

VILLAGE HALL  
500 NE 87<sup>TH</sup> ST  
EL PORTAL, FL  
CHRISTIA E. ALOU, ESQ.  
VILLAGE MANAGER



MAYOR OMARR C. NICKERSON  
VICE MAYOR LUIS M. PIRELA  
COUNCILPERSON ANDERS URBOM  
COUNCILPERSON ANNA LIGHTFOOT-WARD  
COUNCILPERSON DARIAN MARTIN

## MEMORANDUM

TO: Village of El Portal Council  
FR: Christia E. Alou, Village Manager  
DATE: December 28, 2022  
RE: December 2022 Village Manager's Report

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Please accept this memorandum as my December 2022 Village of El Portal Administrative Report to Council and the Community.

### **Hurricane Irma Financial Recovery**

Again, the Village received an appeal amount of **\$448,998.21 for debris and other appealed Hurricane Irma expenses as of Monday, September 26, 2022.** FEMA has sent the appeal grants to be obligated and those funds will be transferred to the Village of El Portal, whereupon we will immediately wire the funds to Synovus Bank to pay on the \$695,551.21 note. The Village expressed intention to appeal the remaining funds. We are still awaiting the obligated funds transfer.

### **Corona Virus/COVID-19 Pandemic Municipal Response**

American Rescue Program Act (ARPA) funds were distributed by the US Federal government through Florida Department of Emergency Services. The Village of El Portal is a non-entitlement unit (NEU) and has been allocated funds to be utilized in our pandemic response efforts that address front line employees dealing directly with the public, technology-based service delivery, parks, pandemic related water projects. The Village is utilizing these funds to enhance the El Portal Police Department with equipment and staff that has been long-needed, and the Village is undergoing a digitization project for all departments, starting with the Building Department and Code Enforcement. By implementing digital services, the Village will make services and operations in those departments more efficient and convenient for residents. The Village is also planning for an inner-office renovation to allow for more space for co-workers to safely distance from one another, emergency communications that includes a digital marquee at the Village Hall, and other tech advances that will greatly impact emergency services for the municipality. This project is ongoing.

Since March 2020, the Village Administration observed state and county executive orders to follow the CDC guidelines in practicing safe social distancing. The Village Hall is open to the public and we are asking visitors to continue to use caution and staff continues to observe social distancing and hand sanitization when visiting our offices. All Village parks are open. The Emergency Management Team continues to observe the viral variants and the numbers that may affect our service.

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**Short-term Vacation Rental In the Village of El Portal**

The Village of El Portal passed an ordinance regulating Short-Term Vacation Rentals (STVR) within the municipality in May 2022. Councilperson Darian Martin hosted a STVR Community Workshop on Saturday, July 23, 2022, where I provided my license application/permit, renewal and inspection fees recommendation and the Local Business Tax Receipt fees to the body, giving the community members and the Village Council members who were present an opportunity to review and consider the recommendation and their own experiences and requests for the ordinance and its fees. The ordinance passed second reading at the October 2022 Council Meeting. The Administration is working with tech software GovPilot to enhance existing code enforcement tech capabilities and adding the short-term vacation rental module to the software in order to digitize the permit application process. The Village Administration is also awaiting further direction from the Village Council regarding next steps. The Village Manager and Code Enforcement Officer are researching opportunities for the administration of STVR ordinance, and long-term rental as well as home-based businesses. It is finding that there are lapses in Business Tax Receipt Renewals for many home-based businesses.

**State Appropriation Funded School Safety Roundabout at Horace Mann Middle School**

The Village received \$300,000 from the State of Florida in the 2021 Legislative Appropriations to fund the development of a traffic calming project at NW91 Street and NW 2<sup>nd</sup> Avenue. The project will be designed, and the construction management will be with Village engineering firm, Craig A. Smith, and Associates. Miami Shores is in full support of the project and is working with me and our contractor to execute the MOU, and to confirm utilization of the Miami Shores right-of-way. The stakeholders are Florida Department of Transportation, Miami Shores Village, Miami Dade County, and the Miami Dade Public Schools. This project is ongoing.

