



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Mayor Omarr C. Nickerson: I'm calling to order the regular council meeting for Tuesday, December 13th, 2022. I'm calling to order at 7:05 PM. We've already had silent meditation. We've already had the pleasure of allegiance. Madam Clerk, may I please have a roll call please?

Village Clerk Yenise Jacobi: Roll call. Mayor Nickerson?

Mayor Omarr C. Nickerson: Here.

Village Clerk Yenise Jacobi: Vice Mayor Pirela?

Vice Mayor Luis Pirela: Here.

Village Clerk Yenise Jacobi: Councilperson Urbom?

Councilperson Anders Urbom: Present.

Village Clerk Yenise Jacobi: Councilperson Lightfoot-Ward?

Councilwoman Dr. Anna E. Lightfoot-Ward: Present.

Village Clerk Yenise Jacobi: Councilperson Martin?

Councilperson Darian Martin: Present.

Village Clerk Yenise Jacobi: Also present for the record, Yenise Jacobi, village clerk, Christia Alou, village manager, and Joseph Geller, attorney is running late. We have a quorum.

Mayor Omarr C. Nickerson: All right. Thank you very much, Madam Clerk. I appreciate that. Do I have a motion to approve the agenda? I do have because of one of my choices for when we get to the Charter Review Board, one individual dropped out and told me another individual that could take his place. I do have that deletion and addition, but I can talk about that when we get to the Charter Review Board. We don't have to talk about that right now. Does anybody else have any additions or deletions when it comes to the Charter Review Board names or any other any other adjustments to the agenda itself? Hearing--

Vice Mayor Luis Pirela: I'm sorry. The only thing will be the discussion about what's the process and all of that.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Mayor Omarr C. Nickerson: We're going to get all to that. [crosstalk]

Vice Mayor Luis Pirela: The ones that they're aware of what the commitment they're actually making.

Mayor Omarr C. Nickerson: Yes, we're going to go through all that when we get to that agenda. [crosstalk]

Vice Mayor Luis Pirela: [crosstalk] by accepting that. Okay.

Mayor Omarr C. Nickerson: Thank you very much, vice mayor Pirela. That being said, do I have a motion to approve the agenda?

Councilperson Anders Urbom: So moved.

Mayor Omarr C. Nickerson: Moved by Councilperson Urbom. Do I have a second?

Councilperson Darian Martin: Second.

Mayor Omarr C. Nickerson: Second by Councilperson, Martin. All in favor say aye.

Members: Aye.

Mayor Omarr C. Nickerson: Aye. All opposed, say nay. Hearing none. Moving on. Next is good and welfare. Anybody from the audience can come up and talk about anything in relation to the agenda items themselves. There will be another good and welfare at the end where you can come up and talk about anything at all. For the first good and welfare, if anybody has anything that they want to say about the agenda itself, when we get to the agenda item, you guys will also get a chance to speak then.

If there's anybody who wants to come up right now and talk about anything on the agenda, come up, say your name and address for the record. The floor is yours for three minutes. Hearing and seeing none. Moving right on. Consent agenda. This is all, once again, you guys, no taxpayer dollars. All federal funding, all police department equipment. If I have no questions or comments, do I have a motion to approve the consent agenda?

Councilperson Anders Urbom: So moved.

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

Mayor Omarr C. Nickerson: Moved by Councilperson Urbom. Do I have a second?

Councilperson Darian Martin: Second.

Mayor Omarr C. Nickerson: Second. By Councilperson Martin. Does anybody in the audience have any questions or comments about the consent agenda police equipment items? Not taxpayer dollars. All federal funding. Hearing and seeing none. Madam Clerk, may I please have a roll call for the consent agenda?

Village Clerk Yenise Jacobi: Councilperson Martin?

Councilperson Darian Martin: Yes.

Village Clerk Yenise Jacobi: Councilperson Lightfoot-Ward. I'm sorry.

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

Village Clerk Yenise Jacobi: Councilperson Urbom?

Councilperson Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Vice Mayor Pirela?

Vice Mayor Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Mayor Nickerson?

Mayor Mayor Omarr C. Nickerson: Yes.

Village Clerk Yenise Jacobi: Motion passes five to none.

Mayor Omarr C. Nickerson: Thank you very much. I appreciate that. We're going to the agenda items. We really need to get off for these last two things, but for the agenda items, Madam Clerk, moving on to G1. The charter review revision, resident board selection. We were here a couple of meetings ago. We spoke about how we have to start the charter review process. We have to start the charter review process in 2022. It will go through-- We have to at least pick our charter board in 2022. This is the last meeting, December 13th of 2022. That's why we're going to be picking the board tonight.

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

We have to pick an odd number. I would suggest picking an odd number because they do have to vote on things, on what they're going to bring to the council. This is the way it works. They're going to go through our charter. As they go through our charter, they'll look at everything in the charter. Like for example, they'll say, "Oh, this is how it works with the council. These are the meeting procedures. I hate these procedures. I think they should be changed." You guys will give suggestions to the council.

When you guys give us the suggestions in 2023, then we'll take those suggestions. We'll vote on those suggestions. Let's say we agree with what you guys say, and it passes three to two or four to one or five zero, then that revision, that idea that you guys want to make an adjustment to the charter. that then goes to the voters in referendum, in the next election, which would be 2024. When you go in 2024 to vote, you guys know how you go to vote, and you see those questions.

Like should the Miami-Dade voter taxpayers fund such and such park? You either vote yes or no. It'd be one of those type of questions. Whatever you guys decide for our charter, when you go to vote in 2024, you will see that question. Should the meeting procedures be adjusted to say whatever, whatever. Ultimately, if it goes through all that process where you guys pass it, you guys recommend it to us, we pass it. Ultimately, the voters of Alberta Town in the end get the final say in referendum. That's how it goes.

We have to have at least a board. This board, none of us can be on it. This board has to be 100% residents. That's why we're doing that today. We have to pick that board today. An email went out. We also had been talking about it, residents that had seen meetings and just kind of heard through the grapevine. Also, they had contacted some of us individually to say they wanted to be on the board. Some people were sending emails to the clerk saying they wanted to be on the board. We compiled all those names.

The clerk and myself spoke to Attorney Geller, and he had some ideas and thoughts himself. I wish he was here to say those ideas and thoughts. I know Clerk Jacoby is looking at me at the side. Look how she's looking at me, you guys. Jacoby's like, "Mayor, let Attorney Geller do his work himself. Don't do it for him. Don't start going down the line saying all the things that he was speaking about."

Essentially though, you all, for the Charter Review Board itself. As far as meeting goes, the review board, once it's created, they can dictate as far as how many times they want to meet per month. My suggestion is you guys saw-- In the email that went out, if you guys saw my

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

email to you guys the letter to the residents, it was at least once a month, I would say. Once a month. That way, you guys can move through it fairly quickly and things like that. Once a month if you guys meet like that.

Now, as far as the meeting itself, so there was a back and forth that attorney Geller was having with myself and the clerk. The clerk is very knowledgeable on things like this. Plus she has a very big network when it comes to other clerks in other cities. I'll let her jump in the second if she wants to, but we were trying to figure out just the meeting procedure itself as far as like hybrid Zoom, in person. A couple of us had different ideas. We had little debate about it and things like that. Attorney Geller feels like this. Attorney Geller feels like it should be 100% in person. Here's attorney Geller. Attorney Geller came right on time.

The clerk was going to kill me if I continued to speak because she likes you to speak the legal terms. We were talking about how, Attorney Geller, you, I and the clerk, we've had discussions. We were talking about the procedures of actually how we're going to run the Charter Review Board. Once that board is together, that resident Charter Review Board, how they're going to run themselves as far as like frequency of meetings, the style of meeting and things like that. I was at the point to where my suggestion was at least once per month.

Village Clerk Yenise Jacobi: We've got a lot of cards happening.

Mayor Omarr C. Nickerson: That way, it would be able to move on fairly quickly, but not having spent so much time. I spoke about how we had a debate and discussion about the procedure of the meeting, whether I thought Zoom would've been best, but you said that you've done meeting of these and that you said that in person would be best. Attorney Geller.

