



Village of El Portal
Regular Council Meeting
Date: 02/28/23
Meeting Start: 7:03 PM
Meeting End: 8:39 PM
Meeting Length: 1:36:56

Mayor Nickerson: The regular council meeting for Tuesday, April 25th, 2023, is called to order at 7:03 PM. We're going to do side of meditation. Pledge allegiance. [crosstalk]

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

Mayor Nickerson: Thank you very much. Madam Clerk, please have roll call.

City Clerk Jacobi: Roll call. Mayor Nickerson.

Mayor Nickerson: Here.

City Clerk Jacobi: Vice Mayor Pirela.

Vice Mayor Pirela: Here.

City Clerk Jacobi: Councilperson Urbom.

Councilperson Urbom: Present.

City Clerk Jacobi: Councilperson Lightfoot-Ward.

Councilperson Lightfoot: Present.

City Clerk Jacobi: Councilperson Martin.

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Councilperson Martin: Present.

City Clerk Jacobi: Also present. For the record, Janice Jacobi, Village Clerk, Christia Alou, Village Manager. You have a quorum.

Mayor Nickerson: Thank you very much, Madam Clerk. I appreciate that. Next to the approval of the agenda, I have a couple of changes I need to make. H2, the Dog Restraint Leash Law. There was an oversight to where the actual ordinance was not included in the package. We're going to move that till next month. Also F1, the presentation about-- the colon cancer presentation. He's going to come next month. He said he had a meeting that ran late today, so he's going to come next month. The individual in front of that, if I don't have any more deletions or additions, do I have a motion to approve the agenda?

Councilperson Martin: So moved.

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

Councilperson Lightfoot-Ward: Second.

Mayor Nickerson: Second by Councilperson Lightfoot-Ward, all in favor say aye.

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Councilpersons: Aye.

Mayor Nickerson: All opposed say nay. Hearing none. Good and well, for this right here is a time for any resident to come up and talk about anything that's on the agenda that you see here in front of you. You have three minutes. Say your name and address for the record and the floor is yours. Remember, you will have a chance to speak with every agenda item that we will be discussing. Seeing, hearing, none. Moving on consent agenda. Do I have a motion to approve the consent agenda? Moved by Vice Mayor Pirella? Do I have a second for approval of the consent agenda?

Councilperson Martin: Second.

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

Councilpersons: Aye.

Mayor Nickerson: All opposed say nay. Hearing none. Moving on to the ordinance, the first ordinance is the bank loan renewal. Madam Manager, if you want to chime in and JoLinda, I see you. How are you doing?

Village Manager Alou: Thank you, Mayor Nickerson.

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Mayor Nickerson: JoLinda, you might want to come to the microphone.

Village Manager Alou: I was just going to ask our illustrious bond council, Ms. JoLinda Herring to please approach the podium to discuss this

Mayor Nickerson: Say your name and address for the record. Thank you very much, Madam Manager. The floor is yours, Madam Manager. Thank you. Ms. JoLinda.

JoLinda Herring: Hi, I'm JoLinda Herring with the law firm of-

?Village Manager Alou: Pat it, pat it, see if it's on.

JoLinda: I don't think it's-- okay. Hi. I'm JoLinda Herring with the law firm of Bryant Miller Olive, 1 Southeast 3rd Avenue, Suite 2200, Miami, Florida 33131. We're here tonight to do the first reading of an ordinance. That ordinance is to refinance the existing line of credit that the village has. That money was originally used for FEMA cleanup, hurricane recovery stuff, so it will be paid back from the FEMA reimbursements, which I know that the village has been waiting on for a long time.

It actually came due in February, but the bank has given us an extension to get it refinanced. Now at 5.1% is the new interest rate and it will go out, the maturity date is, give me one-- Yes. The terms are pretty much the same as the existing loan that

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you have currently outstanding. I'm not sure what other information you may have for me. Any other questions?

Mayor Nickerson: Yes, I'm going to move the questions and comments from the Council and from the audience. Before I do, how are you doing? We need you to do us a favor because unfortunately, our attorney is not here yet, but we need this ordinance read into the record.