**SPECIAL PROJECTS**

**Village of El Portal Parks Renovation**

The Village of El Portal Vice Mayor Luis Pirela is hosting a Community Meeting to review the Parks Renovation and Preservation Plans on Saturday, January 28, 2023 from 10AM-12PM. All are welcome and encouraged to participate.

Our landscape architect and project manager have been working closely with the county's archeologist, and incorporated community, Sustainability and Resiliency Taskforce Members input on the initial plans. The plans are finalized and were submitted to Miami Dade County Archeologist Jeff Ransom for a final review. After the community meeting, general contractor proposals will be requested. As a special project, Councilperson Luis Pirela, Chairperson of the Public Works Committee will be vetting muralists for a mural project at the entrance of the El Portal Tot Lot.

**Village of El Portal Transportation Circulator Pilot Project Shuttle to Downtown Transit**

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The Village of El Portal has a lovely electrical shuttle vehicle, fully operating through FreeBee. An application may be downloaded to access the shuttle schedule and map. This information is also provided in a flyer and card that may be picked up at the Village Hall or on the Village website. The shuttle stops are at the Village Hall parking lot (next to the Little Library) and at the El Portal Nature Trail. The Village has requested the execution of an Interlocal Agreement for the circulator with Miami Dade County. Due to state funding being held until the Village submits the 2019 audit, the matching funds from FDOT were held for this project. The Village continues the project with CITT (Transit) funds, an allowable expenditure for these funds that are very limited for what they may be used.

**NE 2nd Avenue Business Corridor**

The Sanctuary Property – According to the property owners, the preliminary discussions with PlusUrbia and Miami Dade County regarding the new design for the property were had. The new design falls in line with zoning including the parking plan. A sewer line for the property is being developed with Miami Dade County and Miami Shores Village, and full development drawings are being prepared. The intended plans will be shared on the Village's website for residents and visitors soon.

Roadway and Traffic - Miami Dade County Department of Transportation and Public Works provided the Village of El Portal a mobility study grant. The study will take place the first two weeks of January 2023. Once completed, the department is also working with the Village to install "painted" crosswalk(s) at NE 87 and NE 89 and NE 2 Avenue. Our Public Works Director is reviewing engineering considerations presently. This project was born from the meetings that the Village Mayor and I had with Miami Dade County Mayor Daniella Levine Cava in November 2021 and several department directors and leaders to discuss areas of partnership with the County such as the Pedestrians First, the Resiliency and Sustainability Adaptation Action Area, and areas of collaboration with departments such as Economic Development, Transportation and Planning, Water and Sewer, and Community Action.

Signage, Sewer Conversion, Parking. The Village also applied for and received a transportation planning grant with the County's assistance, to prepare this project. This is the planning necessary to start the development of the Village's Business Corridor as planned in meetings with me, Mayor Nickerson, our urban planners at Plusurbia, and our Village Attorney to consider policy changes for businesses owners along the NE 2<sup>nd</sup> Avenue corridor that include septic to sewer conversion that is critical to the Village's economic development, as well as signage and short-term rentals and lodging. Traffic changes are also a consideration for NE 2<sup>nd</sup> Avenue. This project is ongoing.

**Biscayne Boulevard/Annexed Area Development**

Vacant Lots for Sale at El Jardin/NE 2<sup>nd</sup> Avenue and NE 86 Street

Two lots are presently for sale at this location. I have made inquiries as to the purchase of the properties so that the Village may utilize one for public use as a park and/or for a 7-foot easement

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to construct a stormwater improvement drain to outfall into the C7 Little River Canal. Both properties are priced outside of the Village's ability to purchase at this time and have expressed disinterest in providing the stormwater improvement easement to alleviate some of the flooding in El Jardin at this time.

The Kavista Rental Development at El Portal Annex

The Kavista Project was granted an extension of construction hours to 7AM from 8AM. Some City of Miami residents have complained about the Skatebird Miami and Kavista construction project noise. Under the Code and according to the Z5 zoning, music and noise are permitted within 100 feet of the property in its usual course of business. For the Village of El Portal, music, and noise outside of the business hours and construction hours are permitted only upon application and approval of Special Events Permit. Both Skatebird Miami and Kavista Project have applied for and been granted these permits. Kavista Project will also be submitting a right-of-way permit application with Maintenance of Traffic (MOT) plans for construction activities requiring partial road closures. They may need to coordinate with City of Miami also as part of the NE 83rd Street is in the City's right-of-way.

