standard of conduct-

Police Chief Mendez: -while on and off duty.

Officer Carlos Vives: -while on and off duty.

Police Chief Mendez: I swear to faithfully abide by and defend the same.

Officer Carlos Vives: I swear to faithfully abide by--

Police Chief Mendez: -and defend the same.

Officer Carlos Vives: -and defend the same.

Police Chief Mendez: Ladies and gentlemen, Officer Carlos Vives.

Officer Carlos Vives: Thank you.

[applause]

Police Chief Mendez: Ladies and gentlemen, Daniel Sano.

[applause]

[off-mic conversation]

Police Chief Mendez: I-

Officer Daniel Sano: I, Daniel Sano.

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Police Chief Mendez: -do solemnly swear-

Officer Daniel Sano: -do solemnly swear-

Police Chief Mendez: -that I will support-

Officer Daniel Sano: -that I will support-

Police Chief Mendez: -protect and defend-

Officer Daniel Sano: -protect and defend-

Police Chief Mendez: -the Constitution of the United States of America-

Officer Daniel Sano: -the Constitution of the United States of America-

Police Chief Mendez: -and of the State of Florida-

Officer Daniel Sano: -and of the State of Florida-

Police Chief Mendez: -and that I will, in all respects-

Officer Daniel Sano: -and that I will, in all respects-

Police Chief Mendez: -observe the provisions-

Officer Daniel Sano: -observe the provisions-

Police Chief Mendez: -of the Constitution of the State of Florida-

Officer Daniel Sano: -of the Constitution of the State of Florida-

Police Chief Mendez: -and the Charter of the Village of El Portal-

Officer Daniel Sano: -and the Charter of the Village of El Portal-

Police Chief Mendez: -and that I will faithfully discharge-

Officer Daniel Sano: -and that I will faithfully discharge-

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Police Chief Mendez: -the duties of which I'm about to enter-

Officer Daniel Sano: -the duties of which-

Police Chief Mendez: -I'm about to enter.

Officer Daniel Sano: -I'm about to enter.

Police Chief Mendez: I do further swear that-

Officer Daniel Sano: I do further swear that-

Police Chief Mendez: -I will faithfully serve and protect-

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Police Chief Mendez: -to the best of my ability-

Officer Daniel Sano: -to the best of my ability-

Police Chief Mendez: -all citizens-

Officer Daniel Sano: -all citizens-

Police Chief Mendez: -regardless of race-

Officer Daniel Sano: -regardless of race-

Police Chief Mendez: -color or creed.

Officer Daniel Sano: -color or creed.

Police Chief Mendez: I accept the law enforcement Code of Ethics-

Officer Daniel Sano: I accept the Code of law-

Police Chief Mendez: -law enforcement-

Officer Daniel Sano: -law enforcement-

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Police Chief Mendez: -Code of Ethics-

Officer Daniel Sano: -Code of Ethics-

Police Chief Mendez: -as my standard of conduct-

Officer Daniel Sano: -as my standard of conduct-

Police Chief Mendez: -while on and off duty.

Officer Daniel Sano: -while on and off duty.

Police Chief Mendez: -and swear to faithfully abide-

Officer Daniel Sano: -and swear to faithfully abide-

Police Chief Mendez: -by and defend the same.

Officer Daniel Sano: -and defend the same. Thank you, Chief.

Police Chief Mendez: Office Daniel Sano.

[applause]

[off-mic conversation]

[applause]

Mayor Omarr Nickerson: You two, don't go anywhere because we're going to take a picture, and we're going to have your family come up so that your family can take a picture with you, families and friends so we can all take a picture. Let me just say this quickly, you guys, I just want to give a special thanks to Chief Mendez. The Manager knows this, there's certain things that we've been trying to do, there's certain things that it's been planned for so long.

Certain things, and the Chief will tell you, even when he was a Lieutenant, I used to hold full meetings with the full police department. I would call meetings with the police department, right back here, right, Chief? We'd talk about different things that I wanted to see get done.

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We always had great leadership, but before, it just seemed like it was difficult. Chief Mendez came in and hit the ground running, y'all. I'm talking about things that-- Madam Manager--

Village Manager Christia E. Alou: [unintelligible 00:27:16]

Councilperson Dr. Anna E. Lightfoot-Ward: Yes, as Chief.

Mayor Omarr Nickerson: Madam Manager-- We already got two cops. Madam Manager, we're not going to say, but you already know how long I was talking about that. Just for residents, you guys, for all of you who have, for such a long time, been talking about how many cops we have and talking about more safety at nighttime, and Madame Manager, we're not done, we have more-- Chief, there's going to be some more swearing-in coming pretty soon, but it that way. All the safety that the residents have been asking for, we're putting it in place. Actions speak louder than words. Thank you, Chief. All right? Thank you, Chief.

Resident: [unintelligible 00:28:02]

Mayor Omarr Nickerson: Yes, yes. They'll [unintelligible 00:28:05] [laughs]

[appluse]

All right. We appreciate it. Thank you, guys, thank you. Let's get the officers up here. First get the officers with the Chief, the Council, and then we'll have the officers, Chief, Council, then we'll get their families members up.

[pause 00:28:18]

[applause]

[silence]

[off-mic conversations]

[pause 00:29:14]

[off-mic conversations] [off-mic conversations]

[laughter]

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Cameraperson: All right, guys, look at me.

Mayor Omarr Nickerson: All right, can we do-- I want you to do [unintelligible 00:30:34] Clarke.

Lieutenant Clarke: Okay, please.

[off-mic conversations]

Cameraperson: Next.

[off-mic conversations]

Officer: Okay, thank you.

Female 1: Thank you.

Mayor Omarr Nickerson: Thank you, guys.

[applause]

Mayor Omarr Nickerson: Chief, thank you.

[off-mic conversations]

I know. I know. I know. I know.

Village Clerk Yenise Jacobi: In case, you don't come tomorrow, [unintelligible 00:31:46].

Mayor Omarr Nickerson: All right.

[off-mic conversations]

All right. Next is good and welfare, you guys. This is a time right here where if anybody has anything that you want to say about the agenda itself, you can come up and say your name, address for the record and say your piece. For each additional item we do, we also have a time where you can come up and talk then also. If you don't want to do it right now, you'll get another chance. All right, seeing none. Moving right along. Next is the consent agenda. This

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is the approval for-- In our current consent agenda, we have the approval for the minutes from October 26 and the minutes for November 16th. This is a consent agenda. Do I have a motion to approve consent agenda?

Vice Mayor Anders Urbom: I'll move it.

Mayor Omarr Nickerson: Do I have a second too for approval consent agenda?

Councilperson Dr. Anna E. Lightfoot-Ward: I didn't even hear what you asked. My apologies.

Mayor Omarr Nickerson: We're on the consent agenda, item G and I'm just asking for a motion to second for the consent agenda which are the two--

Councilperson Dr. Anna E. Lightfoot-Ward: Before we do that, notice that E, acknowledgement of visitors, madam clerk needs to make sure the notice is-- that E, acknowledgment of visitor's special presentation is not F1. It's acting with E1 through E4. I just want to put that on the record, because we noticed it up here. Now, we're on F and you're asking for what?

Mayor Omarr Nickerson: We're on G.

Councilperson Dr. Anna E. Lightfoot-Ward: G. We're on G.

Mayor Omarr Nickerson: Consent agenda.

Councilperson Dr. Anna E. Lightfoot-Ward: The consent. You need that approved.

[crosstalk]

Notice that A2 is labeled incorrectly.

Mayor Omarr Nickerson: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: Make that notation, because when you ask for the corrections on that agenda at the beginning, I hadn't presented it. I'm going to take that one approval of the minutes that you already asked that E1 and 2.

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Mayor Omarr Nickerson: El and two, I have a motion for the consent agenda. I'm looking for a second.

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

Mayor Omarr Nickerson: Second by Councilperson Lightfoot-Ward. Motion by Vice Mayor Urbom. All in favor of the consent agenda for pass can say aye.

Councilpersons: Aye.

Mayor Omarr Nickerson: All opposed say nay. Hearing none. Moving on. H is the agenda item. All right, you guys. Remember this came out of the committee. This is the Vice Mayor Charter amendment should the vice mayor position be elected by the Village residents. This came out of the Administration and Finance Committee meeting. I kept this going here. Like I told you guys last time that if I felt it was too expensive, I'll pull it off myself. I wanted to at least pass it through so that we can get the factual information just to see where we would be at.

Where we would be at is this, and I'm going to tell you where I'm probably going to end up pulling it [laughs]. Where we would be at is this-- It would be \$320 if this would go on the ballot. It would be \$320 to translate to Spanish and creole. We have registered voters of 1,604. That 1,604 would be multiplied by anywhere from about like 50 cents per voter which would come out to \$1,122 on top of the-- No, it will come out to-- Including the \$320, it would come out to a total of \$1,122 if the Election Department charged us for 50 cents per voter.

It could go up to 75 cents per voter if the Election Department charged us 75 cents per voter. With the 320 of the translations that have to be done, the total price would be \$1,523. That would be the price if we had on the upcoming ballot in 2022 if we had individuals running on the ballot. If we did not have individuals running on the ballot, then we would probably have to do a special election and that's where it gets costly. What I would say right now, I would say that-- Even though I think this is something that's very important that the Vice Mayor position is elected by the Village residents.

Our choice is this; we could either put it through or since it's a charter amendment, what we could do is, we can go through and have a full charter review let's say in the next year. Then we can see if there's anything else that we want to change because I know Councilperson Pirela there was things that he wanted to change also. Then we could see from whatever we come out

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of the charter review, whatever we might want to alternate, and then we look at the full price for everything and then we decide from there.

Vice Mayor Anders Urbom: Excuse me the charter is up for review, anyway, right?

Mayor Omarr Nickerson: The charter is up for review also, yes.

Councilperson Dr. Anna E. Lightfoot-Ward: Why is it up for review?

Mayor Omarr Nickerson: Because we have to go through a charter review after a certain amount of time.

Councilperson Dr. Anna E. Lightfoot-Ward: Is that time frame now or does it happen all the time?

Mayor Omarr Nickerson: No. The time frame happens I believe it's every 10 years.

Village Attorney Joseph Geller: 10 years.

Mayor Omarr Nickerson: Is it 10 years? Yes, every 10 years.

Councilperson Darian: Sorry, I wasn't-- [crosstalk]

Councilperson Dr. Anna E. Lightfoot-Ward: Were we good or did we do anything 10 years ago?

Mayor Omarr Nickerson: 10 years--

Councilperson Dr. Anna E. Lightfoot-Ward: How far away from that 10-year mark is what I'm asking?

Mayor Omarr Nickerson: We're basically at that 10-year mark-

Councilperson Dr. Anna E. Lightfoot-Ward: Okay, very good.

Mayor Omarr Nickerson: -yes, right now. I think just to make it simple; we could probably just hold off and do a full charter review, and then we can see at that particular time what we want to do. Vice Mayor Urbom or anybody from the Council?

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Vice Mayor Anders Urbom: Then that would be in mind to have this sorted essentially ahead of the 2024 election. Is that right? Okay, yes.

Mayor Omarr Nickerson: For example, let's say if-- This is how it works. Let's say if this would pass tonight, we're going to move it to a charter review. Let's say if this went through and it pass tonight that the Village residents would elect the Vice Mayor position from here on out. If it pass tonight, then it would be on the 2022 ballot. Because anything charter has to be approved by the residents. If the residents voted yes, we believe that going from here on out the Vice Mayor position should be elected by the Village residents, is I believe it should. If that pass in 2022, then that wouldn't kick in until 2024.

Councilperson Dr. Anna E. Lightfoot-Ward: That does make sense.

Mayor Omarr Nickerson: Whatever election-- whatever ballot it has to go to to see if it passes or not and which is good, because ultimately the residents get the final say. The residents might be like, "No, we want the Vice Mayor position to continue to be chosen by the Council." I don't think that's a good thing. They might think that. They can kill that on that ballot. At the end of the day, it's up to the residents. We can pass it through, but the residents decide on the ballot at the end of the day. All right? All right, you got any last questions or comments about this? Yes, Attorney Geller.

Village Attorney Joseph Geller: One quick word on it. As I rewrote the charter when we moved from our 1950s charter that was way out of date and we have a charter that was new. I think it was 2002. That's how come we're coming up every 10 years and we're due for the new one. We have plenty of time for that next ballot. I do want to give just one word of advice to the Council. It's always important to get citizens' input. I'm sure that whatever process you have will provide for citizens' input. Council, be sure that you keep the final word on it with the council, because you are the ones who have experience with the council functions. I understand that every member of this council defers to the public, but you get input from the public and the front end. Ultimately, at the back end, the final decision is still with the public. Please be sure you keep control of what you're going to put on the ballot because you work with it, and it has to be functional.

When it's not functional, is when you end up with a situation where people don't run, and you have vacancies because it becomes not workable, and that's a problem you had earlier this year, and that's a reflection of some dysfunction with the council. Be sure that you keep that process

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to where you can guide what's happening, but still subject to the input and the final approval of the public. Thank you, man.

Mayor Omarr Nickerson: Thank you very much, Attorney Geller. Hopefully, everybody sees that the council that we have is an open welcoming council. There is no drama anymore or anything like that. Hopefully, everybody sees that. We welcome everybody with open arms up here, nothing but smiles even through debate. Just so you guys know, if we do want to tackle this after the new year, we can tackle this and go right at it, because the deadline-- The general election is November 8th, 2022.

The deadline to submit any resolution or ordinance for charter amendment would be no later than Friday, July 29th. If we did want to do something for the next election, to be safe, we would probably want to do it weeks before then, but no later than Friday, July 29th to submit anything for a charter review, any charter changes to be on the election ballot for next year's general election. Okay, Friday, July 29th would be our deadline. All right, something to think about over the holidays, how you guys want to tackle this, and how hard you guys want to go at it. Madam Clerk, yes.

Village Clerk Yenise Jacobi: I am sorry. Did you explain also the part that given that we do not need to have an election, putting one of these questions will cost us a full election plus more because they do not-- What was explained to me, the ballot is standard, they just input names. Let's say that come up 2022 election and everybody's seat is filled, and we don't need to have an election, it can cost up to 10,000 or more just to have the election for the questions. Because once the questions are submitted, you don't go back.

Mayor Omarr Nickerson: Which is the reason why I said it's probably better to keep it up and do it all at the same time so that things are more cost--

Village Clerk Yenise Jacobi: Yes, and the charter review, as I said before, for it being fiscal responsible, we have to budget for that as well.

Mayor Omarr Nickerson: Yes, absolutely. Thank you, Madam Clerk, I appreciate it.

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

Mayor Omarr Nickerson: Yes.

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Councilperson Dr. Anna E. Lightfoot-Ward: You need a motion?

Mayor Omarr Nickerson: No, we don't need a motion. We're just going to table this-- Not table it, but we're going to kill it right now and it might come back up later. We're good.

Councilperson Dr. Anna E. Lightfoot-Ward: Later as in twenty-four?

Mayor Omarr Nickerson: Later as in twenty-two.

Councilperson Dr. Anna E. Lightfoot-Ward: That's why I'm asking a forum because I'm hearing what the village attorney says, when you make this decision, it should be an informative decision such that if we decide to go forward before the 24 elections, we don't have to deal with this, because I think it's a waste of money to just do one item as opposed to a total charter review. This is one item to be looked at during that full review of our charter, as opposed to this one entry going forward in an election.

Village Attorney Joseph Geller: Councilwoman, I think that was his was his point. I think that's what he is saying.

Councilperson Dr. Anna E. Lightfoot-Ward: Okay, so I came in--

Village Attorney Joseph Geller: [unintelligible 00:44:19] abandon this as a separate, and then you look at it comprehensive, and this may be an issue in the comprehensive.

Councilperson Dr. Anna E. Lightfoot-Ward: Very good, because I may not be the only dyslexic person in the community.

Mayor Omarr Nickerson: You're doing wonderfully, councilperson. You're doing wonderful. All right, you guys, any last questions or comments about this? What about anybody from the audience? We're going to go through and see if we can do a full charter review in the next calendar year. Everybody good?

Vice Mayor Anders Urbom: I have one final comment. Just it would be beneficial to do as you're saying with the full charter review and that way any ballot measures that are going on our current presidential year have the most turnout, essentially, and get the most accurate opinion of the public on any one of those measures that we put out. I think doing it in the midterm, we wouldn't quite get an accurate picture, I don't think.

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Mayor Omarr Nickerson: Okay, so you would say hold off for the charter review until 23?

Vice Mayor Anders Urbom: No. Well, I'm saying you could, because I feel like some of these ballot measures might be better to wait until 24, although--

Mayor Omarr Nickerson: Because of turnout? No, I understand what you're saying. The only thing that I would say is--

Vice Mayor Anders Urbom: Yes. Although with the charter review, there might be some things we need to get done earlier.

Mayor Omarr Nickerson: Yes, we're to the point where we got to get it done anyway.

Vice Mayor Anders Urbom: If we can, then great.

Mayor Omarr Nickerson: Like I said, this is something that we'll discuss when we come back from the--

Vice Mayor Anders Urbom: July is also an on month for committees, so that's a positive too, if it comes down to the wire.

Mayor Omarr Nickerson: Right. Yes, it will have to be passed with the full council. Yes, regular council members, but I understand exactly what you mean, Vice Mayor.

Vice Mayor Anders Urbom: All right.

Mayor Omarr Nickerson: Thank you. Anybody else? We're good? Council, we're good?

Councilperson Luis Pirela: Yes.

Mayor Omarr Nickerson: Okay. All right, moving right along to resolutions and ordinances. The new II is the short-term rental standards and regulations. All right, this is how we're going to do this, you guys, because I know there's a lot of individuals who want to point out certain things and they want to say certain things. We're going to look at the ordinance, that's how it's going to happen. We're going to look at the ordinance.

Everybody has an ordinance in front of them. First, I'm going to have Attorney Geller read the ordinance into the record, then we'll look at the whereases. I've gotten a lot of phone calls, I've

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gotten a lot of emails, and I have my own notes also about the whereases. Some of what was said in the whereases, in the bodies.

Village Attorney Joseph Geller: Are you ready now?

Mayor Omarr Nickerson: Hold on a second. Go ahead and do that now.

Village Attorney Joseph Geller: I'm going to get it read by title. An ordinance of the Village of El Portal, Florida, relating to short term vacation rentals, providing a definition of a vacation rental, requiring a license to operate a vacation rental, providing standards for issuance and revocation of a vacation rental, or a license, requiring insurance for a vacation rental, providing standards of operations, providing for penalties for violations of this section, providing for incorporation of recitals, providing for conflict and repealer, providing for codification, providing for severability, and providing for an effective date. This is first reading, Mayor.

Mayor Omarr Nickerson: This is first reading. This is very important. Just to explain to everybody out there, I think the perception was that we're going to come together tonight, we're going to pass something through, and that's it, and nobody gets a chance to say anything. If anybody knows me, you guys, first of all, I don't operate like that. I'm really transparent, and I believe in everybody being able to have their voice heard. Secondly, and probably even more importantly, is that whatever comes out of tonight, this is the first reading.

Our ordinance takes two readings to be able to be finalized. Worst or best-case scenario, this would not be finalized until the fourth Tuesday of January, which would be the January council meeting. All right, the fourth Tuesday of January. Now, what we're going to do, so that everybody is able to get all of their thoughts in, what we're going to do is, I'm going to start from the first whereas, because the first whereas is pretty technical. I'm going to start from the first whereas. If anybody from the council has any adjustments that they want to make, when we get to that whereas, that's your time to speak up.

