



**Village of El Portal
Regular Council Meeting
Date: 11/15/22
Meeting Start: 7:03 PM
Meeting End: 10:14 PM
Meeting Length: 03:11:47**

Mayor Nickerson: All right. The Regular Council Meeting for Tuesday, November 15th is called to order at 7:03 PM. [bangs gavel] We're going to first have a moment of silent meditation followed by the Pledge of Allegiance.

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

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

Village Clerk Yenise Jacobi: Roll call. Mayor Nickerson.

Mayor Nickerson: Here.

Village Clerk Yenise Jacobi: Vice Mayor Urbom.

Vice Mayor Urbom: Present

Village Clerk Yenise Jacobi: Councilperson Pirela.

Councilperson Pirela: Here.

Village Clerk Yenise Jacobi: Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: Here.

Village Clerk Yenise Jacobi: Councilperson Martin.

Councilperson Martin: Present.

Village Clerk Yenise Jacobi: Also present for the record, Yenise Jacobi, Village Clerk, Christia Alou, Village Manager, and Joseph Geller is running late.

Mayor Nickerson: No problem. Thank you very much, Madam Clerk. I appreciate that. For approval of the agenda, I do want to postpone G4 and G7.

Councilperson Lightfoot-Ward: [inaudible 00:01:23] reason yet?

Councilperson Lightfoot-Ward: Mayor?

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Mayor Nickerson: Yes.

Councilperson Lightfoot-Ward: [inaudible 00:01:32] a reason?

Mayor Nickerson: Yes. G4 is the Pancreatic Cancer Awareness Acknowledgement. The individual that was going to be here for that, she couldn't make it. She had an emergency today. G7, the Dog Restraint Regulations Discussion. I have an updated version that I'm going to have prepared for you guys for the next council meeting. I want to give you guys that prior to the next council meeting for that ordinance.

Councilperson Lightfoot-Ward: Fair enough.

Mayor Nickerson: All right.

Councilperson Lightfoot-Ward: Thank you.

Mayor Nickerson: Thank you very much. I think we still might go on with G3, but one of the individuals who was part of G3 also, I don't see him yet. I'll keep it on for now. Do I have a motion to approve the agenda with those adjustments?

Councilperson Martin: So moved.

Mayor Nickerson: Move by Councilperson Martin. Do I have a second?

Vice Mayor Urbom: I'll second.

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

Vice Mayor Urbom, Councilperson Martin, and Councilperson Pirela: Aye.

Mayor Nickerson: All opposed, say nay. Hearing none. Moving on. Good and welfare. This is a time right now where if anybody has anything that they want to say about this particular agenda, you can come up, you have three minutes, you can state your name and address for the record and say what you want. We also do have discussion time for each agenda item, so keep that in mind. Hearing, seeing none for good and welfare. Moving right along to consent agenda. Do I have a motion to approve the consent agenda?

Councilperson Lightfoot-Ward: So moved.

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Mayor Nickerson: Move by Councilperson Lightfoot-Ward. Do I have a second?

Councilperson Martin: Second.

Mayor Nickerson: Second by Councilperson Martin. Madam Clerk, may I please have a roll call for the consent agenda?

Village Clerk Yenise Jacobi: Roll call. Councilperson Martin?

Councilperson Martin: Yes.

Village Clerk Yenise Jacobi: Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: Yes.

Village Clerk Yenise Jacobi: Councilperson Pirela?

Councilperson Pirela: Yes.

Village Clerk Yenise Jacobi: Vice Mayor Urbom?

Vice Mayor Urbom: Yes.

Village Clerk Yenise Jacobi: Mayor Nickerson?

Mayor Nickerson: Yes.

Village Clerk Yenise Jacobi: Motion passes five to none.

Mayor Nickerson: Thank you very much. I appreciate it. Now we're moving on to agenda items. It's your time to shine, your honor. [laughs] Agenda item one, the Swearing-In of the Incoming Mayor and Councilpersons.

Fred Seraphin: May I use the microphone? [crosstalk]

Mayor Nickerson: Yes.

Councilperson Martin: Sure.

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Fred: Good evening, everyone.

Mayor Nickerson: Good evening.

Fred: Mic check. All right. Good. My name is Fred Seraphin. I've had the honor and pleasure of serving all of you on the bench for the last 20 years. I have to say, I have a wonderful champion, Ms. Brooks, who has won for me another term, six-year term, where I'll continue to serve you. I thank all of you who took the time to go vote and exercise your constitutional rights. This is what this is all about, constitutional rights. That's what guarantees our freedom. Particularly honored and pleased that I was asked to swear you all in. I love this town. I love the peacocks, as I was saying. These guys strutting around, it's very distinct and unique in Miami-Dade County.

Believe me, I've been all over Miami-Dade County because running for Judge is a county-wide race. As some of us have found out, this is a huge county, but it's diverse. It's wonderful, the culture, the richness, the people. That's the only thing I enjoyed about running all over Miami-Dade County and having the people come out and vote for us. I am going to swear in the Councilpersons first, if you don't mind, all of you, and then I'll swear in the Mayor after. Right? Would you folks please be kind enough to stand up, raise your right hand to be sworn? You can swear or affirm when I ask you to. It'll be up to you. I'm going to say, I and state your name. I-

Councilperson Martin: I, Darian Martin- [crosstalk]

Councilperson Pirela: I, Luis Pirela- [crosstalk]

Vice Mayor Urbom: I, Anders Urbom-

Fred: -the citizen of the state of Florida-

Councilpersons: -the citizen of the state of Florida-

Fred: -and of the United States of America-

Councilpersons: -and of the United States of America-

Fred: -do hereby solemnly swear-

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Councilpersons: -do hereby solemnly swear-

Fred: -that I will support-

Councilpersons: -that I will support-

Fred: -protect and defend-

Councilpersons: -protect and defend-

Fred: -the Constitution of the United States-

Councilpersons: -the Constitution of the United States-

Fred: -of America-

Councilpersons: -of America-

Fred: -and of the state of Florida-

Councilpersons: -and of the state of Florida-

Fred: -and that I will-

Councilpersons: -and that I will-

Fred: -in all respects-

Councilpersons: -in all respects-

Fred: -observe the provisions-

Councilpersons: -observe the provisions-.

Fred: -of the Constitution of the State of Florida-

Councilpersons: -of the Constitution of the State of Florida-

Fred: -and charter and ordinances-

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Councilpersons: -and charter and ordinances-

Fred: -of the Village of El Portal-

Councilpersons: -of the Village of El Portal-

Fred: -and that I will well and faithfully-

Councilpersons: -and that I will well and faithfully-

Fred: -discharge-

Councilpersons: -discharge-

Fred: -the duties of councilperson-

Councilpersons: -the duties of councilperson-

Fred: -on which I am about to enter.

Councilpersons: -on which I am about to enter.

Fred: Congratulations, all of you. [crosstalk]

Councilperson Martin: Thank you.

Fred: You have the form for you. Vice Mayor [inaudible 00:06:25].

[applause]

[background conversation]

Mayor Nickerson: Let me say, while the signatures are going on the paper, making it official, I want to give a special shout-out to Ms. Brooks, who's right here. Stand up for a second, Ms. Brooks, for us, [laughs] who's been a long-time resident of El Portal. Ms. Brooks was actually the one that helped facilitate this and reach out to Judge Seraphin and bring him in, so we appreciate that. Thank you very much, Ms. Brooks, for helping us out with that. Really appreciate it.

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?Speaker: I'll sign them.

Fred: Mr. Mayor, I dare say, this is a young man I admire very much. I couldn't wait to say thank you. I have the honor. I am blessed indeed.

Mayor Nickerson: I appreciate you. Every time we see each other, it's always a pleasure.

Fred: It's always a pleasure.

Mayor Nickerson: It's always a pleasure.

Fred: This is something mutual public servants have, we know that it's about the service. It's not about us, it's about the people. I thank you for wanting to keep doing this.

Mayor Nickerson: I appreciate it.

Fred: I do. I know it takes a toll. The mayor is an easy target, some say.

Mayor Nickerson: [chuckles] Trust me, I know. [laughs]

Fred: You're a good man.

Mayor Nickerson: I appreciate it.

Fred: You'll be fine.

Mayor Nickerson: I appreciate it. We got in an argument earlier, you guys, because he say, "I'm going to swear in the Councilpersons, then I'm going to swear you in." I said, "Oh no, no, no. Let's not do it that way. I don't want people to think that I'm the one that wanted to be that way." He said, "No. That's the way I'm going to do it. I said, "Okay." [crosstalk]

Fred: I'm presiding.

Mayor Nickerson: I'm not going to argue with the judge. [laughs]

Councilperson Martin: You shouldn't.

Mayor Nickerson: [chuckles]

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Fred: No. It's a point of personal privilege. I like to do it like that because there's a reason why we say Mayor. Even though all the votes count the same, there's a special spot that we put for mayor, like we do for judges, we do for presidents and governors and all that.

Mayor Nickerson: I appreciate it.

Fred: I want you to appreciate it because there's extra responsibility.

Mayor Nickerson: [inaudible 00:08:49] appreciate you [inaudible 00:08:51].

Fred: Let's do this. Let's make it official.

Mayor Nickerson: [laughs]

Fred: Could you be kind enough to please raise your right hand to be sworn? I-

Mayor Nickerson: I, Omarr C. Nickerson-

Fred: -a citizen of the United States, of the State of Florida-

Mayor Nickerson: -a citizen of the United States and the State of Florida-

Fred: -and of the United States of America-

Mayor Nickerson: -and the United States of America-

Fred: -do hereby solemnly swear-

Mayor Nickerson: -do hereby solemnly swear-

Fred: -that I will support-

Mayor Nickerson: -that I will support-

Fred: -protect and defend-

Mayor Nickerson: -protect and defend-

Fred: -the Constitution of the United States-

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Mayor Nickerson: -the Constitution of the United States-

Fred: -of America-

Mayor Nickerson: -of America-

Fred: -and of the State of Florida-

Mayor Nickerson: -and of the State of Florida-

Fred: -and that I will-

Mayor Nickerson: -and that I will-

Fred: -in all respects-

Mayor Nickerson: -in all respects-

Fred: -observe the provisions-

Mayor Nickerson: -observe the provisions-

Fred: -of the Constitution-

Mayor Nickerson: -of the Constitution-

Fred: -of the State of Florida-

Mayor Nickerson: -of the State of Florida-

Fred: -and charter and ordinances-

Mayor Nickerson: -and charter and ordinances-

Fred: -of the Village of El Portal-

Mayor Nickerson: -of the Village of El Portal-

Fred: -and that I will well-

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Mayor Nickerson: -and that I will well-

Fred: -and faithfully discharge-

Mayor Nickerson: -and faithfully discharge-

Fred: -the duties of mayor-

Mayor Nickerson: -the duties of mayor-

Fred: -on which I am about to enter.

Mayor Nickerson: -on which I'm about to enter.

Fred: Congratulations, Mayor.

[applause]

Mayor Nickerson: Thank you for everything. Congratulations on your win.

Fred: [inaudible 00:10:04] kind enough to please sign this?

Mayor Nickerson: Yes.

[pause 00:10:07]

[background conversation]

?Village Clerk Yenise Jacobi: Let's get a picture of you guys.

Mayor Nickerson: Guys, come down here, [inaudible 00:10:27] you guys.

[background conversation]

[pause 00:10:49]

[background conversation]

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Mayor Nickerson: All right. Here we go. Perfect. Thank you for that. Really appreciate it. Next, we're moving on to G2. This is our Selection of the Vice Mayor Position. Little background, in the past, the way El Portal usually has always done it is whoever is in the Vice Mayor Position, we usually maintain that individual in the Vice Mayor position.

It's the way we just usually do it unless they either step down, or unless they do something egregious to get the Vice Mayor position taken away from them. That being said, before I ask if there's a motion to accept and retain Vice Mayor Urbom as Vice Mayor, I'll open it up for either questions or comments from the council and then from the public. Questions or comments from the council?

Councilperson Lightfoot-Ward: Everybody wants a chance to do Vice Mayor. It's up to the Vice Mayor if he's going to be gracious enough to allow someone to be Vice Mayor. I just have faith in the gentleman. He's been on board a long time, and we got two other people who never been even higher than just a councilperson, so let's see if we can rotate.

Mayor Nickerson: Any other questions or comments from the council?

Vice Mayor Urbom: I'll just say that I learned in the hospitality industry to never assume anything. I really try to live by that, so I certainly did not assume that I would just immediately be Vice Mayor again. If there would be anybody else who would want to do this, then I'm certainly open to that discussion. I did not come in here tonight under any kind of assumption whatsoever that I would just be Vice Mayor automatically for the next two years, so I would say that Dr. Lightfoot-Ward and I are in agreement on this.

Councilperson Lightfoot-Ward: Having heard his comments, Mayor, in that, unless he doesn't want it, I like to see Councilperson Pirela engage the Vice Mayor position if you don't mind.

Mayor Nickerson: Okay. I'm going to ask for a motion for a name soon, but are there any other questions or comments about --

Councilperson Martin: Just quick comment. I do think that the fairest way to do it is to just rotate it randomly. Whatever that entails, I think it should be some sort of random rotation at a particular interval, which is what I've seen in other municipalities, and I think would be the fairest thing to do.

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Mayor Nickerson: Thank you very much, Councilperson Martin.

Vice Mayor Urbom: Just finally, I will say that I also do not intend to motion myself as Vice Mayor. If someone else motioned for me, then if it came down to a vote, I would certainly vote for myself, but I do not intend to make a motion on my own behalf.

Mayor Nickerson: Thank you very much, Vice Mayor Urbom. Any other questions or comments from the council? Okay. Moving onto the-- Hey [unintelligible 00:18:07]-- I kept it on too. I was like, "I think he's going to show up." I appreciate-- Good seeing you, Councilperson Brunson. Any question or comments from the audience-- you guys, from the residents, about the Vice Mayor position? No? Seeing none, hearing none. Moving back to the council. Would anybody like to make a motion for any particular individual for the Vice Mayor position?

Councilperson Lightfoot-Ward: I'll motion it.

Mayor Nickerson: Motion for which councilperson?

Councilperson Lightfoot-Ward: Mr. Mayor and council, he hasn't said a word, so I'm going to make the motion, and then the discussion will come that we nominate Mr. Councilperson Pirela to be the Vice Mayor of El Portal for the next two years.

Mayor Nickerson: Okay. Motion for Councilperson Pirela for Vice Mayor position for the next two years. Do I have a second on that motion?

Vice Mayor Urbom: I will second that motion.

Mayor Nickerson: Second by current Vice Mayor Urbom. Do I have any other comments or questions about this particular motion from the council?

Councilperson Martin: The question that I have is, the interval that we select new Vice Mayors is every two years?

Mayor Nickerson: It's every two years, yes.

Councilperson Martin: Is there any way that we can make that yearly so that--

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Mayor Nickerson: It's in the charter that once we have an election, then when the election is final, then we pick a Vice Mayor for the election period. That's in the charter.

Councilperson Martin: Good to know.

Mayor Nickerson: [unintelligible 00:19:42] charter review coming up, so-- [chuckles] Do I have any questions or comments about the current motion for Councilperson Pirela to be Vice Mayor, from the audience? Come up, say your name, and address for the record.

Pascal Depuhl: Pascal Depuhl. It's on?

Councilperson Lightfoot-Ward: No. No, it's not.

Pascal Depuhl: Pascal Depuhl, 177 North West 90th Street [inaudible 00:20:13].

Councilperson Lightfoot-Ward: It's not on.

Pascal Depuhl: Pascal Depuhl, 177 North West 90th Street. Just procedural-- Do you guys vote for it? Do we have any say on that? [unintelligible 00:20:28] Vice Mayor position [unintelligible 00:20:30].