Skate Bird Miami (Skate Park)

Skate Bird Miami is open for business with a temporary certificate of occupancy that is due to expire mid-January 2023.

Former Trailer Park "Little Farm"

This property is in receivership and Mayor Nickerson and I met with interested purchasers along with PlusUrbia Design to discuss land use at the site. Despite entertaining several of these interested purchasers, we hope that the new status of the property will garner some activity that will in fact develop the property finally. The problems any developer will face with this property is the brownfield status and mitigation of the water and ground pollution on the site. Once that is addressed and corrected, then development will follow. Mayor Nickerson and I discussed with the interested developer's sustainability and resiliency in the land development planning, sustainable business development, housing, and transportation and transit hub/station opportunities.

**VOEP DEPARTMENTS HIGHLIGHTS**

**Police and Public Safety/El Portal Police Department (EPPD)**

*From Police Chief Alex Mendez for December 2022*

*-Ofc. S. Canela finished Field Training Officer school*

*-We had a great turnout with the Christmas Caravan sponsored by the Women's Club. We had 8 police cars out there along with MFD Engine #30 and Rescue #30.*

*- We conducted interviews for Reserve police officers*

**Code Enforcement**

*From Code Enforcement Officer Fitzgerald Simmons December 2022*

*Open Liens - 7*

*• Satisfied Liens - 170*

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- *Active Cases (CCIN's, NOCI's, Verbal Warnings, Complaints) - 309*
- *Parking Citations Issued - 1*
- *Vacation Rental (STVR)/Long Term Rental Inspections – 0 Still awaiting policy*
- *Minimum Housing (MH) Inspections - 0*
- *Work Orders - 3*
- *Towed Vehicles - 1*

*December FYI(s)/Reminder(s)*

- *GovPilot (Code Enforcement/STVR/LTR)*

*Public map: <https://map.govpilot.com/map/FL/elportalvillagefl>*

*(Review and track the progress of all complaints and cases)*

*Public form: <https://www.govpilot.com/forms/main/dfb9fa03-049/Report-a-Concern/elportalvillagefl/FL/47122/0> (File a formal complaint. Complainant contact info is required, per F.S.S. 162.06(b))*

*(A formal concern must be submitted using the GovPilot links to initiate a code investigation. Preferably use the links instead of contacting the Code Department via phone and email.)*

*- Notice regarding anonymous complaints*

*Florida Statute 125.69 has been changed and now requires that a code inspector only proceed to investigate an anonymous complaint if the code inspector determines, based only on the information from the complaint, that the violation reported presents an imminent threat to the public health, safety, or welfare or imminent destruction of habitat or sensitive resources. If a code inspector does not have enough information or determines that the information provided does not indicate an imminent threat, then the anonymous complaint will not be investigated.*

*If you wish to remain anonymous, you understand that your complaint will not be investigated if the code inspector determines they do not have enough information or that the information provided does not indicate an imminent threat.*

*If you do not want to remain anonymous, an investigation can proceed regardless of whether there is an imminent threat, but you must provide both your name and address.*

- *Bulk Pick-Up Schedule and Placement of Garbage Cans/Trash*

*- December*

*Tuesday, 12/27/2022*

*Wednesday, 12/28/2022*

*Thursday, 12/29/2022*

*ATTN: All PROPERTY OWNERS will receive a Civil Notice of Infraction for placing and storing BULK on the swale earlier than 4:00 P.M. of that day preceding the scheduled days of pick-ups.*

*December*

- *Sec. 8-4. - Placement of garbage cans.*

*(a) No garbage cans or trash containers shall be kept or maintained upon or adjacent to any street, sidewalk, parkway, front yard, side yard or other place within the view of persons using the village streets or sidewalks, earlier than 4:00 p.m. of that day preceding the day when garbage and trash collection are customarily made from such premises.*

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*(b) Such garbage cans and trash containers may and shall be placed within five feet of the street for the purpose of permitting the collection of garbage and trash therefrom, and such containers shall be permitted to remain in such place for a period of 12 hours following the collection.*