Let's say, for example, that I have something that I believe should come out of that paragraph, and Vice Mayor Urbom says he believes something should stay in that paragraph. If anybody from the council has a disagreement about anything, if we can't decide or come to a compromise, or an agreement, then for that paragraph, for whatever item we're arguing about, whatever item we're debating about, we'll do a vote and majority will win, whether that goes in or comes out, whatever the item is. All right, that's how we're going to do it. Before we move on, before we take any vote on anything coming out or in-- Before we move on, when

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we hit with each paragraph, if anybody from our residents has anything that they want to add, they might say, "You, guys, for that whereas, for that paragraph I believe this should come out, because whatever." Before we move on to the next paragraph, I'll ask if any of the residents have any input that you have for that paragraph that we're currently on.

Councilperson Darian: Mr. Mayor, do you want to take a little comment first?

Mayor Omarr Nickerson: No, because I don't want to bounce around. Once I hit a paragraph and we're done, I don't want to go back to that paragraph. I want to be done with that paragraph. All right, does that make sense? We're not bouncing around, everybody's turning the page back and forth, back and forth, back and forth if you want to bounce around. All right, try to do it as quickly as possible [laughs]-- as orderly as possible. All right. That's how we're going to do this.

The first paragraph is, "Whereas, prior to 2011, Florida cities and counties regulated, local land use issues and decisions under home rule authority granted them by the Florida constitution." That's pretty straightforward and technical. Are we good with that whereas? Can I move on, please? Yes, we're good.

All right. The next whereas. It says, "The 2011 Florida Legislature enacted House Bill 883 Florida Chapter 2011-119, Laws of Florida hereafter House Bill 883 which preempted the local regulation of a specific land use commonly called short-term vacation rentals, transient rentals less than 30 days in duration and commonly located in residential areas." The only thing I have on here was I had it circled. It's preempted at local regulation. This is pretty technical also. Does anybody have any questions or comments about this whereas?

Village Attorney Joseph Geller: It's historical.

Mayor Omarr Nickerson: It's historical. I understand.

Councilperson Dr. Anna E. Lightfoot-Ward: It's historical.

Mayor Omarr Nickerson: Good? Okay.

Village Attorney Joseph Geller: Mayor, whether you [unintelligible 00:52:14], it's still worth the effort.

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Mayor Omarr Nickerson: I hear you. The third whereas. "Whereas the 2014 Florida Legislature enacted Senate Bill 356 Florida chapter 2014 through 71. Laws of Florida hereafter Senate Bill 356 which rescinded the previous preemption on local regulation of short-term vacation rentals but provided that a local law ordinance or regulation adopted after June 1st, 2011, may not prohibit short-term vacation rentals or regulate the duration or frequency of vacation rentals."

Village Attorney Joseph Geller: Is that what the bill did?

Mayor Omarr Nickerson: That's what the bill did. Are we good? Everybody good with that?

Village Attorney Joseph Geller: Yes.

Mayor Omarr Nickerson: All right. Next is, "Whereas Senate Bill 356 has returned some local control back to communities to mitigate the effects of short-term vacation rentals in an attempt to make them safer, more compatible with existing neighborhoods and accountable for their proper operation orientation." Are we good with that? That's what the bill is trying to do. "Whereas short-term vacation rentals with no application of mitigating standards when located in residential neighborhoods can create disproportionate impacts related to their size, excessive occupancy, and the lack of proper facilities if left unregulated."

Unfortunately, that's what happens sometimes. This is where my notes start. "Whereas short-term vacation rentals locating within established neighborhoods can disturb the quiet enjoyment of the neighborhood, lower property values and burden the design layout of a typical neighborhood." All right. On my paper, I have an X right there [laughs], because to me, it just sounds like-- it's just that it's really negative sounding. It doesn't sound like we're going into this in a neutral way. I have an X next to that one. That's me personally. Anybody from the Council have anything they want to say about that?

Councilperson Luis Pirela: The only thing that I will change is the word can to could, but other than that--

Mayor Omarr Nickerson: Turn your mic on.

Councilperson Luis Pirela: I'm sorry. The only word that I would change would be from can to could, because it's a possibility. I know and I understand some hosts or short-term rental

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owners could actually keep up with their property and make it pretty for everybody to like it and bring renters in. It could also be an absentee renter or owner could--

Councilperson Dr. Anna E. Lightfoot-Ward: That's why you wanted could?

Councilperson Luis Pirela: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: You just want to change the word?

Councilperson Luis Pirela: Just would change the word from can to could. Disturbing environmental quiet, it could, because that's most of the complaints we have. It could bring the property values down, because once you have a short-term rental-- a part of the dice here, then it actually deter private owners, residential owners with kids and stuff to live in a city, and then a small municipality that has more than 100 short-term rentals.

Mayor Omarr Nickerson: I hear you.

Councilperson Luis Pirela: I'm talking about, again, investors with renting the whole dwelling. To me, it's just that.

Mayor Omarr Nickerson: The only thing-- I hear you, Councilperson Pirela. I don't disagree with you necessarily. The only thing I would say though is that if you look at the next paragraph, it says the same thing but it's a little bit more detailed to what the actual problems could possibly be. The next paragraph says, "Whereas the unregulated presence of short-term vacation rentals within single-family dwelling units in established residential neighborhoods can-- we could say could there, could create negative compatibility impacts which include, but are not limited to, excessive noise which is a problem on-street parking, accumulation of trash, and diminished public safety." I think that one right there we could keep because that more details what we're aiming at. Where the other one just gives the feeling of we don't like it. I think we should get rid of the one that I have the X next to and we should just keep the one behind it.

Councilperson Luis Pirela: Well, similar. Yes.

Mayor Omarr Nickerson: Yes?

Vice Mayor Anders Urbom: Pretty much--

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

Mayor Omarr Nickerson: Yes, Councilperson Lightfoot-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: We've already experienced the does create. It's not a can or could anymore. It is a does create.

Mayor Omarr Nickerson: When we can keep the can there for that whereas, I just think that they both say the same thing. I think the second or that one on the bottom of the page that one right there I think is better, because it more details exactly what we're trying to do.

Councilperson Dr. Anna E. Lightfoot-Ward: I'm not in it. I'm not in agreement, because it does. We're already having that. That's why it's here in it in wording. We already have it. It does create. Ask me how I know?

[laughter]

Y'all got it.

Mayor Omarr Nickerson: I understand what you're saying, Councilperson Lightfoot-Ward. I'm going to open up to the residents also. I want to first finish up here. Councilperson, well, you feel like we should keep both the paragraphs?

[off-mic conversations]

Vice Mayor Anders Urbom: She's talking to-- I'll speak for a minute when you get back.

Mayor Omarr Nickerson: Go ahead. Do you feel we should keep both the paragraphs?

Councilperson Dr. Anna E. Lightfoot-Ward: What I'm saying is change the word from can to does in that paragraph.

Mayor Omarr Nickerson: The paragraph that-- The second to last paragraph where I wanted the X that one out or--

Councilperson Dr. Anna E. Lightfoot-Ward: No, I'm through with the one you just said about to put could in there. I'm good with that. I'm talking about what you just read. That long one. It says can.

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Mayor Omarr Nickerson: You want that to say does?

Councilperson Dr. Anna E. Lightfoot-Ward: It should say does. Not only would it say that in ours but it says in the other municipalities does. It does say that. It does create, because they've already experienced it too.

Mayor Omarr Nickerson: The only reason why I would say-- we could say does, because right here the whereas says the unregulated presence does, because after whatever passes, then it will be regulated and therefore it will not any longer.

Councilperson Dr. Anna E. Lightfoot-Ward: That's my point. It says what it says. Unregulated does. It really does. It would already be there. We wouldn't argue about it. It wouldn't come up in 2020, 2031 if none of that. It would already be settled that we recognized it then and we corrected it by passing an ordinance. That was long before we even passed the ordinance. We move on.

Mayor Omarr Nickerson: Attorney Geller.

Village Attorney Joseph Geller: From a drafting standpoint, the intention of saying can was to say that it is possible as opposed to being conclusive that it always occurs. That's why the word can was used. I guess it could be could, which also is a possibility. As to the point that Councilperson Lightfoot-Ward is raising, there could be circumstances where it does create it. There might be circumstances where it doesn't if you want another alternative to all of those words, does can or could, you could just use the word, "May," may create. That way, you're not stating definitively that it will happen every single time, but it is certainly a possibility. If you, do it is the fact that it's a possibility, I think you can get yourself to where you move past these whereas clauses, and get to the specifics of what the ordinance will provide. You can use any word you want. You could use, "Does." You could use, "Could." You could leave it, "Can." You may like the word, "May," because it raises that this is something that is possible, will occur, but maybe not in every circumstance.

By, "May," or "Can," you're acknowledging that there are operators who operate properly. As Councilperson Lightfoot-Ward says, when you talk about unregulated you will have people who still do the right thing, and then you will have some people who do not do the right thing. That was the intention here, is to be able to distinguish between those operators who operate responsibly, and those who do not. That's why you need regulations.

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Mayor Omarr Nickerson: Thank you very much, Attorney Geller. Listen you guys, to me, it's kind of semantics. Can, could, may, something can happen, something could happen, something may happen. I'm not going to nitpick about that. Whatever you guys want. Can, could, or may, whatever you guys want to put there, I'm okay with that. Can, could, or may-- Councilperson Lightfoot-Ward were you good?

Councilperson Dr. Anna E. Lightfoot-Ward: True. We're going to do, "May," or we're going to let it stand. That's all I'm asking, all right, you see it--

Mayor Omarr Nickerson: Councilperson Lightfoot-Ward, which one would you prefer: can, could, or may?

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

Mayor Omarr Nickerson: May? We'll put it as, "May." No problem. Change that to, "May." Councilperson Lightfoot-Ward, you good?

Councilperson Dr. Anna E. Lightfoot-Ward: I'm good.

Mayor Omarr Nickerson: Okay. Vice Mayor Urbom, I know you want to say something.

Vice Mayor Anders Urbom: All right. It is my understanding that the council is in agreement with you that the-

Mayor Omarr Nickerson: Sixth.

Vice Mayor Anders Urbom: -that the second from the bottom-- Let's see, one, two, three, four-

Mayor Omarr Nickerson: It's paragraph six.

Vice Mayor Anders Urbom: -five, six--

Councilperson Dr. Anna E. Lightfoot-Ward: The last from the bottom.

Vice Mayor Anders Urbom: Well, I'm saying that the sixth one from the top, second one from the bottom, right? Is the council in agreement that is able to be eliminated?

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Village Attorney Joseph Geller: You may want to use, "May," and more three of those, but whether you eliminate or you don't eliminate. There are three paragraphs at the bottom, and you just put the word, "May" [unintelligible 01:02:32] instead of, "Can." All three of those can be wrapped. It is just what, "may" happen, and you're not putting your finger on every operator, because they're responsible operators.

Vice Mayor Anders Urbom: Then the only other change I would suggest is that in that sixth whereas near the end it says, "Lower property values, and burden the design layout of a typical neighborhood." I had that maybe that and burden should be changed to and/or.

Mayor Omarr Nickerson: Vice Mayor Urbom, let me do something real quick, Vice Mayor Urbom.

Vice Mayor Anders Urbom: Yes, but I do think it's redundant. The paragraph is very redundant, but I know the legalese likes both double negatives and redundancy. [chuckles]

Mayor Omarr Nickerson: Absolutely. Vice Mayor Urbom, let's do this. I feel I want to get rid of paragraph six. I'm going to invite the residents. I know some people ask about paragraph seven. I want to get rid of paragraph six. I want to put that to the bed. Does anybody on the council want to keep paragraph six?

Vice Mayor Anders Urbom: I'm not different.

Councilperson Pirela: It's almost a--

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

Mayor Omarr Nickerson: I feel we should get rid of paragraph six. Anybody on the council want to keep paragraph six?

Village Attorney Joseph Geller: What's the paragraph?

Mayor Omarr Nickerson: Paragraph six is the one that I said, the second from the bottom, "Whereas short-term vacation rentals located within established neighborhoods can disturb the quiet enjoyment of the neighborhood. Lower property values and burden the design layout of a typical neighborhood." I think that that doesn't have to be there. The second from the bottom, paragraph six. Is anybody from the council, do they disagree with me with getting rid of paragraph six?

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Village Manager Alou: I do disagree because it does happen.

Mayor Omarr Nickerson: Okay, we'll take it to a vote. I'm going to ask for a motion a second, and we'll have a quick vote on paragraph six. Do I have a motion to get rid of paragraph six?

Vice Mayor Anders Urbom: I'll move to eliminate paragraph six.

Mayor Omarr Nickerson: We have a motion. Do I have a second? [silence] No? Okay, so, unfortunately, there's no second, paragraph six remains you guys.

Vice Mayor Anders Urbom: Will paragraph six remain with the, "Can" change to, "May" just as the other paragraph?

Mayor Omarr Nickerson: Yes, we can now discuss that because it's going to stay.

Village Attorney Joseph Geller: Changing in all three.

Mayor Omarr Nickerson: I got you.

Vice Mayor Anders Urbom: Right. Attorney Geller, I'd be interested in your opinion. I feel like by putting, "And/or burden the design layout," you've now separated all of those issues in paragraph six, and not made a blanket statement about all of those about-- I feel like, "And/or" reinforces the, "May" premise.

Village Attorney Joseph Geller: It is a useful addition to say, "And/or." It addresses to some degree what the Mayor said about why he didn't like it by changing the language to, "And/or." You're also addressing the Mayor's concern to take the finger off some of the operators. It's a good addition, Vice Mayor, and it does also get to least halfway to what the Mayor wanted to do.

Mayor Omarr Nickerson: Where are we putting, "And/or" Vice Mayor?

Vice Mayor Anders Urbom: In paragraph six near the end it says, "Lower property values, and burden the design." That, "And" I believe should be changed to, "And/or."

Councilperson Dr. Anna E. Lightfoot-Ward: Very good, and that does half of what you [inaudible 01:06:02].

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Mayor Omarr Nickerson: Perfect. Compromise is always good. Thank you very much, Vice Mayor. All right, so we were on paragraph seven you guys. Paragraph six sustains. We might want to talk about paragraph six, but I'm going to open it right up to the residents now, come up. We're done with the first page. Any questions about the first page? You guys can come up. Say your name and address for the record. If they come up to the microphone over here, say your name and address for the record, and let your voice be heard.

Vice Mayor Anders Urbom: You have three minutes.

Councilperson Dr. Anna E. Lightfoot-Ward: Come on.

Mayor Omarr Nickerson: Then we'll move on to the next page.

Village Attorney Joseph Geller: That's your mic. You can both come and be ready to go.

Raul: Good evening.

Councilperson Dr. Anna E. Lightfoot-Ward: Good evening.

Raul: My name is Raul Falonzo. 199 northwest 90th street. In reference to, whereas paragraphs six and seven, I think based on my interpretation of it, is it may or may not. Having short-term rental, Airbnb, Vrbo, it may or may not, lower the value of the properties in that community. I disagree when somebody says it does because it doesn't necessarily do that. There are properties here in El Portal that the owners take very good care of them. Some of them are short-term rentals, some of them are not. Some of the residents that we have, they're involved in the community, they do great things for the community, and then they're an asset.

Not all the residents are in that position. It's the same thing with short-term rentals. Some of them are an asset because they actually increase property value. Anybody that have access to look up property values in Miami-Dade County will know actually El Portal is one of the communities to have increased property values the most in the past few years. That's awesome. During all those years there has been short-term rentals at El Porta. Once again, I think it may or may not, does not always do.

Village Attorney Joseph Geller: Mayor, if I might? Sir, you're a 100% right. That's why the council just changed it to say, "May," because it may, but it may not. You're completely right,

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and maybe you talk to them in advance, or they read your mind, but that's exactly the change that was just made. You're completely accurate in what you're saying.

Mayor Omarr Nickerson: Thank you very much, Attorney Geller.

Vice Mayor Anders Urbom: For the residents' benefit, you're saying that by just using, "May," that satisfies the concept of, "May or may not." Okay, just want to clarify for any residents who are thinking, "But no, but they're different."

Mayor Omarr Nickerson: Absolutely. Thank you very much, Vice Mayor.

Vice Mayor Anders Urbom: The legalese is nice and confusing. [chuckles]

Mayor Omarr Nickerson: Yes, go ahead.

Pascal: Good evening. Pascal DePoole, 177 northwest 90th street. Can I back up for just one quick second? I think one of the reasons we like to live in El Portal is because it's always been a great place to be. You guys aren't heavy-handed on a lot of the regulations that we're getting. This copy of *Miami Shores* is heavy-handed. I'd love to see something that's a little bit more common sense. Like the lawyer is saying, excuse me, Mr. Geller is saying that it doesn't impact operators that do well and that take care with undue extra regulations. I'm with the Mayor, I think this paragraph should be kicked out.

First of all, it's the only whereas that doesn't talk about unregulated Airbnbs or short-term rentals, but short-term rentals in general. I disagree that it lowers or may lower or could or can, however you want to put it. In 2017 the Wall Street Journal wrote an article based on a working paper proving that short-term rentals in a community actually increased property value. In 2020 the National Bureau of Economic Research did the same thing. I'm happy to give you guys a copy of that where it actually proves in a study that short-term rentals increase property value. Not just of the short-term rental but of the community around it. I disagree that this should be in here. I don't think it's correct. I don't think it's beneficial. Like the Mayor said it's a very negative-sounding paragraph.

That is untrue at least on the property value side and that it's the only one that does not mention unregulated but just broadly strokes every short-term rental. I would love to see you guys vote again [chuckles] and take that out.

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Mayor Omarr Nickerson: Thank you.

Ian: Hi. My name is Ian McKenzie, 8950 Northeast, 4th Avenue. I'm a resident here since 2003. I've been here for 19 years roughly. I bought in El Portal because I liked it's a small community, it's quiet, it was friendly, and it was zoned residential. As far as I know, it's not zoned industrial or zoned I think there have some sections of it that are particularly zoned for [crosstalk] business or whatever but not in a residential area.

I don't begrudge anybody's desire to rent out a room or something like that, but I urge the board to really consider the fact that impact on the neighborhood, children, crime. We've had noise problems. I know that two over the course of the years both neighbors that are on both sides of me. I live on a corner, have rented out their properties for not short-term, it's for a year or two years, and the neighbors have caused problems. It goes without failing. I'd like to make you guys sensitive of that because this is why a good residential area and proximity to the airport or the location, that's what adds to the value of this place now.

Elevation is another factor with sea-level rise and so forth that you have to be very cognizant about. That's going to make our values of our properties worth more than they are as related to lower areas in Miami Beach that's going to be flooding more. Also, with short-term property rentals, you'll see they've had problems. In Belle Meade where they had people doing that, renting out Airbnbs. On Miami Beach there have been problems, police have been called. Consider that. Is that something you really want? There is the possibility that that could happen. I'm not saying it's going to. A lot depends on the person who is renting the property.

If they have a management company, the management company is not the same as someone out who are in there present in the building too. That's really important. I know my aunt in Scotland had a bed and breakfast and Scottish laws required her to be present 24/7 while someone was staying in her facility. They needed to install fire systems, just as a hotel would because you are competing with the hotels, that prevents homes from burning down or people getting injured in these rental properties. These are some things that you really need to consider.