Mayor Nickerson: The Vice Mayor position is a position voted on and appointed by the council.

Pascal Depuhl: Do we get any input on that?

Mayor Nickerson: Right now, you can say what you want. Yes, you can say what you like to say.

Pascal Depuhl: I love the job that Vice Mayor Urbom's done. I think he'd be a great Vice Mayor again.

Mayor Nickerson: Thank you very much. I appreciate it. Any other questions or comments, from the audience, about the Vice Mayor position? All right. There's a motion on the table, there's a second, for Councilperson Pirela to be the new Vice Mayor. No other questions or comments? Ready to take a roll call? We're good? Okay. Madam Clerk, may I take a roll call, please?

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Village Clerk Yenise Jacobi: Roll call. Councilperson Martin?

Councilperson Martin: Yes.

Village Clerk Yenise Jacobi: Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: Oh, yes.

Village Clerk Yenise Jacobi: Councilperson Pirela?

Councilperson Pirela: Yes.

[laughter]

Village Clerk Yenise Jacobi: Vice Mayor Urbom?

Vice Mayor Urbom: Yes.

Village Clerk Yenise Jacobi: Mayor Nickerson?

Mayor Nickerson: Yes.

Village Clerk Yenise Jacobi: Motion passes five to none. Congratulations.

[laughter]

[applause]

Councilperson Lightfoot-Ward: No, we did not plan this. [crosstalk]

Mayor Nickerson: Did your wife leave already?

Councilperson Pirela: She did.

Councilperson Lightfoot-Ward: We did not plan this.

Mayor Nickerson: Your wife and your mom leave?

Councilperson Pirela: Yes.

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Mayor Nickerson: They left?

Councilperson Pirela: Yes.

Mayor Nickerson: Oh my Lo-- Text her and tell her right now that she needs to come back. I need a picture. We need a picture with you as Vice Mayor. Tell her to come back. Text her and tell her to come back. [chuckles]

[background conversation]

Councilperson Pirela: You did a great job, yes. Can you guys come back? [unintelligible 00:22:11] select me as the Vice Mayor. [snickers] Yes. [chuckles]

[background conversation]

Councilperson Lightfoot-Ward: Mayor, come here. Mayor

[background conversation]

Mayor Nickerson: All right. How are we looking, y'all? How are we looking? Congratulations again to Vice Mayor Pirela. Vice Mayor, do you want to take your seat down here?

Councilperson Pirela: No, thank you.

Mayor Nickerson: You sure you want to sit up there? You sure? I thought this was the Mayor and Vice Mayor seats down here. Councilperson Martin, wasn't this the Mayor and Vice Mayor seats down here?

Councilperson Lightfoot-Ward: Yes, it is.

Mayor Nickerson: Isn't that the Mayor and Vice Mayor seats down here? [crosstalk]

Councilperson Lightfoot-Ward: That's exactly what he--

Mayor Nickerson: Right?

Councilperson Lightfoot-Ward: He doesn't have a problem. Come on. You got to get in there. [crosstalk]

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Mayor Nickerson: Come on down, Vice Mayor.

?Village Clerk Yenise Jacobi: Now you're on that red camera.

Mayor Nickerson: [chuckles]

Councilperson Martin: It's fun up here. Come on. It's fun up here.

[background conversation]

Mayor Nickerson: [chuckles]

Councilperson Lightfoot-Ward: I can't get on.

Mayor Nickerson: Look at the camaraderie. This is a beautiful council. The best ever. I'll order your new nameplate tomorrow. You guys like the nameplates I ordered for you guys? Y'all like them? Got the Esquire. Much respect. [laughs] I'll order your Vice Mayor nameplate tomorrow. I'll order your new nameplate tomorrow. All right. No problem. All right, you guys. Very good. Congratulations again. Vice Mayor Urbom, wonderful, wonderful tenure while you were Vice Mayor. Thank you very much.

?Vice Mayor Urbom: Well, thank you. I'm humbled. I really am.

Mayor Nickerson: Vice Mayor Urbom.

?Vice Mayor Urbom: Thank you.

[applause]

Mayor Nickerson: Just point of historic reference-- I know he doesn't like when I say this, but it's the truth-- Vice Mayor Urbom, when he was elected Vice Mayor, he was the fastest to hold the Vice Mayor spot in the history of El Portal. That's how much we appreciated him, and that's how much we believed in him when he came on. All right, you guys. Moving on to G3. This is Acknowledgement of the First Black (African American) Mayor of El Portal, Ms. Daisy M. Black. I have three individuals that I would like to have come up and speak about Mayor Black.

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I was going to say something but I'll just go right to it. Councilperson Brunson, come on up, Ms. Brooks, come on up, and Councilperson Lightfoot-Ward, step down. [chuckles] You guys, come over here for me. **[inaudible 00:26:46]**.

[background conversation]

We're going to have Councilperson Brunson speak first. I had the honor to serve on the council with Councilperson Brunson years ago. He was a wonderful councilperson. Clerk Jacobi could tell you. She loved when he was on the council. He was very truthful, very straightforward. All right. Vice Mayor Pirela's family's come back. Woo-hoo. [laughs]

[applause]

This is like a football game. When you think the game's over, and you leave the stadium, and then you hear everybody screaming because the team that was down starting to come back, and you're like, "Oh my God, let's go back in the stadium. What happened?" [chuckles] It's good.

?Village Clerk Yenise Jacobi: [inaudible 00:27:42].

Councilperson Lightfoot-Ward: Thank you, chief.

Mayor Nickerson: Let's do this real quick. Councilperson Pirela, let me have your wife and your mom come up really quickly, just in case **[unintelligible 00:27:53]** they don't have to wait throughout the meeting, we can get a quick picture with them.

[background conversation]

Mayor Nickerson: What's up? Come with me, guys. I want one also-- First, all of us, come on, and I want one with--

[background conversation]

Mayor Nickerson: Good? Got that? All right. We're good. **[unintelligible 00:29:22]**.

[background conversation]

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Mayor Nickerson: Oh, we're good. We're good. All right. Thank you very much. Let me just say as Councilperson Brunson gets ready to speak, you guys, Mayor Daisy Black being the first Black Mayor of El Portal in El Portal history-- Let me just say that, one of the reasons why she's special to me-- This will never be taken away-- is because when I first ran for council, my first elected official seat, the night of the election-- We get the results, they put it in the window, and the Village Hall is closed, you come to the window and you see the piece of paper and you see the results-- I came and when I ran for councilperson, it was, like I said, the first time I ever ran for anything.

When I ran, I had two sitting council people who had their own candidate in mind, who they ran against me. When I first signed up, it was nobody against me, and they purposely, these two Councilpersons, found somebody, one of their friends, to run against me. I was running **[unintelligible 00:30:59]** against that individual, I was unknown in the neighborhood, I had two other sitting Councilpersons who had been sitting for years that ran somebody against me. I remember that I was going door to door on my own. Maybe that's how I got used to doing these flyers door-to-door. You guys always see my door hangers on your door, I go door to door.

I was going door to door, all on my own, and I remember they hired a professional like election manager. A bunch of people were used to always just canvas the neighborhood. I remember I would go door to door and I remember that residents started to say, "Man--" I would go door to door and residents would say, "Man, they have a team out there. It's just you." I would be like, "Yes, it's just me." Residents would just start saying like, "Well, I respect you because you're doing it on your own, you really want it." where they were hiring students and stuff to go for them.

That's how it was. The way Mayor Black came in, when I went to her door, she was the first one to tell me that. She was like, "I respect what you're doing because you're doing it on your own and you really want it." Then the night that I won and that paper was there on the door, I saw the paper. I was walking back home and a black Pathfinder pulled up on the side of the road-- right here on 87th, as I was walking back home, pulled to the side of the road. Mayor Daisy Black jumped out, gave me a hug, said, "Congratulations. I think this is the beginning of a great future you have in politics."

She was the first one to congratulate me. Her not being here anymore, her passing away untimely, years ago, nobody will ever be able to take away that. She was the first person that told me, "You walking door to door by yourself, I respect you." She was the first person to

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congratulate me when I won my first elected official seat ever. That will always be there in my memory. Councilperson Brunson, Mayor Daisy Black.

Councilperson Brunson: Good evening.

Councilperson Lightfoot-Ward: Good evening.

Councilperson Brunson: I don't know [inaudible 00:33:08] on or not. It's on?

?Speaker: [inaudible 00:33:10]

Councilperson Lightfoot-Ward: All way up to it. Talk in it.

Councilperson Brunson: Testing.

Councilperson Lightfoot-Ward: See, right [unintelligible 00:33:17].

Councilperson Brunson: [inaudible 00:33:20] name is Aubrey L. Brunson, Sr. 70 North West 87th Street, long-time residents of El Portal, and former member of the council. Before I [inaudible 00:33:31] wonderful person, I want to thank the Mayor [inaudible 00:33:33] Omarr, my friend, for giving me the opportunity to speak about such a wonderful person, Daisy Black. I also would like to say, to the councilpersons, to the Mayor, Vice Mayor now, and ex-Vice Mayor, and to the Village Clerk, long-time friend, and the Village Manager-- I saw the Village police chief there-- that I certainly appreciate you all for the job that you do.

People may not always agree to what you do, but in your heart, you are doing the right thing. You are sacrificing your time with your family and your friends to do the job of the Village of El Portal. I personally want to say publicly, thank you for a job well done, thank you for your services. I hope that you continue to serve El Portal as you have done in these past couple of years. Thank you again. To my Mayor, a lot of you don't know, on weekends and holidays and days that you don't know, when he leave this building here, he does a lot out there in the community.

I caught him on several occasion with passing to some residents at the last minute when the family members came to me asking me about a resolution of something that they could get to show that they appreciated in the Village of El Portal. I'm telling you, at the last hour, the last minute. Your mayor, to some of the residents present, stood up and say, "Hey, I'll handle that.

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I'll take care of it.", came back to the office in the middle of the night and made sure he got a resolution. I witnessed him being at the funeral services the very next day.

That's important to me. That's important to me because you have a lot of us that love El Portal. We appreciate El Portal, we appreciate the work that you do again. I want to say thank you, Mayor, for your job that you do. When you say I was first, I was happy to hear that because I know Ms. Brooks, who's been a long time-- She never miss a meeting. When Brooks is out, something is wrong.

?Marilyn Brooks: [inaudible 00:35:51] something's wrong, [inaudible 00:35:52].

Councilperson Brunson: [chuckles] If she's missed, then I was prepared to come up and I say, "Well, I left my glasses." I want to recognize my wife for bringing her glasses. I'm going to see if I can get by this.

Councilperson Lightfoot-Ward: Very good.

Councilperson Brunson: I want to make it short. I just want to give you a little bit of background. He spoke about Mayor Black, and I, to attest that, when I ran for office, she was there. She was pushing me. I had a engagement out of town, and she literally took some of the flyers to the pole for me because I couldn't get over there. Then when she lost, I was disappointed-- No, let me back up. I was very disappointed when she lost, but that's the way election goes. She never gave up. She always been a servant in this community.

I'm going to give you a background to show some of that when I say this. Daisy, she was born in, Miami, Florida. She's a product of Miami, Florida. Daisy was educated in Dade County Public School system, attending Phillis Wheatley Elementary School-- We know where that is, right? Still in the neighborhood-- and Booker T. Washington High School over town-- Still in the neighborhood. She was a member of the-- graduated class of 1966. She also receive a bachelor science degree in Public Administration from Florida International University-- still-- and a master degree in Human Resource Management from St. Thomas.

Daisy was the first African American Mayor of El Portal. Prior to becoming mayor, she worked as a fire and police dispatch for Miami, Florida, the city of Miami. Joined the force in 1971. In 1981, she transferred to the Community Relation Department. She was involved in various crime prevention and youth empowerment projects. She was actively involved political organizations such as Democratic Black Caucus, Democratic Woman Committee, as well as

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many others. Daisy has received many accolades and awards for many organization, which are too many to name.

Daisy has been an active member of St. Paul AME Church, which I consider one of the best churches in Miami, Florida. From her early childhood, she has been a faithful member of the [unintelligible 00:38:07] board, serve as trustee and work closely with the [unintelligible 00:38:09] program. Now, those are the words of the background I want to say about Daisy Black. Personally alone, Daisy-- this is true stuff about Daisy. She always been in the community, wanted to do better. You might not agree with the way she went about doing thing, but her heart was always about the community. Her heart was always about the kids, the youth.

Then she took that same drive from the streets of El Portal and the city of Miami into her own church. Iggy, I see you. Good to see you. Chief, good to see you. I'm sorry, y'all. Just politics, that. [chuckles] Anyway, she took that to the church. I personally witnessed Daisy at St. Paul AME Church with the youth. She just took them in. She just took them in like it was her own. I also witness her paying for trips out of her own personal pocket. There was one individual that was out there, and Daisy said-- This was a week before her [unintelligible 00:39:16].

It was a young member of our church, was destitute and out in the streets. I said, "Daisy, you see him coming to church, this guy who's always coming to church?" She say, "Yes, Aubrey. I already set up something for him next week." I said, "Well, I'm going to join you. We going to do it together." We were going to take him shopping and get clothes and food and stuff like that for him and provide that for him so he could continue to come to church. A week later, that's when Daisy fell to her death. I continued to do the same thing that she wanted to do.

He lives on in St. Paul AME Church, the kids still traveling on trips in the name of Daisy Black. We recognize Daisy Black in our church every year. It's hard to replace a person like Daisy Black. I want to say thank you, Mayor, thank you councilpersons for giving me the opportunity to say just a short, few words about a good friend and a good person who's a member of this council, and a residents of Village of El Portal. Thank you so kindly. I appreciate it. Thank you all for your time.

[applause]

Mayor Nickerson: Thank you very much, Councilperson Brunson. Don't go anywhere because I have something for you, Councilperson Brunson. If you come up, Ms. Brooks, let me just say this. They can tell you this, but if anybody's wondering how Daisy Black passed,

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to show you that she was a lifelong public servant, she actually passed in the daytime as she was running for her county commissioner. She passed while they were about to go into an interview. The interviewers who were running, they were about to go into an interview for endorsements, and she was sitting out, in the lobby area when she ended up falling to her death. She died running for office.

Marilyn Brooks: Doing what she loved.

Mayor Nickerson: Doing what she loved. Ms. Brooks, the floor is yours.

Marilyn: Yes. My name is Marilyn Brooks. I moved in to El Portal on August 13th, 1984. Coming from New York, I was a politician without a degree in New York. I brought that with me. I came here the very day I moved in, to find out where I would vote, and I saw David. David was one of the policemen we had here. I ask him. He said he didn't know. They had a restaurant on North East second and 95th Street where that coffee shop is now, I went out there to get something to eat, and an officer came in there. I ask him.

He said, "Well, you going to have to go to the League of Women Voters to find out where you could become active." I did so. However, we had meetings in this building for El Portal once a month. I started to come to the meetings because I live here and I wanted to know what was going on here. After maybe three or four meetings, I was sitting on that side of the room. I looked across and I saw this Black lady sitting on this side. When the meeting was over, I approached her. I says, "You live in the area?" She said, "Yes."

I says, "Oh, I saw your picture up on North Shore. You're a part of North Shore hospital as well?" She said, "Yes." We became friends from then. We started to come to the meetings. It was just Daisy and Marilyn as club members, Black people. She said she was going to run. We became friends, and I think why we became close is because we had much in common. Daisy was hardworking. Anything she wanted to do, she was going to do it. I'm like that as well. I'm going to do it, I'm going to do it. We became close. However, I became the Clerk of Elections in here and we became closer.

I notice Daisy-- We would have the elections here and we had quite a bit of handicapped people, senior citizens that couldn't come in to vote. We would have to take the books out to them so that they could vote, and Daisy was right here. The next thing I know, Daisy said to me, "Ms. Brooks, we going to get a ramp." That ramp to me, should be named Daisy Black,

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because she didn't stop until she got the ramp so that the people could come in and vote instead of us taking the books out to them.