JoLinda: Okay.

Mayor Nickerson: Since we can't do it, you're the one that can do it for us.

JoLinda: Okay, happy to do it. Ready for me to go ahead and do it now? Okay. This is an ordinance of the Village of El Portal, Florida, authorizing the issuance of a capital improvement refunding revenue note series 2023 of the issuer in the principal amount of not to exceed \$695,551.21 to refund the issuer's line of credit, providing that the note shall be payable from pledged revenues, authorizing and delegating to the Mayor or Village Manager the sale of the note to the bank pursuant to the terms and conditions of a financing agreement with the bank.

Approving the execution and delivery of said financing agreement, providing for the rights, securities, and remedies for the owner of the note. Making certain covenants and

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agreements in connection therewith, making certain determinations as are required to afford such note bank qualified status, providing for severability and providing for an effective date.

Mayor Nickerson: Thank you very much. I appreciate that. Any questions or comments from the audience? I mean from the Council side?

Councilperson Lightfoot-Ward: Yes.

Mayor Nickerson: Yes. Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: How much was it? That number is what we owe, or this increased itself?

JoLinda: No, it's actually gone down. This is the number that you owe currently. Yes.

Councilperson Lightfoot-Ward: What have we paid so far? Anything--

JoLinda: You paid--

Councilperson Lightfoot-Ward: What was it originally?

Village Manager Alou: The original note was for \$1.1 million. Through reimbursements that have come to us over the years,

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we've paid it down to this amount. I have even checked in with FEMA and Florida Department of Emergency Management over the last couple of weeks, again, trying to push to get more of that reimbursement in. We've had some funds obligated, but they still haven't come in. We have about \$500,000 coming to us in the next three to four weeks, I've been told.

Councilperson Lightfoot-Ward: That would bring it down to \$100,000 and something.

JoLinda: That would bring it down to about \$120,000, but we don't have it in hand, and we've been waiting since September, but we have to move forward.

Vice Mayor Pirela: I'm sorry, it's 460 something. So we'll be left with 200 and something, right?

Village Manager Alou: Where'd you get your numbers from?

Vice Mayor Pirela: They're on the contract. Yes.

Councilperson Lightfoot-Ward: The ordinance says 695 [crosstalk]--

Vice Mayor Pirela: Right. Like the manager said, there's the pending funds coming from FEMA, which were approved and-

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Village Manager Alou: Almost, yes. About \$448,000, plus another \$81,000. We've got about \$460,000 coming back.

Councilperson Lightfoot-Ward: Is there something that we need to do to get that money to us? Because you wouldn't be doing this right now, would you? If we had that lower number, would you?

JoLinda: Correct.

Councilperson Lightfoot-Ward: Mr. Mayor. I was very confused. It's like I didn't know what the original-- I didn't remember what the original number was. Then the 695, and then there's that covenant piece down there that says something about if you don't that sounds real threatening. 83 monthly principals at two this number, and then it gets down to a final principal payment of 473. That sounds about where we're going. Do we get discounted if we pay it early?

JoLinda: No, there's no discount for paying it early, but you do save on the interest.

Councilperson Lightfoot-Ward: That's right. Isn't this interest rate higher than the last one?

JoLinda: It is higher than the last one. Interest rates have gone up, but it's still a pretty good rate, though.

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Councilperson Lightfoot-Ward: We went from a two-point something to--

JoLinda: Because I think it was anticipated.

Vice Mayor Pirela: I'm sorry. If I may remember, we've been paying one year interest only on the loan because the books weren't ready. Now that we have the audit up to date, that's why we're able to refinance and start actually getting the loan down because for one year, we've been just throwing money in there, the Village itself, almost \$5,000 a month.

Councilperson Lightfoot-Ward: You are the same people, right? This is not new. This is an amending. This is a change.