Also, street traffic. People coming in. Is this what we really want? I don't know. I'm very cautious about this, and I think the board needs to really look at this very carefully for the citizens who are here. Thank you very much.

Mayor Omarr Nickerson: Thank you very much.

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JR: Hey. I'm JR 269 Northeast, 90th street in El Portal. I find myself agreeing with both parties. That's the funny part because I think it all lays in one thing and that's enforcement. If enforcement is lacking or not strict enough on issues that arise then we have an issue. Until then especially in a market where people can't find any place to possibly live at some decent rate I find short-term rental, and short-term rental is relative. Would I prefer a one-year rental, would I prefer 100% ownership that takes charge of the situation like Mr. DePoole does. I know that as a fact. Absolutely. Am I disagreeing with having a management company take care of properties? 100%, yes. Because that makes it too external and not involved.

As long as the residents are involved with the properties that they own and rent part of it especially in El Portal we have a lot of cottages that are living spaces. If in times last two years pandemic where people may need extra income, I think it's relevant. I think it's humane as well to do that. Yes, to me enforcement comes to the police department, it comes to the Village. I tell you I'm a little bit disappointed with what's going on in the Village in regards to rotating of staff, not having proper staffing, no code enforcement, I could go on and on but that's not what we're here for tonight, I can write that in the email. Generally speaking, I agree with short-term rentals if it is by the owner, number one, and if it is properly regulated and enforced. That's all there is to it.

Mayor Omarr Nickerson: Thank you very much. As far as the ownership or outside company and things like that we're going to get into some of those things. They show up on the bottom of page two and page three they start to go on those things. We're going to get to those things pretty soon.

Councilperson Pirela: Mr. Mayor if I may.

Mayor Omarr Nickerson: Yes, go ahead, Councilperson Pirela.

Councilperson Pirela: Which it brings me to the point that the gentleman just pointed out, and I didn't see it here, about the person managing or taking care of their property rental to live within a certain amount of mileage-

Mayor Omarr Nickerson: We're going to get there, absolutely.

Councilperson Pirela: -from the property rental if it's an absentee owner, it needs to be put in there.

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Mayor Omarr Nickerson: Yes, we're going to go through that stuff.

Councilperson Dr. Anna E. Lightfoot-Ward: We're on page two now?

Mayor Omarr Nickerson: Yes, we're going to go to page-- You guys good? You want to come up here and say something, Pascal? Oh, the walk, [chuckles] I understand but we have to do it, my brother. We have to do it. [laughs]

Pascal: It's my work out tonight I guess so.

Mayor Omarr Nickerson: It's all good.

Councilperson Pirela: Name and address for the record, please.

Pascal: Still Pascal, still 177 Northwest 90th. You're going to hear it a bunch of times tonight. [crosstalk] Just a technicality. The things that we've suggested now that you guys are not addressing that's going to get changed and then we get another ordinance for the second reading or how does that work?

Mayor Omarr Nickerson: I was just about to ask the council about the things you guys said.

Pascal: Well, I know you guys were going to page two?

Mayor Omarr Nickerson: Yes, we're going to page two, but I was going to ask the council about the things you guys said though. You're good?

Pascal: Go ahead.

Mayor Omarr Nickerson: You want to stay there while I do it?

Village Attorney Joseph Geller: Can I answer the gentleman's question?

Mayor Omarr Nickerson: Yes. [chuckles]

Village Attorney Joseph Geller: If it passes on first reading it comes back for a second reading. It can be further changed. It's the same ordinance but it can be further changed on second reading provided the changes are not too substantial. If the changes are wholesale, then it has to be a new first reading, and you can just have a new first reading and then have a second

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reading after that. Normally it goes to second reading but the changes that can be made on second reading can't be too great. If it really changes what you're doing substantially, then you just repeat first reading. I hope that answers your question.

Pascal: For instance, adding unregulated to this paragraph [crosstalk] is that something that if you guys don't decide that tonight.

Village Attorney Joseph Geller: That could be certainly added on second reading that is not such a dramatic change that it would undermine the whole spirit of the ordinance. Yes, that could still be done.

Pascal: I'm sorry, just a technicality again if you guys don't include that we could come back for the second reading and say, "Hey, this should really read this way."

Village Attorney Joseph Geller: That is correct.

Pascal: Okay, good. Thank you.

Mayor Omarr Nickerson: All right. We're going to move on to page two. Like I was saying, and Councilor Pirela was saying, as far as some of these things that were addressed they're coming up is my point. My point, Pascal, was that they're coming up. A lot of things that people have brought up. The only thing I was going to say though, now, I'm the one that wanted it and wanted to go for it, I can't bring it back up, but does anybody want to bring up the slashing of paragraph six? Do I hear anything?

Councilperson Dr. Anna E. Lightfoot-Ward: We want to move on, Mayor. We don't want to be [unintelligible 01:19:14].

Mayor Omarr Nickerson: Do I hear anything about bringing up the slashing of paragraph six? You got to try. You got to try. All right, page two, you guys, it says, Whereas the establishment of minimum business practices such as the provision of both these specific and property-specific information to lessees, and the designation of a local short-term vacation rental responsible party helps to ensure that the private property rights of the short-term vacation rental owner are balanced with the needs of the Village to protect visitors and tourists. To preserve the general welfare through its limited regulatory power." Anybody from the council?

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Councilperson Dr. Anna E. Lightfoot-Ward: Mayor, I think this is very positive statement, very much thought-about. In terms of humanitarian-wise, I just felt that this was a-- Just reading it tells you that we're not trying to break somebody's back. What we're trying to do is simply make sure that our neighbor and my neighborhood does not change much. This is a very positive statement.

Mayor Omarr Nickerson: Thank you very much, Councilperson Lightfoot-Ward. Anybody else from the council? You guys good? Anybody from the residents? You guys good? Okay. Now, therefore, be it ordained by El Portal Florida Council that section one **[unintelligible 01:20:39]** all right, that's general. Section two, article six, **[unintelligible 01:20:42]** that's general. Vacation rental means not owner-occupied, that's general. Transient occupancy. **[unintelligible 01:20:53]** that's general there.

All right, 571, "No owner of a dwelling unit shall rent or lease a dwelling unit as a vacation rental without first having obtained vacation rental license. A separate license is required for each dwelling unit." I don't know if I feel good about that. "A separate license is required for each dwelling unit used as a vacation rental. The license shall be valid for one year only and may be renewed as set forth in this section. Shall be valid only for the person to whom it was issued and not to be subject to sale, assignment, or transfer voluntary or involuntary, nor shall the license be valid for any premises other than that for which it was originally issued.

The license shall be displayed in a conspicuous place in the vacation rental. The fee to apply for a license issued under this subsection shall be \$750 which must be tendered at the time of application, and shall not be refunded if an application is denied. The annual fee for renewing an existing license shall be \$500. All right. Let me just say me first you guys, if I may, is that okay for the council? We're good? All right. 754, "Each dwelling--"

Councilperson Dr. Anna E. Lightfoot-Ward: I don't see any of that, Mayor, you're reading a lot of stuff that I don't see, Mayor. [crosstalk]

Mayor Omarr Nickerson: You guys don't have that in there?

Councilperson Dr. Anna E. Lightfoot-Ward: No.

Vice Mayor Anders Urbom: It says, "Determined via resolution from the council."

Mayor Omarr Nickerson: No, you guys don't have that in there?

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Councilperson Dr. Anna E. Lightfoot-Ward: No.

Village Attorney Joseph Geller: Mayor, you may be looking-

Mayor Omarr Nickerson: Hold on. [unintelligible 01:22:41]

Village Attorney Joseph Geller: Mayor, I think that's an earlier version, one of the suggestions that Councilperson Martin made was instead of fixing the amount in the ordinance, which is a little difficult to change, to just have it be done by separate resolution. The expected amount is \$750, and the renewal is expected at \$500, but you'll have to adopt the resolution to do that. This way, if at some point in the future, you say, "Gee, we really need to get 1,000, we're losing money every time we do it," you have the ability to do it. Or if you say, "We could only get by with 600," changing it by resolution instead of putting the amount in the ordinance, gives you much greater flexibility.

Mayor Omarr Nickerson: This one ends with, "The annual fee for renewing an existing license shall be determined via resolution from the council."

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

Mayor Omarr Nickerson: Okay. Oh, this is good, all right. I was like, "No, we can't charge our residents [laughs] each additional dwelling." Does anybody have a problem with this paragraph, the 571?

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

Mayor Omarr Nickerson: Yes?

Councilperson Dr. Anna E. Lightfoot-Ward: I said negative. No, I do not.

Mayor Omarr Nickerson: Negative, okay. Very good. You guys good 571? Pascal, if you have something to say, come up, say your name, address, whatever.

Pascal: Pascal de Poole, 177 Northwest 90th Street. I'm learning. Section two, I'm sorry, before 571. You guys are defining short-term rentals as anything three months or less in duration. Although your whereas talks about the 30 days in the second and third. Why is there a difference on that? Why would they supply rentals that are 90 days versus 30 days because your second whereas says, "That transient rentals less than 30 days in duration," which is the

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same that Miami-Dade County has for their cutoff between short-term transient rentals and the regular and long-term rental.

Councilperson Dr. Anna E. Lightfoot-Ward: Is that oversight, attorney?

Village Attorney Joseph Geller: If I might, Mayor? The whereas clauses were adapted from something that was used in one of the other villages as you pointed out. The attempt here, the definition is to cover some additional kinds of rentals to have this applicable not only to less than 30 days. The idea being that some people rent light for the season. By using the specific definition of less than three months, you can cover people who rent for the season. Obviously, the biggest problem is the people who rent by the night but if you're going to go to all the trouble to adopt an ordinance that tries to regulate, you want to try to catch some more. So, the intent was to catch some of the seasonal rentals as well as just the monthly rentals. That's the reason that it's drawn this way.

Pascal: The second whereas is historical and not from the village. The state defines it as 30 days. I'm not sure why we are now changing it because actually, Florida State defines a short-term rental as six months or less. We're in between-

Village Attorney Joseph Geller: There are a lot of permutations if this is proposed for the council. It's a fair item for you to be raising as to what the council wants to do, but something had to be put in black and white to be proposed so that there can be a conversation about it.

Pascal: I'd love to see it proposed at 30 days like the state says, like your whereas says, like the historical law that's proposed or that's already in law since 2011 that we have the same thing there.

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

Mayor Omarr Nickerson: Section two, on vacation rental, instead of three months, he's proposing 30 days like the second whereas.

Councilperson Dr. Anna E. Lightfoot-Ward: Yes, that's his point. He wants it to align with what's already there.

Mayor Omarr Nickerson: Does anybody on the council have a disagreement with that?

Councilperson Dr. Anna E. Lightfoot-Ward: No, I like it.

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Mayor Omarr Nickerson: You like it?

Councilperson Dr. Anna E. Lightfoot-Ward: 30 days is fine.

Vice Mayor Anders Urbom: Right, because the way it is now, the three months, would that also envelope month-to-month operators?

Village Attorney Joseph Geller: It would be by saying that it applies to any rental of three months or less, you would catch all the month lease. You would catch all the weeklies or overnight, but you would also include seasonal rentals when somebody's coming in for the season. It doesn't have to be that way, but it was designed by looking at some of the other ordinances that other municipalities have done to give you a little bit more regulatory control by being able to include 60 or 90-day rentals along with the 30. As I said to the resident, that's entirely up to you.

Again, that's the kind of thing, in my opinion, you could change on second reading as well. You might not be able to go the other way. If you're proposing to regulate 90-day rentals, and you decide on second reading, you only want to cover 30-day rentals, you've done something that has less applicability to people than what you proposed on first reading. If on first reading, you say, "We're only going to do 30 days," and then on second reading, you say, "You know, let's include up to 90," that's the kind of change that arguably would require a new first reading because you're expanding the regulation that you're doing, not narrowing it.

Vice Mayor Anders Urbom: Right. I've got a friend in Key West who, to get around that, would sign 30-day contracts. They had to be 30 days or longer. You sign a 30-day contract with the person knowing that they're only going to be there for two weeks, they still pay the premium for the entire booking. You didn't even have to double book during the same time period which kept you out of trouble as well. This would address some of those practices I suppose.

Village Attorney Joseph Geller: You're free to decide how you want it to be. It certainly would be proper if you wanted to change it to only 30-day rentals. Let me just say that if you were going to make that change, be sure that's the direction you want to go if you're going to change it on first reading because you can't bounce from 30- [crosstalk]

Vice Mayor Anders Urbom: And extend it.

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Village Attorney Joseph Geller: -Back to ninety without doing a new first reading which it's no tragedy to have a new first reading either if that's where you've decided you want to go.

Mayor Omarr Nickerson: Thank you very much, Attorney Geller. Basically, right now you guys assess three months in duration. The three months in duration that it says here is different from the whereas, the second whereas of 30 days but if we're not sure about this right now, we can keep this at three months in duration, and then when we get to the second reading, we can lower it down to 30 days if we decide to do that then if we're not sure right now. We want to go back to the first reading?

Are we sure that we want to lower it down to the 30 days right now? If we're not sure we can keep it at three months right now, and then we can lower it down in January before we complete the second reading.

[crosstalk] [background conversation]

Vice Mayor Anders Urbom: I think we may want to.

Councilperson Luis: Keep it like it is.

Councilperson Dr. Anna E. Lightfoot-Ward: Keep it like it is.

Mayor Omarr Nickerson: Keep it like it is, and we'll go back. I've put a big question mark on my notes and so that'd be something that we'll come back and address, and make sure that we really want it. I'll circle it and a question mark. All right, you guys. We're good with 5.71, we're on to 5.72. We're good with 5.71?

Vice Mayor Anders Urbom: We're good.

Mayor Omarr Nickerson: All right. 5.72, license application denial or revocation for calls. Issuance of a license or renewal of a license shall be denied, and any license issued hereunder may revoke for cause for any of the following reasons. We come on revoking, revocation.

Councilperson Dr. Anna E. Lightfoot-Ward: Rather than read all of those, Mayor and everybody that has a copy or seen it, let's just address the ones that someone might have a problem with.

Mayor Omarr Nickerson: I hear you, but I think some people might just got it tonight though.

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Village Attorney Joseph Geller: You've got copies. That's why I said we didn't want to just see what in here any resident has a comment on or a problem with.

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

Mayor Omarr Nickerson: I understand.

Village Attorney Joseph Geller: You got a six-page ordinance here.

Mayor Omarr Nickerson: I understand.

Councilperson Dr. Anna E. Lightfoot-Ward: You don't want to be here all night.

Village Attorney Joseph Geller: We are barely on page two.

Mayor Omarr Nickerson: I understand what you guys are saying but I don't want any resident that has not had time to look through it feel like we rushed through it.

Village Attorney Joseph Geller: You're page two of it [inaudible 01:33:02] [crosstalk]

Councilperson Dr. Anna E. Lightfoot-Ward: All right, let's do it.

Village Attorney Joseph Geller: We may be here until midnight. [crosstalk]

Councilperson Dr. Anna E. Lightfoot-Ward: Mr. Mayor, we can do a lot of things.

Mayor Omarr Nickerson: We can do a lot.

Councilperson Dr. Anna E. Lightfoot-Ward: We can use this as the time to wait until one o'clock in the morning to finish this ordinance, no sir. [crosstalk]

Mayor Omarr Nickerson: We're here until one o'clock in the morning to finish [crosstalk].

Councilperson Dr. Anna E. Lightfoot-Ward: That's [crosstalk] now I've got the floor, come on, give it to me. I got the floor. Because we have a showing of residents and have concern, we could easily stop this right now, have them go back and look at it very carefully as we had because I spent three hours. Yes, everybody, I'm sympathetic to the residents. I spent three

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hours looking at this ordinance this weekend. It is not to be toyed with. It has to be looked at and considered carefully.

Not this ram down your through to hurry up and let's get it done tonight. We can stop this very quickly. We don't have to pass this tonight, we don't have to do anything on this tonight. If there's a resident out there, or even residents that want copies of it, when we meet again then we'll already provide it to them. This is not something we all want to run into, this is something we all want to agree on.

Mayor Omarr Nickerson: Absolutely.

Councilperson Dr. Anna E. Lightfoot-Ward: Mayor, your protocol is always seeking the benefit of the residents as the whole council is. I move that we don't move any further on this and we table it.

Mayor Omarr Nickerson: We can do that. Let me just say this, let me say this though. If we do that, you understand that we're coming back to the next meeting, basically, in the same position, we're in right now. If everybody goes home right now and goes through it themselves, they're coming back to the next meeting with what? Notes, and they're going to say, "Okay, let's look at 5.72, let's look at 5.74." We're going to be doing the same exact thing we're doing right now.

Councilperson Dr. Anna E. Lightfoot-Ward: Then let's have a workshop. Let's have a workshop before we do that.

Mayor Omarr Nickerson: We're all here, why won't we just do right?

Councilperson Dr. Anna E. Lightfoot-Ward: No, no. Let's have a workshop. We are not going to run this. Thanks, sir. We're not going to run this down everybody's throat. This is too serious. This is too serious not to have a workshop in this village so that did everybody have a conversation, and everybody gets to say something because this is going to impact everybody. It's already impacted me or my neighborhood. It's already impacted me. Very good. Thank you for your vote back there, I appreciate that.

Village Attorney Joseph Geller: Mayor.

Mayor Omarr Nickerson: Yes, Attorney Geller.

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Village Attorney Joseph Geller: Respectfully to both your point and to Councilperson Lightfoot-Ward's points. Whatever the council wants to do, whether you want to finish going through this for first reading, table it, have a workshop on it, whatever the council's pleasure is, I would urge one thing. The one thing because, however, you want to do it that's up to y'all. I would say you've got a sample of residents here. No matter what you do even if it's a table, you should make sure that every person that's taken the time to come up instead of having a wait or not getting heard. Or wait until you get to something five pages, people may want to go home and that be heard.

You ought to at least before you make any decision, invite every person up that's taking the time to come to say anything they got about any part of it that they want to say about this whole ordinance including, "I don't like it. That ain't a paragraph, this or that I don't like." Just whatever you do I'd urge you, Councilperson Lightfoot-Ward before you table-

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

Village Attorney Joseph Geller: -Just make sure everybody that came can say whatever they want to.

Councilperson Dr. Anna E. Lightfoot-Ward: I agree.

Mayor Omarr Nickerson: Listen, this is the thing. I'll bring up whoever wants to say whatever but like I said we bounced around. Now we can do a workshop, I'm not against a workshop, I think a workshop is a good idea but if we do a workshop, we're going to be bringing everybody back here to the same exact thing we're doing right now.

Councilperson Dr. Anna E. Lightfoot-Ward: It wouldn't be in the middle of the night.

Vice Mayor Anders Urbom: I have a comment.

Mayor Omarr Nickerson: You know what? We're going to be doing the same exact thing we're doing right now. I understand we're here right now it's 8:39 but let me say this also, all the pausing is stopping us. All the pausing is stopping us. I don't think I was reading too slow, I've been breezing through. I would have been right now at the bottom of page three.

Vice Mayor Anders Urbom: I have one comment.

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Mayor Omarr Nickerson: If we can limit the council comments to anybody who has a problem, we don't need anybody to say if they agree with it. We don't need anybody to say yes this is good, we don't need anybody to say anything positive. If you disagree with it, what do you want to change? Everybody who comes up we can have a workshop, I reckon come back here again, take your time to come back here again, and we can do a two-hour workshop later on if that's what you want.