Attorney Joseph Geller: Members can participate by Zoom if that's what the decision is, but if you start, you must have a physical quorum present at any time. If you've got a seven member body, you have to have four people in the room, and those are the ones selected or those are the ones interested.

Village Clerk Yenise Jacobi: Interested.

Attorney Joseph Geller: Okay. I'm just saying regardless of what you do, if you had only a seven member body, you've got to have four present in the room to have quorum. If you have a 15 member body, you got to have eight present in the room to have quorum, et cetera. People

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

on Zoom do not count towards quorum. You can allow them to participate, but it ends up putting kind of an undue burden on the people who make it to the meetings.

If you have people who don't participate you're able to remove them. Keep in mind, as I know you've discussed already, and as we talked about, this body is subject to the ethics requirements of the county. I believe they even have to make financial disclosure, and they're certainly subject to the Sunshine law and cannot discuss this among themselves, any two of them, even at any time for any purpose.

Village Clerk Yenise Jacobi: Also public records.

Attorney Joseph Geller: They're also anything to do with it. Any notes or anything are considered public records. Absolutely correct, Madam Clerk. At the end of the day, if you have too many members, and you find that you're not able to get a quorum. Or if you have difficulty because only the people who can physically make it here, and you're going to allow others to appear by Zoom, you make it difficult for the board to complete its work. That's not a legal requirement, but having a quorum, in-person, is a legal requirement and a bang sunshine and ethics and financial disclosure, those are legal requirements.

I wouldn't stipulate monthly meetings. The group can decide to meet monthly, but if they were meeting now, and they had met a couple of days after Thanksgiving, and they needed some time to get stuff done. They said, "Well, we'll just meet January 3rd or 5th," and it turned out it was five weeks instead of having to have one in December, that's a decision that the charter review committee can do itself. Now, keep in mind, the committee only makes recommendations. The final word is the council.

The committee can recommend to the council what they think should go on the ballot, but the ones who put it on the ballot is the Village Council. It's not complicated. It runs, basically, according to Robert's Rules of Order. There are a few different ways that they can choose to proceed. I've done it twice for the Village. Once when we wrote what we call the new charter, which is Councilwoman Lightfoot-Ward, we'll recall.

Ain't that new anymore, but it was when we passed it 20 years ago, and it replaced the 1937 charter that was pretty out of date. Then we did it again. I think it was in '12, but that's my recollection. It's a pretty straightforward process. How long it takes is really a function of the membership, but I will tell you, the more members you have, the harder it is to get product.

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

Mayor Omarr C. Nickerson: I just wanted for clarity purposes. The reason why Attorney Geller is saying that those on Zoom wouldn't be considered part of the quorum is because this is the closest board to what you see right here, right now. Since we've moved to in-person meetings, then this being the closest board, this board, basically, has to also be moved to in-person meetings, therefore, anything on Zoom if we would have something like that it wouldn't be allowed.

Now, maybe if this was done a couple of years ago during the COVID era where everything was strictly Zoom, then it would've been a different story. That's the reason why this has to be mostly in-person meetings. That might be a consideration while we're going through looking at these names because there might be individuals who thought that they were able to appear on Zoom. I know a lot of my choices, individuals that came to me, it would be much more difficult to come here in-person. It might change because they have children and things like that. They have young children and stuff like that. That's something to consider, I think. Vice Mayor Pirela, I see you want to say something.

Vice Mayor Luis Pirela: The only comment I have is also the cost of it. Zoom meetings is going to cost a lot more if they're meeting once a month. I don't know if we have anything budgeted for this, because the review of the charter is going to cost a lot. Not only if we actually decide to go with questions, how many questions are going to be presented and how much is each question. I understood that we need to get a separate fees for the lawyer because it doesn't include whatever the contract we have with the legal services as part of the charter review. Since is done every 10 years, it's not part of the service. A Zoom meeting, I think, to my knowledge wouldn't be the best way to.

Mayor Omarr C. Nickerson: The best way, yes. Which we're mostly referring to are the hybrid meetings because those are expensive ones. Straight Zoom is not really expensive when we do it that way, but the hybrid meetings would be expensive. That's the way we had to do it if we would you that.

Village Clerk Yenise Jacobi: You couldn't have it just Zoom because like he said, you have to have Quorum.

Vice Mayor Luis Pirela: Quorum. It has to be hybrid.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Village Clerk Yenise Jacobi: Then you also have to keep in mind that who are you going to decide, who's going to decide who's going to be on Zoom and who's not. That is also another [crosstalk]

Mayor Omarr C. Nickerson: No, I'm saying, yes, so that's the reason why we can't do the hybrid meeting.

Village Clerk Yenise Jacobi: Hybrid.

Mayor Omarr C. Nickerson: The hybrid is what I'm talking.

Attorney Joseph Geller: The other thing, Vice Mayor, is if you're on Zoom, when it's a hybrid meeting, it's just that many more people talking and the longer it goes, the more expensive.]

Mayor Omarr C. Nickerson: I'll get comments from other individuals, but I do want to say I'm getting the comments from [unintelligible 00:15:48].

Attorney Joseph Geller: Let me add, by the way, Mayor. Important though to the Vice mayor's point. There's nothing that says non-members of the committee can't present ideas to the committee for the committee to consider. People can put it in writing, they can send it to the clerk, can send it to the manager, they can send it to me, they can present it to the committee. I can send it to any of you, and their ideas can be considered. I don't know that the design review board necessarily wants to take oral presentations, but that's up to the board. I had to sign the--

Mayor Omarr C. Nickerson: Charter review.

Attorney Joseph Geller: Charter Review Board, but certainly, they can consider the ideas of other citizens. No one's precluded from presenting their ideas. It's an open process.

Mayor Omarr C. Nickerson: Yes, I just want to say, I'm going to turn -- thank you very much, Attorney Geller. Turn over to Chairperson Martin, but I do want to say while we're going through this and while we're making our comments made. I think what we need to first concentrate on just move this forward, we can concentrate on how many people do we want on this Charter Review Board, and can I go from there, the maximum people that we want. That would allow us to either eliminate some names or push some things forward and things like that.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

We have to have minimum seven. There's no maximum, we have to have minimum seven. Keep in mind, you guys, brainstorm how many people do we want on here, and we'll just go from there and remember to keep it odd. Keep it odd because they're going to have to vote on this thing. If there's a difference of opinion, and you have six people that vote for and six people that vote against, then how's it going to be moved to us. Let's keep it odd, think about your maximum number that you want. Chairperson Martin.

Councilperson Darian Martin: Your final thought is a great segue into my thought. I read just a report by the National Civic League all about charter review commissions and best practices based on other municipalities and research that they've done. They landed on the ideal number as at 15 to 20 community members. Initially I thought that sounded high to me, but then when you think about the Charter Review Commission as an outreach commission, it makes sense. They can do a lot of that leg work.

If you have 10 or 15 members, they have their networks, people that they can speak with. To attorney Geller's point, they can get information from villagers about either ideas on the charter, dislikes, likes and other ideas, filter it through and present it to us at the end. I think that the number that we have is a workable number.

It's an odd number already. I would leave it as such. I think going through the process of figuring out whose analysis is changed by this removal of the availability of meeting through Zoom. I think that would be something, I think, that might be speculative and kind of unwieldy to do tonight. I would say, except everybody on the list, if anybody wants to opt out based on the fact that Zoom is no longer an option as far as how they may appear, except their early resignation. Then, hopefully, we land at an odd number and just continue with that.

I think we're actually at a good number. My only counsel as well would be, I think we should give them a hard end date as far as when they should give us their recommendations, but then leave it free and up to them to determine whether or not they're going to meet bimonthly or monthly based on how they choose to divvy up the tasks.

Those 15 people could create subcommittees within the committees, work on different chunks of the charter and figure out how to knock this task out in a way that really doesn't need our hand-holding. I would just accept everybody on this list, let them opt out if there's no Zoom, and give them the hard end date by which they're supposed to present their findings to us.