She started the Democratic Women's Club and she solicited me. I says, "I don't want to be no boss or anything, but I'll be a member." and we work together. I miss her. I really do. I don't see Daisy in this area anymore. She was hardworking. I thought that we should at least honor her with her name on that ramp because she deserve it. She's gone, but her name lingers on. I would appreciate it if we would do something about getting her name on that ramp.

Councilperson Lightfoot-Ward: Very good.

Mayor Nickerson: Thank you, Ms. Brooks. I appreciate it. I just wanted to say that-- This is why I wanted to bring this back up. Not only we're dealing with the 85th anniversary, we just had the informational exposition, which was wonderful. You guys know this. When Mayor Black passed, we went to the funeral. We did that, but it was like, after that, she was just forgotten about by the previous administration. I say under this administration, I want to make sure that she's recognized the way that she wasn't when she passed. That's why I'm doing this today.

Marilyn: She was Mayor for four terms.

Mayor Nickerson: Oh yes, absolutely.

Marilyn: Four terms, not four years. Four terms is 12 years.

Mayor Nickerson: Absolutely. She was Mayor for a long time. Councilperson Lightfoot-Ward, who was also a Mayor in the past.

Councilperson Lightfoot-Ward: Thank you, Mayor Nickerson. She told the story. She told the facts. I'm going to tell the person. He told the history. Well, you got all written down, everything. Daisy Black-- Daisy M. Black. What was the M for?

Marilyn: I never found out.

Councilperson Lightfoot-Ward: I didn't either. Daisy Black was a firebrand. This was an ugly village. Anybody from a foreign country, anybody that didn't look like everybody that was already on the council, this was a ugly place. Daisy, however, was an inspiration, Mayor, such that she didn't really care what you thought about her. She had a job to do, and she was

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going to do it. My relationship with her was because we were both doing things at FIU. I cut my teeth, but for FIU, I probably wouldn't be here right now.

I tried my best to figure out why would you leave FIU, Daisy, and go to St. Thomas when you could've stayed at FIU. Then it dawned on me, when she got her degree, there was no master's in Public Administration at that time. That's why. We never had that conversation. She was dear to me because she said, "I can't do this all the time. Doc, you stand up and you root for the underdog." That gentleman just walked in there is Attorney Joe Geller. Joe was one of the people that said, "Yes, you come up here and you talk, but why aren't you on the council?" At that time, he was this village attorney.

He say, "Why don't you run?" It reminded me that when he didn't know anything about the village, it was he and I that was talking. Well, that was because of Daisy Black, so you need to get to him. I did just that because he could tell me what I didn't know about this village and I could tell him what I knew about public administration. That's a long time ago. Daisy's on my heart consistently because it was she-- Whoever heard of a thing? I'm the elder one. She's '66. She's 1966. Did I just hear that? 66? I'm '52. I'm 1952, baby.

She's telling me, "You need to be up there. While I know that you're up there, I will never run against you, but I will always push you." That's how I got up here, Daisy Black. My role was to just give the council pure hell-

?**Marilyn:** Like you did.

Councilperson Lightfoot-Ward: -like I did, because they did not appreciate the multiethnic grouping that was happening in this village. That's all I wanted to do, but the people said otherwise. That's why I'm still actively engaged here. The Alka-Seltzer, the thing that boiled, got me in here was Daisy Black. You're absolutely right. She was not doing it for herself, she was doing it to make change.

This was not a very nice place, Mayor, at all. This was not a very nice place, so I didn't care what I had to do to make it right. Why? Because we all live here. We all appreciate a little, tiny village with less than 2,700 people living-- Most people in Miami-Dade County don't know we exist. We are unique, we are still growing, and we're going to be here. True story, Mayor, while that time in history was approaching, was in its reality. There was a motion to annex El Portal to Miami Shores. Who but me know a lot about government? If you're a city manager, you know everything, right? I said, "It's not going to happen. It's not going to happen. We are

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a bonafide, constitutionally-recognized State of Florida village, and nobody can annex us off." Oh, I was hot.

That's how I got on the village council. Something had to be personal that I knew was administratively wrong. She said, "I told you, you need to be on the council." I just bless God for Daisy Black, I really do. If you did not get to know her, it's okay, I did. I got you. She was a firebrand, and Mayor, you almost got that story right. She had just finished her interview with the fire-- like the police, but never-- the fire people.

She had just finished her interview with them to be endorsed for the position, just finished it. She didn't take five steps from that because they were in like a lobby area, and they were interviewing on the stage. She took five steps off of that, out of that interview, and fell dead. She wasn't dead, she was resuscitated but not to any well doing. We will remember Daisy Black, not because she died dramatically like that but because she was dramatic in her life. Thank you, Mayor.

[applause]

Mayor Nickerson: Let me have you back, Councilperson Light-Foot Ward, let me have you Councilperson Brunson, Mrs. Brooks. Let me have you guys come up to the front real quick for me. Attorney Geller, yes? I had you on my list, but when you were talking about being so sick, I was like-- Come on up. I had you on my list, but then you said, you were so sick, I was like, "Okay, I'm not going to force him to do it."

[indistinct chatter]

Mayor Nickerson: Turn your mic on.

Attorney Joseph Geller: Daisy Black was one of the great public servants that this community has ever known. When I met her, she was the only African-American council member in El Portal in its history. She busted up an all-white boys' club here that was doing a bunch of terrible things. She and somebody who was not yet on the council, Phillip DeRose, that I knew, both from Democratic politics, approached me. They had a council here that locked the doors during the public hearings and would not let the public in.

I went to court on their behalf and sued and got a court order that they had to open up the doors of this chamber so that the public could come in and hear the budget. As soon as we got that

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order, they all resigned, the Mayor moved to Colorado, and they abandoned the village. There had never been a Hispanic, there had never been a Haitian, and before Daisy, never had been an African-American. That's why after they all left, taking their city attorney with them, we had one guy who had been city attorney for 50 straight years till he passed.

That's how I came first to be the village attorney here. They said, "Well, now we're here, we're a council, we need somebody." The suit was 1994, and I started here beginning of 1995. Daisy became the mayor. Then, for a while, she wasn't the mayor, then she came back and she was again the mayor. She was also the president, maybe the founding president, and certainly one of the first ones of the Democratic Black Caucus of Dade County. There were some great people who came on the council during those days.

Yes, you had this great member of council, but [unintelligible 00:54:46]. One of the local residents, Annie Rodney, who happened to have been a high school teacher of mine, was very active, and she was a supporter, Phillip DeRose became the first Haitian-American member of the council, and later the mayor. I remember, among all the things that Daisy did, I remember very clearly, even in later days, she had a rally right here, in the Park in Sherwood Forest, against gun violence that I attended and was one of the speakers at.

She was an activist in every sense of the way, she loved this village, she was the predecessor of people like Audrey Edmonson, later the Mayor, predecessor of my friend, the Councilperson, who was just talking about her. She was a great lady with a big heart, and she loved this village, and she did a lot of very historic things for the Village of El Portal, and she is dearly missed. Left us too soon.

Mayor Nickerson: Can I have the four of you guys put to the front, please?

[applause]

Mayor Nickerson: I have something for you. Since Daisy Black was the first Black-American mayor and was a fighter, here is a shield of armor, which is black, and it says, "Daisy M. Black," See I got the M there. "Mayor." As our first African-American mayor, your historic legacy will always be remembered. Village of El Portal, 85th Anniversary, 1937-2022." All four of you are getting one of these.

[applause]

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Mayor Nickerson: Let's get a picture with them. Madam Clerk.

Councilperson Brunson: I'll tell you, this mayor is [unintelligible 00:57:37]. We used to sit next to each other on the [unintelligible 00:57:40]. I used to tell him. I said, "Hey, man, don't [unintelligible 00:57:44] tonight. Don't be thanking everybody, you love everybody," and he always carried that smile.

Mayor Nickerson: I love everybody. You guys, come to the--

Councilperson Brunson: [unintelligible 00:57:54] poking me on the side. [unintelligible 00:57:56] It was a wonderful time. He still with the same heart. [unintelligible 00:58:01] somebody who's just putting it on and [unintelligible 00:58:05] side. All these years [unintelligible 00:58:08] he was saying-- I said, "That's a blessing. That's a blessing." [unintelligible 00:58:13]

Mayor Nickerson: Attorney Geller, let's get you on the other side so we have [unintelligible 00:58:20]

[indistinct chatter]

Mayor Nickerson: Can we get the council?

[indistinct chatter]

Mayor Nickerson: Thank you, guys.

[indistinct chatter]

Mayor Nickerson: Make it easier.

[indistinct chatter]

Mayor Nickerson: I appreciate you.

[indistinct chatter]

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Mayor Nickerson: All right, you guys. One more thing I'm going to rock and roll. Mr. Garmin, come here for a second. We're almost done. Come here for a second, Mr. Garmin. Councilperson Lightfoot-Ward, step down for a second.

Councilperson Lightfoot-Ward: Step down?

Mayor Nickerson: Yes. First of all, that's her husband. That's her husband right there. We just had Veterans Day, you all. Veterans Day just passed and these two individuals, husband, and wife, are two of the distinguished veterans, and war veterans of course that live in our community. Even though we didn't have a council meeting right before Veterans Day, this is right after Veterans Day, so I did want to recognize them for Veterans Day. It has their names on it, Mr. Dwight S. Garmin and Dr. Anna E. Lightfoot-Ward. It says, "The beat of the nation is sustained through the honor, duty, service, and sacrifice provided by you. Thank you for your service. Village of El Portal, 85th Anniversary, 1937-2022."

[applause]

Councilperson Lightfoot-Ward: Everybody. I'm going to let him speak.

Mr. Garmin: Thank you, El Portal. Just thinking about some things we talked about tonight, especially Daisy Black, I want to bring it up for just a few seconds. I'm not going to be long, but this little plaque means a lot to me because it's coming from a village that I love, I have grown to love, next to my wife, of course. What you do is wonderful. It's exciting and for all of the veterans out here tonight, those that can't be here, this is for you. Thank you.

[applause]

Councilperson Lightfoot-Ward: Thank y'all. Thank you, mayor. This is an emotional moment. You don't go to the military because you ain't got nothing else to do. You go to the military because you want to and we're Vietnam-era veterans. Thank you, mayor, and to everybody else in this Village that's a veteran, we're going to make the day a meaningful day from this year forward.

We put the reef down every year, don't we? We're going to actually make this-- I don't know how many veterans are in here, but we need a monument. I saw one recently. I think it was North Miami manager that listed everybody that had served and particularly those that did not come back. It means something to get something like this. Now it ain't more than that DD214

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that really gets us benefits from Social Security and everything. It's not like that but this is very touching.

I would never have believed I'd ever get anything. We just didn't go for that reason. We went because we wanted to serve our country and we knew from the beginning we might not come back but we did come back. God bless you, mayor. You're such a sensitive person, but this one right here, you just broke me. Thank you, sir. Thank you all.

[applause]

Mayor Nickerson: Thank you very much, everybody. I know that sometimes people look and they're like, "Man, the mayor's always doing these awards and it takes a long time," Councilperson Martin. I think we have to understand that first of all, and we know this, you never know when-- you don't know if next year we're all going to be here. Right? You never know and so it just seems so many times.

I know people complain, "Man, the mayor's always giving out awards," but these people deserve to be recognized. I mean you see how much it means to everybody first of all, right? Secondly, they deserve to be recognized as much as possible while they're still here. Why do we wait till everybody dies to recognize everyone? The meeting started at 7:00, right? After 7:00. This is 8:09. It was an hour, you guys.

Now we're going to roll through. We only have two more agenda items left. One's going to take like two minutes and the other one is short-term rental, and you know you guys can say what you want. All right so that's what it is but I appreciate that. I appreciate the patience because it means a lot to be able to recognize individuals while they're still here, okay? That being said, let's move on to G5, you guys. Remember G4 was lumped off till next month. Let's move on to G5, the Charter Review, and Revision and Resident Board Announcement of Procedure.

You guys remember last time we spoke about the charter review. We have to start the process in 2022 so our last meeting of the year is next month. December 13th is our last meeting. By the end of this week or by Monday morning, I think we said, myself, manager ALou, and clerk Jacobi we almost have the sheet just to put on the website and send out to the residents. Just let them know, "Hey, if you want to be a part of the charter review board, it has to be a resident-run board, you guys." Okay.

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They're going to go through the charter and they'll have meetings, they'll go through the charter and they'll come to the council with recommendations, okay? We don't have to take those recommendations, we'll vote on those recommendations and if we want to pass those recommendations through, they will go on to the next election, all right? They will be part of the next election and then at the end, the residents will vote on if they want to make that Charter change or not to the Village of El Portal Charter. All right.

I just want to say that that by next Monday it will be email blasted and I'll probably even walk it around to the residents to let them know that the charter review is happening. If you're interested on being part of the charter review board, then just let us know. I already have four people that I spoke to that said they would do it.

We just need a minimum of seven between all of us as we spoke last time, but we need to have that done. We need to have at least seven by December 13th because per Charter this has to be ignited in 2022 and December 13th is our last meeting to get those individuals on that board. As far as going through the charter and the completion of the charter review it does not say anything in the charter whereas when it has to be finished and completed.

As long as we establish the charter Review Board in 2022 then they can take through 2023 and even part of 2024 to get everything done because the next election cycle is not for two years. They have two years to get everything done so that we can get it in. Okay? That's all I want to say about that.

Councilperson Martin: A quick note. Will we have an opportunity to see the advertisement before it's actually e-blasted out?

Mayor Nickerson: Of course, yes.

Councilperson Martin: All right. Awesome. I just would want to review it just so because I do think a lot of residents might need an explanation of exactly what they're going to be doing and some sort of idea of the time commitment related to that.

Mayor Nickerson: Of course.

Councilperson Martin: Those things probably should be clarified so they know what they're getting into.

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Mayor Nickerson: Of course, the interesting thing about the time commitment is, unless we come up with it, until the board is created and we see their schedules because the individuals I talked to, for example, they said, "Well, how often will we meet?" I said, "Well that's up to the board members." Since we don't have in the charter where it says it has to be completed within six months or it has been completed within a year, it has to be completed prior to the next election cycle because you would have to go on to the next election cycle. That would be probably like a year and a half at the moment.

Councilperson Martin: I think even that should be stated, right?

Mayor Nickerson: For sure.

Councilperson Martin: That the frequency of meetings and times of meetings will be determined after so people don't automatically deselect themselves because they believe like, "Hey well I'm not going to be able to meet if it's an every Tuesday thing." Just let people know there's a variety of ways to do this thing and it's up to their availability. I think we might get more participation that way.

Mayor Nickerson: Perfect. Thank you very much, Councilperson Martin. Any other questions or comments about the charter review? That's good. Any questions or comments about you guys? Okay. All right the next is G6 short-term rental standards regulations fee-less and directory discussion. All right so I know that we have already voted on the short-term rental ordinance and last meeting we voted on the gov pilot program which spoke about the fees.

This was first brought up to me because Mr. Pascal who we all know, he did bring it up to me, but there were also a couple of other residents that called me and they run short-term rentals. They were just concerned because they said that, when we had the last meeting where we voted on the gov pilot program, they didn't understand the clarity as far as what the exact fees were. In those supporting documents we had the manager's memo and it showed from \$700 to \$900 in between or something like that, there was a range.

The resident said, "Well what are we going with? Exactly what's the range? We understood you guys spoke about the gov pilot program, and voted on the gov pilot program and the memo, but it wasn't clear to us as far as exactly what this fee was going to be, what this fee was going to be, what this view was going to be, what this view was going to be." They expressed that when Mr. Simmons who was very knowledgeable about that said that, first to gov pilot program has to be set up and then fees will be implemented.