JoLinda: Wait., Okay, let me just clarify. I represent and work for the village. The person with the bank is not here today. I am presenting this because I did prepare all of the paperwork, all the documents, but I represent the village. The bank is the same bank. Yes, it is the same bank, but unfortunately, when we did it before, we thought that the money from FEMA would have come in. I think you guys have been thinking that over the last about two years now. It should have been paid off at the end of February, but since it wasn't, we got to go back and refinance it for a longer amount of time, hoping that those FEMA reimbursements will go ahead and come through. Once they come through, you would take that money and pay down the loan.

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Councilperson Lightfoot-Ward: Are you our voice for that too?

JoLinda: For a FEMA?

Councilperson Lightfoot-Ward: Yes.

JoLinda: No. You guys have a consultant that you've been working with on the FEMA reimbursement portion.

Councilperson Lightfoot-Ward: Well, I think the Village Manager does a good job, so I ain't even worried about it.

JoLinda: She does a great job.

Councilperson Lightfoot-Ward: That's what I mean. That's what I mean. All things considered, thank you so much. It wasn't hard to understand. It just says we got to exceed 75. 84 months is seven years. It says right here, the terminal notice shall not exceed seven years, 84 months, from the date--

JoLinda: That is correct, but you can pay it off anytime.

Councilperson Lightfoot-Ward: Anytime. I understand.

JoLinda: With no penalty or anything like that. Again, once you get the FEMA reimbursement funds, it will go to pay down this loan.

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Councilperson Lightfoot-Ward: Okay. Last but not least, the bank's legal counsel for proposed transaction will be Greenspoon Marder.

JoLinda: Yes.

Councilperson Lightfoot-Ward: That's your company?

JoLinda: Yes.

Village Manager Alou: Yes, that is, but that is why Ms. Herring is representing us in this matter and not our own village. She's our bond counsel. He has signed on a waiver of-- I'm sorry, waiving conflict of interest. He's not a part of this matter.

Councilperson Lightfoot-Ward: See? I told y'all I study. Thank you. Thank you very much, my dear.

Mayor Nickerson: Thank you very much, Councilperson Lightfoot-Ward. Any other questions or comments from the Council?

Councilperson Martin: I have a question. First I have a comment and a question. Obviously, I love the color of your jacket. It's [crosstalk]. [laughs]

JoLinda: Oh, thank you.

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Councilperson Martin: Second of all, my question relates to Section 502, notices of default. Correct me if I'm incorrect. There seems to be a lot of ways that we can technically default on this, which I'm referring to issues that don't directly relate to payments of the note. There's no, as far as I'm reading, opportunity for us to cure those defaults. I was wondering if that's something that we could include in the Section 502. If it's a technical default and not something about non-payment, maybe it's a relation to the creation of a Debt Service Fund or whatever, the village could be given some opportunity to cure that without it being a default. I don't know if that's something we could include.

JoLinda: If you give me just a second.

Councilperson Martin: Sure.

JoLinda: I know for-- Let's see.

Councilperson Martin: 502.

JoLinda: For some of the defaults, there is a 30-day cure period. If you look at 501(b), where it's a default on the performance or observance of any covenant contained in your financing agreement and you fail to cure it within 30 days, that's when it becomes a default. You have 30 days to cure it.

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Councilperson Martin: On the village side, we would have to be aware of the fact that hey, this is-- It's not something that they would notify us of. Correct?

JoLinda: Correct. Pretty much the only default that they would probably notify you about would be the payment, because obviously if you missed a payment, they would know right away.

Councilperson Martin: I know they would.

JoLinda: There are some other covenants in here which requires, like number one, to give your audit within, I think it's 270 days after the end of the fiscal year. They would know because they are expecting to receive a copy of that audit at a certain point in time, so they would know that. But again, you would have time to cure that. The one good thing about this is that you're working with the bank, Synovus Bank, who you have a relationship with. It would be a matter of us getting on the phone with them, depending on what the default is, and explaining to them how we plan to cure it and allowing them to agree to our cure period.