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351

www.fullmooncreative.com

(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

Mayor Omarr C. Nickerson: Thank you very much, Councilperson Martin. I agree with you. I think currently right now on the list I think we have 16 but I'm going to make it 15 because one person did text me and say that they weren't going to be on there anymore. It will be 15, which is good. I think we currently have 16. Also, I just wanted to say that, Attorney Geller, we were on the phone, myself, you, and the clerk going back and forth through these things. There was something else that you brought up which is in our charter, it says to create the Charter Review Board. It is seven people.

I think it even goes more to what you were saying, Councilperson Martin, because things come up in people's lives and you never know with the Zoom thing. Even though we might start off with this 15, you never know who might not be able to continue after maybe the first meeting or a second meeting or even before the first meeting. It might be better that we keep it large because there might be some people that drops out.

Secondly, though, Attorney Geller brought up when we were in discussion in the meeting, and this was something that I didn't think of at first. In the mind, the way I was thinking about my thought process was in the charter, it said we needed minimum seven people to create the Charter Review Board. In my mind, I said, well, then we have to keep it at least seven people throughout the process.

Attorney Geller said no. He said to create the Charter Review Board per charter we created with minimum seven. He said, but if for some reason we fall to five, as long as the creation was seven, then the Charter Review Board can still go through, as long as we still have a quorum of the number that's left over. For seven, the quorum has to be at least four. Then if it drops to five, the quorum would be at least three. Attorney Geller and I interpreted that differently but if you want to just quickly speak on that.

Attorney Joseph Geller: Sure. You're only mandated as to what you do to set it up. If people resign or are removed for lack of attendance or something like that, or simply cease to participate, it's just not a problem. You complied with the charter to set it up. I'll just say this. If you have 15 people on here, that's probably a great size if it was a large city. For the city of Miami, that would probably be great. For Miami Gardens, that probably be a good thing. I got to tell you, 15 people, that's practically every other house here. That's a slight exaggeration.

Councilperson Darian Martin: We have 15 people that have already--

Attorney Joseph Geller: I understand.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

Councilperson Darian Martin: If the requirement was 15 and we were throwing that number out into space, and no one had raised their hand, I understand. We have 15 people in this tiny little village that are willing to do it so who are we to say no?

Attorney Joseph Geller: I'll just tell you, it makes it difficult to get a product by end date. If you have 15 people, and they each talk for only 10 minutes at a meeting. Do the math. I can assure you there are people who have more than 10 minutes worth of discussion. If you're going to require every meeting to be three, three and a half, four hours, that's going to interfere with the people who want to come who want to participate and have something to say. If you make it onerous for them, because like I said, if everybody has 10 minutes of discussion, and that's per item, and you know how many items there are going to be on each agenda. That's my only note of caution [unintelligible 00:23:43].

Councilperson Darian Martin: That's definitely a thought. I take that. I also think that I have faith in people and they'll figure out a way to make the meetings productive and also efficient when it comes to time.

Village Clerk Yenise Jacobi: Can I make a note, please?

Mayor Omarr C. Nickerson: For the time?

Village Clerk Yenise Jacobi: No, actually, I just want to know that each individual here has been aware of or let know that they need to provide their financial disclosures. That means that would be a public record. That they're subject to Sunshine, and that also subject to public records and ethics. I am not sure that everybody, because it wasn't clear to me in what we sent out. I'm just saying because for elections, I've come to know when people come to me, they're not comfortable with financial disclosures being public record.

Councilperson Darian Martin: I completely think that the number will change. I think we should let them know. I think we should accept the 15, let them know, and whomever drops out beyond that point, then we go forward with that reduced number. I expect some natural attrition based on those new requirements.

Mayor Omarr C. Nickerson: Not problem. Let me just say also, when this was sent out, those discussions hadn't happened yet. I couldn't wait to not send because we were so behind the ball as far as sending it out. That's the case. I want to say for Councilperson Martin, for your point

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

with Madam Clerk with the deadline. We'll come up with that, because in August 2024, because the election is November 2024, so August is the latest or July? When is the latest?

Village Clerk Yenise Jacobi:: Actually, they start collecting, because remember, we piggyback. The questions must be formulated by the attorney with whatever they decided if you guys decide. I would say by March.

Mayor Omarr C. Nickerson: Oh, yes. I thought it used to be August for the latest, for the submittal.

Village Clerk Yenise Jacobi:: By March, they start printing. Oh, yes. Remember, how many municipalities are there?

Mayor Omarr C. Nickerson: This is what I said, originally, 2023 is when they should probably work on this, have it ready for 2024. 2024 starting January, we can start voting on the different items that they suggest have it all done by-

Village Clerk Yenise Jacobi:: I would say [unintelligible 00:26:11].

Mayor Omarr C. Nickerson: -March. February, March.

Village Clerk Yenise Jacobi:: Yes, because they also have to advertise that.

Mayor Omarr C. Nickerson: Then there you go.

Village Clerk Yenise Jacobi:: They have to see if that is-- Keep in mind, there is a cost to each question and that's something that you have to budget for.

Mayor Omarr C. Nickerson: That'd be part of the decision when we're taking the suggestions.

Village Clerk Yenise Jacobi:: Exactly.

Mayor Omarr C. Nickerson: There might be some questions that we feel are more important and we're spending the money to put it on the ballot or on the voting thing before the [unintelligible 00:26:37].

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

Village Clerk Yenise Jacobi: I'll say have them ready by March, because even if they give July as a deadline, I don't know what it's going to look like. It depends on how many questions are from other cities that they also piggyback on.

Mayor Omarr C. Nickerson: I will stick to my original plan if you guys don't have a problem with it. This is something that we don't have to really discuss or talk about right now, necessarily. 2023, they go through the entire charter. They're finished by like December 2023. Starting January 2024, we start to get those suggestions, and we vote on them in our January, in our February 2024 meetings.

We decide what we're going to keep and what's going to go and what we're not going to keep. That's that, and then March, we formulate what we're going to keep. It goes to the clerk, it goes in the ballot for November 2024 to go to the voters and they vote on what's going to change and what's not going to change. I think that's a good timeline. You like my timeline? Councilperson Lightfoot-Ward.

Councilwoman Dr. Anna E. Lightfoot-Ward: In planning this process, is it fair? Is it going to be enough time for the people themselves on the committee to address the issues, and will we be telling them what we want or what we've seen over the past? The last time was, what, 10 years ago? Will we be inputting that or will they literally be thinking? We've had some discussions and said that the charter doesn't reflect that, i.e., what is that we're doing right now with the rental thing?

Mayor Omarr C. Nickerson: Short-term rental?

Councilwoman Dr. Anna E. Lightfoot-Ward: Yes. See, that's something that's critical to us. It's not something we created. Then as I've said on this council, we've had issues and said that, yes, we need to update that. Will they have a sense of that? I can't say that I took the notes on what was lacking or what things were inadequate for today's time. What I'm concerned about, we saw some things through the last three years, Mayor, that became an issue because they were dated. I'm only concerned, if the committee is given something to give them an idea that we know certain things are outdated, and if not, how are they going to know what to submit back to us in terms of putting on the ballot to change the code? Thank you.

Mayor Omarr C. Nickerson: Thank you very much, Councilperson Lightfoot-Ward. Great point. First of all, there's a difference between charter and code. Some things are in charter but some things are in code. That's the first thing. Second of all, for these particular meetings that

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

are going to be in person, Attorney Geller's going to be running the meetings because we can't be involved. We had a discussion about whether it had to be the clerk, Attorney Geller and Manager Alou had to be here.

We figured out that it only had to be Attorney Geller, because through these questions. That's one part of the answer, Councilperson Lightfoot-Ward. He'll be the one at the meetings that will be walking them and guiding them through the charter and there to answer the questions that they have or any confusion that they have with what they're discussing and voting on and things like that. We also can, and Attorney Geller, correct me if I'm wrong, when we were having our meeting, as residents because the meeting is going to be here in the chambers, as residents, we can attend the meeting. There was something Attorney Geller you were saying when we had that meeting about two Councilpersons or over two Councilpersons. What was that?