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They were saying they were confused with the clarity as far as exactly what the fees were, that's how this came up. There was a meeting with Mr. Depuhl and Mr. Russell, the Village manager, Mr. Simmons, Mr. Geller was also in that meeting through the phone. When that meeting happened, Mr. Geller suggested, he said, "Well you guys you know your residents, you have a right to ask about it. Maybe come to the next meeting with written down in black and white exactly what your questions are."

That's how this came about. I also got a call from a couple of female residents, a couple of mothers about this and even Mr. Russell, a couple of questions came up as far as-- because it speaks about a boarding house in El Portal so as far as the difference between short-term rental, long-term rental and a boarding house.

Because some of the same requirements for a short-term rental are the same for a long-term rental but it's a different type of situation and then boarding house also so that came up. What's the difference between short-term rental versus month-to-month? What's the difference between short-term rentals that are advertised and non-advertised? Because how do we catch the people who are not advertising them, it's not fair to those who follow the rules.

Also there was a big discussion and question about something that had came up when first started doing it was the owner-occupied versus the non-owner occupied. Some of the residents said that we never really cleared that up. At one point we said that that wasn't legal to differentiate I believe but then Hollywood does it and a couple of other places do it. They said so we didn't really clear that up to where they knew if we could do that, differentiate between owner-occupied and non-owner-occupied.

There were still a couple of questions about inspections and how they would be implemented and handled. Again, the clarity of fees was a big discussion and they were wondering about possibly having more of a lighter registration fee and harder penalty fee because those who register and follow the rules shouldn't have to pay the large costs upfront if they're registering and they're following the rules.

I also had a call from a mother, a single mother who was concerned because she said ever since COVID and her job situation changed, ever since COVID, and she said now because of inflation she said her having a short-term rental was beneficial with her getting herself and her children through these hard times COVID and now with the inflation the way it is. She was just concerned that having the higher registration costs might turn her out of being able to do

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a short-term rental which she feels that in this time and age might not be fair necessarily to the residents.

I explained to everybody who I spoke to that this was not my item, this is Vice Mayor Pirela and Councilperson Martin's item. I'm not trying to hijack that item, but I didn't want to talk to these individuals on my own being that they were all calling me, because like I said it's not my item. I think that they have a right if not just one last time to explain what their points were not only to me but to the council as a whole.

I said I would put this one as a discussion item. The reason I have it as a discussion item is because they can just say their points and you guys can listen to their points and just see what you think about those points. I understand that we had a town hall which was very in-depth, but I think that there was still some confusion coming out of our last council meeting. Councilperson Martin, Councilperson Pirela.

Councilperson Martin: I was not a part of the meeting on-- I believe you had it on Thursday so I don't have a really clear idea of all of the complaints that came from that so I'm just going based on what we're discussing tonight. As far as the fees, I do think that everyone that has an issue with the determination of the fees last minute, that could be a valid point because even I on the day said, "Hey what are we doing tonight? Are we determining the fees or not?" I do think that there was a clear way for that to be communicated in a more robust discussion that could have been had as it relates to the fees.

However, the presence of the ordinance as we've read it twice already, the ordinance it is in effect as to what the fees are I think we can start discussing the conversation about the associated fees. Any of the conversations relating to whether or not we should have the ordinance, I think we've had robust discussions around that and we can restate some of those points but those are restatements.

As far as it relates to how much it costs to administer the program, definitely I think-- I know what I think should be the number that we land on and what information we should rely on. Whatever information that you got from the group that you met with on Thursday, I would be interested to hear as to what the prevailing thought was with that group.

Also in the future would love to have some more time because with any item that is passed, of course, there is going to be certain people that agree with it and certain people that don't agree with it. Usually, the people that do not agree with it are the more vocal group of people but not

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necessarily the only group you should be listening to so that you can make a sound decision. I know that we're going to hear a lot of things, I think skewed to one set of interest and I'm interested to hear that, but I also would have loved the opportunity to hear the competing side as well. I don't think the way that it was noticed tonight anyone who is ecstatic about the numbers we came up with or the ordinance would know that this was the time to come to this meeting and state their support of what was done in the last meeting. That's my position.

Mayor Nickerson: Thank you very much, Councilperson Martin. Yes, I definitely understand that. I think that when it comes to the way I like to do things a lot if anybody being that we just had this vote last meeting and there was confusion with the fees necessary, that's the reason why I put that on here. That's the reason why I put a discussion, for that particular purpose. Like you said, Councilperson Martin, everybody who-- whenever we pass something, there's going to be people who agree with it and people who disagree with it.

Then we always will hear more from the individual who disagrees with it which is true. I just want to-- this is my attempt to-- it's like the last throw to get these concerns out of the way and addressed so that we can decide if there is more discussion that we want to have about fees or if there is more discussion-- or we could decide, well, you know what, we hear these final concerns. We feel like they've been addressed, or we feel like, we addressed them enough, or whatever. You can go and we can go about it that way.

I think that since this is fresh, I think that since this is such a big ordinance you guys worked on and put together, that I believe one last discussion piece, the month after, the meeting after we implemented the fees, which is the fees, the most important thing for people. That we should at least have this one final discussion about it.

That's the reason why I put this on here. This is not something that, I would plan-- like I wouldn't do the same thing if it was eight months from now, let's say. You know what I mean? But it's still a fresh thing. It's a huge ordinance, it's a huge change to El Portal when it comes to an ordinance. I just think it deserves that weight because you guys did a wonderful job and we just spent a lot of time working through it.

Councilperson Martin: My question is always the procedure. I feel like the procedure was set out. We, read it twice and then we would determine the fees. The ordinance was read twice. I think the procedural aspect that I agree with some of the emails that I read is that the fee portion was not as clear as it could be in any way. I understand why there is some reluctance to accept and I'm willing to hear discussions on that piece for sure.

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I also want us to procedurally understand that with every decision we make, there's going to be groups of people that want to revisit the decision. To a certain extent, part of it is being firm in that you did your due diligence before you made the decision, the decision was made. You can hear new information, but you also want to be realistic with the people that you're talking to about what your position is and reasonably, the room there is for either deviation from the stated course.

I just don't want to give anybody any I guess false hope that the ordinance will not be put in place. I just want to let everyone know that the conversation we're having is limited to what the fees will be. In addition to that, would love guidance from the village attorney as to whether or not the resolution that we passed last meeting would qualify as the resolution that would be necessary to set the fees for this ordinance.

I think it was so convoluted that it probably is not, and therefore maybe we haven't even set the fees as of yet. Maybe this is a conversation that we need to enter into now or notice in a future meeting in a more clear fashion. That's my position on it, but I'm willing to hear the discussions on what it was that happened in the meeting and what it is that everybody is thinking around the fees that were discussed in the last meeting.

Mayor Nickerson: Thank you very much, Councilperson Martin. I think that is exactly what you said, this all just came about because of the fee situation and the confusion about the fee situation. That's how this all even came up. Let's just say for the record that when this meeting was made, the reason why there was only one council person there is that, for Sunshine, you know how that goes. I tried to get as many people there as possible with the residents calling for the meeting, calling for meeting.

That's why I tried to, Mr. Simmons was there, Attorney Geller was part of it, Manager Alou was part of it. Just so that everybody would be involved as far as that's concerned. Vice Mayor, that being said let's have an individual come up, state your name and address for the record. I remember Attorney Geller said, have some notes so that we can go right to it, and let us see what you have to say.

Pascal Depuhl: Good evening. Pascal Depuhl, 177 Northwest 90th Street. First of all, thank you so much for your service. We really appreciate it. Congratulations on being vice Mayor. That's exciting. Thanks for pointing out the resolution, because I had actually called the mayor on that a little earlier a couple of days ago or yesterday. I had flown in that day, so I hadn't had

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anything here printed out when I was here at the last meeting. When I reread the resolution today, it doesn't mention fees at all.

When I looked at the transcript, when Attorney Geller read it into the transcript, it's the same thing. It just talks about the Gov Pilot. I was sitting here going, "Okay, great. Gov Pilot. Sounds great. Okay, fine." Waiting for another resolution to pass on the fees. Then when you had the conversation with Councilperson Pirela this time--

Councilperson Martin: No, we agree on that point.

Pascal: You were asking-- When I came up to the mayor after the meeting, I said, "What just happened? What am I going to pay now?" He wasn't able to tell me, Vice Mayor Urbom at that point, I'm sorry at that point, wasn't able to tell me. You were telling Councilperson Martin, what the fees were and they were close to what was in the memo, but not really.

There was confusion when you guys voted. It took from the time that you guys said, "Hey, what are the fees," to the time that you voted 29 seconds, once you look at YouTube. We just sat there going, "What just happened?" We all know, we had a workshop for three hours talking about fees. We've been talking about fees for a year now. I read through the council notes from the last year and we all have different fees, different numbers that we talk about, that range from \$10.

Thank you very much for that. In the beginning to \$750 on the memo. At the end of the day, there was no discussion last time about any other fee structure than what the manager had said. There was no recollection of what you guys had said on the Dias. There was nothing about what we had suggested and asked for. That's why we're here today. We have a representative here that's from Airbnb. He or not from Airbnb.

He is a community organizer in West Palm Beach for Airbnb that can shine a lot more light on all of this, what we're talking about today. His name's Brian. We've invited him here. He's made the two-hour trip down here. Thank you so much. He's sat with us here for an hour and enjoyed everything that's happened so far, but I'd love to have him have the opportunity to come up and share a little bit about that. If you don't mind.

Mayor Nickerson: Say your name and address for the record.

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Brian Ross: Brian. Brian Ross, 135 Greenwood Drive in West Palm Beach. Not a resident here. Thank you for having me. I'm actually standing in for the community leader for the official community leader for Miami Dade. She's unfortunately away on a medical leave, so we're covering for her. I just wanted to take a minute and talk to you a little bit because I do visit a lot of these-- by the way, I have to--

This is probably the coolest city meeting I have ever been to. Truly. I enjoyed, I mean, the vibe here is just phenomenal. I do a lot of these in West Palm Beach, I can promise you they're not this pleasant. In some of the smaller communities, I feel a little bit like Frankenstein with the torch and pitchforks. This is a beautiful place.

Actually, you're talking about all this tonight got me into the idea of why I do this. I'm a volunteer, and I love community too. One of the reasons I host people in my home is because I realize that when I travel, I love to go visit places because I like to be engaged in the community. I don't think going and seeing a bunch of ruins or going and seeing the museum downtown is necessarily how you understand the life of a community. You do that when you come to visit a place.

That's one of the beauties of Airbnb and why they are different than other places. Also, thank you for calling them short-term rentals, because Airbnb unfortunately gets used as a verb way too often. Short-term rentals vary a lot. Airbnb is a very community-focused, very community-driven organization. VRBO, HomeAway, I can't speak to because we don't work with them, but what we've come to understand is that there's a bunch of problems here in Florida. Honestly, the state has this law, the STR law is their law. They by law are allowed to inspect, regulate. They have taken all that away from the cities and counties. I understand that. I understand that it would be great if we could all just magically make all that go away. We have a transient law that frequently conflicts with the STR Law. We have home-based business law that the governor introduced last year that now actually adds a whole another layer of complication on top of it, because all those home-based businesses and the STRs actually have to be regulated and run the same way and they're all coming from that top down.

The terrible part about that is it takes away from the community the ability to have a voice in what they do, and you guys clearly want to be able to do something with that, and I can appreciate that. What we want to do though is I think find a way to not always come at it from a very-- I'm trying to think of the right word, aggressive manner. The people who host Airbnbs live in the community are good people. They want to showcase their places. They try their best usually to take very good care of them.

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Do we have situations where parties and whatnot occur? They did. Airbnb actually bans those. You can actually be delisted permanently now if you have a party in your house. If you all complain and we now have new ways of doing that. I'm going to give your chief of police there a nice link we have that sends stuff straight into an Airbnb emergency number so if somebody is having a serious problem, there will be people there who will work with them and get that listing taken care of very quickly.

There's also now a new community group listing that's for people like you, so that if you want to communicate with Airbnb about the things that you want to do with the community that we can interface and all work together. That's really what I'm here to also come and offer you is the ability for all of us to actually talk and do something positive. If you're having an issue, if there's a problem, all of us who host don't want to see problem people either.

It's bad for our business, it's bad for the community. Nobody wants that, and I know you don't want it. Oftentimes I found at least when I've been working with my friends up in places like Lake Worth and West Palm Beach, is that we can reach out and work with each other. We can set up some sort of advisory committee of people that work in our field so that if there is somebody that's creating a problem and you flag them and put them into the community system to complain about the Airbnb, we hear about that, we'll go back and we'll visit with them.

Some of them need just education, some of them need remediation that's stronger than that, but as people who are hosts in our community, we want to participate in making things better, so that's important. I also think that it's important to be very careful about passing ordinances because I've seen already that there is a back exposure to passing ordinances that preempt the state. You all just took your oath of office today, and you also swore to protect and uphold the laws of the State of Florida.

Well, the laws of the State of Florida say that short-term rentals are the purview of the DBPR, and as such, that means that we have to find a way to maybe figure out how to get the kind of community quality we're looking for without necessarily having to put the thumb down on that. Also, in terms of fees, just so we're clear on that too, from what I understand, because I did check with some people at Airbnb Legal, just to clarify before I came down here.

Fees can only be assessed to the point of taking care of whatever needs you have in terms of administrating and operating something. The fee can't be variable. You can't make a fee that is onerous enough that it puts people out of business. A \$700 fee for some nice single mother who is trying to run a room in her home, that doesn't work, but to set fees up that are appropriate

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to whatever management you have to do, if you're running software or if you have to have people with code enforcement do certain things, that's fine.

There's a lot of things cities can do to regulate Airbnbs or STRs from the standpoint of things that the DBPR doesn't do. You could regulate everything you do relative to homes in general. You can regulate trash. You can regulate street parking. You can do all the things that you can do externally, but once you go inside that building that is the purview of the DBPR. What can we do, though, to make things better? We don't have a whole lot of Airbnbs in this area to my knowledge. The number of STRs-- What was it that you said, Pascal? What is the estimate you had roughly?

Pascal: 40.

Brian: About 40. Okay. This is such a nice community. You guys are also good at talking to each other. Isn't there some way that you can also just kind of get together and come up with a way to manage these things so that everybody can talk real well?

Mayor Nickerson: Yes, I think there's a couple of things. First of all, as far as how you were saying like we could communicate and there are ways to do things. I think that the manager and code enforcement officer Simmons, they've been the ones that-- what you said, you can charge through or have fees through a program, right? That's what they did through the Gov pilot program.

I think that also they would be open to any help. You said there were certain boards, and there were certain ways that you communicate with Airbnb. Those are all great things to know. It doesn't hurt to communicate with Airbnb if we're having a problem or something like that. I think that the first question is the fees themselves, right? I think that's the first question. The fees themselves. What exactly are the fees for a new registration fee?

What exactly is the fee for renewal and things like that, which I think are in the memo, but we might want to clarify those. I think the second question though is the resolution and the way the resolution last month was written, Attorney Geller, and if the way the resolution was written, was it even clear enough to where that resolution can be used to put the fee structure in order to where the ordinance would then be in effect? I think that's another question also.

Village Clerk Yenise Jacob: If I can jump in for a second. This is where I wanted to avoid the confusion because you said something. You said instead of these ordinances, we could do

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something else. The ordinance is already here, right? It's been read twice. The ordinance is in place. This is the route that we've chosen. We've picked this pony, right? In addition to that, I know that you're telling me about all of these great touch points that you can essentially have the community regulate itself, but this is unique to Airbnb.