Councilperson Martin: That's good to know. In addition to that, I guess I would need to know from the Village Manager if we do have someone just tracking this along and aware of the fact that there's certain accounting requirements implicated in this and I think the creation of a Debt Service Fund, we have

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someone on the financial side that's looking at that and making sure we're aware of any default that might occur.

Village Manager Alou: Oh, absolutely. I work very closely with our CFO to ensure that we are tracking every payment, that we are on top of anything that comes our way. Our CFO is working hand in hand with me to ensure we have all of those bases covered at all times.

Councilperson Martin: Okay. Thank you so much.

JoLinda: I just want to add that the CFO, as well as the Village Manager, they know that they can call me at any time if there are questions related to the documents.

Councilperson Martin: I appreciate that.

Mayor Nickerson: Thank you very much, Councilperson Martin. Any other questions or comments from the Council?

Councilperson Urbom: I have a comment. I would just like to get on the record once again while we're talking about this, that the original consultant, Gabrielle Bonini, made a promise on the record to this council that within 120 days, at the latest, the village will be solvent. That's going back to June or July of 2018. That predates my existence on this council and most of us here. It's starting to feel like ancient history, but I would just like to get on the record, once again, we had a commitment

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from our consultant that within 120 days, because of their expertise dealing with FEMA specifically, we would be made solvent. That's my comment.

Mayor Nickerson: Thank you very much, Councilperson Urbom. Any other questions or comments from the Council? Hearing none. Any questions or comments from the audience? No. Moving back to the Council, I just want to say, you guys, the manager is now on top of this. Mr. Rodriguez from FEMA, he contacts me every Friday and we have a conversation. You guys know about this. You've heard Vice Mayor Pirela, Councilperson Urbom, you guys know about that also. We're moving forward with that. Mr. Rodriguez, he keeps us updated week in, week out with that.

I just wanted you guys to also remember that when this administration took hold and we all came into power, prior to that, we didn't get anything when it came to FEMA. As soon as we came in, right away, we started getting money rolling in. The reason why it went from 1.1 down to the 600,000 that is down to now is because, as soon as we all came in under this administration, we changed things up. We changed the relationships, Attorney Geller, and the money started to roll in right then and there. We do have that money sitting out there that's going to be coming towards us. This is all from relationships, you guys. I just wanted to say that. That being said, do I have a motion to approve Ordinance H1? First reading.

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Councilperson Martin: So moved.

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

Vice Mayor Pirela: Second.

Mayor Nickerson: Second by Vice Mayor Pirela. Madam Clerk, may I please have a roll call, please, first read.

City Clerk Jacobi: Roll call. Councilperson Martin?

Councilperson Martin: Yes.

City Clerk Jacobi: Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: Yes.

City Clerk Jacobi: Councilperson Urbom.

Councilperson Urbom: Yes.

City Clerk Jacobi: Vice Mayor Pirela?

Vice Mayor Pirela: Yes.

City Clerk Jacobi: Mayor Nickerson?

Mayor Nickerson: Yes.

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City Clerk Jacobi: Motion passes five to none.

Mayor Nickerson: Thank you very much. We're going to have second reading coming up. I'm sure the clerk has contacted you guys. It's going to have to be on a separate day.

Councilperson Lightfoot-Ward: Mr. Mayor?

Mayor Nickerson: Yes.

Councilperson Lightfoot-Ward: I think we could still congratulate the village managers for hanging on to that and [crosstalk] for making us have something that we can rely on.

Mayor Nickerson: For the FEMA payments?

Councilperson Lightfoot-Ward: Yes. I applaud you.

Mayor Nickerson: Good job, Madam Manager and Attorney Geller.

Councilperson Lightfoot-Ward: Both of you for staying on that because it's not an easy thing.

Village Manager Alou: Stay on it.

[background conversation]

Councilperson Lightfoot-Ward: That's right. That's right.

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Mayor Nickerson: Appreciate you guys. All right. We're going to move on to illicit discharge is the next one.

Attorney Geller: Ready for H2, ma'am?

Mayor Nickerson: H2 we're not doing because it wasn't in the packet. We're moving the H3 which is the illicit discharge, if you want go ahead and do that.