Village Attorney Joseph Geller: Mayor, if you hear your residents, you may find you don't need the workshop. See what they say because the residents may say, "No we don't need more time, we don't need another--" Maybe they do, maybe Councilperson's right but hear your residents, you'll know what they want.

Mayor Omarr Nickerson: I understand.

Vice Mayor Anders Urbom: Mr. Mayor, can I?

Mayor Omarr Nickerson: Go ahead.

Vice Mayor Anders Urbom: Look, we're at the end of page 2, we could have been done reading through all 12 of those by now. It's not 6 pages, it's really only 5 because the last 6 pages are historical realm as well. I feel that the Mayor actually has a decent plan of getting through this in a timely manner. I do agree that the interruptions are what's holding things up here. The way I see it is we're already halfway through page 3 if we had managed to read these 12 points quickly.

Mayor Omarr Nickerson: You all listen to what I'm saying right now. Everybody's here, if we just start talking to get through this, we will table the remainder of the agenda until January. We can take what the text notification thing, we can table that stuff until January, and we can just do this, and then we're going to be done for tonight.

Village Attorney Joseph Geller: It would be more efficient if we finish this on first reading, Mayor, it would be more efficient but again you'll know that when you hear from the residents.

Vice Mayor Anders Urbom: For science. Yes, science is a big deal.

Mayor Omarr Nickerson: Science is a big deal also. Sir, go ahead.

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Ian: Ian Mackenzie, 8950, Northeast 4th Avenue. I just want to say that this is the first time that I've seen this document here, this ordinance. I didn't find out about this meeting until last Thursday or something like that. I don't think a lot of people are aware about this issue and this ordinance is facing the residents. While I don't think it, right now, if we don't have any laws on the books or anything that governs the Airbnbs or the short-term rentals, then it's just going to continue on the way it is.

That doesn't hurt anybody or restrict anybody because the rules are not on the book, but I think it deserves a serious and very detailed look for both ways. I thought of a good argument for somebody who has multiple Airbnbs are heard just tonight. The fact that if they have to pay multiple licenses, well, maybe that could work out for them in the better because if one license gets pulled because of some bad thing happens, they still don't lose the other licenses. If you have one license with multiple, you lose everything. There's a lot of issues at hand, which you have to really look at very carefully and see. I think rushing through is a bad idea. Thank you very much.

Mayor Omarr Nickerson: Thank you.

Galisto Navarro: Hey.

Mayor Omarr Nickerson: Oh, sorry. Go ahead. I'm sorry about that.

Galisto Navarro: [unintelligible 01:41:32].

Mayor Omarr Nickerson: I didn't see you sneak over there. Just say your name and address for the record.

Galisto Navarro: I want to just discuss this but before that, I want to- [crosstalk]

Mayor Omarr Nickerson: Calixto, say your name and address.

Galisto Navarro: Excuse me.

Mayor Omarr Nickerson: Say your name and address.

Galisto Navarro: Oh, that's right. Galisto Navarro, 335 Northeast 87th Street. Thank you for letting me speak, thank you to the council members. To preempt my thing I do have an issue and reviewing it there's maybe three points that I disagree with. I've been doing, I'm one of the

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first people that started Airbnb here back in 2010. I've been living here since 2008, and I bought the house in a short sale for \$185,000. I can put my house for sale right now for close to \$975,000.

I'm a realtor and I work in all this area in here, I know what the home values are. Anybody who tells me that the home value has come down, and I didn't want to bring it up here, because you do Airbnb, it's a myth. I think we have to look at the statistical and realistic and not emotional. That's number one. As a realtor and as someone who really believes in home-sharing, during these difficult periods, 99% of the people who stayed in my homes and that have stayed in many of our homes and Airbnb, guess what?

These are people who had been suffering during the pandemic but were allowed to work remotely. These were people who needed peace and quiet in a home. Most of the people, 99% in the last few years, sat at my dinner table or in my Florida room working from morning to afternoon. They would go up, and guess where they would go? They would walk to our community, they would go to Publix, they would go to Pinch, they would go to the Citadel. They would use everything that's in our neighborhood, and this is repeated since 2010 when Airbnb started.

Think of what I have provided to this community in all these years that I have been doing Airbnb which is going to be now 12 years. Can you imagine this is a six-page? I only have three issues with this ordinance. There's things that I would bring up, why? Because I care. I care about my community, I care about El Portal. I actually ran against Omarr, remember Omarr? I was running against you, and you won, thank God.

[laughter]

Thank God. What I want to say is that we all care. I have seen the transformation of El Portal. People say, "Oh, we're gentrifying, we're making these homes very expensive, we're pushing out people." No, ladies and gentlemen. There are people, some of my neighbors who bought these houses. You know that these were people who cleaned bathrooms, Haitians and other African American families who cleaned bathrooms in hotels who had second-rate jobs that sold their houses in retirement.

Right when they retired and they walked, you know what? With a pocket full of money buying themselves like my dear neighbor who I adored, and I missed her dearly, who worked very, very hard in a hospital cleaning and cleaning for years and years and years. That lady, thank

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God took with her a pocket full of money, bought herself a little apartment in North Miami cash, and had money to leave to her children. Don't think of it as you're gentrifying, you're pushing people out, no, you are bringing opportunity to other people, and I could repeat that to all the houses that have been made very nice around my neighborhood that they got top dollars for.

These people now are living very comfortably after working so hard in second-rate jobs that other people didn't want to do. This was an opportunity for them. Ladies and gentlemen, this is not so terrible. There are other peoples who are still, and you know who they are that live in our community that I do not say, or I would ever call code compliance or say anything because I know that they have financial hardships. I know that their house, their hoarders, cats, and raccoons live all over the place that come to my house. I deal with the children for all the years that I've been living here, throwing cans, trash all over my front yard because he walked right in front of my front yard.

I have never, ever complained because we live in a community. We live in a village, and these are things that happen, and not everything can be perfect. I do try and strive to respect everybody in this community, and it doesn't matter what socioeconomic level it is. I have worked very hard to have my Airbnb and to take care of this community, and care for this to make sure that there's proper legislation. When there's things that I think could be modified to be made better, to be made more flexible, I think that we should listen.

Perhaps maybe sit down and say, but there's not a whole lot I would change, to be honest with you. Just a few things, and I've discussed with Pascal. Do we need regulations? Yes. Because I do want those party houses shut down. I do want them shut down because they bother me too. They hurt my business and they hurt the community. I agree with the Councilperson and with everybody here.

I wanted to frame this so you could understand what it's all about. Anyway, the only point on page two is I don't think that if you don't own the property, I think that in section one that they cannot do vacation rental somebody that's renting. I think there's many things as realtors that this village could require an affidavit from the homeowner saying, "Should this renter that is going to sublease have any violations, automatically, the lease agreement with this person becomes null and void and you have to get a new tenant in there." I think that that's a solution. What do you think Council Geller? [laughs] Do you agree that that's something that could be done?

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Village Attorney Joseph Geller: Yes, sir. It's the discretion- [crosstalk]

Galisto Navarro: We could refine instead of just saying no.

Village Attorney Joseph Geller: It is absolutely the discretion of the council. To do that you make valid points, but there are points such as the previous gentleman just made, that's why you have a council.

Galisto Navarro: Exactly.

Village Attorney Joseph Geller: Go through that and try to harmonize those points.

Galisto Navarro: Find a happy medium. That's basically, the only thing [chuckles] I have from this whole page. That's it. That's what I wanted to say.

Mayor Omarr Nickerson: Thanks. You have no more sections that you want to focus on?

Ian: I've got one section.

Mayor Omarr Nickerson: That you have.

Galisto Navarro: No. I do in the next pages. I have one which the LLC, you can remember that a lot of us who do Airbnb. We do have it going to LLCs and businesses because we need to have some sort of retirement, and we have to declare it. We put it through a corporation, so we get a payroll, so we pay through a social security, and we do all that. I think that this needs to be modified. I know why they're doing it, and I understand it's because of those big companies and conglomerates, but I think that we can work on that.

Councilperson Pirela: [unintelligible 01:50:29]

Galisto Navarro: That's number 7 on the next page. Then, there's other issues that have question marks.

Mayor Omarr Nickerson: It's all good, it's all good.

Galisto Navarro: It could be modified, but it's nothing serious.

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Mayor Omarr Nickerson: I appreciate you, yes. Thank you very much, Calixto. I appreciate you. This is what I was trying to avoid because if you have individuals come up, and they give us the list of the problems that they have, we'll just be flipping through the papers, and nobody is on the same page. If we go through it, then all of our mind frame is on the same page, on the same thing, at the same exact time. It's easier to get through it like that because we're all thinking within the same realm at the same time.

Pascal: [unintelligible 01:51:15]

Mayor Omarr Nickerson: I am one person, I'm part of a council.

Vice Mayor Anders Urbom: You're right, Mayor.

Mayor Omarr Nickerson: Go ahead, Pascal, I'll let you- speaking now, I'll ask the council what they want to do. The council want to table it, and we vote, and we can table it, if that's what the council wants to do. Like I said, it's not a dictatorship. I'm just one person, so this is a whole council, so I'll ask the council. Go ahead, Pascal. Name and address.

Pascal: Pascal DePoole, 177 Northwest 90th St, again. I like the idea of Councilperson Lightfoot because here's my perception of this whole process. We did not know about this. Last time we were here, it's like the gentleman just said, he just heard about this a little bit ago. When we were here for the committee meeting, this was not in the agenda. The email that went out, for this meeting, has the wrong date in it, it's for next Thursday, not tonight. Even if somebody wants to come, they had had the wrong information.

I love the idea about a workshop because what we have basically done is copy Miami Shores and said, "Let's put this through." That's what it looks to me and to other people in the community that I've spoken with. I love the idea of saying, "Let's sit down to figure out what the problems are, that we want to avoid, like party houses, like whatever, and figure out how to solve those. First, it's just copying an ordinance from somebody else that has a lot of things in it some of us disagree with.

Village Attorney Joseph Geller: Let me say, by the way, sir, that we're giving corporate some things from North Bay Village and from Miami Shores-

Pascal: I know.

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Village Attorney Joseph Geller: -as well as Miami Shores.

Pascal: I'd love to see a workshop, where the community actually gets together and drafts their own ordinance or their own way of regulating this versus just taking our neighbors', adding a couple things to it, and saying, "This is the best we can do." I think we can do better. I love the idea about the workshop and tabling this tonight.

Mayor Omarr Nickerson: Thank you very much. I appreciate that. Let me say, I'm not necessarily against that, but if we do a workshop, we have to have a starting-off point. We do a workshop, we're starting off with this document, and we take things out, and we put things in. It would be the same thing. We have to have a starting-off document. We can't start with a blank sheet of paper. We'd be starting off with this document, and if we have workshop, we'll go section by section, same thing we're doing right now. We'll go section by section, and you'll feel like there's certain things you have found, there's certain things we should leave in.

Village Attorney Joseph Geller: Which is the same thing we're doing now, pretty much.

Mayor Omarr Nickerson: It's the same exact thing we're doing right now.

Village Attorney Joseph Geller: I think we should keep going and waste no time.

Mayor Omarr Nickerson: We've spent 30 minutes where we could've been on page five right now. [chuckles]

Village Attorney Joseph Geller: Mr. Mayor, this meeting was properly advertised, okay, and everything was on the agenda. We should proceed.

Pascal: [inaudible 01:53:49] if anybody has a comment [inaudible 01:53:57].

Mayor Omarr Nickerson: Let's move on. 5.72, "Issuance of a license or removal of a license shall be denied, and any license issued hereunder may be revoked, for cause, for any of the following reasons: the applicant does not own the vacation rental." Anybody have a problem with that? Number two, "The applicant's license, under the section for any property has been revoked, for cause, within two years of the date of application." Are you good? "The license issued, under the section, for vacation rental, for that dwelling unit has been revoked, for cause, within two years of the date of application." You're good with that? Number four, "The applicant makes any false, misleading, or fraudulent statement or represents any facts, in the

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license application, or uses any scheme or subterfuge for the purpose of evading any provision of this chapter."

You guys have [unintelligible 01:54:57]? You have a problem with that, Pascal? You have a problem with Number three? "The license issued under this section for vacation rental, for that dwelling unit, has been revoked, for cause, within two years of the date of the application"?

Pascal: Yes. Pascal DePoole. 177 Northwest 90th St. The way I understand that, and please correct me if I'm wrong, Counsel, is that number two talks about the applicant if he has a problem, and number three talks about the property if that has a problem. If the property has a problem, and I sell the property, does that two years transfer to the next owner, or can the next owner-- Let's say I get my license revoked, I sell the property six months afterwards, can the new owner not use that property as a short-term rental? That's how I read this.

Village Attorney Joseph Geller: I think that's what it says.

Pascal: I would disagree with that because it has nothing to do with the house because the house didn't do anything wrong. If I do something, as an owner, and if I sell it, I don't want to have a negative impact on my sale because the previous owner did something wrong.

Village Attorney Joseph Geller: [unintelligible 01:56:08] let me just say that the reason that they have this is because I don't completely agree with Mr. Navarro about number seven. I don't think it says what he thinks it says about corporate ownership. If it was only as a different owner, you can have someone transfer serially from one corporation to the next corporation, to the next corporation, to the next corporation. Really completely evade number two because you can say, "Oh, it's a new owner," whether or not it's actually an arm's length sale. We may not even know if a new corporation comes along. There could be the same owner or the same principal.

That's the reason. It doesn't apply if there has just been a suspension. It has to be an actual revocation of a license. I appreciate your point, but without something that says that-- It can be very difficult to determine if it's really a bonafide purchase or at an arm's length sale. We certainly don't want to have something that you just spend a couple hundred bucks, set up a new corporation, and transfer the ownership, and say, "Now, I'm relieved."

Pascal: I understand that. This would punish a buyer that may want to run a short-term rental that may have a different one, where his license is perfectly in order. He's great for the

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community to do it, that now would get punished for somebody else. I just want to make sure I understand that. If that's the case, and I disagree with how this is written.

Mayor Omarr Nickerson: Say your name, address for record, please.

Galisto Navarro: On that point, then, when that--

Mayor Omarr Nickerson: Say your name and address, please.

Galisto Navarro: Excuse me. Galisto Navarro, 335 Northeast 87th St. Going back to that section, I'm glad he brought that up because that becomes an issue for a future buyer. It's like you're buying property with a title issue basically. See, that would definitely tarnish [chuckles] the value of the home. You're buying a property that has a title issue, imagine. You're not really conveying a free and clear title to a buyer. Could you imagine what that does to a property? It's not really clear.

Village Attorney Joseph Geller: Well, the thing, Mr. Navarro, is that what it does, frankly, it's certainly something that you would need to disclose, as a seller. What it does, the person who is being punished, really, is not as much, the new buyer, it's the seller because it restricts the seller's ability to sell it for that purpose. Yes, if you're a seller, and you've had your license revoked, not you, sir, but someone has behaved badly to the point they've had their license revoked. Yes, it will limit their potential pool of buyers, in terms of people who want to operate that business.

The seller may receive some less money at sale because they've done something that violated this, and they're going to have some financial consequence, as I said. If not, you have a circumstance where you can just transfer title to another corporation and continue on your merry way. Yes, you're correct, it would have an impact on the seller.

Galisto Navarro: Here, this is where I go. Now let's take the process further. Now you have a conveyance of this tarnished title of property. You sell it under market value, so then, somebody who's trying to sell in El Portal, Mr. So and so, and now he has a comparable at a lower price. Do you understand where we're going? We're creating this whole--

Councilperson Luis Pirela: Excuse me, I'm sorry, Galisto, but this has nothing to do with the property value. This is just making sure that the person that had the license revoked doesn't

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create another, like the lawyer explained it, right and simple. Don't create another company just to buy and then get the license again-

Galisto Navarro: I know, but I think--

Councilperson Luis Pirela: -and this is just a punishment. I'm sorry, not a punishment. It's just a regulation that will be for two years. The new owner, if it's a regular residential owner, just want to leave the house, they're not thinking about renting, the property value shouldn't affect the fact that they cannot rent or short-term rental.

Galisto Navarro: It does because I'd say that, okay, whoever, the unscrupulous or whatever business owner says, "Okay, I'm done with this, whatever. I'm dumping the house." Okay? It has this, it's a tar- Let's not get into this because we're going to be here all night.

Village Attorney Joseph Geller: One other thing you could do council is, if you're concerned about the points that the last two gentlemen have raised, you could say that an operator can't continue to operate if he's had a license is revoked within two years in number two. Number three doesn't have to be the same two years. You could bring that down to a year or 18 months. It would still be a penalty on the seller, frankly, but you could mitigate it for purposes of a new buyer.

You're actually correct, of course, Councilperson Pirela but there are other ways you can address that by maybe saying, well, if it's a bonafide sale if you can show that it's actually not to a related party or something, that it's only a year or 18 months.

Galisto Navarro: The executive, they print up the whatever certificate from the State of Florida. Anyway, I think that these, like I said, Section 1.1 that I think that there's a way that just say ban out people who rent the property. They say, okay, I want to rent it to these people. I don't want to have, worry-free, you just need an affidavit from the homeowner that, should anything happen your rental contract is null, and void and your deposits are kept. It would keep whoever's renting that would like to do that they can, with a penalty and then--

Village Attorney Joseph Geller: People lie on affidavits, Mr. Navarro.

Galisto Navarro: Excuse me?

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Village Attorney Joseph Geller: People lie on their affidavits. I see it every day. They can give an affidavit, doesn't mean that it's the truth.

Galisto Navarro: No, but you get the owner to sign it. Listen--

Councilperson Luis Pirela: Got it. You're saying for subleasing?

Galisto Navarro: Yes. If they're going to sublease that, the owner of the property has to know and if there should be a problem, the city would notify the contract is null and void and their deposits are kept.

Councilperson Luis Pirela: That's a good--

Galisto Navarro: It's out and you get them out.

Councilperson Luis Pirela: [crosstalk] understood and renting the house and then renting the rooms to make a living, and then you could help them. Yes.

Galisto Navarro: Those are things that we need to look at and you just have to make an affidavit. Once the person knows, the owner, because they can't use that thing like we've heard in here. "Oh, I didn't know I rented it to somebody." No. You know that the lease agreements in the Florida bar says you have to check off the box if you're going to sublease so that's not a very good excuse.

Ian McKenzie: Ian McKenzie, 8950 Northeast, 4th avenue. I'd just like to make a comment about number three. What our attorney is saying is the possibility of someone who, let's say I have a spouse or, and the property's in my name, what's preventing me from quick claiming the property to my spouse. That happens one filing like that. Suddenly that two years gone out the window, it could be a problem property instantly solved. Right? Good. That's a legal factor.

The other thing is, I'm not a realtor. My brother is, he's a very good realtor. He's in Palm Beach. When I bought my property here, my property increased the first month after I bought it \$100,000. Second month, another \$100,000 a month. That was not because of Airbnb. That was just because the way El portal was, the way the community was, the housing bubble. I just want to let people know that property values increase for other reasons. We buy here for residential concerns and to have a nice neighborhood.

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I certainly would not ever buy a house knowing that there's an Airbnb next door to me. I would not. I go on record for that. The other thing is I'd like to ask for the board members, how many people do operate Airbnbs, or is there anybody who's a realtor or has an interest in that? Because I think that's a fair disclosure that should be made. Thank you very much. Any questions, or?