You're not speaking as the Vrbo or any of the other multitude of platforms that are out there. Essentially we are really getting one side of a very multifaceted coin, right? What you are able to do as a representative of Airbnb, which I'm sure is an outstanding platform, and proactive as it relates to party houses and all those things, you cannot provide the same assurances for something like Vrbo or these--

Brian: Vrbo.

Councilperson Martin: Okay, Vrbo. There are other ones. A multitude of sites, right?

Brian: Right.

Councilperson Martin: Those are the two points. I take what you're saying and I believe what you're saying wholeheartedly, but I do think that that's a small piece of the puzzle that we're trying to target. The second part is we have already passed the ordinance to determine that we're not preempted from doing what we're doing. We're definitely preempted from saying, there shall be no Airbnbs in El Portal, but we're not preempted from making reasonable rules and regulations by which short-term vacation rentals may operate in the village.

I would reassure my council that we have a village attorney that is backed by a great legal team and is also an excellent lawyer himself. I happen to be a lawyer as well who has explained to us that we are able to do what we're doing. Whoever you spoke to at Airbnb Legal, you might want to clarify that piece. Those are the two items.

For me, since the ordinance has already passed, I would say what we need to be focusing on today are the fees and whether or not the resolution that was passed last meeting was sufficient to determine the fees, which I rightfully do not think that it was. However, I think to keep the conversation tonight productive and in the essence of moving things forward, we should limit this conversation to what are the appropriate fees for the ordinance that we have already put in place in the Village of El Portal? A conversation surrounding that I think would be welcomed.

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Pascal: Sorry, just to clarify real quick. Vrbo and Airbnb are working together and have the same kind of structures in place. Those two are the biggest platforms that we use as STR.

Councilperson Martin: The biggest, but not the only. Let me ask our Code enforcement Officer, Mr. Simmons, are Vrbo and Airbnb the only platforms that allow the reservation for short-term vacation rentals, the advertisements are short term vacation rentals?

Simmons: No, there's various sites [unintelligible 01:39:39]--

Councilperson Martin: Do you have a rough estimate as to the number of those?

Simmons: No.

Councilperson Martin: More than ten?

Simmons: As they stated, those are the two that are frequently used the most, but not the only. It's not limited to Airbnb and Vrbo.

Councilperson Martin: Okay. That's definitely good to know. Could the attorneys speak speak to me as to whether or not that resolution that we passed last meeting was sufficient to pass, to set the fees for the ordinance, or should we be engaging in that conversation at a later advertised meeting?

Attorney Joseph Geller: [silence] Anything that's set by resolution, you can amend any time provided there's notice of what you're going to do. I don't think necessarily the question is what you did sufficient. The issue is really are you satisfied with the structure or do you want to change it?

Councilperson Martin: I don't think it was even noticed, because in the resolution, I don't think there was any mention as to fees, which is why I have this question mark as to did we set the fees?

Attorney Joseph Geller: I don't have it in front of me, but the bottom line is okay. Thank you, sir.

Brian: Ms. Martin, the problem is with all due respect, the fees may red flag you. Depending on what you're collecting, if you're collecting fees to inspect someone's property, that may

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conflict with the DVPR's to do that because it has passed. I'm saying if you have fees for something that stays out of that purview, hey, then you can do that.

That's perfectly great, but if you don't, you may find yourself in a situation where you're in conflict with the state. Now, has the state enforced all of this? Not as much as it has previously, but I do understand that between small cities like yours trying to speak to the state about this and also the constituents like Vrbo and Airbnb speaking to them. There's going to be some shifts in the legislation and you probably want to avail yourself of whatever information you can from the state level because you want to be consistent with them at the very least.

Councilperson Martin: I appreciate that input.

Attorney Joseph Geller: Can I answer you.

Councilperson Martin: Sure.

Attorney Joseph Geller: As I understood the resolution, it was basically that we were purchasing the software. That was a resolution to purchase the software and to use something to enable us to administer it. That is not a resolution that's designed to specify fees. I thought we had talked about that previously, but that resolution is about the software and about the administration, because there had been a prior discussion led by the manager that we don't have the administrative staff to do all of that administration ourselves.

I would not say that that resolution is a resolution designed to set the fees to be charged to the residents. It was about how we would administer the program and what software we would use to administer it.

Councilperson Martin: I completely agree. I don't think we've set the fees and I don't think we've noticed that we're going to set the fees. I think this is probably a conversation for the December 15th meeting. Although since everyone's here, we might as well get comments that are targeted towards their comments on the fees

Attorney Joseph Geller: Council, let me just say it's appropriate if you want the council members have comments that they want to put on the record, but it's equally appropriate for council members to listen to what was said tonight and to think about it. Under either set of circumstances, even with the agenda language here for tonight, which says that you're going to have-

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Councilperson Martin: Yes, that's not enough.

Attorney Joseph Geller: -a discussion would not adopt a fee schedule tonight because it's not noticed. Even though we have people here who want to talk about it, if there's somebody at home who says, "I'm not bothering to come, it's just another discussion," our 10th discussion on this and until they're actually going to adopt it and say there's a proposal of some kind, whether sponsored by a member council or by the administration that specifies what you're looking at, you can't take that final action tonight and adopt that because there's a lack of notice.

Councilperson Martin: Notice. Completely agreed. Thank you. I guess it's up to you, Mr. Mayor, how you would like to run it.

Mayor Nickerson: Thank you very much, Councilperson Martin. I appreciate you. That's the reason why it says discussion because there's no supporting document of a fee schedule that I was able to attach to the agenda to be able to go out to the residence to be voted on. We can do this one of two ways. I feel that we could either speak about the fee schedule tonight, as far as take it-- what we like to see for registration fee, renewal fee, those type of things like that.

Then from the information, we create a fee schedule to be part of a resolution for December, or we don't speak about it tonight and it's just like delayed for another month because we don't speak about it tonight, then December we'll speak about what the fee schedule should be, or we could contact the manager between now and December meeting and come up with the fee schedule. There will have to be some type of supporting document connected to the agenda item.

Councilperson Martin: No, completely agreed. Otherwise, we're just getting some blanket endorsement. I will say everyone that thought that the fees were super high, be ecstatic because technically we don't have any fees and we can enter into the conversation today. I think a good, helpful starting point would be to clarify exactly what the manager is proposing as the fees. From what I understand, Christia, please, Madam Manager, please correct me if I'm wrong. I don't want to speak on your behalf, but what you're proposing is a \$500 registration fee and a 250 inspection fee that come up to 750, or is it just the 750 application fee?

Village Manager Alou: No, it is 750. That includes your initial inspection.

Councilperson Martin: Perfect, so that would additional inspection fee that comes along with it, so 750 is the fee.

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Village Manager Alou: Unless there's a penalty.

Simmons: Unless they fail that initial inspection.

Councilperson Martin: They need to be re-inspected.

Village Manager Alou: Then there's a fee for that, but no, 750.

Simmons: [unintelligible 01:46:55] of code case would be [unintelligible 01:46:58] I'm sorry. If they fail the initial inspection for any reason, whether it is for building violation or code violation, then it will require another inspection once they come into compliance.

Village Manager Alou: I'm also, asking in the memo that we also consider the business tax receipt item that comes with any business in the village. Those were the recommendations and I also enumerated that the reason I chose that fee was because of code enforcement building that included inspections, complaints, citation, special masters. Just all of those things that come with administration of this, police and public safety, considerations, public works considerations, and the clerical.

Councilperson Martin: That would also require our code enforcement officer to monitor the Gov pilot platform daily as well.

Village Manager Alou: Absolutely and even the increase in staffing that will probably come with that as well.

Councilperson Martin: Perfect. That's good to know that that's a reasonable starting point.

Pascal: Mr. Mayor, just a quick--

Mayor Nickerson: This is what we're going to do. I'm going to let you speak one more time, so give us your points and then I want to hear from you ma'am and give us your points and then we're going to move to the next person. Give us your points. We're going to do it like that.

Pascal: I just have one quick technical question for the attorney since we have not passed the resolution on fees like we just said because the resolution's not right. The ordinance has not passed then because it was set on-- or the fees haven't passed, so it's not in effect yet because we don't have a fee structure. Is that correct?

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Mayor Nickerson: That's correct.

Councilperson Martin: The ordinance has passed.

Mayor Nickerson: The ordinance has passed. The ordinance doesn't take effect.

Pascal: Because there's no fee structure.

Mayor Nickerson: It's passed. The ordinance doesn't take effect until the fee structure is in place.

Attorney Joseph Geller: You have an ordinance. The ordinance has passed. The ordinance refers to a fee schedule which will be adopted by the council. Obviously nobody can pay a fee that hasn't been specified, but that doesn't affect the validity of the ordinance.

Pascal: No, but it does affect that it's not in effect right now. I cannot go and get a license tomorrow.

Attorney Joseph Geller: It's in effect, but until there is in implementing fee resolution, it can't be enforced, which is no one is in violation of something which has not been specified.

Pascal: I cannot comply with it until the fee structure passes.

Attorney Joseph Geller: I don't see how anybody could comply with it until there is an implementing resolution that specifies these. I hope that answers your question.

Mayor Nickerson: Ma'am. Say your name and address for the record and the floor as yours.

Alida: My name is Alida and my address is 12 Northeast 90th Street. I have reside here in EL Portal for about 10 years now and, as mayor was mentioning, that was my story. I started the the Airbnb business or this small business because during the Covid I did lose my job and I have a daughter that I need to support. I went into the position that I was obligated to open my house and to start this wonderful business, like the gentleman mentioned.

That has basically has brought to me an income, but also like the relationship with Airbnb has been tremendous because the way how everything is efficient starting with the fact that the people that we're hosting, I have done this for about two years. I was very new to this. I was

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obligated, as I said, because of my livelihood. I come to enjoy because of the people that are actually visiting and the people that always just appreciate our space. They're very respectful.

I have never in two years and a half, I've never had any issues with any of my guests. Never, never. Another thing to emphasize is actually I've helped also my neighbors to host their family coming to visit during the holidays, coming to visit for Art Bustle. I've host their friends. I've also accommodated their friends by making it more affordable to live.

The other thing that I wanted to mention, the reason why I couldn't start a long-term or an annual rental in my home because my situation, I didn't wanted to have someone stationed there for such a long period, having more cars parked in my neighborhood and destroying the beauty of this neighborhood that is very friendly when it comes to all of us as citizens. We want to have not a neighborhood that comes here and is being run by people and it's destroyed.

We want to enjoy quietness as much as anyone else. It was a surprise to me. Pascal has talked to us or has talked to me for a long time. Unfortunately, like tonight I'm literally living my daughter alone doing her homework alone because we as citizens, we cannot come and run after this issues for as long as it's lasting. I'm three hours here is something that I cannot afford as an individual, as you might understand.

What I'm trying to say is that Pascal has talked to me and I was very surprised because I am also in a real estate business, and I've never encountered that any other people that they're renting in a city to have encountered ordinances of such people coming to inspect your house because you are renting. I have not encountered this for all of my clients.

It was a surprise to me, but the most surprise to me was the fact that you guys wanted to impose a fee. What I wanted to share with the mayor that day is, I wanted to show him what effort it takes to run this business. I paid \$4,000 in taxes for the entire year. We pay fee to Airbnb in order to actually be able to advertise there.

I am the person that I literally-- in order for me to make the profit that sounds so luring to everyone, that I'm going to rent, I'm going to buy a property and I'm going to turn it to Airbnb. Let me tell you, in order for me to arrive to this position, that to have the title of the super host, basically, that Airbnb puts to us in order for us to reach the standards to run this business, it's not just easy to open your house and just say, "Well, I'm just going to run the Airbnb."

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No, you have to have cleaning standards, you have to have communication standards. There's everything is being rated. That's why I was trying to say there's communication for me, in order for me to run this successful business, I have to answer messages at 2:00 AM in the morning. All of this, it doesn't come lightly. If I'm making a little bit more profit, possibly as a normal rental, it doesn't come lightly.

All of this comes with an effort. Nevertheless, I understand that this is not your story in a sense of that probably doesn't interest you because this is my livelihood, but I'm trying to say that all this effort for me to beautify my house even more because of I'm hosting people, I am making sure that there's no 5,000 cars.

I'm not renting my rooms. I'm just renting is with within all the requirements. Why am I being punished compared to my neighbor that is renting room by room, has six cars parked in front of his house and it doesn't have to have my requirements right to keep my-- the way I beautify my house, the way I keep. Now to having to listen to you guys talking about I'm going to have a code enforcements to come and inspect my house. I have never heard that in real estate.

I don't believe that this is legal, someone to come into my house to inspect that. I think that that's something that El Portal should consider. How are you going to pay for this inspector? You guys don't have enough police station to protect us. You know that you are short on this stuff. How El Portal is overtaking issues that Airbnb already is taking care. If my house is within the condition, I am reported immediately. Any member will tell you that they will shut it down in two seconds.

Now maybe it's not about Airbnb. All right, then let's talk about people that you cannot inspect. What is the comparison here? Let's talk about someone that is renting annually. How are you going to inspect those people? Are we going to have a full-time employee here to inspect the whole of El Portal? Why are we doing this to our citizens? Why are we fighting each other? That was my-- I couldn't understand. I said, "Well, maybe I need to share my story because maybe they don't know the effort that it takes me as a citizen in order to maintain this."

This is my income. If you guys, and then you were spoken, you were talking about postponing this meeting, this was three hours of my life. I've left my child alone, then that means that she's going to have a late night to go to bed. What it means for me tonight, I need to know what is this fee going to be? If it's going to be 750, I can be-- and I said to mayor, "I'm very transparent. I can show you the ledger of my income and it's going to show you that how I need to close this business because it's not going to make sense."

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My city is going to obligate me to do something that you are not going to know because you know that more than half of the El Portal is renting their rooms. You can drive around, you can see the people that they're renting by room and you never going to know. Why are we being attacked when-- What is the ratio? Maybe we can ask the gentleman from the code enforcement. What is the ratio of the complaint that you get from Airbnb-- not from Airbnb, or maybe for Vrbo? What is the ratio? Have you compared to the citizens of the neighborhood?

Simmons: What type of complaints are you referring to?

Alida: A noise complaint, a party complaint. I know I have seen those messages. I don't think those are in our towns. I don't think those are in our city, complaint messages. For example, party messages. How many have we gotten that we are attacking these people that they are trying to-- If I'm renting my property, all this is doing, actually, it's making me as a citizen maintain my property better, pay more effort, keep it even more cleaner, hire people to actually contract those.

Bring more money. If I'm making more money, I'm bringing more money. On top of that, I am not parking 5,000 cars. Most of the Airbnb people use Uber means more business for the city. These are all income that comes back to us. That's what I was trying to say with all of this.

Councilperson Pirela: Okay, ma'am, we hear your point. Thank you very much.

Alida: Thank you. I asked the question about the code enforcement. I was curious to know why Airbnb had become that all of a sudden we were imposing these ordinances on, and the last point that I wanted to make as well-- Do you have that number, please?

Village Manager Alou: I'm going to answer. This is the matter that we receive, complaints every week. The chief of police gets those, the police is called after hours because our code enforcement leaves the office at five o'clock or 4:30. He does do some after-hours work, but at the end of it, we're talking about police being called in, public works being called in, code enforcement.

That is every single week.

Alida: That's very surprising.

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Village Manager Alou: There are many. I understand and it's not all Airbnb, it maybe something else, but I'm just explaining to you, we get a lot. I said it's not just Airbnb it's-- No, I'm saying that it could be other-- we don't know what if it's Airbnb or whatever the platform is, we're getting short-term vacation rental complaints. That's--

Alida: You are getting short-term-- The other part that I wanted to emphasize, I do have other businesses as well, and I'm licensed from the department of DBPR. I'm licensed from them and I don't see those other businesses having other fees being imposed on me. If that was the case, I would never be in business. I would not be able to pay 750. That's a huge amount. You know what I pay 750 for? I pay for a platform it's called MLS. When you pay for that you get lots of things.