Attorney Joseph Geller: Because of Sunshine, two council members can't be present and speak at the meeting like a homeowners meeting. Sorry, I'm still dealing with this. I apologize for my voice. Council members can attend a homeowner's association meeting but they can't have multiple council members speak to each other because that's not a Sunshine meeting. Council members could attend charter review and if one has something to say, that's not a problem. If more than one is going to make a comment, the other council members need to leave the room when they do, or else they can make the comment.

Mayor Omarr C. Nickerson: There you go. When we have these meetings, Councilperson Lightfoot-Ward, we can all attend. Only one can speak and when that individual speaks, the rest of us have to leave the room. That's another way to where you're saying how we can have our voices heard about what we feel about certain things in the charter and things like that. Like I said, Attorney Geller is going to be there to guide them through the process.

Attorney Joseph Geller: I'll just say, Mayor, even with 15 members, which will definitely slow it down, I'd be very surprised if they need 12 meetings to get to what they want to do. If they need 12 meetings all through 2023, it could happen but I'll be surprised. Our charter is not that big.

Mayor Omarr C. Nickerson: They can adjust it, Attorney Geller, how they want to adjust. Go ahead, Clerk Jacobi.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

Village Clerk Yenise Jacobi: I have a question. What about for quorum. If you don't have quorum, you don't have anything, so that makes it that much more difficult.

Attorney Joseph Geller: If you don't have a quorum in a meeting-

Village Clerk Yenise Jacobi: You can't have a meeting.

Attorney Joseph Geller: -the meeting has to be canceled.

Village Clerk Yenise Jacobi: Getting 15 people to come, that's something to think about.

Councilperson Darian Martin: You don't need 15.

Attorney Joseph Geller: You don't need 15. You need eight.

Mayor Omarr C. Nickerson: You need eight. This is where I think we are right here. I don't know if Councilperson Urbom-- I'm going to come to you in one second. This is where we are here. This what I'm thinking. I have nothing against what Councilperson Martin said about keeping everybody that's on the list. I think that what we should do, I think that after we vote these people through or whatever we're going to do, I think that we should organize, and correct me if I'm wrong.

I think this can happen strictly through Zoom. Hold on, hold on, hold on, just let me get through before you shake your head, Attorney Geller. I think the informational briefing does not have to be in person. We can contact all these individuals like tomorrow, and say we're going to do an informational briefing on the board. Everything that we're talking about now, we go over with those individuals, none of us will be on there. You guys go with those individuals on Zoom while they're in their homes.

Look, you guys, the meeting is going to be in person. You got to do a financial report, Sunshine. You got to do ethics. You got to do dah, dah, dah, all through zoom. Then we see who we have left. I think that's what we should do because from that Zoom meeting, you might have people on a Zoom meeting.

Vice Mayor Luis Pirela: [inaudible 00:33:51]

Mayor Omarr C. Nickerson: You never know. Councilperson Urbom I'm going to let you speak right now. I think that after he speaks, I think we should just make a motion and accept

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

all of these individuals. I'll ask you guys, do you guys have anybody you want to remove or anybody you want to add to the list. I know I have one individual that I need to add to the list, but he's replacing an individual so the number is not going to change. I have one person to remove which would make it 15 instead of 16. Councilperson Urbom.

Councilperson Anders Urbom: I don't have too much to add, honestly. From the beginning, I said, the more people on the board, the better. I understand the concerns about efficiency, but this is a big deal. This is once in a decade, essentially, supposedly, or more. I'm entirely in favor of a little bit of rowdiness in terms of differing opinions. I think that we don't want to get quagmired in debate among the residence. However, we certainly need a diversity of opinions, a diversity of experiences. To get that, the more the merrier, essentially.

I agree that if we go the route of accepting everybody initially. I also am in favor of the informational Zoom meeting, that whoever chooses to remain should be encouraged and allowed to remain. Then we may see still a few people drop off as the months go by due to one circumstance or another. My only question really at this point is, is PlusUrbia going to be available or involved in any way with this board?

Attorney Joseph Geller: They tend to deal with the code. We have a land development code, a form-based code, which they were heavily involved in drafting, but that's the code. If we were doing a code rewrite, I would say we would have to have them. The charter, though tends to be vague. It's a guiding document. The code is there to implement what's in the charter. That's why our code is very lengthy. The charter is just not that long.

Councilperson Anders Urbom: Father of four, I do not believe in peace and quiet. It doesn't exist. I have not found it anywhere to exist in this world. Peace actually exists with the acceptance of noise, then you can have peace is what my experience has been as a parent.

Attorney Joseph Geller: Councilman, I live in college next door to a cemetery, and I can assure you, there are places are peace and quiet and that's them.

Councilperson Anders Urbom: There might be some mediums who were like, "No, the cemetery is full of drama." I'm telling you. There you go. I'm on board with the plan as discussed so far.

Mayor Omarr C. Nickerson: Thank you very much, you guys. I'm striking Tom Pulliam from my list, you guys. He gave a reason why he wasn't going to be able to do it. These were

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

15 now. Abby Brunson, who definitely wanted to do it, but couldn't do it but he gave me his replacement. His replacement is Lartreye Smith, which is L-A-R-T-R-E-Y-E Smith, who stays right across the street. They'll be able to attend. That's the Rodney household right across the street. No, absolutely, absolutely. That being said, does anybody else have any--

Councilperson Martin: I have one little thing, you guys are going to kill me. Just one little thing. Since this doesn't happen that frequently, I thought it would be super, super cute for us to have a junior Charter Review Commission. They're not an official body, but maybe partner with Horace Mann, some younger folks in the community, just to see what the civic process is all about, and have a first-hand view of this process that you don't really get to see very often. I'm willing to completely take the responsibility of wrangling that together. They're, obviously, not an official board. They don't need the clerk and whatever else, just so that they get a bird's eye view into how the sausage is made.

Attorney Joseph Geller: Councilwoman, if you get them here, I'll make sure they have an educational experience.

Councilperson Martin: Oh, awesome. I take that. I appreciate that. If everyone's on board, I will take responsibility for that, and hopefully, we can do that in the summer.

Mayor Omarr C. Nickerson: 100%. That sounds perfect. Absolutely.

Councilperson Martin: Middle schoolers, high schoolers,

Councilwoman Dr. Anna E. Lightfoot-Ward: If that works, make sure we give them something. It don't have to be no solid plaque, but some type of certification to encourage them. Not only that, if they turn out to be seniors, that looks real good trying to get to college.

Councilperson Martin: This is true. That's a very good thought. I'll definitely write that down. Thank you so much.

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

Mayor Omarr C. Nickerson: Perfect. All right, you guys.

Participant: I'm sorry, that was a very good idea [inaudible 00:39:26]?

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Councilperson Martin: To give them some sort of certificate of recognition for participating in the Review Commission.

Attorney Joseph Geller: In fact, if you can, they need public--

Mayor Omarr C. Nickerson: Service.

Attorney Joseph Geller: Public service hours, so maybe we could arrange for the time they spend in what are going to be a series of very long meetings to count towards their public service hours.

Councilperson Martin: We'll see if it works out for that.

Mayor Omarr C. Nickerson: Was that his little shot that you could [unintelligible 00:39:52] 10 people?

Councilperson Martin: He did and I accept it.

Mayor Omarr C. Nickerson: Was that a little shot?

Councilperson Darian Martin: I have faith in my fellow villagers. I think it will be--

Mayor Omarr C. Nickerson: I have faith in you too.

Councilperson Martin: These meetings will be nice and short.

Mayor Omarr C. Nickerson: I have faith in you. I have faith in you Councilperson Martin, and I'm with you.

Councilperson Martin: All righty. No good ideas. Thank you guys for the support.

Mayor Omarr C. Nickerson: All right, thank you, guys. Is there anybody else with any additions or subtraction to this list names? Everybody good? Anybody from the audience want to come up and talk about this before we take a vote on it? No. Go ahead, go ahead.