Vice Mayor Anders Urbom: No, I'll just say, I have a real estate license and so I'm familiar with certainly all of the housing issues that are going on. I don't mind disclosing them. My personal belief is that short-term rentals are sucking so much inventory out of the market that it's compounding some of the issues with affordability and low-income housing, housing availability, and so I agree actually that short-term rentals do increase property values. One of the problems with that is that it's increasing rent.

In addition to that, I find that, if I'm helping someone who's looking for a rental, for example, 80% of the units that are available for rent are owned by an LLC of some kind. It might be someone just has their own LLC for their benefit of taxes and whatnot, having a business. Some of them are larger LLCs that actively buy whole sections of properties for the explicit purpose of exploiting them for short-term rentals. In that, I certainly agree that balance has to be struck, or else we will lose part of what makes our community very unique.

Really a lot of what we're limited to has to do with what Tallahassee has put upon what we can and cannot do. I'm not against short-term rentals and at the same time, I'm not in favor of short-term rentals but just trying to find an equitable solution because, first of all, Tallahassee has said we cannot prohibit short-term rentals, so we're going to have them.

Ian McKenzie: Right.

Vice Mayor Anders Urbom: What do we do in that framework to ensure that the community remains as we wish it to be? I do also agree with many of the operators that are here tonight that, a lot of properties are run well, managed well, and do not disturb the neighbors, whereas you're going to have another one next door that does. Not all operators are created equally, and so not all operators are managed or manage their entities equally, I'll say that. I think it's a complicated issue, clearly, it is. Tallahassee thought enough to really interject themselves into all of this, and so it's not easy.

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Ian McKenzie: No, I think, and that's why we need to have this serious and thorough discussion about this and make sure that everybody knows about this in the community, and that's really important.

Vice Mayor Anders Urbom: Well, I'm a waver in most of my life, and so most of my life I've been a renter. I consider it important, the issue of low-income housing and housing availability because it affects a lot more people than the issues of some of the more luxury aspects of housing.

Ian McKenzie: Let's make it clear though, short term rental for a day or two is not affordable housing right now. That's a separate issue. That's [crosstalk]

Vice Mayor Anders Urbom: Let's say you're taking inventory out that could be, you know what I'm saying?

Ian McKenzie: Yes. We need to be very careful when we state that because that's an issue in itself. I'm not necessarily totally against it, I thought about even I have a 103-year-old mother living with me in El Portal, she's probably the oldest resident in this community as I know of.

Vice Mayor Anders Urbom: That's wonderful.

Ian McKenzie: Anyhow, I do know the fact that when she goes I'm thinking, "Well, I've got a three-bedroom home, three bathrooms, I could rent out one of these rooms technically as an Airbnb." I'd want to be there because I got possessions I want to protect the place and be there. That's always a possibility for me. Already there four Airbnb is on 90th Street that I know. We need to make sure that these rules are done properly for everybody. I don't think the residents really know what's going on here and certainly, that's why I'm speaking out about this issue right now.

Vice Mayor Anders Urbom: No, I think someone, it might have been yourself, someone brought up the elevation is a factor of home value.

Ian McKenzie: Yes, I did.

Vice Mayor Anders Urbom: Understand that the full weight of multiple billions of dollars of investors are currently descending on every lot of land from just north of Miami Shore.

Ian McKenzie: Little Haiti.

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Vice Mayor Anders Urbom: From just north of Miami Shores all the way down to Little Haiti.

Ian McKenzie: All that area.

Vice Mayor Anders Urbom: It will take a concerted effort and even a fight at some point to preserve what it is that we have here. I'm convinced of that for sure.

Ian McKenzie: Well, thank you.

Mayor Omarr Nickerson: Okay, you guys. Our developers from Plusurbia have something that may work for all of us. You guys now have a lot of compromise, this may be a good compromise for all of us. I'm noticing that-- Let me just let Juan talk. Go ahead.

Juan Mullerat: Good evening, everybody, Mr. mayor, council. Juan Mullerat, Plusurbia Design. I was just mentioning to the mayor that as you said, Councilperson Lightfoot-Ward this is an important issue. We could put a survey up for a month table this, we gather data, we've got 5 residents, 5, 6, 7 residents here, you've got more than 2000 residents. Maybe we can get more information. The next time that you bring this to the council, you'll have data you'll have more opinions from more people, and you can run this item much faster because you will know from them what they like what, they don't.

We will post the ordinance as it is and get people to give us their opinion. Just a thought.

Vice Mayor Anders Urbom: Well, I think part of the mayor's point has been that we've essentially discussed this on the council for years-

Village Attorney Joseph Geller: Years.

Vice Mayor Anders Urbom: -multiple years. At some point, the council just needs to make a decision on this and get us moving forward. Then whatever challenges are brought out of it, it's going to happen either way no matter what. We're not going to please all the people all the time on this one. My concern is that if we do continue kicking this can, this can is just going to disappear on us.

Mayor Omarr Nickerson: I'm coming to you right now Attorney Geller. Let me just say this to you guys, I think that the majority of our problems, and it might be better to table. The majority of our problem I think is that we're going off on tangents. We began talking about

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numbers two and three, that's all that we should have been talking about. Was numbers two and three, and that's the issue. That's why it's taking so long. Attorney Geller?

Village Attorney Joseph Geller: Mayor, let me say to go back to what Councilperson Pirela said which I think is what the Vice Mayor just echoed. That doesn't mean that you can't and shouldn't do what Juan has just recommended. Those are not mutually exclusive. You could still get through this tonight on first reading if that's your pleasure, and still have a Plusurbia post this survey which certainly sounds like a good idea to get the opinions of more than half a dozen or so people that are here tonight.

That's always a good thing. You could have that done and just have that come to you to inform your conversation five, six weeks from now on second reading. You don't have to table it; you can get through first reading if that's your pleasure. It sounds like doing this survey will-- I don't know when more information was not a good idea.

Mayor Omarr Nickerson: Thank you, Attorney Geller. The council, we have the idea from Juan which I think we should probably do anyway because we still have a second reading that we have to do. That will still be good anyway, going into the second reading. How do you guys feel right now?

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

[laughter]

Juan Mullerat: Let's go through it.

Mayor Omarr Nickerson: I hear you, Councilperson Lightfoot-Ward.

Juan Mullerat: Let's just finish with this. I need to go home to a wife that's in pain by herself and I'm still here hearing everything. Let's just go through it and get it done.

Speaker 9: I just have one thing to say. I'm going home by the way, I second that. What would I'd love to hear? I hear representations of realtors versus this versus that and the others, don't really care. I think this thing will pass one way or the other in a format that is acceptable to everyone because it's always about meeting each other halfway. I would have loved to hear about hey, paving the road, planting trees, doing this, and then the other, talking about

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increasing the value of El Portal instead of all these nitpicking tiny things that can be resolved easily. It has been a pleasure, good night.

Mayor Omarr Nickerson: [chuckles] Thank you.

Speaker 10: Thank you.

Mayor Omarr Nickerson: I think we're at, I'm just one person, you guys. What do you guys feel as a council? I think that we could--

[02:16:53] **Speaker 10:** We did two and three, go to four.

Mayor Omarr Nickerson: Everybody out there, how do you guys feel? Go to four. Go four it?

Many speakers: Go to four.

Mayor Omarr Nickerson: All right, let's do some speed reading, you guys. Everybody has it in front of them? You guys good? For the council, we heard a lot about number three but I'm assuming we're going to keep number three on there. Everybody good with number three on there? Are we going to, you guys want to--

Speaker 10: We can have them in the second reading there.

Mayor Omarr Nickerson: We can always have them in a second reading. For right now we're going to keep number three?

Speaker 10: Yes.

Mayor Omarr Nickerson: Okay. Name and address for the record.

Lionel Mouton: Lionel Mouton, 75 NE 90th Street. Basically, I'm here because I have an Airbnb. You start talking about corporations and all this other stuff is like that's fine but most of us here have a single Airbnb. Then you start talking about fees. What fees are we talking about? Airbnb, we pay occupancy fees on every time we rent. Our Airbnb pays occupancy fees. Now you guys are saying something about additional license fees, licenses requirements. That's where you lost me because that's not in here. It just talks about vacation rentals and then they talk about short-term leases.

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Which is which? Are short-term leases, Airbnb, vacation rentals long term? It's confusing.

[silence]

Mayor Omarr Nickerson: Attorney Geller this is better for you but if I'm not mistaken, we're talking about short-term rentals. That's where we got into the discussion. Short-term rentals which also is what we call vacation rentals.

Lionel Mouton: Yes. You're talking about okay, short-term rentals, vacation rentals, one and the same. Is that what you're saying?

Village Attorney Joseph Geller: Basically yes. Basically, those are similar. Not all vacation,-
- Let me put it the other way. A vacation rental is typically shorter than all short-term rentals. You can have a short-term rental that's a seasonal rental or you can have a vacation rental that's more likely to be a week or weekend or something at a time. This would cover both but if you're doing it in your own name, if it's your property, you'd still be allowed to do it. If you're doing it through a corporation, that's your corporation, you'll still be allowed to do it.

It does set some standards. If you're a careful good operator it shouldn't affect you much. There are some charges for it that are not completely different than what we have on the books today. There's an application so they can do some checking out. There is some attempt to set some minimum standards that probably won't impact you as much as if it's something that some guy who lives in New Hampshire wants to rent out a property that he bought here and then if there's a problem, he ain't around.

If you're here and it's your property and you're looking after it, most of those shouldn't negatively impact you. They're just trying to make sure there is somebody around, not a post office box in New Hampshire.

Lionel Mouton: Okay, I understand that. That's not a problem, because, yes, that's-- Well, what I was hearing was there's different fees. I'm like, "What's that all about?"

Village Attorney Joseph Geller: Well, there are some few hundred dollars that pretty much every city charges, because there is some cost to patrol and regulating and making sure. Most of the others, yes, nobody likes to pay a fee or a occupationalizing, whatever. I get that. Most of the others, if it's your property and you're here and you're looking after it, most of those other rules will not negatively impact you.

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Lionel Mouton: I'm there.

[laughter]

Mayor Omarr Nickerson: Thank you very much, you guys. You guys, number four says the applicant. We're talking about denial or revoking of the license. "If the applicant makes any false misleading or fraudulent statement or misrepresents any fact in the license application or uses any scheme or subterfuge for the purpose of evading any provision of this chapter." You might have a problem with that? You're good? Number five. "The applicant fails to establish through documentary proof that it has either registered with the Florida Department of Revenue for sales tax collection registered with the Miami-Dade County tax collector for tourists and convention development taxes on transient rentals.

Obtained a business tax receipt from Miami-Dade County if required and obtained a business tax receipt from the Village of El Portal." If those things aren't done--

Village Attorney Joseph Geller: I want to add, mayor, we had a resident last time who was insisting that he did not need a license under Dade County and the ordinance said he did after getting one anyway. That's why we put in the "if required".

Mayor Omarr Nickerson: Okay, perfect.

Village Attorney Joseph Geller: It was specifically to take care of that gentleman who was here last time who raised that issue.

Mayor Omarr Nickerson: Perfect.

Village Attorney Joseph Geller: We listened to you-

Mayor Omarr Nickerson: [laughs]

Village Attorney Joseph Geller: -and you have a point.

Mayor Omarr Nickerson: Very good. Number six. "If the applicant fails to establish proof of licensure with the Florida Department of Business and professional regulation for a transient public lodging establishment. If the applicant is a corporation, general partnership, limited partnership, limited liability company or trustee," This is the one that a lot of people were asking about. "and any principal thereof including but not necessarily limited to officers,

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directors, general partners, managers, trustees or beneficiaries would be ineligible to receive a license under this section.

Such ineligibility shall be imputed and applicable to said applicant."

Village Attorney Joseph Geller: Mayor, let me address Mr. Navarro on that. It doesn't say you can't do it through a corporation. It only says if you personally-- No, it wouldn't be you, Mr. Navarro and I get that. If you personally were in violation and you're the principal, you can't say, "It's not me. It's my corporation." They can do whatever. They can operate even though you couldn't do it in your own name. You can still have your corporation. If the principal of the corporation is ineligible, so is your corporation. That's all it says. It will not stop you from doing business as long as you're still on the straight.

As long as you're doing the right thing and you ain't trouble, you can run it however you want to. That's all that says.

Mayor Omarr Nickerson: Pascal, come up and say your name and address, whatever. Some people are cold out there. Attorney or clerk, are you cold? Everybody feel good? You guys cold? It's cold?

Speaker 10: It's not much.

Mayor Omarr Nickerson: It's not [laughs].

Pascal DePaul: Pascal DePaul. 177 Northwest 90th Street. Mr. Geller, so if I understand you correctly because of how I read this, it says if I own my home in an LLC, that LLC is ineligible to apply for this license.

Village Attorney Joseph Geller: No, sir. Well, it's only this. The key phrase here is if any principal is ineligible for a license, then the corporation of the principal is also ineligible. That's all it says.

Pascal DePaul: It says if the applicant is a corporation which I would be if I own my home in an LLC, then I'm ineligible.

Village Attorney Joseph Geller: No, sir. [crosstalk] Let me read it again. It goes on to say, "Any principal thereof, parenthetical phrase, would be ineligible to receive a license." If the principal is ineligible, then that ineligibility is imputed to your corporation. If the principal is

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not ineligible, there is no restriction at all on the corporation being licensed. It is only to say if-- Again, I'm sure it wouldn't be you, sir. If you were ineligible for one of the other reasons that has been revoked or whatever, you can't say, "It ain't me. It's my corporation."

Pascal DePaul: Where does it say that I have to be ineligible in this one? I don't see that in this paragraph. I'm not a lawyer.

Village Attorney Joseph Geller: It says that, "Any principal thereof, parenthetical phrase, would be ineligible."

Pascal DePaul: I'm ineligible to get the license if--

Village Attorney Joseph Geller: If you personally-

Pascal DePaul: As a corporation, yes.

Village Attorney Joseph Geller: -have been declared ineligible, then the corporation cannot-

Pascal DePaul: Where does it say though that officer has to be ineligible because I don't see ineligible in this?

Village Attorney Joseph Geller: It says that, "Any principal thereof--"

Pascal DePaul: Where's the ineligible?

Village Attorney Joseph Geller: Then there's a parenthetical phrase. At the end of the parentheses, it says would be ineligible and any principal thereof would be ineligible if the principal is ineligible.

Pascal DePaul: Again, I'm not a lawyer. I don't understand this. What you're saying is if the principal is ineligible, the LLC cannot get the license?

Village Attorney Joseph Geller: That's correct.

Pascal DePaul: How this reads to me is either if this is owned by an LLC or if the principal-

Village Attorney Joseph Geller: No.

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Pascal DePaul: -of the LLC.

Village Attorney Joseph Geller: [unintelligible 02:27:46]

Pascal DePaul: Can that get reworded somehow that this is a little bit more easy to read?

Village Attorney Joseph Geller: Sir, I apologize to you, and I understand. That's a matter of statutory construction. That's the language that's used to indicate what I just said.

Pascal DePaul: That's fine.

Village Attorney Joseph Geller: If you the way to read it-- Let me say again, there's a big one parenthetical phrase. Delete that in your mind. If it says if the owner is a corporation-

Pascal DePaul: Got you.

Village Attorney Joseph Geller: -then any principal thereof would be ineligible.

Pascal DePaul: Understood.

Village Attorney Joseph Geller: That's the language. That's all that means. It does not mean you can't have corporate ownership.

Pascal DePaul: Perfect.

Village Attorney Joseph Geller: It just means if you're ineligible, your corporation is also ineligible. That's because there's an and not an or.

Pascal DePaul: Understood. Thank you.

Mayor Omarr Nickerson: Thank you very much. Moving on. The next one. Number eight. Everybody good with number seven? The next one. Number eight. "Failure of the Condominium Association where the property is located to adopt provisions which approve or permit the use of the premises for vacation rentals." We currently don't have condominiums in El Portal. It's good to have it, because just for the future, we always prepare for the future. [crosstalk] We have to [unintelligible 02:29:01]. We got that.

Speaker 10: [crosstalk]. Who knows what for--

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Mayor Omarr Nickerson: Absolutely.

Speaker 10: It can be next door or-

Mayor Omarr Nickerson: Absolutely.

Speaker 10: [unintelligible 02:29:06]

Mayor Omarr Nickerson: All right, so, everybody good with number eight? Number nine. "Laps of insurance required under this section." I think that's self-explanatory if you let your insurance lapse. Number 10. "The applicant fails to provide an approved inspection report of the fire marshal verifying compliance with the fire marshal's criteria for such use." Are we good with that? Everybody good with it?

Pascal DePaul: Who's this fire marshal?

Mayor Omarr Nickerson: A fire marshal? It sounds like a big business. Attorney Geller, number 10, I have a question about it also, because it makes it sound like-- because if we talk about fire marshal, it makes it sound like a big--

Pascal DePaul: It's a bit confusing when the applicant fails to provide a proof inspection report of the fire marshal. We have to-- Who?

Village Attorney Joseph Geller: Before you're going to be applicable to multi-family structures, I don't typically think the fire marshal gets involved with single-family. We are not exclusively a single-family community, and we are beginning to see more development. If you have a property that is a multi-family property where it could be even the rental structure that we have going up-- Now, if they decided to start renting out their units in their building, the fire marshal may well have comment about it and you have to comply.

The fire marshal, to my knowledge, doesn't work in a single-family. This is designed to cover the whole village. Not just people who have single-family residences. We're seeing more development, particularly, in our annexed area. We have other property available for development. We have a new form-based code that is designed by our planning professionals to cover increased density of development. Our ordinance needs to reflect those things as well.

Galisto Navarro: Galisto Navarro, 335 Northeast 87th Street. Number 10, I don't know, just to clarify. This is for multi-family use.

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Mayor Omarr Nickerson: We could put if applicable.

Village Attorney Joseph Geller: If there's--

Galisto Navarro: If applicable-

Village Attorney Joseph Geller: At the end.

Galisto Navarro: -because I can see it at the end--

Village Attorney Joseph Geller: The fire marshal will not-- Let me say. If next month they pass something that said we've had too many problems with single families and we're going to tell the fire marshal to start looking at them, we're not going to be able to say no to that. If the fire marshal has something to say-- I don't know if you were storing some kind of hazardous flammable materials. Could the fire marshal come to a single-family resident if you were cited for that? I surely don't want to be in the position where we are denying the fire marshal whatever authority they have under state law.

Galisto Navarro: That would fall under the county's jurisdiction. Correct?

Village Attorney Joseph Geller: Not necessarily. The state has regulations about that as well.

Galisto Navarro: Thank you. It's probably not going to affect you.

Vice Mayor Anders Urbom: Then, Attorney Geller, there's a linkage with the fire-- compliance with the fire marshal's criteria for such use. Does that cover-- The fire marshal's criteria is only going to essentially cover the buildings that he is responsible for checking which would be the-

Village Attorney Joseph Geller: Yes, sir.

Vice Mayor Anders Urbom: -multi-family, right?1

Village Attorney Joseph Geller: Well, like I said, could there be a circumstance where somebody called the fire marshal and said there are multiple flammable gas canisters stuck in somebody's backyard, you better get over here and take a look? I wouldn't want to tell the fire marshal they couldn't look at that. Whatever their authority under law is, we're bound by

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anyone. Frankly, if we didn't mention it, they would still have the authority whatever authority state law gives them. We're just putting people on notice of it.

Vice Mayor Anders Urbom: Perfect.

Pascal DePaul: Pascal Depaul, 177 Northwest 90th Street.