You get a website, you get listings. Basically, that's how you bring the income because the gentleman spoke about software. My city is going to be able-- so you are able now to implement a software to find where these short-terms are the short-term, right? If we are 40, not even because obviously, it sounds like this is-- I almost think that my city is trying to close me down. That's how I believe. It's very surprising to me that--

Ms. Brooks: Excuse me. I need to ask question. I am a resident and I'm very--

Mayor Nickerson: All right. Hold on one-- hold on, Ms. Brooks. Hold on, I'm going to bring you up. Hold on one second. I just want you to finish your thought. Your last thought.

Alida: Right. I was saying the next point was, again, back to the fees. I have other businesses with DBPR and I don't see other fees being imposed from the city or from-- if that was the case. We already are paying taxes, ordinances taxes, like occupancy taxes. Please take those in consideration. I thank you very much for understanding that in terms of other people that they're trying to do this not just at this profit astronomical, but they're trying to do this to actually provide something better for their family.

Mayor Nickerson: Thank you.

Alida: Please consider, thank you.

Mayor Nickerson: Thank you very much.

Alida: Thanks for listening.

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Mayor Nickerson: Thank you. Thank you very much. Ms. Brooks, you want to come up [unintelligible 02:02:19] Come up, say your name and address for the record. The floor is yours.

Ms. Brooks: Merlyn Brooks, 400 Northeast 90th Street. I am hearing some things tonight that I never knew was going on in El Portal. This is supposed to be a residential area. At least that's why I bought in it. If we are going to now be renting out the place for Airbnbs, what does that mean to us? Aren't we a part of El Portal? We're a part of El Portal, and we know nothing about what's going on. The people that are doing this are people that is coming in here to do business.

I will not, and I say it again. I will not tolerate this because they come and they have their parties and they disturb us. I pay taxes like everybody else. I know I'm not the only taxpayer and we do not deserve this. I should be speaking for myself, but I speak for quite a few of the members of El Portal. These people coming in here are running business. I bought it to live in peace. When they bring their people in over the weekends and they have their parties and they disturb us. No good. No good. I am sorry.

Mayor Nickerson: Thank you, Ms. Brooks. I appreciate it. Yes, go ahead, Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: I am more concerned with the-- give you your time-- the lady that just spoke. You were very revealing. Now let's not play games. We know that there's some people in this village that long before we moved here Mayor, they were renting their places. We know that. We didn't create this ordinance, the state did. Because obviously somebody decided that they would go beyond the rules and regulations of the state.

Now we're caught in the center trying to simply manage what the state says we have to do, but let's not be ignorant. This lady was very revealing. You didn't have to say any of that. You've been in this village enough that you are doing it right. You said it, as is my income. I am not making a problem. I am not doing all of that. Do I come in under the Airbnb? That's what your main concern is, I daresay. If I had to-- and I'd be very revealing.

If I had to bring relatives into my house because of age, whatever, whatever, and they wanted to pay me something to keep the electricity going, I would, you all wouldn't even know it. That's my business. I ain't running a business. I said I ain't, that's a PhD. I ain't running a business. I'm just keeping people in my home who cannot keep themselves. If I was doing it.

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I don't think that's what Airbnbs were about. They were about the people who are commercializing everything, all things, and anything.

That's not fair. This lady did not have to say what she said. She was very revealing. I understand that because that's exactly what I would do if I had to have people who are aging, who didn't have a place, not somebody who's going on vacation. Let's don't mix these two together. We did not do this. The state did this and said, "You will comply." Before it did there was-- Councilperson I'm telling the truth, did we not get a bunch of noise on the streets?

Did we not get all of that that where we live on the other side of creation was why we said, where is all this coming from? We get this state thing that the mayor introduced and say, "Hey, guys, this is not us doing this. This is the state requiring that all cities do this." Yes, they allowed and no, we don't like it. Yes, we're going to enforce it. We're going to enforce this. She didn't have to say what she's been doing quietly and she did. I don't think this is what we are talking about here. I really don't. Maybe I'm the naive one on here. Okay. Let it be.

Councilperson Martin If I may. For me, I don't like or dislike Airbnb. Airbnb, short-term vacation rentals are allowed. I do know that there is another side of the argument that you're stating. You are an exemplary host. You make sure there's no noise, you're present at the property, all of those great things. There are hosts in El Portal who are not quite as exemplary. There are people who are hosting these properties as filming sites, as party sites.

There are streets that are routinely clogged so that people who have disabilities, strollers, young children have to walk in the middle of the street because of cars that are parked to attend a party. There was a film crew on my block personally with someone that was using the Airbnb as a recording site for a program with the rapper Ludacris.

We have heard about people having their children startled by people urinating in their hedges. We have heard about young families who have their kids woken up in the middle of the night because of noise complaints. Though in the perfect world you would be able to call Airbnb and have that issue cured immediately, that's not how it goes. Usually, there's a complaint made, a noise complaint falls very low on the list of what police officers have to respond to. By the time someone is able to come out, the party is over.

The question for us is, should that property owner's interest in quietly enjoying their home be trumped by someone else's interest in monetizing their home in that way? It's just a matter of saying, "Hey, we have to solve the issue. How best do we do this?" Part of that is trying to find

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a better way of monitoring those units and giving our residents reasonable access to meaningful resolution of issues as they arise. We're not making any statement as to whether or not we like it or don't like it, there's an issue that we're trying to remedy. For us to be able to identify owner, non-owner, good host, bad host, that is a level of scrutiny that we couldn't reasonably engage in. The other thing that we can do is put forth an ordinance that allows us to know, "Hey, these are where these short-term vacation rentals are. These are the people that are responsible for them.

This is a way the residents can call into a hotline and let us know if there's an issue. This is a way that we can reasonably address that issue for that resident." Because as much as I want you to have a profitable business, I also want Ms. Brooks to be able to quietly enjoy her home and not have to encounter some of the issues that other hosts might come along with. With that being said, the mayor is going to I think kick it too.

Mayor Nickerson: Sir. You're going to have to hold that thought because we're going to go in order. Just sit down and hold that thought and once we get through everything, if there's time left and I'll bring you back up to answer that.

Russell: Hello, Scott Russell, 19--

Mayor Nickerson: One second, Mr. Russell. Let me just say this real quick. I think what we just heard from Councilperson Lightfoot-Ward who was absolutely correct and madam over here who came and I hope your daughter's doing well. I think like I said at the very beginning, one of the things that we never really clarified was the occupied versus non-occupied. That would make a huge difference.

Maybe we can look at that when it comes to the fees. Also, I think that while we're discussing fees, what might be the thing to do is to not punish individuals like that, I think that we should start off with a low understandable registration fee, but I think we should go up on the penalty fees. I think we should go super high on the penalty fees, have a lower registration fee. Therefore everybody who registers, if you're good or if you're bad, you're not necessarily paying a lot or being punished through your registration.

Those who are bad; noise complains, parties, we hit them with a super high penalty fee. I think we should lower the registration fees, but I think we should go up on the penalty fees. I think we should have like the most non-nonsense penalty fees in Florida, let's say, for example, just

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throwing that out. I think that's what we should do. We should punish-- we should come down hard on-- Because I think that's the compromise.

I think the compromise is, okay you guys look, if we want to do this and you guys want to have this, we have to regulate things to where we don't have disturbances, we don't have Ms. Brooks being disturbed, and things like that. Therefore we are going to be one of the most no-nonsense municipalities for short-term rental in the state of Florida.

What we're going to do is for everybody to be able to do things the right way and make a living and things like that. We don't want to punish you guys so we'll have low registration fees, but if you mess up it's no three strikes and you're out. If you mess up just once, you are going to regret it because our penalties are going to be like that. I think that's a way to not punish the good people, but to still get to the bad people and make them pay for what they do wrong.
Councilperson Martin.

Councilperson Martin: I think the manager has to be a big part of that conversation because I believe what the fee contemplates is at least a part of it is the monitoring to figure out before we even get to who's bad and who's good, like who's doing it, how often do we monitor it, are people putting it, putting their listings up at certain times and taking them off at certain times.

I think we need to include the manager in figuring out can we administer this program with a lesser amount and if so, what amount that would be. Because the issue for me is underfunding the program doesn't necessarily stop the requirement of having the program and if we don't have enough money to administer the program or to account for however many police officers need to respond or special master hearings, if we don't have that, we're still going to have to pay.

Now what we're going to have to do is have the village residents who don't have short-term vacation rentals subsidizing our short-term vacation rental administration. I don't think that that's fair to the people that do not have short-term vacation rentals in the city. I think we would be splitting a hair but I think the manager is a big part of that equation. Then I would love for the attorney to speak to as far as what a reasonable fine, can we have a super high fine and have that be reasonable? Those are my two questions about that course of action.

Mayor Nickerson: Thank you very much Councilperson Lightfoot-Ward. We'll have Mr. Russell speak first and then we'll get to those questions. Go ahead, sir.

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Russell: Hi, Scott Russell 199 Northwest 90th Street. I'm actually a resident of El Portal for quite a few years as well. I wanted to address a couple of things and first, it seems we're hitting on the STR but it's opening up at a can of worms. As Ms. Brooks had said, there's many, many more businesses that from the long term to boarding houses to car washes, to car fairs, to hairdressers, to attorneys that exist. I think we've opened up a can of worms and maybe will see much more coming down the pipeline.

When I looked at the past ordinance, which really is a cut and paste from Miami Shores, I was pleased to hear that the attorney mentioned that we can amend it any time. Because there's other factors I think besides the fee structure that need to be addressed within that ordinance. I applaud the mayor's direction and I think the fee structure and the young lady spoke needs to be reduced down. I have other Airbnbs that we [unintelligible 02:15:36] in El Portal that have a very minimum fees \$250, there's a \$50 inspection fee.

They never come in. Again, we follow the DPR and follow very closely and I just want to ask the council, again, as you had said, former vice mayor, keep that fee structure low, make the people want to be part of it so we're not witch hunting out there and find them on other platforms, on craigslist, on Facebooks. Then we need to look more globally as a community and address what our taxpayers in here want, both sides of it. I agree. Looking fairly and that's my plea. Look at it and be open and fair about it.

Councilperson Martin: May I ask you what municipality?

Russell: Yes, City of Miami.

Councilperson Martin: City of Miami. Okay.

Russell: I've got three there.

Councilperson Martin: They have a gigantic staff.

Russell: I've never [crosstalk] issue at any single one of them. We just [unintelligible 02:16:22] or Nashville, Tennessee this weekend. They are a very viable source for the community. If you run it correctly through any platform where there's VRBO, perhaps Airbnb, it will be done correctly. Yes, you will have an occasional person as you will have a non-STR that has a party down the street and gets called at ten o'clock at night.

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It happens every day. You walk down and we had a meeting last week, wonderful meeting. Mr. Pascal was there as well. There's so many other issues that are just beyond the STR that we also need to probably eventually open the can of worms, whether boarding house, again other businesses that are running nonstop that are creating as much problem for El Portal as an STR could potentially have. That's my short two cents. Thank you.

Mayor Nickerson: Thank you very much, Mr. Russell. Anybody else with any points?

Pascal: Pascal Depuhl, 177 Northwest 90th Street. I've been a resident for 25 years here and we have rented places for 25 years here, 23. We've rented in Miami Shores, we rent here in El Portal, we rent in Miami Dade County. There's 40 Airbnbs here. Just you're talking about funding the program and I agree it needs to be funded. If we're running it. There's 40 Airbnbs here, 20% of those at least are on the business corridor so [unintelligible 02:17:49] not unaffected. 10% are making \$0. Another 20% make under \$2,000.

We're down to about 20 Airbnbs in El Portal that would be affected by this. Because if I'm making \$2,000 grand a year with, and I'm paying fees and everything from that, like the lady is saying, that's not a viable business for me if I have to pay \$750. Out of the 20, we met with 8, I think 8 or 9 hosts. Many of us have more than one Airbnb. We're talking about probably 10 Airbnb hosts that this is going to affect, 10 residents.

There are a bunch of places like you're hearing that are renting month to month that the code enforcement officer is going to have a really hard time finding because they don't advertise. They're not on-- An Airbnb or Vrbo is super easy to find. I can tell you-- I can pull it up tonight. It takes me 30 seconds. I can put a lasso on the map and look exactly where everything is. I can do that. I know you guys can, but you cannot do that on month-to-month rentals.

You've stated often while we had these discussions that the reason we're defining STR as 90 days and less is that you want to catch those people that are renting month to month. You're talking about 10 residents that are doing it right. We're listing them, we're advertising them, we're coming here to get licenses, we're doing everything that we're supposed to do.

I don't know how many, but I guarantee it's more than 10 that are month-to-month rentals that are going to have worse problems and you're not going to find, or you're going to have a very hard time finding. I'm not sure-- We've always talked when we talk about owner-occupied versus non-owner-occupied. The argument has always been, "Well, we can't discriminate." You are discriminating against a legal Airbnb, Vrbo STR host that's me up here saying, "I own

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them. I have them, you know this," and dozens of people who you don't know. I'm going to pay money to fund the program. How are you not discriminating against me by not being able to find all those other people that are the majority of the violations that you're getting called for?

Councilperson Martin: At least for me, I don't think it's ever been my stated position that I'm trying to pinpoint month-to-month renters. Was that what you were saying? My issue has been preserving the quiet enjoyment of people's properties. The noise violations, the parking issues, the littering issues. Those have been my primary concerns and the owner-occupied versus non-owner-occupied piece. I do remember us having a conversation about that earlier. I know that that might be a protected class. I don't think short-term vacation rental owner is, but maybe the attorney can speak as to what the final analysis was on differentiating between owner-occupied versus not owner-occupied.

Vice Mayor Urbom: Mayor, if I could-

Mayor Nickerson: Yes, of course. Go ahead, Councilperson Urbom.

Vice Mayor Urbom: As the lady's about to speak again my original comments, at least as it pertains to the fees were to keep the registration fee nominal really as low as possible. Reasonably in my mind the 10, I threw out was as a hyperbolic example, but at the same time, if it came down to a \$10 registration fee, I personally would be perfectly okay with it.

Ideally, a renewal fee is less. Let's say a initial registration fee of a \$100 and a renewal fee of 50 or \$75, right? Without really even worrying about how far that's going to get us in the budget of covering the \$4,000 for the Gov pilot without the extra hours that's going to be required for a code enforcement officer to do all that follow-up.

Without consideration of what the village's cost to enforce this ordinance is at least as far as the registration and renewal fees go, I don't think that they should really-- it really shouldn't be a factor. The factor in my mind continues to be so that someone doesn't feel attacked. I got jumped as a kid a lot. Attack, I mean that, let's go. I believe you, when you feel that you're being attacked that way because this is money out of your pocket, this is money--

I think with multiple code enforcement issues in general residents, there's a feeling of being attacked because you're losing your autonomy essentially. There's a defensive mechanism that kicks in if I'm going to fight this. In my opinion, which has always been my opinion, by having

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a nominal registration fee, eliminates the discussion of someone feeling attacked because what's the fee? "Oh, okay." Then they show up and pay the fee and register. When they find out that they're not being attacked.

It's not a \$750 fee, it's \$100 fee to get started. Then additionally, to renew and stay registered to this program, again, a nominal fee, because the purpose of the nominal fee is to encourage and achieve participation by all actors. Let's say that there is a noise complaint at a property that is found to be renting off of the two primary platforms. Then they find out, oh, the reason they hadn't got registered is because they thought that they were going to be a hassle.