Attorney Geller: Okay. H3, an Ordinance of the Village of El Portal, Florida relating to illicit discharge to the stormwater system is provided herein, providing for incorporation of recitals, providing for conflict in **[unintelligible 00:18:43]**, providing for codification, providing for severability, and providing for an effective date.

Mayor Nickerson: Thank you very much, Attorney Geller. Vice Mayor Pirela, while I finish this, I could do this for the loan. Can you take over illicit discharge? The only thing we need to do is, we'll have the manager talk about it really quickly and then move to the Council.

Vice Mayor Pirela: Let's continue and have the manager.

Village Manager Alou: I'm so sorry. I did invite our public works director to attend this evening. The illicit discharge ordinance is a requirement of our permits. The village, in the past, has been, I guess remiss or delinquent in its status. A few

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years ago, we were able to get everything in order and ensure that we are tracking these illicit discharges, that we are having our stormwater drains cleaned, we are doing all of the things according to the federal and state requirements. With that, we have to ensure that the village does a notice to the community, as well as adopts the requirements that are outlined here by the State, and so this is what is before you. This is something that we do annually, and we have to provide it so that we maintain our good status.

Vice Mayor Pirela: Perfect. Thank you, Madam Manager. Let us open it to the Council, and anybody has any comments or questions?

Councilperson Lightfoot-Ward: Vice Mayor-

Vice Mayor Pirela: Yes.

Councilperson Lightfoot-Ward: -I want to bring it to the attention that on page two of that Section 4, it has the Village of Naples in it. Everybody can take a look at it and if you like. I don't think that is what we want the Village of El Portal to do there. You didn't read it? It is sitting right there. Section 4, repeal of ordinance and conflict. All sections of parts of sections, Village of Naples.

Councilwoman Martin: I noticed it as well. It's [crosstalk]--

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Vice Mayor Pirela: Oh, it is a typo. I am sorry, Councilwoman.

Councilperson Lightfoot-Ward: I just want to make sure--

Vice Mayor Pirela: I don't know how Naples got in there.

Councilperson Lightfoot-Ward: Me neither, but that is okay. They are out.

Vice Mayor Pirela: I must have had the Pompeii on my mind, and that is the next real city to it.

Councilperson Lightfoot-Ward: I just want to make sure we do not pass [crosstalk]--

Vice Mayor Pirela: Let us not have that in any of the others. I hope not. We will correct that page.

Councilperson Lightfoot-Ward: Thank you.

Vice Mayor Pirela: The Mayor is back. You can take over.

Mayor Nickerson: Thank you very much. I appreciate that, Vice Mayor. Thank you very, very much. Are there any more questions or comments from the Council about this ordinance? Hearing none, any questions or comments from the audience about this ordinance? Hearing, seeing none, do I have a motion to approve Ordinance H3?

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Councilperson Lightfoot-Ward: So moved.

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

Councilwoman Martin: Second.

Mayor Nickerson: Seconded by Councilperson Martin. Madam Clerk, may I please have a roll call for H3? [

City Clerk Jacobi: Roll call. Councilperson Martin.

Councilwoman Martin: Yes.

City Clerk Jacobi: Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: Yes.

City Clerk Jacobi: Councilperson Urbom.

Councilperson Anders Urbom: Yes.

City Clerk Jacobi: Vice Mayor Pirela.

Vice Mayor Pirela: Yes.

City Clerk Jacobi: Mayor Nickerson.

Mayor Nickerson: Yes.

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City Clerk Jacobi: Motion passes five to none.

Mayor Nickerson: Thank you [crosstalk]--

City Clerk Jacobi: Second reading moving on.

Mayor Nickerson: Second reading. Thank you very much. Next we move to the Resolution 3, Inventory Services. Attorney Geller if you would please read that into the record?

Attorney Geller: Yes, H4. A resolution of the Village Council, the Village of El Portal, Florida, Miami-Dade County, Florida, providing Tree Inventory Services for the Village of El Portal, providing for incorporation of recitals, providing for an effective date.