[crosstalk]

Mayor Omarr Nickerson: Councilperson Lightfoot-Ward.

Councilperson Dr. Anna E. Lightfoot-Ward: What Attorney Geller has said, in my past life, you want the fire marshal mentioned in this. You really do. I know a lot of people don't see the fire marshal. That's a very intricate part of city, local, and state government. You want the fire marshal on this. Thank you.

Mayor Omarr Nickerson: Thank you very much, Councilperson Lightfoot-Ward. Pascal?

Pascal DePaul: The criteria word basically here is the same as if applicable?

Village Attorney Joseph Geller: No, not really. It's not. The state law gives certain authority to fire marshals. Whether we write if applicable or not, the state law is the state law. If it's something where the fire marshal has jurisdiction, like I said, typically, that's multi-family. Like I said, if you looked in your neighbor's backyard one day and saw a bunch of storage tanks for something that could-- if somebody with a match could blow up the whole neighborhood, you want to be able to call the fire marshal and say get over here and do something about this even if it's the backyard of a single-family home.

Whatever state law is, we're bound by it. Whether we have this paragraph and whether it says if applicable, whatever the authority of the fire marshal is, it is and that's it.

Pascal DePaul: Then why have it in here at all?

Village Attorney Joseph Geller: Because it puts people on notice that they better be concerned about not having fire hazards.

Pascal DePaul: I should know that because I'm under state law?

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Village Attorney Joseph Geller: You should know that.

Pascal DePaul: Why not rewrite all of state law in here?

Councilperson Dr. Anna E. Lightfoot-Ward: No.

Village Attorney Joseph Geller: Because that's not how I draft. I drafted this. I thought it was appropriate. Other city attorneys have included this provision in their municipal ordinances. I think it's a valuable and worthwhile advisory to people to remember that they do need to comply and it's particularly relevant as we start to get multi-family. Whether we took it out, it wouldn't change anything if we took it out. I would rather put people on notice. That's how I draft.

Pascal DePaul: If applicable would not negate this or change this, so why not add that just so when we read it we'll understand it?

Village Attorney Joseph Geller: It's not necessary to add it, sir. That's how I write. With all deference, that's why I went to law school. That's why I took courses in statutory construction. That's why I write things the way I do it and I've been doing it for 40 years.

Pascal DePaul: You wrote if applicable on the Miami-Dade business license tax-

Village Attorney Joseph Geller: Correct.

Pascal DePaul: -as well for the same reason, because--

Village Attorney Joseph Geller: No, not for the same reason.

Pascal DePaul: All right, thank you.

Mayor Omarr Nickerson: Let's look at it like this. For number 10, the fire marshal's criteria-- if it doesn't fall into the fire marshal's criteria-- there's a certain criteria and that displays or defines whether a certain property falls into the criteria or not. The word criteria being there or something like that.

Vice Mayor Anders Urbom: I would offer also that-- Attorney Geller, correct me if I'm wrong. Part of the reason for feeling that that is important to include as far as putting people on notice is that a great many of the fire codes throughout the United States and really, the

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world have been driven by incidents that have happened specifically at hotels. When you have people who are unfamiliar with their surroundings, this issue of flammability specifically becomes incredibly important.

Honestly, all the operators would do well to cover their own liability by acknowledging that as well. I'll leave it on a light note.

Village Attorney Joseph Geller: You're correct.

Vice Mayor Anders Urbom: A quote from one of my favorite comedians said, "If you are flammable and you have legs, you are never blocking a fire exit."

[laughter]

Mayor Omarr Nickerson: Number 11. You guys, I always defer to the attorney, because he's the attorney. When I read this looking at my notes, I had if applicable. Once you started talking, I crossed it out, because I said, "He knows more about law than I do." I was on the same page. I crossed it out after that. Number 11, "The applicant fails to provide a copy of the form vacation rental license agreement to be used when contracting with any occupant for the use of the vacation rental." Anybody have a problem with that one? No, we're good.

Number 12, "The applicant or vacation rental are in violation of any of the standards of operation provided under this section." That's pretty self-explanatory. Next is this paragraph. "The application for a license under this chapter must be made to the Village Manager or his or her-- His? No, my Village Manager is a woman. A Strong-- [laughs]

Councilperson Dr. Anna E. Lightfoot-Ward: Mayor, why are you doing that?

Mayor Omarr Nickerson: Yes.

Councilperson Dr. Anna E. Lightfoot-Ward: Why are you doing that? That was one of my request. It's that we do gender-neutral-

Mayor Omarr Nickerson: Absolutely.

Councilperson Dr. Anna E. Lightfoot-Ward: -throughout this.

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Mayor Omarr Nickerson: Absolutely. That's what I put in my notes right here. Absolutely. "Must be made to the Village Manager or designee on appropriate forms generated by them for such purpose [chuckles]. The application for a license under this section must contain, A, the name, address of the applicant, and contact information including a phone number and e-mail address for the local contact person within Miami-Dade County.

Attached to the application shall be an owner affidavit and an affidavit from the local contact person attesting that the person, number one, is authorized by the owner to take remedial action and respond to any violation of this code. Number two, maintains a residence or office located in Miami-Dade County. The application shall also set forth the name, address, and telephone number from an individual within Miami-Dade County, authorized to accept service of process upon the applicant. You are good so far?

Village Attorney Joseph Geller: One point on that is that would compromise, there are a number of jurisdictions that don't say within Miami-Dade County, but say within 30-minute drive under normal circumstances of the proposed rental on the theory that somebody living in Allendale could get here pretty quickly, but somebody living in Homestead may not be able to, that may be an hour and a half to get here from Homestead. I drafted it as Miami-Dade County, but one option is to include some kind of, either a time or a distance you could say X many miles of the rental.

Both of those would be valid, those are things you should consider. Miami-Dade County, I put it there but there are other standards that might make more sense.

Mayor Omarr Nickerson: I got you. We're good? If applicable, attached to each application shall be an affidavit executed by duly authorized representative of the Condominium Association, attesting that the dwelling unit can be used as a vacation rental and specifically identifying all the other dwelling units in the condominium approved to be used as vacation rentals.

Village Attorney Joseph Geller: Not applicable [unintelligible 02:41:35].

Mayor Omarr Nickerson: Exactly. As a condition of the license, the license shall keep all information current, it's pretty self-explanatory. Any change in required information shall be reported to the village within 30 days after the change. That's good. Such applications shall also include documents sufficient to prove the applicant's current ownership of the property, that the applicant has registered with the Florida Department of Revenue for Sales Tax

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Collection. Any applicable county taxes that the applicant has been licensed with the Florida Department of Business and Professional Regulation to operate the premises as a transient public lodging establishment.

It shall be unlawful for any person to give any false or misleading information in the connection with the application for registration required by this section. We're good? The application must agree to identify the village from any cost or expense reasonably incurred by the village in the course of enforcing the standards prescribed herein as well as any claim against the village arising from the license activity. The village will only accept an application that contains all of the information set forth in this subsection.

Upon receipt of a completed application, the village shall apply the standards set forth in this article to determine whether to accept or reject the application within 10 business days.

The village manager or designee is authorized to generate all forms, applications, and permits which are necessary and appropriate for the section. The village manager designee [mumbles] completed and licensed in business days if the applicant is denied [mumbles] writing [mumbles] on a section-- That's pretty self-explanatory.

Insurance required, section 573. Prior to the insurance of any license under this article, each applicant shall furnish a certificate of insurance evidencing homeowner's fire, hazard, and liability insurance, and general commercial liability insurance with limits of not less than \$1,000,000 per occurrence. Combine single limit for bodily injury, personal injury, and property damage arising in any way from the insurance of any of the license or activities conducted pursuant to the license.

The licensee shall maintain the insurance required under this section in full force and effect for the duration of the license period. Anybody have any questions about this insurance area?

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

Mayor Omarr Nickerson: We're good. Standards of operation, 574. A, no licensee shall rent or lease any vacation rental unless it is in full compliance with the minimum housing standards ordinance. B, The licensee shall at times maintain current guest registration records which contain the following information about each guest. Guest name, home address, signature, and dates of accommodation. The registration records shall be kept on file for three years and made

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available for inspection by village residents during regular business hours or upon demand in the case of emergency.

I think that for most of these things when the person applies and stuff, you have all the information, I believe. Pascal, go on, come on up. Come on.

Councilperson Dr. Anna E. Lightfoot-Ward: As it is, it's just standards of operation.

Mayor Omarr Nickerson: We're talking about B. Pascal, your first, say your name, address-

Pascal DePaul: The Pascal DePaul, 177 Northwest 90th street. Why are we requiring this? Because you're asking me if I have six guests coming, if I have a family of six staying at my place, you're requiring me to get a signature, name, check-in date, addresses, all those things, for every person that's there. Usually on a booking, I get the first guest from Airbnb, or from VRBO, or if I'm doing it outside of any of those, if we do a self-check-in, which means the guest can access the house by themselves and not have me here.

You're basically telling me that I now need to go if guests are coming, get all this information. We've had multiple times where it's a group of friends staying. They come over two or three days, which means I would have to come two or three times, Like Attorney Geller has said, people lie on affidavits. I've had people say, "Hey, we have two people coming in," turns out there's six. What if I have six people in, I have a record of two, my reservation was under two, this is a lot of work for us and I don't see a reason for it to be there.

Plus keeping this information safe for three years, where am I supposed to keep it? How am I liable against it if somebody cracks my stuff? I know when I'm doing long-term rentals, I need to destroy their social security number as soon as they have a credit report run, I'm not allowed to keep it. I understand there's no social security number in here, but there's a bunch of personal information in here. There's a lot of work for us in this one thing and I don't see a reason to have this. I'd love to hear from the council, why you're requiring us to collect all this data and what we're doing with it.

Mayor Omarr Nickerson: I'll just start off for the council. The thing that I would say is that I'm not against not getting the information for each guest because, so for example, when somebody applies for, through whatever website or whatever it is, there's an initial, there's a primary guest with the primary information, primary name, primary for everything. Correct?

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All right. I wouldn't be against necessarily that because if anything goes wrong with any of the guests, then that primary person is the one held responsible.

Pascal DePaul: Why does the village need that information? Because you're holding me liable for any issues that are arising on the property and not my guest. You're creating a lot of work for me as a host. You don't require this from me on a long-term rental. You don't require me to submit to you who I'm renting a house for for over a year or over six months. When that lease starts, when that lease ends, their phone number, their signature, that's only for this, and I don't see the valid reason why.

Mayor Omarr Nickerson: I hear what you're saying about, with the village, because you're the one that's the licensee so the village holds you respond. Well, but at the same time, if anything goes wrong I would say that-- Hold on. In a way though, you do still have access to the information, the primary guest.

Pascal DePaul: I don't have a signature.

Mayor Omarr Nickerson: Not signature, but I'm just saying like the name and the access. When somebody--

Pascal DePaul: I don't have a home address.

Mayor Omarr Nickerson: You don't have a home address? What?

Pascal DePaul: I have a guest's name. I don't have a home address. I don't have a signature and I have dates of accommodation. I have two, I don't have four.

Mayor Omarr Nickerson: When somebody reserves through whatever, it's the name that you get the first and, the full name and the dates of accommodation, and that's it.

Pascal DePaul: A phone number.

Vice Mayor Anders Urbom: An e-mail.

Mayor Omarr Nickerson: The phone number and e-mail.

Pascal DePaul: Again, why do we need this? Or why do you need this, because if something happens, this whole regulation is about-

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Mayor Omarr Nickerson: About you.

Pascal DePaul: -the village saying I'm responsible for all of this.

Mayor Omarr Nickerson: The licensee.

Pascal DePaul: Now, of course, I need to know the people, I know how to get ahold of them, but why does the village need access to that? You don't have it on my long-term rentals, and you're creating, especially on the signature side. If I'm staying at an Airbnb, why am I giving somebody a home address? I would be uncomfortable with that if I'm renting an Airbnb for a job if I just was in Orlando on an Airbnb. The person doesn't need to know where I live.

Mayor Omarr Nickerson: This might cause problems because, also if Airbnb doesn't require it and you're asking for it, then individuals might feel like you're going far beyond Airbnb. Therefore, they might feel like you're doing something or you want the information for something that's mischievous because Airbnb doesn't even ask for that, SO why the hell are you asking for it basically? That makes a lot of sense. When I went through my notes next to this what I had was a question mark and I had an E, for is this excessive? That's what I have in my notes, a question mark with an E, which I have for some other things also.

The reason why I had E for is this excessive with the question mark was because the only thing that I was thinking was, it's not fair to have to get all the guests' information. I wasn't thinking about, the one guest information.

Pascal DePaul: Then if I say I have four guests staying and they have a friend come over to visit, do I need to have his signature, the date that he was there?

Mayor Omarr Nickerson: For me personally, I had the E for excessive with a question mark because I didn't think that it's necessarily fair to have to get all of the guests' information. For one guest, I was still not thinking about getting rid of that though. The one guest which are making good points. Council, what do you think about that with the one guests? I was for having to get all of the guests' information, and I was for getting rid of having to get the signatures also, is why I had this in my notes.

Vice Mayor Anders Urbom: Well, the note I have is registered guests, which I'm using is the principle person who puts the reservation under their name, the whoever it is.

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Councilperson Luis Pirela: If I may, we had a case where the police have to go on everything and it was an Airbnb. It'd been rent or short-term rental. The owner of the place, which it happens to be a lady. These two guys with other names, that wasn't the person that she rented to, and then she called the police saying that there's people in my house trying to get in, and I rented to them. She deleted actually the reservation and everything and so it was a whole situation because of that actually. The police was called. They were there. It was the whole-

Vice Mayor Anders Urbom: In that case, I can pull up an Airbnb record and say here, I rented this to Tom and I have Suzy here. I don't need to keep a log, that's for three years, with all of this information on all of these guests.

Councilperson Luis Pirela: It shouldn't be kept for three years because I would think that this is more for if something happens, or why keep it for three years, I don't understand [crosstalk]

Pascal DePaul: [crosstalk] the host has to give El Portal access to or be able to provide a portal with the name and the phone number of a guest because if something happens the police can call me. They have my number, obviously, and say, "Hey, Pascal, who's in this house?" I can say, "Let me look it up. It's Tom, here's his phone number, go check it out." To keep a log is a ton of work for us. It adds work. It kills half of our workflow if we're doing a self-check-in, where we don't even have to do anything with guests, especially with COVID a lot of people don't like to meet us in person.

They want to be able to go in the house by themselves and not have to deal with anybody. If I'm now showing up and asking for signatures and home addresses, I'm pretty intrusive there.

Vice Mayor Anders Urbom: This might be a question for the attorney then. Firstly, this is not a specifically Airbnb ordinance. This is trying to catch all short-term rentals. My understanding of the reason for this piece specifically is that if there was an occurrence, there would be a starting point of someone to go and talk to you about an incident that might have happened. I worked in bars for a lot of years and police show up in bars the next day after there's a report of date rape and things like this. We need to understand who are they were with, was it a real ID?

Who asked for the ID? What staff of yours remembers the person this type of thing. That was my understanding of why that language is there. This one, Attorney Geller, is there a way to add language that would say if you have a record through an agency, such as Airbnb or VRBO, whatever it is, would that qualify as the registration required? You understand is there's already

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a record of it? Does that record that already exists, qualify for meeting these standards? That's the question I guess.

Village Attorney Joseph Geller: You could change this in any number of ways. You could reduce the length of time it has to be kept. You can decide whether you want that information for every guest that's going to be there. You can change it to say that the owner is required to maintain it, but not necessarily furnish it. It has to be written somehow, and then you can change it however you want. The one thing I would urge you not to change is to have a physical, actual home resonance of whoever it is that you're asking for the information for.

People, drop their e-mail addresses, you can't reach them. Phone numbers are what they are but if you had an actual serious incident, you'd want to be able to have an actual physical address for the personnel. Are they giving you actual information? Is the owner going to be required to see some kind of an ID to verify that that's their real physical address? Is it made up? Is it valid? Have they changed it? Their documents, phony, those are all issues. You can change this any way you want to change it. The only one, like I said this isn't a legal requirement unless you make it one.

You decide what you want to do and you can take any of this information from this owner or any other owner into account as far as not being unduly burdensome. I would urge you to at least keep the requirement at least for, however, whether it's for the one registrant or all, whatever you decide. I think you should ask the owner at least to try to obtain some kind of ID that's proof of a physical address. If you had a real problem incident, you'd want to be able to help law enforcement figure out what jurisdiction the person was from and how to actually locate them more than just an e-mail address or phone number.

Again, that's your choice. You don't have to. To have an ordinance, you don't have to have any of that. It's what you deem appropriate, and what you think is reasonable under the circumstances.

Mayor Omarr Nickerson: Let me just Vice Mayor, if I may and we will come to you, and then we'll go to you. Then we have Pascal. Let me just say this real quick. A couple of things. The first thing is the way I have it written my suggestion is the licensee-- This is B we're doing. The licensee shall at all times, maintain current guests' registration records, which contain the following information about the registered guests. The guests name, date of accommodation. What do I want to say?

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I think that takes the rest of it away, I think that sounds pretty straightforward. The only reason why I'm iffy about the home address thing is because-- Let me just say this, I know our residents in El Portal are wonderful. We have the best residents. Let me just put that on the record, we're the best residents ever in El Portal. I'm really concerned about if anything happens, where, because if Airbnb, or anybody else, I think even when you go on, and when you book through a booking.com, and stuff like that, I don't know if they require your home address.

I'm really concerned about that a little kind of just because if we have anybody to where they rent out, short term rental, they rent out from another individual. If that individual because they have their home address stalked them or something like that later on down the line, I just don't want that to come back on the village. You have people out there that you never know. I don't know, like, it might be like the owner of the Airbnb and the guests might get in some type of argument or something like that.

I don't want anything where the owner shows up at the guest house with a gun because they got some type of fight or argument, and now they know where they live or something like that. That's the only thing I'm thinking of.

Village Attorney Joseph Geller: I don't see where we have liability. Again, as this gentleman suggested, it's written that way, but you can change it. You can simply say, you don't have to give that information to the village. You can just require the owner to have it in case it were to be needed, but you could say it doesn't have to be turned over to the village. You just keep it for whatever length of time they think is appropriate. That would perfectly well work if that's your preference.

Vice Mayor Anders Urbom: I have one suggestion, which would be to put the phrase if no such record exists at the beginning of this section B. Would that help, because if a record exists already with Airbnb or VRBO, whoever the guest is registered with, they use their credit card, their credit card is tied to a home address, you know what I'm saying. There is essentially a record that already exists, so would it be possible to say if no such record exists?

Village Attorney Joseph Geller: You could, but I think, honestly, you may be creating more of a burden on the owner. You just say, "Get this information, keep it." You don't have to say, "You tell us."

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Vice Mayor Anders Urbom: As written, if they have this information available, essentially, through the portal that they use for operating Airbnb or VRBO, whatever it is, does that qualify? They have this register, would that qualified to satisfy this?

Village Attorney Joseph Geller: I think you're actually putting an increased burden on the owner to try to verify what the site has and what the site did and what information the site would make available or could make available.

Vice Mayor Anders Urbom: Okay, so you're saying that they would have to verify that.

Village Attorney Joseph Geller: How else do they know if they're in compliance? Probably easier to just say, "Hey, I need your home address." and "I'd rather not give it out." "Don't worry, I'm not turning over to anybody unless the cops knock on my door." It's just easier to get it than to go through all that. That's not to say it's not legal to do it the way you suggested it.