Then find out, "Oh no, it's actually fairly okay. All right, I'll jump on board." That's the goal. Then as the mayors saying, in terms of fines penalties, things like this, now you are trying to recoup some of that expense through those penalties of the bad actors. Personally, I'm not in favor of outrageously high punitive penalties either. Once it gets to a certain point, all you're really doing is the larger the corporation that owns that property is the one who's going to be left on playing, monopoly style.

If the penalties, the fines go too high, then you're in a similar situation. At least there should be some balance in the fines. I maintain that a lot of the discussion of am being discriminated against as an owner occupied? Am I being attacked because of this outrageous fee when I'm just trying to make some extra income and put some food on the table?

I feel like all of those arguments against having an ordinance in the first place, against participating in the ordinance, against coming in and registering all of those are quelled with a nominal registration fee, a nominal renewal fee. Then, as Ms. Brooks had said she wants peace and quiet, well that's part of our mandate. It truly is our mandate here. We have a police department, we have a police chief, we have a code enforcement officer, we have codes on the book. That is truly to have Ms. Brooks enjoy a quiet community is really already part of the village's mandate.

Yes, we're going to open a can of worms and dive into other things as we go down the road here, but for this ordinance and this issue, these fees are the topic. In my opinion, where I stand firmly, is to get participation, nominal fees; to alleviate the concerns of residents who are concerned about whether or not they'll be able to continue having this income, nominal fees. All arguments I've heard tonight come back to me being continually convinced. Nominal fees is the answer going forward.

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Councilperson Martin: Councilperson Urbom, can I ask you a question then? Who pays for the program? How do we pay for the Gov pilot?

Vice Mayor Urbom: To his point 40 registered Airbnb users. We don't know how many Vrbo because we don't have a official--

Pascal: It's short-term rental.

[crosstalk]

Alida: I will shut down the business if I'm paying--

[crosstalk]

Village Clerk Yenise Jacob: I'm sorry. This format is just for one person to speak. Give your comments for your three minutes. That's sit down, that's how the meetings are run. It's not a cross debate, it's not going back and forth and there are other residents that also would like to speak. One of you has to either sit down and then the other one speak for your three minutes and let the other residents as well.

Mayor Nickerson: All right. I'm Alida speak.

Councilperson Martin: Oh no. I would like Councilperson Urbom to let me know if we charge \$10 per person and if we accept some of those numbers, which just for the topic of this discussion, we'll accept that there are 20 Airbnb owners and they're grossing \$2,000 a year as part of this business. If we charge those 20 people \$10, how do we even pay for the \$4,000 Gov pilot program and in addition to that, the manpower that's required to administer beyond that?

Vice Mayor Urbom: That's a totally fair question. In two short, concise thoughts, I'll finish and then allow the residents to speak. The first part of your question is there's already short-term rentals operating, there's already issues with them. We're already paying out of pocket for essentially enforcement through code enforcement, which has certainly been resident Pascal's argument from the beginning. We're already enforcing this ordinance even without it being in action because the issues that are arising are still arising, noise complaints, all of it.

We're already coming out of pocket to enforce this ordinance and you're going to have a hard time convincing me otherwise. Additionally, the registration fees cannot be seen as something

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I can reach for and recoup my expense of operating this program. The registration fees and renewal fees must be used as a way to encourage the highest percentage of participation possible within this program. Then as Mayor was saying, your opportunity to recoup some of the operating expenses is going to exist in penalties and fines.

I would say with the [unintelligible 02:29:20] the depart complex is going in all rentals. Whatever's going to happen on East 2nd Avenue, once septic to sewer goes in terms of commercial development, where this is 2022 and the earth spins right now, we're all sitting still in this room, but we're all traveling 996 miles an hour this way.

Humans for some reason keep trying to keep pace with the earth spinning. We are advancing rapidly into the future, and they're going to be all this development in the village. We're already behind, technically and we're trying to play catch up again in the police department fully to where they need to be which supports code enforcement, et cetera, et cetera, et cetera. I just am convinced that the registration fee and the annual renewal fee part of this short-term rental topic is not-- I just don't believe that the function of the registration fee is to recoup the expenses operating of the program. The penalties, the fines might play into that, but the registration fee has to be designed in a way to get the highest percentage possible participation. Then the ordinance will work, then enforcement can take place, then the bad actors can majorly pay for the operation of the enforcement of the ordinance. Thought complete.

Councilperson Martin I think I just fundamentally disagree on that approach. I don't think Ms. Brook should be paying now for the increased enforcement required with noise disturbances. I don't think she should have to subsidize this \$4,000 additional expense that we have to incur to manage GovPilot. I think that any effort or mental capacity we can expend to try to minimize that from happening is time well spent. I just don't think that residents who do not own short-term vacation rentals in El Portal should have to subsidize what is essentially a business endeavor of other residents who own short-term vacation rentals in the city. I don't agree with that.

Vice Mayor Urbom: I wholeheartedly agree with you. I wholeheartedly agree with you.

Councilperson Martin \$10 doesn't get us there.

Vice Mayor Urbom: Right. What that means is-

?Speaker: Can we speak, man? You go back and forth. Can you spare 15, 20 minutes-

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Vice Mayor Urbom: I'm with you.

?Speaker: -not give an opportunity to say a word. This lady is now waiting 20 minutes, you all going back and forth.

Vice Mayor Urbom: I'm with you.

?Speaker: Give her an opportunity to say something.

Councilperson Martin No, 100% understand. However, sometimes there are issues that you have to flesh out before we--

?Speaker: I understand. 20, 30 minutes. Come on. I've been there. It's ridiculous. You have this lady standing up here wanting to speak. I want to speak.

Councilperson Martin I know.

?Speaker: Please give her an opportunity to speak--

Councilperson Martin I hear you. I hear you so much. We're just going to keep it calm and keep it productive.

?Speaker: This is ridiculous. Going back and forth.

Councilperson Pirela: Mayor, if I may just keep this the way it's supposed to be. Let everybody talk and speak their minds and have the three minutes and sit down and then we can discuss among the council, okay?

Mayor Nickerson: Yes, I hear you.

Councilperson Pirela: Stop these back and forth because the lady has been standing over there three times already and it's supposed to be only-- Whatever your situation is you say it and that's it, and everybody else have the same opportunity. Okay? Thank you.

Mayor Nickerson: I understand you, guys. I understand. Let me just say this and she's about to speak, and then we'll have Councilperson Brenson speak. Sometimes, in defense with what Councilperson Martin was saying, when individuals bring up certain things, it's directed to one of us, and it's something that we have to address right then and there. That's one thing.

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Sometimes, you guys, what I try to do is because sometimes three minutes is not enough, and they have other ideas they want to give, or sometimes based off of what we said, it sparks another question in their mind. That's the reason why I let people- sometimes people get up a second time or third time and things like that. I understand.

No other municipality does it that way, and my predecessor didn't do it that way. You understand what I'm saying? Nobody will ever leave a meeting that I preside over and say, "He never gave us a chance to get our ideas out." That way if we vote no against what you wanted and things like that, at least you know we heard everything and came to that decision to vote no. Nobody will ever walk out of any meeting I ever preside over and say, they shut it down. They shut down discussion. They didn't let me get all of my thoughts out. That will never happen while I'm here. Ma'am, just say your name and address for the record again.

Village Clerk Yenise Jacob: Thank you so much. To make a perspective in terms of with the fees that you are-- I have other businesses and license with the Department of the Business of Florida and the way it works, they are very minimum fees. The way we are regulated is based on the renewal. Once you are reported that's, there you go. Your license is completely gone. The same we have many other ordinances here, for example, like in the city. If, let's say, dog barking, you have \$150 fee a day. You can imply that, for example, for Airbnb. In order to say that I'm going to place a higher fee of \$750, that's what my question was final tonight is, what is this based on?

For El Portal to pretend that you will undertake this inspection and all this other-- We have other businesses within Florida. I'm not expressing this very well, but the point is that I have other licensed businesses and that's not how it operates. I wouldn't be able to run if my other businesses had \$100 fee per year. It wouldn't be able. We would not be able to open businesses. We would not be able to operate a business or to be licensed for that matter. Regulation works in a completely different manner. If I'm reported as an individual based on that license then that's it. My license is gone. You can possibly apply the same thing for an Airbnb or for a short-term rental place.

It's not necessary for you to say that I'm going to assign a person. If the City of EL Portal has this budget to assign a person so they can investigate who has the short-term rental then that's something that EL Portal wants to do. Me as a citizen, then I'm going to have to look into that again because you are using my budget to investigate something that has nothing to do. It's the last concern that EL Portal should have. The point is, when you are putting a fee on someone

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that wants to be registered and is willing to be transparent with you that shouldn't go to-- To go back--

?Speaker: Madam, we think you had enough. [unintelligible 02:36:57]

Village Clerk Yenise Jacob: You are not regulating me. Again, to make the final point you are not regulating me because you are not making me be better. What's making me be better is my guest. That's what's making me better. It's Airbnb shutting down the business. If my unit is not in a proper condition those are the ones that are shutting down my business.

That's why I was trying to say that in order for us as a city to undertake this idea that we are going to investigate and go to people's houses and inspect and all this, that's a very long I think thing for the city to undertake when we have so many other issues that we could possibly deal with. In terms of the fee just to give you the perspective why then Florida State gives you a very minimum fee structure and City of EL Portal is going to charge \$750? What is the layout?

Mayor Nickerson: Thank you.

Village Clerk Yenise Jacob: Thank you so much. Thank you, madam.

Mayor Nickerson: Thank you. Your argument basically is that there's other businesses in El Portal, they don't have high registration fees like \$700 and therefore we have one business entity which is short-term rental. Let's have-- No debating in the back. Thank you. We have one type of business which is short-term rental, and we're charging a registration fee for short-term rental that we don't charge any other business. It's like we're picking on the short-term rental as a business instead of other businesses. The argument against that though would be that the GovPilot program that has to run short-term rentals that other businesses don't have to have is very costly and so it's a different entity. That's one of the arguments to that.

Councilperson Martin And the municipal response required for violations.

Mayor Nickerson: Yes. I think that one of the main questions is for the GovPilot program or - First of all, is the GovPilot program the only program that we could use? Is there a program that might be cheaper that we could use for short term rentals? That's one question. The second one on top of that is if it's the GovPilot program or any other program, how low can we possibly go with registration fees and still seen to with the amount of short-term rentals, how low can we go and still cover all of the costs or at least close to the cost to where maybe penalties will

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make up for the remainder of the cost? You know what I mean? That might be another good question to ask and get through. Councilperson Brunson.

Councilperson Brenson: Thank you. Aubrey Brenson, 70 [unintelligible 02:39:44] West 87th Street. I want to say this here. I applaud you. Sometimes you got to stay on the ground and make a decision. You can't be flip-flopping on the gate. I don't know anybody about the Airbnb, I apologize. I don't know. I'm not saying I'm pro and I'm not saying I'm con. I'm a resident about 40 years. I have a problem when somebody come next to me of short-term rental, long-term rental, and just like I experienced some bad rentals next to me.

Well, I'm paying a mortgage. This is my home right here, the village of El Portal. I don't rent it out for a business. It's business. I've been in the business before. You pay fees for a business. I'm not saying the \$750 is the amount. I don't know, but I think it should be a fee for this El Portal. If you don't want to pay the fee in El Portal, take the business elsewhere. That's the way I need to go. Ms. Brook said something earlier about having people in the commercials. I had that experience as well in my community with people who's about 18, young people in my front yard taking pictures, walking on the grass, walking around. You understand?

I didn't feel the need to call the police officer because I know they're extremely busy, and that's another thing. When you say the police officer don't have enough to patrol at El Portal, that's an offense I have as well. Why are we going to bring other people in? Guess, if we don't have enough police officers to protect the people we have. You understand? I take offense, Council, when you say this lady is being attacked. I'm a resident for 40 years. When you say somebody's being attacked for bringing a business and because it don't go their way about a fee, and you feel like they've been wrongly attacked, I disagree with that. You understand? I think it should be not a \$10 fee because what's going to happen?

It's going to roll back around to the taxpayer. It's going to roll back to me. I'm preparing that fee to put up these programs and provide for these services that we don't have. If we have the services like you said earlier that we're doing it already, why continue in that way? That's a negative. We never continue in the same way. We got the opportunity to change it now. Let's change it now. If there's a fee need to be applied, let's put the fee there. If not, not. Don't play with the people. Don't come in and say, "I'm your friend. I'm your buddy." No. We got to see it the way we see it for the betterment and the benefit of the residents of El Portal. I'm not against you guys. I'm not saying I'm with you guys. You understand?

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I'm just saying that, "Hey, I see it for what it is." We have to make a decision. I'd rather have a fee imposed on the business owner than imposed on me as a resident. You understand? I want to have peace and quiet in my home just like the people visiting. They want peace and quiet too. We all want that. You want that in your home, in your neighborhood. All I'm saying is that we go on, and I apologize. I'm not saying that we're going back and forth, but we got valid points. We got the manager over there came up with a fee. Everybody, **[unintelligible 02:42:36]**-- The fee that she said that we should pay. Why are we **[unintelligible 02:42:40]**? Let's go and talk to the mayor. Let's figure out a resolution.

Can we reduce that fee, our Mayor, and still accomplish what we need to accomplish? You understand? Before we say we're going to set a fee of \$10, \$15 note, that's not going to help. Let's have that conversation with the mayor. Mayor, is there any way or wiggle room that we can reduce this \$750 fee down? If she say yes, let's work on it. She say no, let's respect her decision and let's move forward. We're not playing with this stuff. I feel like we're playing with it back and forth. We could have ended this a long time ago. We know the order is already there. We can't do it. I know we can amend the resolution but not the order. The order is there, so let's work on it.

All I got to say let's come to a medium. Believe it or not, y'all, we still fussing and fighting. We haven't came to a medium yet. It need to be a fee. That's my position. It need to be a fee. What the fee need to be? I don't know, but I respect what the manager is saying. I'm not trying to put nobody out of business, but it should be a fee. That's my point. Sorry about that. I'm just being honest with you. Thank you. Thank you. Thank you.

Mayor Nickerson: Thank you very much. Thank you very much. Is there anybody else that has any comments, questions? All right, so I'll get back to my points. You guys, correct me if I missed anything. I think that there's a few things. I think that, first of all, we need a list exactly of what the different fees are. Is it just registration and renewal? Are those the only two? There's not other fees that need to be implemented? I know we have to get a business tax. There's a business tax to-- How much is the business tax?

Speaker 1: Price? Well, the requirements for the short-term vacation rental would consist of a Certificate of Use from Miami-Dade County, Certificate of Occupancy from Village of El Portal as well as a business tax receipt from El Portal. That will cover--

Mayor Nickerson: Certificate of Occupancy is how much from El Portal?

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Speaker 1: I'm not sure. Off the top of my head, I think it's upward of-- Because that's the building-- That consists of the building inspection. I'm not sure how much exactly.

Mayor Nickerson: These are the things that we-- See, I'm taking notes. These are the things we need to write down because these are the things for the resolution that whatever we're going to come up with as far as fees for December, we need explicitly to know that these are things they need. Certificate of Occupancy from El Portal. How much does that cost? Because this all goes into their first initial cost, you guys. You see what I'm saying? Business tax license, how much does that cost? Initial registration fee, how much does that cost? Are those the only things they needed to get started? This is what we need. I need a list. This is what we need. This needs to be part of that resolution. These are the things we need.

Councilperson Martin I think the manager listed that out. I believe I saw something.

Mayor Nickerson: In the memo--

Councilperson Martin Ma'am Manager?

Mayor Nickerson: Yes.

Councilperson Martin It was listed. It was listed out. As far as our fees that we're imposing, is it just the initial application and renewal fee?

Village Manager Alou: I'm sorry. I did find the price for the Certificate of Re-Occupancy is \$127.86. I'm sorry, you're asking in terms of the fees. Could you restate your question?