Camilla: You have some individuals that are on the list you might--

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Mayor Omarr C. Nickerson: Yes, I'm going to open up if anybody wants to come and say anything. You guys good?

Camilla: There's people here that are on the list. Raise your hands. You have three.

Councilwoman Dr. Anna E. Lightfoot-Ward: [unintelligible 00:40:38]

Councilperson Martin: Thank you, guys. We appreciate it.

Mayor Omarr C. Nickerson: We appreciate you all. Do I have a motion to approve the charter review revision resident board selection that is current?

Councilperson Martin: So moved.

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

Mayor Omarr C. Nickerson: Moved by Councilperson Martin, seconded by Councilperson Lightfoot-Ward. Madam Clerk, can we have a roll call, please.

Camilla: Roll call. Councilperson Martin?

Councilperson Martin: Yes.

Camilla: Councilperson Lightfoot-Ward?

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

Camilla: Council Urbom?

Councilperson Anders Urbom: Yes.

Camilla: Vice Mayor Pirela?

Vice Mayor Luis Pirela: Yes.

Camilla: Mayor Nickerson?

Mayor Omarr C. Nickerson: Yes.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Camilla: Motion passes five to nine.

Mayor Omarr C. Nickerson: All right. We'll get that in my-- Madam Clerk, you and I will get together for the Zoom and we'll make a list of all the points you guys have to hit on the Zoom meeting too. Timeline and everything.

Camilla: I also want to make a note. Some of you gave me the names. I would also need if you can provide the phone numbers so we can contact them. That would be great. If you can email them to me that'd be great. That'd be very helpful.

Mayor Omarr C. Nickerson: That's perfect. Thank you very much, Madam Clerk. Thank you very much, you guys. Thank you very much. It's going to be a great process. Moving on. I know right now Attorney Geller going to get ready to do a swearing-in for the information, but right now we're moving on to the resolutions. This is resolution H1, Site Plan Approval Construction One Story Addition. Camilla, if you want to come to one of the podiums to prepare for that. Attorney Geller, read that into the record resolution for us, please.

Attorney Joseph Geller: Yes, sir. H1, a resolution of the Village Council of El Portal, Florida, granting site plan approval for the new construction of a one-story addition at 150 Northeast 88th street in Zone 3, suburban residence in the Village of El Portal, an application by Maryan Sheppard. Providing for findings, providing for conditions, providing for appeal, providing for violation of conditions, providing for an effective date.

Mayor Omarr C. Nickerson: Thank you very much, Attorney Geller. Attorney Geller, do you want to do the swearing-in to the individuals?

Attorney Joseph Geller: Everyone who's going to give testimony in this matter, please raise your right hand and repeat after me. I, and state your name.

Dulce: I, Dulce Conde.

Attorney Joseph Geller: Do hereby solemnly swear.

Dulce: Do hereby solemnly swear.

Attorney Joseph Geller: Affirm, if you prefer. That the testimony I will give this evening.

Dulce: That the testimony I'll give this evening.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Attorney Joseph Geller: Will be the truth.

Dulce: Will be the truth.

Attorney Joseph Geller: The whole truth.

Dulce: The whole truth.

Attorney Joseph Geller: Nothing but the truth.

Dulce: Nothing but the truth.

Attorney Joseph Geller: Help me God or you may take an affirmation.

Dulce: Help me, God.

Mayor Omarr C. Nickerson: Thank you very much. Camilla, come explain to us this plan. It's already been through committee. It's already been passed through committee. That's why it's at council level. Explain to us this plan, and once again, give us your suggestion approval or not approval.

Camilla: Yes, certainly, Mayor Nickerson. This site 10 review application is for the construction of an approximately 1400 square foot addition to the existing 1600 square foot house at the property with address 150 Northeast 88th Street. The addition consists of a two-car garage, a new master suite, and a covered rear terrace, and complies with the zoning requirements and site development standards for Zone 3. The proposed plan is consistent with the comprehensive plan and the intent of the use of the district in which it is located.

The approval of the site plan, the staff believes, will not have an adverse impact on the village. The design of the addition is consistent with the architecture and details of the existing house, and it is compatible with the surrounding neighborhood in scale composition and materials. The applicant shows good cause with the proposal of the construction of the new addition to the residence. Therefore, approval is recommended for this site plan review application.

Mayor Omarr C. Nickerson: Thank you very much, Camilla. I appreciate that. Can you guys, before we all get started, I go to the council and see if they have any questions or comments? Can you all say your name and address for the record, please?

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Dulce Conde: Sure. My name is Dulce Conde, I'm the architect for the project. Address is 11410 North Kendall Drive Miami, Florida, Suite 208.

Mayor Omarr C. Nickerson: Thank you very much.

Juan: My name is Juan Calero, also an architect. Our office is at 11410 North Kendall Drive, Suite 208.

Mayor Omarr C. Nickerson: Thank you very much. I appreciate it.

Attorney Joseph Geller: Mayor, we should accept the staff report into the record.

Mayor Omarr C. Nickerson: Yes, we do accept the staff report into the record without objection, unless anybody from the council wants to object. You guys good? All right. All in favor say aye. Aye.

Council Members: Aye.

Mayor Omarr C. Nickerson: All right. Ready? All opposed say nay. It's all accepted. Appreciate that you guys-- Do you have any questions for either Camilla or the applicant? Anybody here on the council and I'll open it up to the audience.

Councilperson Anders Urbom: Just to know if anything has changed.

Mayor Omarr C. Nickerson: Camilla, has anything been adjusted since we first approved this at the committee level?

Camilla: It was approved and nothing has changed since then. Thank you.

Mayor Omarr C. Nickerson: Thank you very much. Thank you very much Councilperson Urbom. Anybody from the audience have any questions about this property? No. Being that as it is, do I have a motion to approve this resolution, which is resolution-- sorry about that. I was in the charter real quick, which is resolution H1.

Councilperson Anders Urbom: So moved.

Mayor Omarr C. Nickerson: Moved by Councilperson Urbom. Do I have a second for approval of resolution H1?

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

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

Mayor Omarr C. Nickerson: Second by Councilperson Lightfoot-Ward. Madam Clerk, may I please have a roll call, please?

Camilla: Roll call. Councilperson Martin?

Councilperson Martin: Yes.

Camilla: Councilperson Lightfoot-Ward?

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

Camilla: Councilperson Urbom?

Councilperson Anders Urbom: Yes.

Camilla: Vice Mayor Pirela?

Vice Mayor Luis Pirela: Yes.

Camilla: Mayor Nickerson?

Mayor Omarr C. Nickerson: Yes.

Camilla: Motions passes five to nine.

Mayor Omarr C. Nickerson: Thank you very much. Congratulations. Thank you very much, Camilla. Have a nice night. We appreciate all your time.

Camilla: Thank you.

Mayor Omarr C. Nickerson: Madam Manager, committee reports, you're up.

Village Manager Alou: I am referring everyone to the Village website for the December manager's report. It will be ready by the 21st after we've completed a lot of tasks that we're working on. I will give you just a brief description of some things that we're working on, which is our MS4 code permittee issue. We've been given an extension to address some of our

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

stormwater. Nothing negative, we're making strides in that aspect, but our public works director is working on that. We had a meeting today with Miami-Dade County to talk about the resiliency grant that Miami-Dade County was awarded to take over our septic-to-sewer project on the west side because we are so close to completion of the design.

They've taken on the project on behalf of the Village. We're really excited about that. We're in just the initial phases of talking about that. Just know that Miami-Dade County will be partnering with the Village to take on the septic-to-sewer conversion project that has been stalled for the past couple of years. There's more but please refer to the Village website by December 21st when I will give you more details about what all departments are doing and what we've been doing and what to expect in 2023.