Pascal Depool: That's the one piece of information we do not get on VRBO or Airbnb is the home address, and the only way to get that, like you said, to be sure is an ID and I'm not good enough to see if it's a fake ID or not.

Vice Mayor Anders Urbom: Right, and it's probably a lot of [crosstalk].

Pascal Depool: I have no idea. It's a lot of work for us, I don't see the need for it.

Vice Mayor Anders Urbom: There's a lot of single women who are not [crosstalk] just for example.

Pascal Depool: If we have a rental outside of a platform, like a three-week or three-month rental, I'll have all that information, but not when it's on a platform.

Galisto Navarro: My name Galisto Navarro, 335 Northeast 87th Street. I do understand the reason behind this. Keep in mind, I will not accept anybody coming in on Airbnb that they give you the option to accept reservations from people that have ID-verified. They have to have three verifications in order for you to accept. I won't accept anybody that has no ID into my house. That's a safeguard that I have, so those people can't even see my property unless they're verified. The interesting thing, Airbnb does not share that information, that's private information.

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Mayor Omarr Nickerson: So Airbnb keeps it themselves.

Galisto Navarro: Airbnb keeps that. Should there be a problem, you write to Airbnb.

Mayor Omarr Nickerson: They'll take care of it.

Galisto Navarro: El Portal police notifies them, and then that's taken care of. Just food for thought for people, and I know it's terrible, the serial killer Gacy, how many dead bodies did he have under his floorboard of his house that he lived there for 30 years? This is not foolproof. People are going to commit crimes, people are going to do bad things.

Mayor Omarr Nickerson: Thank you. I appreciate it.

Village Attorney Joseph Geller: Make sure our chief some tools if he needs.

Mayor Omarr Nickerson: [laughs] No, we understand, Attorney Geller, we understand.

Rodolfo Alonso: Rodolfo Alonso, 199 Northwest 90th Street. It's important to keep in mind that in the State of Florida, all property owners that are running a short-term rental vacation property are required to have a license issued by the State of Florida, and in order to obtain that license, there are terms and conditions that have to be met. A lot of the issues that I'm hearing are already covered. In addition to that, this ordinance is not exclusively to cover short-term rentals and vacation property that are listed with Airbnb or VRBO. If you own and run our short-term vacation property in the State of Florida, you are required to maintain all information including home address for those.

However, if you have it listed with one of these platforms, Airbnb, VRBOs, and I believe there are a couple of others out there, yes, if there were to be an incident where the law enforcement is involved, even a lawsuit where that information must be provided, the platform will provide all that information. I guess my point is, there's really no need to mandate that as host, if you want to call it that, I'm sorry, now I have to keep a log with the name and address. All that is covered. That's my point.

Village Attorney Joseph Geller: When it's through a portal.

Rodolfo Alonso: I'm sorry.

Village Attorney Joseph Geller: Only when it's through one of the portals.

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Rodolfo Alonso: If you're not listing the property through a portal, then you are required by the State of Florida to have the address and all the information, so one way or the other, you're covered.

Vice Mayor Anders Urbom: You're saying through the license that you acquire through the DBPR, yes?

Rodolfo Alonso: Exactly.

Juan Munera: Mr. Mayor, I just briefly.

Councilperson Luis Pirela: For the owners but not for the renters or the guests, right?

Rodolfo Alonso: I'm sorry.

Councilperson Luis Pirela: Is just for the property owners, but not that the State of Florida requires them to have that information that we're talking here about the people that's renting the unit.

Rodolfo Alonso: For the applicant. [crosstalk].

Councilperson Luis Pirela: No, for the applicant, yes, but we're talking here about the renters.

Rodolfo Alonso: I've been a guest. I am a host.

Vice Mayor Anders Urbom: To the microphone.

Rodolfo Alonso: I apologize. Rodolfo Alonso 199 Northwest 90th Street.

Mayor Omarr Nickerson: You're good.

Rodolfo Alonso: When you are a guest, you are required, the state and many Airbnbs, myself, also VRBO property in the US and outside the US, you are required to provide all this information. Even if it was a credit card, which is really the only method available to you to pay, they will verify the mailing address. All this is cover and as far as if, let's say, I don't own the property but I'm running the Airbnb, I'm managing the Airbnb for somebody else who owns the property and I apply for the license with the State of Florida, I still have to meet their requirements.

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Yes, it may not be listed under my personal name, I might have an LLC, but all the information is still being provided. As far as having a tenant, we're just only covering my understanding short term rentals and vacation property. Any other property owner who's a landlord will, of course, have all that information. Besides, they have a tenant living on the property. I'm not quite sure if I answered the question

Village Attorney Joseph Geller: What the councilperson is asking, he's not asking really, his point is that you may have to provide that information to the state about you, but the state does not require the information about every renter that you have and it won't necessarily ask for all of their home addresses. That's what we're trying to get at here.

Rodolfo Alonso: Got it. It is in the provision to be granted a license that you must be able to provide information of your renter. That is one of the requirements. We will have a copy of actually the terms and conditions required in order to obtain a license in the State of Florida for short-term rental. The answer will be as the applicant who has been approved to have a license, I am required to be able to provide that information, but if I have my property listed for a portal, then that information has already been provided, and if needed, our portal is obligated to provide as needed.

Councilperson Luis Pirela: All right, thank you.

Juan Munera: Thank you. For the council's benefit, I don't want to take much of the time, but I wanted to give some perspective because I think that a lot of these questions, answers, comments are fundamental to one thing and it's balance. I know that there's some people that want short-term rentals, other people want to protect the neighborhood. If you recall, you're the only one left from that time, but if you recall, when we drafted the code, we had a provision for short-term rentals and it revolved around one thing. The gentleman earlier mentioned it, it was community.

It was having short-term rentals, which we did believe back then and I still do believe, I used to be a host, that they bring value, but they only bring value when they are respectful of the community and the neighbors. There needs to be a balance between regulation and the ability to be able to create some source of funding so that people can pay their mortgages and get some additional funds, et cetera. The one thing that we added back then which was then removed for whatever reason, we just took it out, was a provision that would require the property owner to be on the premises.

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That basically took out most of the issues of keeping records because if the owner is on the premises and you have a guest, that means that you're going to make sure that this guest is respectful, not just of your own property but also for the neighbors. Hence, the ADU's, the ancillary dwelling units, those were supposed to be the type of rentals. The other reason was so that we would have no absentee landlords, corporations that run multiple units within the village, which back in 2015 when we were writing the code, that was exactly what was on the papers all the time, the issues with the Airbnbs.

The owner on the premises was important, it solves some of the issues here of signatures and addresses because if there is an issue, the owner himself will call the police. The owner himself is the one that will ensure that there is law and order be followed within their property, and if there isn't, they're the ones that are going to make the issue and ensure that community is upheld. That was at the core of our initial ordinance back in 2015. For your consideration, it is not here, but it's something that we did look at and it was at the core of the original ordinance back in 2015.

Mayor Omarr Nickerson: Yes, thank you. I remember that. I think that I was for removing that also, and the reason why was because I didn't want to punish people who might be traveling or might do something like that, and they want to, while they're gone, whether it might be a couple of weeks or anything like that, they want to rent their home out short term through like an Airbnb. I didn't want to punish those people up, so I was one of the votes that did take it out.

Juan Munera: Agreed, and I think maybe the owner be on the premises, it's not as much as the owner have a residence in the premises, so if you're traveling, you can still rent it. The idea was that there would be no absentee landlords, which is where the real issue lies. I'll tell you, I'm all for short-term rentals, I think that they provide a valuable asset. The other thing, by the way, that when the property owner is not on the premises, that means that is a full unit that could potentially go to a more affordable long-term rental, which is, by the way, something else that I want to bring to the council in the future, is the fact that we don't have an affordable housing component in this village.

If everything in Miami-Dade County is Airbnb'd, forget it, people are just going to move out of Miami-Dade County because it is a real issue. This is bigger than just short-term rentals, that's why I think it's important the discussion that you're having.

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Mayor Omarr Nickerson: Thank you very much, I appreciate that. I do remember those days. Before I get back to you, so what I have down here is this, you guys, and let me know what you guys think about it. For letter B, unless maintained through a third-party website or service, the licensees shall at all times maintain current guest registration records which contain the following information about the registered guests. That's the guest name, home address, and dates of accommodation. I got rid of the signature.

Village Attorney Joseph Geller: It'll be just for principal guest?

Mayor Omarr Nickerson: Yes, so unless maintained by a third-party website or service, because, let's say, Airbnb and they all maintain it, so if the police have a problem, they can always contact Airbnb with that and they can get that. Unless maintained by a third-party website or service, the licensee shall at all times, so if you don't have it on the website or Airbnb if you don't have it on third-party website or service, then you have to maintain at all-timer the current guest registration records which contain the following information about the registered guest. Not each guest but just the registered guest.

That's the guest name, home address, and dates of accommodation. If it's not on the Airbnb or something like that, then you do have to get the home address, but if it is through something like that, you don't have to worry about getting the home address. How that sound for a compromise? You guys think it over. Go ahead, name and address for the record.

Pascal Depool: We own Airbnbs in a couple of municipalities that are around here, but also in El Portal. We live on one and we don't live on the other, but it's two minutes from our house, and we have neighbors that we talk to like Alex who is across the street, if there's an issue, he's going to call me. We have cameras on the house, I'm obviously concerned that nothing happens there. It's not like I'm an absentee owner there, so to write in here and say it has to be on-premise, that I have to live there, it kicks out a bunch of stuff. I know that it's something that the gentleman had just said that I had written none before, I know it's not here, I just wanted to say.

Mayor Omarr Nickerson: No problem.

Pascal Depool: I understand the idea of an absentee owner, but I think there's a difference, especially today with technology, to be able to say I can pull out my phone right now and look at my front door at this house down the street and see what's going on. Although there's no guest in there right now, let's check it out.

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Village Attorney Joseph Geller: This draft says, "In Miami-Dade County, let me remind you, you could do a time or a distance," but the point that the gentleman makes is, if you're nearby and accessible, the point is, if there's a problem, is there someone who can be there within, say, a half-hour? You could say an hour instead of a half-hour, or you could say a number of miles. If you're nearby and accessible, it accomplishes the same thing, basically that **[unintelligible 03:16:24]**.

Pascal Depool: Agreed, the gentleman just was saying that I have to live on property. Thank you.

Callisto Navarro: Callisto Navarro, 335 Northeast 87th Street. I was discussing with Pascal that same point as well, and maybe I don't know, Geller, if you had thought that maybe a requirement would be, because this I do know from other people, I have a Nest camera and I know other people who put cameras all around the outside of the house and in the front, so the house is always monitored. You have to disclose, of course, that there are cameras, but maybe that they're required to have because all that footage is saved in Ring and Nest and all these portals.

Village Attorney Joseph Geller: You still need somebody who can get there, but, again, it doesn't have to be somebody-

Callisto Navarro: Right, exactly.

Village Attorney Joseph Geller: -who lives there if you're within some radius.

Callisto Navarro: I have a friend of mine that had a duplex and what he did he paid, you pay these monitoring services and they're 24 hours monitoring those cameras, and if there's something that they see suspicious, they pick up the phone and they call. That's number one, like a party or people coming in at odd hours in the night when you should be sleeping. Those are things that maybe instead of doing all this, you just say you're required to have a video camera and disclose, and that's saved. Nowadays with technology, it's saved. Number two, necessarily not living on the premises because there's other people like Pascal that have different properties throughout the village and surrounding areas.

I don't think they should be a requirement. I think you can do whatever you want with your property as long as it's safe. Thirdly, on the issue of, because we keep coming back community, keeping a home, making sure that if I move into it, I don't want an Airbnb. Once again, I am a

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realtor, there are people who refuse to do, they do rentals, but they won't do Airbnb. Why? Because it's almost like a full-time job. You have to furnish the property, you have to upkeep it, you have to have a cleaning lady, you have to have linens, and then you have to deal with the people and there's people who just don't want to deal with people, and you have to understand that.

That does not mean the logic behind that, "Oh because you allow Airbnb, everything's going to be Airbnb." I'll use this anecdote. A few years back in Cuba, a university student asked the foreign minister of Cuba who was a guest there. He goes, "Why all the countries in the world allow their free citizens to enter and leave the country freely and Cubans are not allowed to leave the country freely, you need permission by the government?" His answer was, "If all the Cubans are allowed to travel, you could imagine that planes would be crashing because all 10 million Cubans would be trying to go somewhere, so planes would be crashing in the air."

I think we're using that same logic, we're applying that same logic. Not everybody's going to do Airbnb, this is a full-time job, and you have to be able to do that. People are just going to want to say, "Just rented a house, I'm not furnishing the house, I'm not taking care of it." There's a balance and that's what it is. Just because people do Airbnb doesn't mean 100%. There's nothing that's 100%.

Councilperson Luis Pirela: Absolutely, thank you.

Mayor Omarr Nickerson: Thank you, guys. All right, so for B, which has been debated, what do you guys think about my sentence? Do I need to say it? Did you guys hear my sentence? Unless maintained through a third-party website or servicer, the licensee shall at all times maintain current guests registration records which include the following information about the registered guests; the guest's name, home address, days of accommodation. Again, you guys know how I feel about the home address thing, but for the vast majority of people, this is not going to apply because the third-party website or service like Airbnb, they have the address.

It's just you don't have access unless you need it through the police department, something like that if something goes wrong. Also, the next sentence where it originally said, "The registration records shall be kept on file for three years," I just took out "be kept on file for three years" because in lieu of the first thing that's changing. The registration records shall be accessible and made available for inspection by village officials during regular business hours or on-demand in case of emergency. You don't have to keep them on file for three years, the registration records shall be accessible.

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It could be accessible through like, Airbnb might keep that, so it could be accessible where the homeowner, if there's an emergency or the police department has to do an investigation, they can contact the homeowner. The homeowner can go on Airbnb and tell them, "Look, there's a police situation and we need you to contact this guest that came during March" or whatever it is. Instead of the homeowner having to keep the file for three years, the registration records shall be accessible and made available for inspection by village officials during regular business hours or upon demand in case of emergency. How's that sound?

Vice Mayor Anders Urbom: Sounds good.

Mayor Omarr Nickerson: Sounds pretty good? You got to be kidding me. Come on. Come on now. You got to be kidding. I'm trying to find a compromise here, I'm changing words around, I'm trying to find a middle ground. There are some people you can't compromise with. [chuckles] No, I'm messing with you.

Pascal Depool: Pascal Depool 177 Northwest 90th street. The only concern I have is if we don't put a time on it, in 10 years, somebody comes and goes, "Hey, I need this record."

Mayor Omarr Nickerson: How do you know that? Airbnb won't be able to look back into your records seven years or they might have it still. You see what I'm saying?

Pascal Depool: Yes, but now I'm liable for it if you don't put a time on it. If you're saying during the stay or 30 days after the stay, I think there needs to be some kind of timeframe on it. The attorney had said, and I think it's a valid point, if I rent outside the platform, I have all that information because I'm running a background check, I'm running criminal background checks, so I'm talking with old landlords, I'm talking with their businesses or the people that employ them. I have all of that on file, and like Rodolfo had said, I'm required to do that if I'm outside of the platform, so we do that, that's easy. I love the fact that you guys are saying if it's not available, I just think it needs to have some kind of timeframe.

Mayor Omarr Nickerson: What timeframe would use it suggests? I want to agree with it.

Pascal Depool: I'd say during the stay or 30 days. Are you coming to me a year later and saying, "Hey, there's a guy that stayed at your place in 2021 in December that I need a record for now?" If there's a problem, it's going to be during the stay or shortly thereafter.

Mayor Omarr Nickerson: What about six months?

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Pascal Depool: What about 60 days?

Mayor Omarr Nickerson: What about six months?

Pascal Depool: I'd say 30 days, I think that's plenty of time.

Mayor Omarr Nickerson: Listen, Airbnb probably holds it more than six months.

Pascal Depool: I know, probably.

Mayor Omarr Nickerson: With them, you probably have it, and then, like you said, if you got to get it yourself, you can hold it for six months.

Pascal Depool: I'd love just to have a timeframe on it, that's all.

Mayor Omarr Nickerson: Six months. I would say six months.

Pascal Depool: 45 days.

Mayor Omarr Nickerson: I would say six months. Compromise for six months. I say six months. I'm writing six months down. Anybody have a problem with six months from the council? We good with six months? All right, six months. I'm writing six months. I have all these notes down after this is over because I have the ordinance in word. I'll go back, make all the changes, and I'll give it to Attorney Geller so he has updated changes and things like that.

Village Attorney Joseph Geller: Thank you.

Mayor Omarr Nickerson: I got you. Okay, the next one's C. We're almost done, you guys, because if you look at, it's five, and in the back of five, is six. Six is nothing. Six is just regular stuff that we only have to really go over. Just the top of six is the last thing we have to read. All right, C, no licensee shall knowingly permit any criminal activity or public nuisance to take place in or about the vacation rental. If a licensee knows, is informed of, or suspects that any criminal activity or public nuisance is taking place in the vacation rental, that person shall immediately notify and cooperate with the village of El Portal Florida Police Department. That's good. Next. Go ahead. Come on up.

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Pascal Depool: Pascal Depool, 177 Northwest 90th Street. Like I said, you're going to hear that a lot today. What's the definition of public nuisance? Are we going by the Florida State records or are we going by El Portal village code on a public nuisance?

Mayor Omarr Nickerson: I didn't think about that.

Councilperson Luis Pirela: It has to go by charter, right, Mr. Geller?

Village Attorney Joseph Geller: Yes.

Pascal Depool: In that case, every single violation of village code is a public nuisance.

Village Attorney Joseph Geller: No, that is not what it says.

Pascal Depool: It says in the charter.

Village Attorney Joseph Geller: [inaudible 03:26:09] of public nuisance.

Pascal Depool: I'm sorry?

Village Attorney Joseph Geller: There are definitions of public nuisance, they're governed by case law. Not every violation of the code constitutes a public nuisance. That is not an accurate statement.

Mayor Omarr Nickerson: You good?

Pascal Depool: El Portal village code says that, in the General Penalty Section 112 that in violation of any provision in this code shall be deemed a public nuisance.

Village Attorney Joseph Geller: That would never stand up in court. I didn't write that code provision. I don't know when it dates from, but that would never stand up in court. You go into court to prove a public nuisance. There case law that governs it. Not every violation of the code is a public nuisance.

Pascal Depool: That's just what the charter says because the thing that we're trying to avoid and all of us are, you guys, the people that don't like short-term rentals and us as owners or hosts, we don't want the party houses, we don't want the violations, we don't want the public nuisances. I want to make sure that we address, in this regulation, what a public nuisance is

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because I do want to see that loud noise, multiple cars, all of those things or higher occupancy than is required or whatever it is, and not just have something that can be read anywhere in any way. Thanks.

Village Attorney Joseph Geller: Not every violation of the code is a public nuisance. That says that [inaudible 03:27:46].

Mayor Omarr Nickerson: Is that another reason why we need a charter review? We can address exactly, we can define in more detail form what a public nuisance is?

Village Attorney Joseph Geller: Yes.

Mayor Omarr Nickerson: Another point for the charter review. There we go, you guys. You all get ready to come back 2022. I'm charter review going. I'm moving forward with the charter review. All right, here we go. D, the maximum number of occupants in the vacation rental shall be no more than one person per 150 gross square feet of permitted air-conditioned living space of the dwelling unit for which the license is issued, and in no event shall overnight occupants exceed two persons per vacation rental plus two persons per bedroom in the vacation rental. The occupancy restriction set forth herein is a maximum occupancy. How you guys feel about that?