Mayor Nickerson: Thank you very much, Attorney Geller. Do I have any questions or comments from the Council about this resolution?

Councilperson Lightfoot-Ward: This is resolution number four, because we took three off, right?

Mayor Nickerson: H4. We took two off, I believe it was.

Councilperson Lightfoot-Ward: We took--

Attorney Geller: H4.

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Mayor Nickerson: Yes.

Attorney Geller: Yes, ma'am.

Mayor Nickerson: It would be the new H3, but yes, H4.

Councilperson Lightfoot-Ward: All right. Hold on then. Tree Inventory Services. Councilperson Lightfoot-Ward is looking. Are there any other questions or comments from anybody else from the Council?

Village Manager Alou: If you'd like, Mayor, I can also discuss it.

Mayor Nickerson: Of course, ma'am.

Village Manager Alou: The Tree Inventory Service is an item we are seeking because the village did receive a grant from the Florida Forestry Council, I believe. I don't have the name on me exactly, but it's a state forestry grant that we received, in which we would have to match the funds. We are able to do that so that we can inventory the lustrous canopy that we have. This will allow us to also make our tree plan as we go forward in planting, and also better maintain our canopy in cases of emergency and just our annual maintenance.

This was a very nice grant that we went after and received, and we're happy to pursue it with the three candidates. As you see,

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the recommendation is for Chen Moore and Associates that came in with the better price of all three, and that have a longstanding reputation for utilizing the best technology possible for these things. This technology that they will use will also be compatible with Miami-Dade County, in times when we are able to connect with them.

Sadly, Miami-Dade County is not able to assist us with any of the inventory counts for the county roads. This will be purely a Village of El Portal undertaking, but it is well worth it considering our tree city status and our zeal for our canopy.

Mayor Nickerson: Thank you very much, Madam Manager. Any other questions or comments from the Council?

Councilperson Lightfoot-Ward: Yes. Is four attached to five? Because on the part of the information you gave us, it talks about landscaping and tree service by one vendor. I'm just asking because it looks like-- Okay. All right, thank you.

Mayor Nickerson: Thank you very much. Any other questions or comments from the Council? Moving on, any questions or comments from the audience? Seeing none, do I have a motion to approve the resolution?

Councilperson Lightfoot-Ward: So moved.

Mayor Nickerson: Moved by Councilperson Lightfoot-Ward.

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Councilperson Urbom: I'll second.

Mayor Nickerson: Seconded by Councilperson Urbom. Madam Clerk, may I please have a roll call on the Tree Inventory Services resolution, please?

City Clerk Jacobi: Councilperson Martin.

Councilwoman Martin: Yes.

City Clerk Jacobi: Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: Oh, yes.

City Clerk Jacobi: Councilperson Urbom.

Councilperson Urbom: Yes.

City Clerk Jacobi: Vice Mayor Pirela.

Vice Mayor Pirela: Yes.

City Clerk Jacobi: Mayor Nickerson.

Mayor Nickerson: Yes.

City Clerk Jacobi: Motion passes five to none.

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Mayor Nickerson: Thank you very much. Moving on to resolution-

Vice Mayor Pirela: H5.

Mayor Nickerson: -H5, the landscaper services.

Vice Mayor Pirela: Resolution of the Village Council of the Village of El Portal Florida, Miami-Dade County, Florida proving landscaper services that include certified arborist and tree services for the Village of El Portal, providing for a corporation of recitals, providing for an effective date.

Mayor Nickerson: Thank you very much. Any questions or comments from the Council?

Councilperson Lightfoot-Ward: I do. It says the committee feels confident in using either of the following candidates, but the resolution says-- the information says a little bit more. What are we doing here? We're looking at Nice Cut, Green Trees, the other people. Are there four people or are there three people that actually bid for this?

Village Manager Alou: There were three bids for this contract, and the selection committee, liked all three, they thought that Nice Cut Lawn, and Green Dreams Paradise were the top ranking based on some of the services that they provide.

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Green Dreams Paradise is actually the recommended vendor for this item.