Mayor Omarr C. Nickerson: I was going to say Manager Alou, myself and the village manager, we have a lot of big things coming in 2023. You guys in 2022, Madam Manager, we knocked it out of the park as far as funding historical amounts, never before in El Portal history combined. 2023, we have a lot of things on deck and we even have a lot of things public relation wise, Madam Manager, on deck. We're not even talking about how it wasn't that long ago that *Time Magazine* was here and just interviewed us back there about El Portal. We have the CW meeting tomorrow, so we have a lot. El Portal is really going to start getting out there more and more in a positive way.

There's a lot of exciting things happening in 2023. For my manager, my mayor report, I'm going to turn it over to Councilperson Lightfoot-Ward because she came to me earlier and she said, "Mayor," she said, "I'm reinvigorated because I'm getting back into things and there's things coming up and things. I'm joining organizations and things like that." She was very happy and excited about it. I said, "You know what?" I said, "I'm going to give my mayor report. I'm going to give you the time, Madam Councilperson." Madam Councilperson Lightfoot-Ward, the floor is yours.

Councilwoman Dr. Anna E. Lightfoot-Ward: Thank you so much. Mayor, I appreciate that. Joe, we were in a meeting last night. I was going to leave that to you to talk about. It's just one of the things that happens so often this time of the year and we just happened to be on the list and got voted into the DEM and it was very interesting-- DC, sorry. It was very interesting and we would want to keep you updated as best as we can.

My other issue was I walked away from the meeting last month because I was getting a little bit dizzy. I don't mind telling people if you see me looking like I'm about to fall out somebody

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

bring me some water. Thank you very much, Madam Clerk. It's a medical condition. It's not serious, but I do get there. If I do get there so you see me looking like I'm about to fall out, somebody, raise your hand say something.

The other one is the Public Affairs Committee Meeting, I didn't get a chance to do that because of the health reason. The projected calendar topics activities are as follows. They can be changed, everyone. Our Public Affairs Committee can be very robust. We've had some very interesting things that happened this whole year. Thank you, Mayor. When I was appointed, he said, "Give it imagination," so I did just that.

I put some dates by whether or not we'll be able to keep those dates. I'll only know per the future, but it's projected calendar of topics and activities. Anyone that wants to be a part of, we have three members on the committee. Martin, I know you're on the Committee of Public Affairs, and there's one more.

Mayor Omarr C. Nickerson: Urbom.

Councilwoman Dr. Anna E. Lightfoot-Ward: Urbom and you. Urbom. This is just something that I thought about. As the chair, it doesn't seem right that we shouldn't have some type of expectations of challenges and opportunities during a fiscal year. Again, I've selected some dates. It doesn't matter what that is. That's changeable. January 10th, update the Village's web page information, the general information, the history, the pictures, committee recommendations, suggestions for improving information.

We have a very dated, very dated webpage and that's nobody's fault. It's just an oversight. March 14th, I'm thinking in terms of invitation presentations from principals of both Horace Mann Middle School, and Dr. Marvin Dunn Academy for Community Education Senior High School, both schools are together. They're on the same property. Most of us miss it. We do have both a junior high school and a senior high school on the same property in El Portal.

The theme being *Ushering in the New Generation of Leaders, Acknowledging Celebrating, and Engaging Students' Performance*. That's why the last suggestion was so timely. We want to get the students involved. That's how I got involved. I went to meetings and didn't know that I would be doing this one day. I just found it very interesting that really, you actually can vote to have a sidewalk put in? You can have trees cut? I'm a little tight at that time and it caught on.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Then I became a city manager and I was off for the races. That was it. I know public service is a good career path. May 9th, open to suggestions from committee members from May July to September. I only think we need about five major things in public affairs to make it an affair of community activities, an affair that gives information, an affair that has an opportunity to be decorated.

In other words, if someone wanted to serve children say, "You know what? We got this extra Christmas tree? Can we put it over here?" That's happened in this village. "Sure you can." "We got all the stuff." "Okay." Then note, although heretofore there are generally no meetings after September, it is the request of the Public Affairs Chair, me, that the following be formally acknowledged every year as annotated below.

December 12th, commencing in 2022, we need the annual acknowledgment of this Village years of resiliency on the Village of El Portal's marquee. I got that from what, Mayor, you did last meeting. The commemorative things that were happening at last meeting were awesome. If anybody wants to disagree with me go right here, but I thought they were awesome.

All those recognitions, all those people in the public, all those things that the mayor took time to annotate. We've seen an increase in the people that are sitting in the audience. That's what we want. We want to bring them this is our city. This is our village and we need more people to be engaged. As I said, and I want to say it again, if I'm allowed to run, this term, I was appointed and the next term, I'm going to say goodbye to public service.

My birthday is December the 20th, I'll be 70 years old. I've done my time, but I'm looking very honestly at someone I can recommend to come into this kind of effort be placed on the ballot. I've done my time. I'm very proud of over 30 years in public service employed and as a councilperson and one-time mayor. Finally, the incorporation date for what I just said about, the marquee, began December 6th, 1937, making the village of El Portal 85 years old this year.

I only know that because the mayor put it on one of the plaques. You can read it. Isn't that our constitutional, our charter [unintelligible 00:55:34] something's up there that it talks about the aging of the village. I just don't remember which one it is.

Speaker: It's in the conference room.

Councilwoman Dr. Anna E. Lightfoot-Ward: It is in a conference room? We want to put it where people can see it because this is monumental. We have literally been here since

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

December 6th, 1937. That's monumental. This building is what I need to know how old this building is because we didn't always have this building. We had it, but not this size. The bathrooms are even modernized. I was happy about that. That is my report for projected calendar of topics and activities for fiscal year 2023. Madam Manager, we run on the fiscal, right?

Village Manager Alou: Yes.

Councilwoman Dr. Anna E. Lightfoot-Ward: Yes, rather than the calendar year. Thank you, Mayor. I appreciate it.

Mayor Omarr C. Nickerson: Thank you.

Councilperson Martin: Mr. Mayor, can I chime in? I was just having a coffee with a resident this morning and he was talking about the need for more events. I know that we significantly cut the event budget but I do think because we did cut that, we as a committee need to make assertive efforts to create some strategic partnership so we can add back just a few of those events targeting different populations, people with young kids, our elderly residents, but something that actually encourages folks to actually get out, get together, and strengthen those communal bonds.

I completely love your calendar of events but I also want us to do the legwork of getting some partnerships out there. They might create some physical events that our residents can attend.

Councilwoman Dr. Anna E. Lightfoot-Ward: I'm open to that, Mayor, and my fellow councilperson, two women on the council, look at that. More importantly, I'm a military veteran. I was surprised at how many military veterans are actually in this village. Totally surprised. They are still alive. Got the idea when I looked at North Miami's structure. People, I don't know how you feel about people going out to war voluntarily.

That's part of my heart. I was there. I know what it's like. It's okay to say, "Thank you for your service." It's another thing to be memorialized as other cities have done. It's just a thought that we might want to just simply take a look at that. Give people an opportunity to say, "Are you a veteran? Please sign up. Please fill out this form." Short very little forms that we can recognize them every year. Thank you very much, Mayor. I appreciate it. You too Councilwoman.

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

Mayor Omarr C. Nickerson: Thank you very much, both of you. I appreciate both of you. Let me just say a couple of things really, really quickly, and then we'll get ready to get out of here. I agree with you 100% when it comes to your schedule, when it comes to the events that you're talking about and referring to councilperson and Chairperson of the Public Affairs Committee, Lightfoot-Ward, as far as the military veterans, first responders, and those who own businesses, I'm going to be doing a lot with that information.

You guys know I had the informational exposition. Recently, we started to gather information. It's going to be an ongoing thing. Definitely, that event is going to be that huge event that you guys saw. It's going to be once a year at the end of October. For example, for small businesses, and Councilperson was like, "Oh you know this." For small businesses, I'm going to put together an entire business pamphlet of all El Portal business owners.

Everyone's going to get a one-pager with photos and explain their company, explain their business because like I said in the informational exposition-- How are you doing, my brother? [laughs]. Like I said in the informational exposition, you might have somebody who is down the street that does what you're looking for. You might be looking for somebody that does a certain thing, they might be around the corner from you and you never ever knew it.