*(c) Garbage cans and trash containers shall not be kept upon neighboring property not in the ownership or tenancy of the person by whom the garbage or trash is accumulated, irrespective of whether or not such neighboring property be vacant or improved.*

• *Sec. 8-5. - Tree trimmings and yard trash.*

*(a) Tree, shrub and lawn cuttings and garden trash (solid waste) shall be deposited upon the parkway immediately in front of the premises of the person by whom such accumulation is made, or where such premises are located upon a used alley, at a point easily accessible to and readily noticeable from such alley, only on the day prior to the dates specified, by the village for the collection of trash from such premises.*

*(b) It shall be unlawful for any person to deposit such tree, shrub and lawn cuttings and garden trash upon any adjoining lot or premises, whether vacant or improved, occupied or unoccupied, or upon any other lot or premises, or street, alley, or park, or in any canal or waterway, lake, or pool within the village.*

• *Do I Need a Permit?*

*A permit is required to construct, enlarge, alter, repair, move, demolish, or change the occupancy or occupant content of a building or structure. In addition to, erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical or plumbing system of every building or structure or any appurtenances connected or attached to such buildings or structures.*

• *Prohibited Parking*

*- No Parking shall be permitted in the unpaved portion of the Front Yard of any private property, however Parking is permitted in any paved Driveway approach, so long as it does not obstruct the Sidewalk or Street.*

*- Parking is prohibited in swales and Village rights-of-way, except that a Parking space for one (1) vehicle will be permitted in the swale, provided that a Variance is applied for and obtained. However, Parking is permitted in any paved Driveway approach which is otherwise permitted under this section, so long as it does not obstruct the Sidewalk or Street.*

*- Parking or storage of commercial trucks, buses, vans, sign trailers; trailers or semi-trailers for freight, cargo; non-recreational watercraft; or the like shall not be permitted in any Z3, Z4 or Z5*

**Building Department**

*From CAP/Building Department Building Official Pedro Martinez for December 2022*

*27 permits were issued this month. Total fees collected \$38,983.90, with a Total Construction Value of \$175,030.00.*

**Planning and Zoning**

Continued review of construction and renovation plans, variance applications. Consult with interested buyers of the Little Farm Trailer property.

**Public Works and Maintenance**

Many of the Village's Special Projects fall under the Public Works Department. In addition to those projects already described, the department conducted the following:

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*From Public Works Department, Director Mohan Thampi for December 2022*  
No report was provided by the department at the time of deadline.

Village of El Portal Sustainability and Resiliency

Most public works activities affect the Village's sustainability and resiliency. The Village of El Portal Sustainability and Resiliency Taskforce Liaison, Mayor Nickerson, makes reports to Council.

The Village of El Portal was granted approximately \$900,000 for the Resilient 305 2021-22 grant to be utilized for stormwater improvements on Phase Two of the El Jardin community as was detailed in the Village's Local Mitigation Strategy. This is a matching grant, for which I met with FDEP leadership to determine if the El Jardin Stormwater Improvement Phase One work that was just completed earlier this year may be considered for the Village's match. The answer is yes, but we must add approximately \$250,000 to make up the residual amount of the match. This is good news for the Village and for our efforts in bringing water quality improvements to the residents.

The Village of El Portal was included in the Miami Dade County Reasonable Assurance Plan (RAP), led by Miami Dade the RAP coordinates County water quality policies and initiatives, and prioritizes the County's most vital areas, with El Portal and our neighboring municipalities being identified as most needy due to the C7 Little River Canal's effect on Miami Biscayne Bay's water quality.

Miami Dade County's Renovation of C7 CANAL BRIDGE at N. Miami Avenue

There is no update since last few months' submission on the N. Miami Avenue bridge reconstruction. From what can be seen by this layperson, the construction continues and looks to be slowly progressing.

Other Outstanding Public Works Projects:

1. Septic to Sewer Project on West Side of Village

99 Homes of the Village's West Side – the Village met with and finalized all portions of the easement payment for the small parcel required for the lift station at Horace Mann Middle School. The first installment payment for \$18,000 was issued to Miami Dade County Public Schools, and the executed land conveyance from MDCPS was received last month. Additionally, Miami Dade County Transportation and Public Works received a grant that they will use to take over the project in the coming months. Public Works Director Thampi and I met with them to formalize the transition and roles and responsibilities of the project. We are awaiting a viable scope of work to be prepared and authorized by FDEP.