Councilperson Lightfoot-Ward: It's Green Dreams that he's talking about?

Village Manager Alou: Yes.

Councilperson Lightfoot-Ward: Do you know I got the other list too, so I was discombobulated?

Village Manager Alou: We wanted to let you see that we did. This was a request for proposals, where we took in proposals and vetted them through a selection committee. I was not a part of the selection committee, but we did have a member of staff, our public works director, as well as the chairperson of the El Portal Sustainability and Resiliency Task Force. They made the determination. Based on their Council, I recommend Green Dreams Paradise to the village council as well.

They seem to come in with a very good price with the experience and understanding of the village, and they will replace Orchid Man. We've had a good relationship with Orchid Man over the years, but understanding that Orchid Man took over a contract with Mitchell Lawn Services. That was not our original vendor, but they bought the Mitchell Lawn Services when they retired. This is giving us an opportunity to move

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forward with the new vendor, and hopefully, we'll have new and improved services with this new vendor.

Councilperson Lightfoot-Ward: Mr. Mayor.

Mayor Nickerson: Yes.

Councilperson Lightfoot-Ward: Madam Manager going to have documentation that tells us about our trees, how many? Because I never know what they're doing. I just know the service in itself is great. They did our area two weeks ago. Somebody was in doing trees for two weeks in the front.

Village Manager Alou: The village has not started our annual tree trimming. We were waiting to do that with the new vendor. That may have been one of your neighbors doing that, or it could have been the county, or I'm sorry, the FPL, or it could have been AT&T. It could have been a utility. I don't know who was doing that trimming or it could have been Orchid Man. Orchid Man is on contract with us until we end with them and then accept this new vendor.

That said, they do a fine enough job but the tree service is an arborist that we will need for any tree incident or emergency that happens as well as for our annual tree trimming. That's what the tree service in this contract would be.

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Councilperson Lightfoot-Ward: All right. I appreciate that. Thank you. Thank you, Mayor. I have no more questions.

Councilperson Martin: I do have a question and a comment. I remember that Green Dreams proposal, they were very explicit in the equipment and the manpower that they have, which gave me just an additional level of comfort that they can handle the job in a way that would be sufficient for the village. In addition to that, just as an aside, I was wondering whether or not the village had a system within which additional points could be assessed, the proposers who are either minority or local companies. Do we have that? Do we do that?

Village Manager Alou: Yes, we do have that. That's a part of the evaluation, but again, we are looking for the man-- There are other requirements and it's not, there you get certain points. It's based on points evaluation, so yes, others were minority based, but we picked the best service for us.

Councilperson Martin: Oh, for sure, and reading the Gree Dreams proposal, their specificity on those elements definitely made them stand out to me, so I just wanted to make that comment.

Mayor Nickerson: Thank you very much Councilperson Martin and Councilperson Lightfoot-Ward. Any other questions or comments from the Council?

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[silence]

Hearing none. Any other questions or comments from the audience? Any questions or comments from the audience?
Hearing, seeing none. Do I have a motion to approve resolution H5, the landscaper services?

Vice Mayor Pirela: So moved.

Mayor Nickerson: Moved by Vice Mayor Pirela, do I have a second?

Councilperson Martin: Second.

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

City Clerk Jacobi: Roll call. Councilperson Martin?

Councilperson Martin: Yes.

City Clerk Jacobi: Councilperson Lightfoot-Ward?

Councilperson Lightfoot-Ward: Yes.

City Clerk Jacobi: Councilperson Urbom.

Councilperson Urbom: Yes.

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City Clerk Jacobi: Vice Mayor Pirela.

Vice Mayor Pirela: Yes.

City Clerk Jacobi: Mayor Nickerson?

Mayor Nickerson: Yes.

City Clerk Jacobi: Motion passes five to nine.

Mayor Nickerson: Thank you very much. Moving on. Next is the next resolution, H6, Zoning Administrative Services. Attorney Geller.