Councilperson Martin The fees that we're determining and we're imposing, that would just be the initial application fee and the renewal fee?

Village Manager Alou: Yes.

Councilperson Martin Okay.

Mayor Nickerson: To get started, you need the Certificate of Occupancy. You need a business tax license, and they need the registration fee.

Councilperson Martin I thought some of those were set fees already.

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Village Manager Alou: No. Remember we had gone over this. It was about the county. You have to get certified first through the county [unintelligible 02:46:43]

Speaker 1: Yes. In order to apply for the STR, they would need the Certificate of Use for Miami-Dade County which will consist of a fire and building inspection, and then the Certificate of Occupancy from the Village of El Portal will consist of our building inspector. The local business tax receipt will cover the code enforcement inspection to assure-- When it comes to a local business tax receipt when code enforcement is to verify that whatever you're applying to operate is actually what's transpiring out of that location. Also, once that is done, once the application is submitted, now I will need to conduct a minimum housing inspection as well as an inspection of the aesthetics to ensure that they're in compliance with the village's ordinance.

Mayor Nickerson: We'll work through this. I'll work through this offline. It's just that I want for us and I want for our residents, I just need a bullet point list of whatever it is and then the cost for the initial setup, for the initial registration, and then whatever the renewal is. Then, I just need that document to attach to a new resolution for December so that nobody's saying, "Oh, we don't understand exactly what the fee is." We just need to be explicit so that we will avoid any confusion later. That's all I'm saying. I'll get that and get that together. Is there something you want to tell or you wanted to say? Were you coming to say? Oh, you're good. Okay.

Speaker 6: [unintelligible 02:48:37]

Mayor Nickerson: Okay. I'll get that together as far as those fees go. It seems that right now we're pretty much at the end. We'll get those as far as the fees themselves. There's a few questions. Like I said, and we'll go over the questions about-- Is GovPilot the best and lowest program that we can use? Is there another option out there that we might not have thought of yet? Also, if it is GovPilot or whatever program, what's the lowest we could possibly go with the amount of short-term rentals that we have and still come close enough to covering our costs to where minimum amount, to where--

If we have a couple of penalties here and there, it will fully cover the cost. That's a question maybe that we have. I guess to be safe, we need to find a program and then figure out how much we have to charge each individual to cover the costs. I don't know, you guys. I still just feel like the lowest possible we could go with covering costs for registration fee, we just need to-- I just think we're penalizing the good people through the registration fee.

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Councilperson Martin What are the instructions for the manager though? Because what I do want is when we meet on December 15th to have a fee schedule that we're all ready to go on so that we can just get the ball rolling. Is everybody prepared to state what their position is as far as what we should be? We know that Vice Mayor Urbom would like to charge as little as possible, \$10 maybe. It's my thought that the program should be able to cover the cost associated with the program and not have to penalize residents who do not have short-term vacation rentals in the city.

I also want to rely on the manager's expertise because we are not city managers. She knows what it will take with the staff that she has to administer the program. Also, with our code enforcement officer, he can have an accurate idea of how many short-term vacation rentals there are in this city. I just pulled up an Airbnb listing just a couple of minutes ago and they were charging \$1,000 a night and it's one of the homes that's three doors down from mine. I don't know about that analysis that involves Airbnb hosts grossing \$2,000 a year from engaging in this business endeavor. From my perspective, I feel like as a council, we have professionals that we have hired to provide unbiased analysis.

The city attorney, the city manager. Our city attorney, has told us that we can do this. We know that we can do this as well. That argument is bolstered by the fact that there are many other municipalities in Miami-Dade County that have ordinances like this. Our city manager is telling us that this is the amount that it's going to cost and that GovPilot is the most reliable tool to use so that we don't have just an ordinance by name, but we have something that is workable and functional for village residents.

It is my inclination to rely upon my manager's suggestion instead of the assertions by other individuals that might have a skewed perspective on this. With that being said, I'm fine with asking the manager to do additional analysis to see if that number can be shaved back any further, but what I'm not willing to do is to just go completely outside of her recommendation and then thrust upon her a program that she's supposed to administer, with in adequate funds. I think that the only people that that hurts are the residents in the village that do not engage in short-term vacation rentals because we will still have to pay for the program, but we will be paying for the program with their dollars. I don't think that's fair.

Mayor Nickerson: Thank you very much Councilperson Martin. I appreciate that. I think--

Councilperson Pirela: Mr. Mayor, if I may, and let me say this, I haven't said anything because I agree 100% with Councilperson Martin. You're being in point and I echo everything

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you said. We've been working on this for quite a while and we've been on conversations with other programs that they monitor short-term rentals and I think this is a fair number, whatever they charge this pilot program, what they charge is, I think, one of the lowest in fact. Listen, we're not Miami-Dade County. We don't have 100-plus employees per department. It's only one person department. We need that extra effort to try to make not only the short-term rental businesses, but also the rest of the community.

It's not only about 40 property owners, it's about the rest of the other 800 property owners. It might not seem a lot for you guys to have 40 register or unregistered short-term rentals, but when you're talking about a small village, less than a square mile, with 800 residents, to me it's a lot. We're just trying to work it out and not penalizing anybody and not trying to discriminate anybody. There's been extensive conversations with the lawyer about whether we can exclude or have the privilege of the homestead properties versus the non-homesteaded or the absentee owner or the occupied owner. This is something that just cannot be done.

Just like property taxes go up, they go up for everybody, not just for the few. It's a matter of finding that middle ground exactly and recommendations taken from the experts. The manager, which is a fiscal responsible for the village and knows the numbers and know how much it takes to run the business. From the lawyer, which is a very knowledgeable attorney. That's the recommendations we actually take.

Of course, the code enforcement. Listen, we had a code enforcement- in less than less than a year, we've gone through three code enforcements because we cannot just pay enough. We don't have enough money to pay a good decent amount to keep a good code enforcement officer. Sometimes it might seem a little higher, whatever the fees will try to implement, but it's actually based on recommendations from the manager. That's pretty much what it comes down to.

Mayor Nickerson: Thank you very much, Vice Mayor Pirela. Appreciate that. We'll see if there's any wiggle room. That's one action night. We'll see if there's any wiggle room, if there is any. That's one action item.

Vice Mayor Pirela: I agreed 1000% from the beginning and I said [unintelligible 02:56:23] which is a super host as well. He's been the pioneer of Airbnb specifically in the village, started over 10 years ago. I've completely agreed with the higher penalties and a little lower administration fee or registration fee if possible. That was my first thought.

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Mayor Nickerson: Possible that would be-- That's my thing also. I think it should be lower registration and higher penalties. We'll see any wiggle room we have with that, and I definitely need a distinct list of the name of the thing they need and then the exact cost of what it is. The requirements and the cost of doing it. I definitely need that just because for those fees, we'll need that for the supporting document, I believe for next time.

Councilperson Martin: Well, I'll attempt to get that. We haven't done this before, so we don't know the fees. I did reach out to Tisler [unintelligible 02:57:38] who provided us a fiscal impact study back in 2017 to just see what it would cost for us to do, considering we're one person departments and a very small police force. He said he thought the fee was extremely low, my recommendation of \$7.50 considering our resources. He did say he could do an analysis for us if we wanted to employ that. I don't know how I can find out exactly what it would cost, but we'll try to figure something out.

I'll work with our code enforcement officer, but understanding what does an inspection cost or what does it cost for the police to come out, I don't know. For that, I'll have to just give you some general and generic numbers, but there are some issues related to just staffing and I understand that you feel like we're already doing this, but we are also dealing with the complaint of, and that's a constant, every weekend I'm called upon, every weekend I have to call code enforcement.

We are one person dealing with these issues and we still have to answer to this. In one respect, again, three people in one year doing code enforcement, and now we're asking them to have even more responsibilities than code enforcement alone. That is a cost. I'll put some numbers together and I'll work them with all of you so that you can at least see that and maybe you can find some other things as well to assist me with that.

Mayor Nickerson: All right, I see what you're saying because as far as the cost for the police coming out, that wasn't directly what I was I was thinking about, but you're saying that the cost of the police coming out has to go into the cost of what the registration fee is, and that's why I just feel like it should go into the cost of a penalty though. I don't know. All right, we'll work through it. Anything else from the council?

Vice Mayor Urbom: Yes, if I could have one final thought.

Mayor Nickerson: Go ahead, Councilperson Urbom.

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Vice Mayor Urbom: Councilperson Brenson is longer here, but I wanted to explain to him that I wasn't taking anybody's side. I was merely trying to illustrate that the argument from this podium over here regarding discrimination against owner occupiers versus non occupied owners, and the argument from this podium over here in terms of a high fee feels like an attack. For me personally, I'm just trying to illustrate the reality that a nominal fee deals with both of those arguments. If it was me and we didn't have Tallahassee, 2011 hadn't happened, I would be up here arguing that we ban short term rentals in El Portal.

For any resident who wants to know where I stand, that's where I stand. It's not anything personal against anybody. I feel that way based on arguments similar to what Ms. Brooks had made. I'm one person and, like I said in previous meetings, who really cares about my opinion? Understanding that I might have my opinion, I also have to understand that other people have a different opinion. I just want to illustrate that when it comes to registration fees and what we're trying to accomplish with the ordinance in terms of enforcing this thing, we're already paying out of pocket for all of this. It's already happening right now, just as the manager just illustrated. Weekends, after hours, et cetera, et cetera, for all of these issues.

If we want operators in the STR world to participate in our ordinance, which we'll then mitigate, the purpose of all of this is to mitigate the negative effects of having transient activity in the village. If that's the goal, then participation is the key and the way to get participation is to make it easy, super easy. It's going to take us two, three years to figure out what our real cost of enforcing this is anyway. It might be 18 months from now, and we're like, "Hey, you know what, we're changing all the fees. We're adjusting enrollment, we're adjusting penalties, all of it," as different things come into light.

At the beginning, at the outset, to get the best possible outcome, that is specifically why I'm making the argument. I said my \$10 suggestion was hyperbole. I say it on the record, it was hyperbole, but just simply to illustrate the point. The occupancy plus the business tax, we're already at \$190, almost \$200. At my \$10 fee, we're already at \$200 to get started. Again, the higher the registration fee, the more likely you're going to eliminate the residential operators and all that will be left will be the LLCs and the S corps and all the problems will continue and we'll deal with all the same issues.

Only this time we won't have any residents advocating within that community to get everybody in line. I think with a higher level of participation, obviously STR operators speak with each other, so the word will be out. If the word is out, hey, don't even play with EL portal, don't even go register, it's not worth your time. Just operate until they kick you out, that's not going

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to accomplish our goal either and that's what's going to happen, in my opinion, with an astronomical enrollment fee.

Councilperson Martin: One last thing to say on the topic. From what I understand, we've been talking about short term and I haven't been on the council that long, but I know that the conversation about short term vacation rentals predates my tenure on the council and then stagnated for quite some time. I resurrected it and now we've been moving full speed ahead and I want us to continue moving full speed ahead. We've passed the ordinance. The next step is the resolution to set the fees. No matter what decision we make, someone is not going to be pleased with the decision.

The task in front of us is to receive input from both sides and to come up with the course that we think is best, but I urge us to continue to stay the course. We have to move forward.

In this next meeting on December 15th, I would love for a properly noticed meeting and an opportunity December what, 13th? A properly noticed meeting and I will personally invite some voices from the other side so that we can get a good idea of what it is we're looking at and I urge everyone to talk to short term vacation rental owners and non-owners to see where we are in this and to come up with the fee structure that you think best serves the village.

What I think and I can say it up here 100%, is that we should follow whatever the recommendation is of our manager. She is going to have to administer that program. If there's a program that cannot be administered for all intents and purposes, we do not have a program. What that means is that we've said to the people in the village who are not short term vacation rental owners that, "Hey, you got to deal with it. You got to deal with the noise, you got to deal with the trash, you got to deal with the parking issues. We don't care." That's not my position. My position is that first and foremost, people who live in the village should be able to quietly enjoy the village.

Everything beyond that then is something that can be worked around and worked with. If you want to operate a short term vacation rental in the city, that's fine, but now these are the rules to operate that business. We want you to operate the business. We just want to make sure that your operation of that business doesn't infringe on anyone else's right to quietly enjoy their property. I don't think that that's unreasonable. I think we have a manager for a reason. She set forth the number that she thinks is necessary for us to continue in the program.

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We can advise her to look as to whether or not she can trim off certain things and come up with a new number. I am not a city manager. None of us are city managers. For us to tell her to administer a program with \$40, I think, undermines her position and our faith in the job she's doing. That's my position on the topic. Mr. Mayor, I think you have someone who wants to speak.

Speaker 1: [unintelligible 03:06:45] 75 Northeast 90th Street. You're making this sound as though we are, basically, setting up party houses. I live in my house. The people that come that I rent to I only allow two people and there's no noise, no party. They park in my driveway and I am not going to have anybody coming in, I don't even want to hear them. They have their own entrance and I do not have any problems. I've been renting for three years and I have never had a problem. No police, no nothing. Don't come and make it seem as though I'm trying to set up a party. That's not the case.

Councilperson Martin: If I made it seem that way, I completely apologize. There are people who do set up party houses and those are the people that we want to protect against. The fact that you don't I don't want you to think that I'm saying any broad generalizations because those are usually incorrect. I don't think you have a party house.

Speaker 1: Most people who are renting the AirBnBs basically are owner occupied and they don't have any problems. Not ever. You need to distinguish between owner occupied and non occupied and set these accordingly. If that's what it is. Most of the problems you might find is on Northeast Second Avenue because there's a lot of them there, but as far as everybody else, no problem.

Councilperson Martin: Point taken.

Speaker 1: It won't be any problem.

Councilperson Martin: Point taken. Thank you so much.

Mayor Nickerson: Thank you, sir. Anybody else from the council?

Councilperson Martin: No, I think I'm good.

Mayor Nickerson: You're good. Out there, you guys good? I know what we're going to do from now on, to prepare for the next meeting. We're going to move on to manager's report.

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Councilperson Martin: I will be deferring my report. You will see it on the Village website at the end of the month. We're only 15 days into the month and there's so much already we've done, but there's so much more to do. If you will just stay tuned and you can read the manager's report online. Thank you.

Mayor Nickerson: Thank you very much. [unintelligible 03:09:28] I don't have to do a report, but we still do a report and because of the time, I'll save my report for the next meeting. I want to say some things about the informational exposition and stuff like that. The village attorney left. Let me say this, since the village attorney left before I get the good and welfare. We meet once a month. Councilperson Martin has two little sons at home. We saw them earlier. Wonderful little individuals.

Councilperson Martin: We heard them earlier.

Mayor Nickerson: We saw them and heard them earlier. Former Vice Mayor Councilperson Urbom has four at home. He has a lovely wife and mother at home. She has three little ones at home. She has a daughter at home. He has a son at home. I say this as nice as possible. We make \$3,000 a year. We meet once a month. If one of our chartered officers can't sit in the meeting for once a month when they make like what, \$90,000 a year, and come and whisper in my ear, "I got out of bed for this. It's ten o'clock. I'm leaving," There might be some things we have to revisit in the near future. That's all I got to say. Anybody for good and welfare that you can come up right now and say your name and address for the record? You can talk about anything at all. Hearing none. Do I have a motion to adjourn?

Councilperson Pirela: Motion to adjourn.

Mayor Nickerson: Motion. Congratulations, Vice Mayor Pirela, do I have a second?

Councilperson Martin: Second.

Mayor Nickerson: Second. Councilperson Martin. All in favor, say "Aye."

All Participants: Aye.

Mayor Nickerson: All opposed, say "Nay." Hearing none, the Village of El Portal Council Meeting for Tuesday, November 15th is adjourned at 10:14 PM.

[03:11:47] [END OF AUDIO]

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