I'm going to do that for El Portal business owners. I'm also going to be doing a lot with the military veterans and first responders. That's going to be a good thing. Also Councilperson was like, "Everyone knows this." We're on the same page also when it comes to the school situation because not only Horace Mann and Marvin Dunn but also Phyllis Ruth Miller has reached out. What I was going to do was, I'm going to put together, and now we're going to be on the same page because we knew that, but I'm going to put together one Saturday where I'm going to have all three schools here and they can present a presentation to the whole community.

Whoever comes out that Saturday, I'll have food, refreshments, and things like that so that they can come out, the principals, the administrators, and the teachers can speak from each of the three schools because the elementary school can go first, the middle school second, and then the high school third because the principals reached out to me and they're like, "Well, Mayor, we don't have any El Portal kids going to our schools." I said, "Well, you know what? They just might not know what you guys have to offer so let me do a day where I bring you all in.

I'll walk the flyers around and make sure as many people come there. I want to be there. I'll do it on a Saturday morning, maybe starting at whatever, 10 or 11:00 AM, I'll have lunch, something like that. You guys can present. Say all the wonderful programs you all have, all

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

the magnet programs you all have, and things like that so people know." I said, "And after that, I'll gather that information and I'll make you a flyer that shows all the programs you all have and I'll put them in my door hangers that I always do." That's going to be coming up also in the new year. All right. I appreciate you all. Thank you very much. Anything else?

Councilperson Martin: I do have one thing and it's unrelated to anything that we see on the agenda, but I was wondering as to why we weren't setting the fees for short-term vacation rental this evening. Just some guidance on that.

Mayor Omarr C. Nickerson: All right. There was just a lot of non-clarity when I was sitting there with the resolution and with the fee schedule and with the ordinance itself. Our code enforcement officer came back to me. Attorney Geller also had a meeting with the code enforcement officer and there was just some things in the ordinance itself that they felt that we just couldn't enforce and it had to be adjusted and so since there was--

I didn't want to put you guys through-- and you guys are the ones that championed that item, but I didn't want to come here and put you guys and everybody else through the same discussion where it still was convoluted to where there wasn't a distinctive exit or endpoint at this particular time. That's the reason why we was-- We would've been talking about the same thing we had talked about last month and there still needs to be-- I'm looking for clarity as far as an endpoint, as far as what can be enforced, what can't be enforced.

I'm getting this information with the ordinance itself and so I'm like, "Okay, so how are we going to implement fees where there's now questions about the ordinance that I'm starting to hear about and get?" I said, "Let's just pull it off. Let's clean it up so that the next time we come, there's a hundred percent clarity and we know exactly what's going on instead of being like, well, what about this? Okay, well, let's look into this." I don't want any more of those type of meetings for any of us.

Councilperson Martin: I will say that it was deflating for me because every single time we say that we are going to do something in a public setting, the next meeting, I expect to do that so I prepare for it. I'm sure the manager prepares for it, the code enforcement officer prepares for it and at this point, it seems like we are perpetually preparing for the portion where we are going to implement the fees.

In my point of view, and Attorney Geller can let me know if I'm wrong, I think the ordinance and the fees are two different things at this point, and we can have the discussion about what

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

the fees will be separate and apart from whatever issues may be present with the ordinance. I emphasize may because I haven't seen anything about what the challenges are or heard anything from our Village attorney about whether or not those are valid.

I think if our attorney advises us that something is on sound legal ground and we've relied on it to the point that we've passed the ordinance, then if something else is brought forward, it should be shared with the entire council as far as what that new information is. If we already have the ordinance, questions about the ordinance, I think, should not bear on the conversation to move forward and set the fees.

At this point, because there has been such a delay, initially, with even getting to this point, this just seems like a lot of spinning your wheels for no particular reason. I think this is an item where there is going to be disagreements on the fees. There's going to be disagreements on the ordinances, and villagers are well within their rights to disagree, and if they want to bring suit, they're well within their rights to do that as well. However, the threat of that cannot stymie the process.

I for one feel like I've wasted a tremendous amount of time preparing for this moment that is no longer this moment because I think I'm a smart person, but I do have to prepare every single time we are set up to either make an educated decision on this item and discuss it with interested parties. I for one would like to keep my word.

If I say that I am going to be setting fees in a subsequent meeting, I would prefer for that to happen and I also think there are significant issues with someone unilaterally deciding to not give us that opportunity. I want to stay for the record that I am prepared today to discuss fees, would've liked to discuss the fees, and I'm completely frustrated by not being allowed that opportunity and not being communicated with in a way that allows me to understand why I am not setting the fees this evening. That's my comment.

Mayor Omarr C. Nickerson: Thank you very much, Councilperson Martin. Yes, the mayor sets the agendas and as far as any meeting that occurred, I can't talk to you. I can't talk to you prior to a meeting and say, "Hey, this is what I'm being told, this is what I'm being told." Now, I don't know if the attorney wants to chime in or the manager wants to chime in because they were in that meeting with the code enforcement officer. The [unintelligible 01:06:44] he's not here.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

Councilperson Martin: I'm aware that the mayor sets the agenda but I also know that we as a body sat in this forum and said that we would be doing something. I like to do what I say that I'm going to do and if I can't do that, if there's a reason, then someone should communicate to me as to why that is not happening so there's no why. For me, nothing has changed.

I have not seen any documents that make me say, "Whoa, this is not something we should do." I haven't seen anything about the fees that say, no. I've actually had a great conversation with the manager and the code enforcement officer about how to be fair in the way that we are administering this program and prospecting the cost. I feel prepared.

Maybe you have some information that would change that, but my issue is with the communication.

It is a five-member body and I think there's something fundamentally problematic with having one individual determine what it is you're able to vote on because then at the end of the day, it's really just one person deciding what comes before you and when it comes despite the fact that we sat here and we spoke about it being presented in the following meeting. That is just my issue. I know you don't intend to-- You're not trying to make it so that people cannot participate. I'm just telling you the issue with the system as it relates to this situation.

Mayor Omarr C. Nickerson: No, I understand what you're saying and you know it. I think everybody knows me well enough to know that I would never shut down any information or shut down any item so it can't be voted on. I don't try to stop people from doing anything or saying anything at all. There were previous councils that were like that, but ever since I've been mayor, it's not been like that. I agree with you when it comes to the new information should have been told to you, but I'm not the one to tell that to you. Do you know what I mean?

Councilperson Martin: I'm not saying that you are the person to tell it to me. I'm just saying it should have been communicated in some form.

Mayor Omarr C. Nickerson: Yes. Once that meeting happened between myself, the code enforcement officer, Manager Alou, and Attorney Geller, then maybe you should have been communicated to from that meeting.

Councilperson Martin: This is true. In addition to that, I just want to make it so amazingly clear. Everyone is not going to agree. There are going to be things where it is going to be gray. There are going to be some people that are going to disagree with what we are doing. There

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351

www.fullmooncreative.com

(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

are going to be some people who are going to say they will sue based on what is done and that just is what it is but it can't stop the legislative process.

The legal process is for Attorney Geller and he can vet that. The legislative process has to move forward and if we've passed an ordinance and we've said we are going to implement it, we should move forward as long as it is the will of the body. If everyone decides that they no longer want to do it, that's fine. I let it go. We don't have one but the discontentment of some with the decision does not negate the need for a decision. It's just what I want to make clear and with that, I'm off the topic.

Mayor Omarr C. Nickerson: Absolutely. I agree with you a hundred percent when it comes to the discontentment, but I think that when I was told that we cannot enforce, it wasn't that I don't like this or I think you guys maybe do it, but it was, I cannot enforce these particular things. I was like, "Oh, well," that's something a little bit different.

Councilperson Martin: My response to that would be the fees have nothing to do with the ordinance. We should still move forward with setting the fees and then fix whatever's wrong with the ordinance [crosstalk].