2. CDBG/HUD critical facilities hardening grant was awarded to the Village of El Portal. An environmental assessment was conducted twice and addressed by me and Building Official Pedro Martinez and Robert Ruano. I have painstakingly prepared all the requirements of the contract with HUD/DEO for these funds. Consultant Robert Ruano

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of Ecostrata Consulting, the Village of El Portal Public Works Department and the Chief Financial Officer and I have done the requisite reports, policy drafts, correspondence with the Miccosukee Tribe regarding the project and are now awaiting responses and approvals. We also prepared a draft RFP/Invitation to Bid (ITB) for the necessary work that this grant will provide: the contractor will do the replacement of external doors and the installation of a generator at the Police Station/Village Hall. The grant amount is \$50,000.

3. El Jardin Stormwater Improvement.

A phase of the El Jardin storm water improvement project was completed in January 2022. Just recently, the Village of El Portal was granted the Resilient Florida Grant for 2021 by Governor DeSantis. This grant is a matching grant that would provide the Village over \$900,000 from the State (FDEP) to do the next phase of the El Jardin project. Receiving the Resilient Florida grant is a tremendous win for the Village of El Portal, and a meeting between me and FDEP garnered the approval of the use of the El Jardin Stormwater Improvement Phase 1 project to serve as a portion of the match requirements of Phase 2. Phase 2 will require the outfall easement that we desperately need in El Jardin. Craig A. Smith and Associates Consultant Engineer Orlando Rubio and I are meeting with homeowners to begin the process of securing the outfall easement.

**Public Affairs**

My and the Administration's participation in public affairs is to supplement and aid the Public Affairs Committee/El Portal's Women's Club where possible. The Administration will continue to support all public affairs efforts. At present the Village's website and social media, the digital marquee sign, Mayor Omarr Nickerson's door-to-door flyer distribution with vital information about what is happening in the Village, are being utilized as outreach.

December 3, 2022, the Village of El Portal Police Department joined Mayor Nickerson for a candy cane giveaway at the Santa Train Stop at the Village of El Portal. And on December 19, 2022, the Village Police Department joined the El Portal Women's Club for a community Holiday Carol-Van through the Village.

**Administration and Finance**

***From Chief Financial Officer Harry Taubensfeld for December 2022***

Finalizing 2021 Audit with Auditing Contractor, working with the Village Manager and Village Attorney on labor matters, and preparing for mid-year budget review for March 2023.

***From Office Administrator David Perez for December 2022***

- It was brought to our attention that there might be some discrepancies with some police officers' pay checks. A detailed audit is being performed for all the officers involved. Some audit goes back two years ago.



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- Our current payroll company setup was not configured correctly. Payrate, Police Comp time, Police Court time are not calculated correctly causing discrepancies in the officers' paycheck. Working on possibly switching payroll services from PayDay and properly configured the system to have multiple authentication levels which would make payroll process more efficient with less errors compared to the current provider.
- The Council, Village Clerk and Village Manager cellphones were disconnected due to error of the service provider, AT&T. Unfortunately, this cannot be undone and therefore the account is compromised. Currently working on getting replacement mobile phones from a different provider.
- I am doing inventory to determine what devices and equipment are being used and canceling the ones that are not needed. I am also looking at what providers have the most cost-efficient service.
- Performed an investigation regarding the claim that was submitted for a member of the police department's car accident. Was able to locate the payment received from the insurance company and generated checks so that we can retrieve the vehicle from the auto repair.
- Both the Village Manager and I met with Mr. Ricaurte, our insurance benefits broker, to determine if there is another provider that is more cost-efficient without compromising the current coverage.
- Both the Village Manager and I submitted the information requested by the DOE so that qualified officers may receive a pay bonus the state is giving the police officers that meet the criterial.
- Assisted the CFO gathering documentation requested by the auditor.

There continue to be varied requests, directives, and projects I provide at the request of the Village Council and members of the El Portal community. For more information, please contact me directly.

Thank you.

*Village Manager Christia E. Alou, Esq.*