Village Attorney Joseph Geller: They feel great about that.

Mayor Omarr Nickerson: [laughs] You guys feel good about it? All right, I didn't know if anybody I had a story, but sometimes an extra person might come stay. All right, here we go. This one right here I had a question mark for myself. An evacuation diagram identifying all means of egress from the vacation rental and the building in which it is located shall be placed in a conspicuous place near the inside front entrance door of each bedroom within each vacation rental. The next one, no licensee shall serve or otherwise provide alcohol to any guests. You guys have no problem with that? Okay. Next one.

Councilperson Dr. Anna E. Lightfoot-Ward: Does anybody have a problem from G to Act L?

[laughter]

Mayor Omarr Nickerson: Look, it goes up.

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Councilperson Dr. Anna E. Lightfoot-Ward: We got a hand up.

Mayor Omarr Nickerson: Yes, we got hands up.

Vice Mayor Anders Urbom: Yes, that's it.

Mayor Omarr Nickerson: Number G, this one I have a problem with. I have my own notes for this one. Each guest shall be provided soap, clean individual bath cloths, and towels, and clean linen in good repair. Linens and bath cloths and towels shall be changed between each change of occupant. The only reason why I had if you think about this was because clean linen and good repair, who decides?

Village Attorney Joseph Geller: It's fine then.

Mayor Omarr Nickerson: Is that good?

Village Attorney Joseph Geller: Yes, it's fine.

Mayor Omarr Nickerson: Okay, I just didn't want to get picky on people like who decides what's good repair and what's not. The vacation rental shall be cleaned, sanitized between occupancies, and all pans and other cooking utensils shall be cleaned and sanitized between occupancies. The name and phone number of the local contact person. Yes, come on up. Is this about the dishes? Is this about the dishes?

Pascal Depool: Pascal Depool Northwest 90th Street, 177. It's actually about the linens, the bath soap, and the dishes. Those are all regulated by the Florida Department of Professional Regulations. I'm not sure why you guys are picking those out. Is that because code enforcement is going to come in and check if I have the right soaps here or if I'm doing my dishes correctly?

Village Attorney Joseph Geller: Yes, sir, they're going to come in and do a soap check daily.

[laughter]

Mayor Omarr Nickerson: No, we're good.

Pascal Depool: I'm already regulated on those. I'm not sure why these are in here and not like that I have to have a fire extinguisher there, which is in the same regulation by the same department.

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Village Attorney Joseph Geller: We'll add that.

Mayor Omarr Nickerson: The only question I had was in good repair because that could be up to somebody's suggestion or somebody's opinion.

Village Attorney Joseph Geller: I guess, ultimately, Mayor, someone would have to make a call on what constitutes a good repair if it was a serious legitimate question as to whether something was in good repair. The gentleman's correct that we might add fire extinguishers too. It is somewhat selective, the ones we've looked at. Some cities regulate somethings, some have not. Fire extinguishers are probably a good thing.

Mayor Omarr Nickerson: My only thing is that, where I would agree with you, Attorney Geller, is that if it is in the Florida language, then I have no problem with it being in El Portal also if it already exists.

Village Attorney Joseph Geller: It's there to help notify owners who may be a little less well-informed that these are things that they need to do as well. It's there really for the protection of owners. We're not imposing any additional requirements.

Mayor Omarr Nickerson: I have no problem with it.

Village Attorney Joseph Geller: We are notifying people these are things they need to do.

Pascal Depool: I'm just asking who's enforcing it if it's in our ordinance.

Village Attorney Joseph Geller: I can't hear you, sir.

Mayor Omarr Nickerson: He's asking who's enforcing it? Who's going to enforce it?

Village Attorney Joseph Geller: Our ordinance will be in hand. The ordinance is enforced by our people, code enforcement.

Mayor Omarr Nickerson: Code enforcement.

Village Attorney Joseph Geller: Police, yes.

Pascal Depool: So they'll check if I do my dishes correctly. The reason I'm asking is because -- [crosstalk]

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Councilperson Luis Pirela: Or running like a hotel. Put it this way, so these are just regulations for people to know that it's out there and we are actually protecting the well-being of the guests too. What if you wash the dishes with raw chicken, and then it has salmonella and you put it in their counter for them to use? Nobody knows that. It's just rules and regulations, pretty much.

Mayor Omarr Nickerson: I don't disagree with you.

Councilperson Luis Pirela: Nobody's going to go knock on your door and say, "Let me inspect your plates or whatever." I don't know, they might do it, they might not.

Mayor Omarr Nickerson: I don't disagree with you, and I agree with. Councilperson Pirela, but the only thing that I would say for something like this, Pascal, is if it already exists, this is just showing the detail that already exists. To me, it's nothing to make a big fight over because if it already exists, it's something that's just there anyway. You know what I mean?

Pascal Depool: I'm required to do it under Florida State law already, and they have attention over it. I just don't understand why it's in here.

Mayor Omarr Nickerson: I understand what you're saying, but this doesn't hurt.

Councilperson Luis Pirela: You know that that's required, but the guy next door who's on his first one may not know it, may look just at our ordinance. He should look at state law. This is a reminder to him that he ought to do this so somebody doesn't get sick. It certainly doesn't hurt to have it in our ordinance as well. It is not imposing any greater restriction on operators.

Mayor Omarr Nickerson: Yes, if it's already existing.

Pascal Depool: I agree. My question is about the enforcement if that's a local thing with us when it's in our ordinance because the Florida State Department--

Councilperson Luis Pirela: Everyone who has jurisdiction can enforce that. The state health inspector can come in and enforce it, the local code enforcement, Dade County could send people. Everyone with jurisdiction can enforce it.

Pascal Depool: So it doesn't matter if it's in the ordinance or not for the first time.

Councilperson Luis Pirela: I don't agree with that statement, sir. I think it does matter.

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Pascal Depool: I'm asking if you would take this out of the ordinance, El Portal could still enforce it.

Councilperson Luis Pirela: Yes.

Pascal Depool: Okay, that's all I'm asking.

Mayor Omarr Nickerson: No, we're good. Thank you.

Pascal Depool: Thanks.

Mayor Omarr Nickerson: Thank you very much. The next one is the name and phone number of the local contact person and the vacation rental licensee shall be posted in a conspicuous place near the entrance of the vacation rental. Name and phone number, it sounds good. First of all, let me just say thank you to everybody. You guys, it's been a long night, but thank you for everybody who continue to lend their voice. We always try to promote everybody being able to have a voice here in the village, so we appreciate everybody being here. We appreciate the education also, Attorney Geller, thank you very much.

Any licensee who provides food to guests shall comply with all applicable food handling and licensing requirements. Make sure that food is good so they don't get that salmonella. Councilperson Pirela, there you go. The next one, all vehicles associated with vacation rental must be parked within the subject property in compliance with the code of ordinances of the village of El Portal of Florida. The last one, all guests to the vacation rental shall comply with all applicable village, county, state, and federal laws, rules, regulations, ordinances, and statutes. That right there makes everything cover everything. The next one, violations.

Any violation of Section 5.71 shall be punishable with a fine of up to \$250 per violation for the first offense, \$500 for violation for the second offense, and \$1,000 for violation for third offense per day per unit per violation, and may also be punishable by license suspension or revocation. We're good? A village code inspector may also enforce the terms of this section by bringing a case to the special master pursuant to his authority under the village code. In addition, upon showing a substantial violation of Section 5-72 or 5-74, any license granted hereunder may be suspended or revoked for calls upon notice and opportunity to be heard by the special master.

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In addition to any other remedy available to the village, the village may enforce the terms of this section in law or equity against any violator. The village by and through its village attorney, Attorney Geller, or police department, Chief Mendez in the back representing, may apply for an administrative search warrant to enter upon the premises of any residents subjected to this section. Each day that such violation exists shall constitute a separate and distinct offense. We're good? In addition to any other fine or penalty provided for in this section, any person who operates a vacation rental with a license issued under this chapter may be subject to arrest and shall be guilty of a first-degree misdemeanor.

That's the worst-case scenario, you guys. If it gets worst to worst, we bring the police in. In addition to any other fine or penalty provided for in this section, it shall be unlawful for any owner, tenant, broker, realtor, agent, or other representatives of the owners to hold out or advertise a residential dwelling as a vacation rental if the property is not licensed and provided in this section. A broker or realtor who is found in violation of this regulation shall be subject to a business tax receipt, suspension, or revocation. That's basically the whole thing, you guys. Everything else is technical. We got through it, done deal.

I have all the notes written down. I have it in Word, I believe. I'll make all the changes for the notes that we did tonight. I'm going to ask for a motion in a second and approval in a second. I'll make the change to this, so we'll come back for the second reading. In the 4th Tuesday of January, we'll come back with all the changes.

Councilperson Dr. Anna E. Lightfoot-Ward: So moved.

Mayor Omarr Nickerson: This is for the ordinance, you guys. First reading move by Councilperson Lightfoot-Ward, do I have a second for the passage of the first reading of this ordinance?

Councilperson Luis Pirela: I'll second, Mayor.

Mayor Omarr Nickerson: Second by Councilperson Pirela. Madam Clerk, is there any last comments from the residence? You guys good? We're good, right?

Speaker: Are you going to mail it out to everyone?

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Mayor Omarr Nickerson: We will, yes. For this, we will, definitely. I got you. I got you covered. As a matter of fact, I might take it and hang it on everybody's door like I did the whole thing.

Councilperson Dr. Anna E. Lightfoot-Ward: Please, finish the roll call. Please, read the roll call.

Mayor Omarr Nickerson: Here we go. Madam Clerk, may I please have a roll call, please.

Village Clerk Yenise Jacobi: Roll call. 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 Nickerson: Yes.

Village Clerk Yenise Jacobi: Motion passes four to none.

Mayor Omarr Nickerson: Thank you very much, I appreciate that. You, guys, can I have a motion to table the text notification service till January?

Councilperson Dr. Anna E. Lightfoot-Ward: I have a comment specifically for that. You have held me up and I don't work long.

Mayor Omarr Nickerson: It's all good. Do I have a second for a table? I have a motion by Councilperson Pirela, do I have a second for tabling the text notification service?

Vice Mayor Anders Urbom: I will second that.

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Mayor Omarr Nickerson: Seconded. All in favor, say aye.

Council members: Aye.

Vice Mayor Anders Urbom: All opposed, say nay. All right, so, the text notification service, you guys, I'll bring that back in January full council meeting. I've been trying to pass that for a while, Madam Clerk. I'm trying to pass that village-wide text notification service for you guys so we can get information out really fast. That would be that. The next one, you guys, we're going to move to the sign standards and regulations within the business corridor. The reason why I brought this forward was because I brought it to committee first. This was because in our business corridor, which is Northeast 2nd in our business areas, we don't have any sign standard regulations right now.

I didn't want anything to happen to where since we don't have anything on the books, we wake up one day and you're driving down Northeast 2nd and it's a bunch of huge neon light business signs, and just take away from the village and things like that. I'm trying to get some type of regulation for our business signage. This is not a touch or address like residential signs or residential real estate. It's nothing about that. This is strictly for our business corridors because I don't want to have to wake up and have crazy business signs in our business corridors that take away from the village. Do you want to come up, Camila or Juan? You guys want to come up to the mic real quick?

Councilperson Dr. Anna E. Lightfoot-Ward: Is this a repeat of what we already heard?

[laughter]

Mayor Omarr Nickerson: You want a motion? You want to pass it, madam?

Councilperson Dr. Anna E. Lightfoot-Ward: Isn't this the same thing we had years ago?

Mayor Omarr Nickerson: For the committee?

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

Mayor Omarr Nickerson: For the committee, we just moved it to council.

Camila: Yes, Council.

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Councilperson Dr. Anna E. Lightfoot-Ward: Hold on a minute, anything new?

[laughter]

Anything else new?

Camila: No. Oh, I'm Camila [unintelligible 03:42:19] Service Design. These regulations, they keep a lot of the content that was already in the existing chapters for signs and they do cover signs in residential. Actually, in all areas, but it does more specifically--

Councilperson Dr. Anna E. Lightfoot-Ward: For the business?

Camila: Yes, well, it addresses the existing regulations that might not be favorable for the village or the businesses.

Councilperson Dr. Anna E. Lightfoot-Ward: You submitted a 45 minutes presentation for finances.

Village Attorney Joseph Geller: It's just first reading.

Mayor Omarr Nickerson: I was just getting ready to say that. I was just getting ready to say it's just first reading, we can pass this through. As I said, this is not like the short-term rental, this is something that we're just adding because we just want to make sure that we protect ourselves from stuff that's not on the books in the future. As a council, you guys, when I became mayor, I said we're trying to go back. Vice Mayor and Councilperson Pirela, Councilperson Lightfoot-Ward, there's so many things that we didn't have on the books, Madam Manager, that we're trying to go back and do. For example, I'll just give this really quick example and I'm going to ask for a motion in a second.

I'll give a really quick example. We didn't have high turnout comprehensive business permit fees. That's one of the things we did when we came on. When I became mayor, we did the business permit fees. Madam Manager, the day that we passed those business permit fees because we have all these new developments going in, this bigger skateboard park that conveys development, you guys see the restaurants that's going to go in where the church is fenced off, that's going to be a restaurant. We're getting these new businesses coming in. I look at the books, I said, "Man, we don't have business permit fees."

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Madam Manager, the day after we did the final reading on that business permit fee, the day after, they had to come out and give us a check of, how many hundred thousand dollars was it?

Madam Manager: Significant.

Mayor Omarr Nickerson: It was significant [laughs] because it went in. When we passed it, it went into effect immediately and we got hundreds of thousands of dollars the next day. There's a lot of stuff because in the past, you guys, El Portal, it was always viewed. Our predecessor just viewed it as a little village, which is good and we want to keep that. We want to keep that tranquility and serenity, but because it was like that, they didn't foresee the future of businesses and things like that, so we were losing a lot of money, you guys, you know what I'm saying? We're just trying to fix things up. This is one of the things we're trying to fix.

This is first reading. There will be a second reading in January. This is about sign standards and regulations within the business corridor so we don't get crazy huge neon signs all over the place that we don't like in our business corridor. Do I have a motion to pass the first reading of the ordinance for the sign standards?

Councilperson Dr. Anna E. Lightfoot-Ward: So moved.

Mayor Omarr Nickerson: Moved by Councilperson Lightfoot-Ward. Do I have a second?

Vice Mayor Anders Urbom: I will second.

Mayor Omarr Nickerson: Second by Vice Mayor Urbom. Madam Clerk, may I please have a roll call, please? Oh, does anybody want to have anything that they want to say? Anybody have anything they want to say? Thank you very much, Madam Clerk, I appreciate that. About the signs in the business corridor. This is just first reading, it will come back in January, all right? Hearing none, Madam Clerk, may I please have a roll call? Thank you very much, Madam Clerk.

Village Clerk Yenise Jacobi: Roll call, Councilperson Lightfoot-Ward.

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

Village Clerk Yenise Jacobi: Councilperson Pirela.

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Councilperson Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Vice Mayor Urbom.

Vice Mayor Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Mayor Nickerson.

Mayor Omarr Nickerson: Yes.

Village Clerk Yenise Jacobi: Motion passes four to none.

Mayor Omarr Nickerson: Thank you very much. Thank you very much, you guys, for staying. Juan, Camila, thank you very much for your time, we appreciate it. Right now, we're going to move on, you guys, to the manager reports. We're going to the manager report.

Village Manager Christia E. Alou: You guys are going to be really happy with me because I don't have a manager's report.

[laughter]

I will be putting it on the village website next week.

Mayor Omarr Nickerson: It's all good. We appreciate it.

Village Manager Christia E. Alou: I do want to mention this, though. The village now has an electrical shuttle, plus it takes you to and from Brightline Station a few times a day in the morning and in the afternoon. Please check out the village website. Download the app. it's a free service for El Portal residents. Park over here in the village Hall, tot lot parking lot and hop on the electric shuttle. It's a great way to be green. That concludes the manager's report.

Mayor Omarr Nickerson: Thank you very much, I appreciate that. If you guys are on the email list, make sure to email us. Go to the village's website, the bottom of the first page. You can sign up for the email list. Clerk Jacobi, did you email blast it yet or are you going to do it tomorrow?

Village Clerk Yenise Jacobi: I can do it today.

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Mayor Omarr Nickerson: You can do it today.

Village Clerk Yenise Jacobi: I will send the email again.

Mayor Omarr Nickerson: Thank you very much. She emailed blasted a letter I wrote and the flyer for the shuttle, and I will be printing that out. We get the copies, correct? They're over here? We got all the copies?

Village Clerk Yenise Jacobi: I put them on the table.

Mayor Omarr Nickerson: Thank you very much. I will be passing that out and putting on everybody's doorknob, all right? I do have the plastic door hangers. I will be passing that out on everybody's doorknob in the next couple of days. All right, so, be on the lookout for that so everybody has that information. I'm not going to do it because I did take a long time. I do appreciate you guys bearing with me with our impromptu town hall, and therefore, I'm not going to do a mayor report. We're going to move right on. Attorney reports.

Village Attorney Joseph Geller: Yes, I do have approximately a 30-minute village attorney report.

[laughter]

Which I will proceed to give to myself in the car on the way home.

Mayor Omarr Nickerson: There you go, sounds good. That's it for the reports, you guys. Good and Welfare right now, anybody who has anything that they want to say about anything at all? It doesn't have to be just what's on this agenda, about anything at all. You can come up and say the Christmas tree looks horrible, Mayor Nickerson, you need to shave. I know I got to go home and shave, but it's all good. This is your time to come and say right now, name and address for the record and you have a few minutes. Anybody for anything? Anything at all? All right, that being said, we do have a couple of birthdays to celebrate before we adjourn out of here.

Vice Mayor Urbom, his birthday has passed and he tried to hide it from us, but we found out and caught him and we said we're going to make up for it. [laughs] Councilperson Lightfoot-Ward's birthday.

[singing]

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Council Members: *Happy birthday to you.*

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

Council Members: *Happy birthday to you.*

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

Council Members: *Happy birthday dear Vice Mayor Urbom, Councilperson Lightfoot-Ward, happy birthday to you.*

[screaming]

[applause]

Mayor Omarr Nickerson: Good stuff, you guys. Good stuff, good stuff. This is beautiful. I want to thank everybody for coming out tonight. I just want to say that, hopefully, you guys see that we're just trying to fix things, we're trying to put things right. I just really want to say, hopefully, you guys can see that even if we disagree and debate up here, at the end of the day, it's all positive vibes and it's all good feelings and good emotions that we have up here, all right? I'm glad you guys came out. With that being said, do I have a motion to adjourn?

Councilperson Dr. Anna E. Lightfoot-Ward: You do.

Mayor Omarr Nickerson: A motion by birthday woman Councilperson Lightfoot-Ward, do I have a second?

Vice Mayor Anders Urbom: Second.

Mayor Omarr Nickerson: Second by other birthday man, Vice Mayor Urbom. All in favor, say aye.

Council Members: Aye.

Mayor Omarr Nickerson: All opposed, say nay. Hearing no nays, the Regular Council Meeting for Tuesday, December 14th is adjourned at 10:51 PM.

[bangs on gavel]

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Thank you very much, you guys. Thank you.

[03:51:38] [END OF AUDIO]

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