Mayor Omarr C. Nickerson: I hear what you're saying. I guess I was just thinking, like you said, the fees come separately. If there's problems with the ordinance, then the fees can't go into enforcement without the ordinance. You're right, we could have done the fees today, we could have put the fees through today, but they have no bearing. They have no wait if the ordinance is out of par to where there's just certain things that we're being told that we just can't enforce.

The fees kick in, but the fees kick in once the ordinance kicks in. That's the way the ordinance reads. This is my train of thought. Even if we passed the fees in January, with the new information that I got for the ordinance, then it still kicks in after that January meeting. Even if we pass the fees today in December, they would just be sitting there lingering, so to me, it wasn't a time difference, but I understand what you're saying.

Councilperson Martin: Yes. It's the preparation. I do think there's a way that you can do it that would have the fees be set in contemplation of you fixing whatever has been discovered about the ordinance. I look forward to seeing what it is that has been discovered about the ordinance.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41

Mayor Omarr C. Nickerson: All right. Thank you

Councilperson Martin: Thank you.

Mayor Omarr C. Nickerson: Thank you. Anybody else on the council? Any last comments, questions?

Councilperson Anders Urbom: Just to Councilperson Martin's words. I'll just say here here.

Mayor Omarr C. Nickerson: Thank you very much. Councilperson Urbom.

Village Clerk Yenise Jacobi: Can I say something?

Mayor Omarr C. Nickerson: Yes.

Village Clerk Yenise Jacobi: I need some clarification. Is the fees going to come from who because I'm the one who puts it together, the agenda, and if I don't have the documents on time, there's nothing I can put together. I give a deadline, Wednesday, and sometimes I received things on Friday. The agenda should have gone on a Thursday, not on a Friday because in order for you guys to make an educated decision, you also need the supporting documents. I'm a little lost to think of where is this coming from in the sense of--

Councilperson Martin: I don't set the fees, so I that comment was for somebody else. Let them answer.[laughs]

Village Clerk Yenise Jacobi: No, no, no, it wasn't direct. It's actually adding on to your point.

Councilperson Martin: No, I get you. I get you.

Village Clerk Yenise Jacobi: Yes. I'm adding to your point, where am I getting this from?

Councilperson Martin: I get you.

Village Clerk Yenise Jacobi: In order for me to put it in the agenda, in defense to Mayor Nickerson, he actually spoke to me about putting this on the agenda, but what he said was, "We're going to have the same people and you're not going to have any documentation. It's wasting the people's time and your time because you have no nowhere--"

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351

www.fullmooncreative.com

(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Councilperson Martin: This issue is definitely out of my wheelhouse. It sounds like internally there needs to be some things that are fixed and streamlined. Doesn't change my desire for things to be timely and for us, as a body, to do what we say that we're going to do, but I'm sure we'll be able to get it together.

Mayor Omarr C. Nickerson: Thank you very much. Thank you very much, ma'am. I appreciate that. Let's always keep in mind that when it comes to all these other topics that we've come up with that I'm right there with the writing of the ordinances and the resolutions. This went out like I wasn't. I think this was the only one since I've been mayor, I haven't been - I didn't write this ordinance or I didn't do this from the beginning.

Councilperson Martin: I don't know too many mayors that writing are ordinances. I will say that.

Mayor Omarr C. Nickerson: Being that's the case, it just wasn't in my way-- I'm trying to put things out. I'm trying to do whatever I can when it comes to that. This, the short term rental, it wasn't my baby as far as that concern, with that control, Vice Mayor.

Vice Mayor Luis Pirela: Yes, to Councilperson Martin's point is who's that decision it is to actually set up the fees and talk about it when we had already the information from the manager, the village manager, and recommendations, and we agreed with the fees and stuff like that. For my knowledge, there are no regulations out there that could actually prevent the municipalities charge as far as it goes to fees or licensing fees or violation fees. It's not like we're charging an extraordinary amount of money, and so whether the ordinance needs to be changed, I think with the fees, it's another step to actually finish with this whole process that's been going on for over a year.

Again, it is not like we've been unprepared or advised by the lawyer and the manager and court enforcement. It is been an educated decision, I think. Like Council Martin said, any threats of any suits or anything like that, it then it is what it is because not everybody's going to be happy, but that shouldn't stop us to actually proceed with the process and the lawyer is there. That's what we actually comes on. It's been all based on what he's thought. His recommendations were for the whole ordinance. Taking into consideration whether it's aggressive or is something that it's conservative for not to inconvenience the people that is actually benefiting from the business of short-term rentals.

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

Nobody wants to punish anybody. It's just that for the health and well-being of the whole community, period. Because yes, the 10 or the 43 or the 50 people that's benefiting from the business, there's another 1300 people. Everybody has been inconvenienced. I have short-term rentals around my house and I don't have no complaints. Understand, it's not personal and it's not to punish anybody, it's just the way the business should function.

Mayor Omarr C. Nickerson: Thank you very much, vice person.

Village Manager Alou: Mayor?

Mayor Omarr C. Nickerson: Yes.

Village Manager Alou: Okay. Thank you. I did meet with the mayor and our village attorney and as well as code enforcement. I spoke with the Chairperson of Planning and Zoning, Councilperson Martin several times. We went over the fee recommendations. I made some amendments and I went through that with you all and provided that. I did provide you all with that fee recommendation last week. Again, those are my recommendations, but that doesn't make an item. Those are there-- We await to hear what you will determine on those fees.

I do ask that you all speak with me when you have an opportunity as I've asked in that memo because I do want to go over that. I've gone over it extensively with the mayor as well as with Councilperson Martin. I do stand behind those fee recommendations and I hope that anything else that comes from the ordinance that we did make recommendations about changing the ordinance in ways that were brought to our attention. The fee, I don't see how those two will affect one another. We did, we put a lot of effort into it and I hope we can move it forward.

Councilperson Martin: Just one more thing. I know that you guys put a lot of effort into it, which is why I just don't want you to be stuck in this loop of preparing over and over again on this. The communication piece is important because if the ordinance is problematic in many ways, unenforceable, all of those things, that's information that we need to know as well to figure out how we move forward and how we don't waste time on that level as well, because we're relying on that document and the enforceability and correctness of the item. I'm an attorney, I'm not the city's attorney.

I'm not doing research on case law for every clause in there. I rely on the village's attorney to do that. If there's something wrong with it. If something is not working the way it's supposed to, that information, I think as well should be communicated with the council so we know what

Transcription service provided by



10001 NW 50th St Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622



**Village of El Portal
Regular Council Meeting
Date: 12/13/22
Meeting Start: 7:05 PM
Meeting End: 8:25 PM
Meeting Length: 01:20:41**

is happening because, at this point, it just seems like we're doing a lot of getting ready to wait. I don't enjoy being in this position of preparing, preparing, and having to prepare the same things over and over again and not moving on to the next legislative issue. That's the entirety of my concern.

Mayor Omarr C. Nickerson: I agree. I agree that you should be communicated, but I can't communicate to you, guys, you understand?

Councilperson Martin: No, not saying you, not saying you, but definitely, you did make the decision to pull it off of the agenda knowing that we anticipated it being on. Maybe next time if something like that happens, the follow-up to that is, hey, communicate as to why we're not doing this.

Mayor Omarr C. Nickerson: Yes, for sure. Thank you very much. Anybody else on the council? Hearing none. Good and [unintelligible 01:20:11]. Anybody wants to come up from the audience to talk about anything at all? Name and address, for the record you have three minutes. Anything at all. Seeing and hearing none, do I have a motion to adjourn? Moved by Council Lightfoot-Ward, do I have a second?

Councilperson Martin: I second.

Mayor Omarr C. Nickerson: Seconded by Councilperson Martin, all in favor say aye.

Members: Aye.

Mayor Omarr C. Nickerson: All opposed say nay. Hearing none, the regular Council meeting for Tuesday, December 13th, 2022, is adjourned at 8:25PM.

[01:20:41] [END OF AUDIO]

Transcription service provided by



10001 NW 50th ST Suite # 202 Sunrise, FL 33351
www.fullmooncreative.com
(954) 742-2622