Attorney Geller: H6, the resolution of the Village Council of the Village El Portal, Florida, Miami-Dade County, Florida proving zoning administration services for the Village of El Portal, providing for incorporation of recitals, providing for an effective date.

Mayor Nickerson: Thank you very much. Any questions or comments from the Council?

Councilperson Martin: Yes, I do.

Mayor Nickerson: Yes, go ahead.

Councilperson Martin: The services that are proposed to be undertaken by the Corradino Group, are those services similar

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to those contemplated in the contract that we currently have with, I believe their name it's-- who's doing our [crosstalk] Plusurbia? Yes. I was going to say Calvin Junior, but Plusurbia. Are those similar or the same services?

Village Manager Alou: No, they're not. We have a service contract with Plusurbia that really focuses on planning. They do zoning and they've been doing our zoning, but the contract didn't specifically address zoning administration. They've been doing it for us, and so I had a conversation with Plusurbia and they stated, look, we don't want to continue to do the reviewing and recommendations for site improvement applications and fences, driveways, pathways, decks, swimming pools, septic tanks, drain fields, roofs, those kinds of things and materials.

They are a planning company or a group that want to really support the transition as we find a firm that will do this, but they want to handle the large applications such as site plans for new construction, special exceptions, and various applications that require Council approval. I think they're taking a step back from that day-to-day. I know they are taking a step back because they say this is what they originally anticipated.

It's just the village had the need and they stepped in, but they're going to continue under the contract that we have with them at the same rate, so we explored options and Corradino Group really gave us the best option in terms of, if at some point we need to then turn over the planning aspect of this work

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to them, that they could handle that as well at a fair price that is comparable to that of Plusurbia, but in the meantime, I was assured that for a rate of \$100 an hour, which is about on par for as Plusurbia or the other, I think it was **[unintelligible 00:34:11]** and as well as Craig A Smith also provides the service.

Those were on par for that. Corradino Group actually worked for us many years ago. I wasn't on-- I wasn't the manager then, but I do recall seeing some papers from years before me, where they did our planning and zoning. We'd like to give them another opportunity. They have a very strong organization. We have a young lady here today, Ms. Scarlet, who I think they would be a good fit, so we want to give them an opportunity to show us what they've got and see how we can do the transition.

Councilperson Martin: I have no issues with the Corradino Group. I guess what I'm wrapping my mind around is whether or not if Plusurbia is doing less than they were before, why are we paying them at the same rate? That's the bigger question.

Village Manager Alou: They're going to be paid by the hour, so there will be work. It's the same rate, their hourly rate, it's just they won't be doing as much.

Councilperson Martin: Perfect, so there'll only be one group attending those planning and zoning meetings and from now

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on it will be the Corradino Group, so we can anticipate there being a decrease in the spend on the end of Plusurbia because they won't be doing some of the things that were contemplated before.

Village Manager Alou: Well, hey would like to do more planning. I'm expecting that they would like to be working on parking plans and road-- those things that they haven't been able to address, such as a comprehensive plan and those things. Maybe it will be about the same if they're going to pick that up, but we will look at that and be watchful. We said we would give it 60 days to take a look at how this is weighed out and what the expense will be to the village in terms of what they really can deliver for the planning aspect that they say they weren't able to do because they were doing zoning administration.

Councilperson Martin: I think you're touching on the issue that there were a lot of things that were supposed to have been done that haven't been done which shakes my confidence in that situation a little bit, but from what I'm understanding from you, the Corradino Group is able to do that planning element as well, so we are able to explore other options that might lead us to actually some movement on some of the things that Plusurbia has been-- it sounds lovely when they say it, but we just really haven't seen anything yet, so thank you for clarifying that we won't be double spending on this and there might be an

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opportunity for us to suss out a course of action that might be more beneficial and productive for us.

Village Manager Alou: That's right.

Councilperson Martin: I appreciate that.

Village Manager Alou: Okay.

Vice Mayor Pirela: There will, I'm sorry if I may, and they'll be doing inspections, right?

Village Manager Alou: Yes. [crosstalk]

Vice Mayor Pirela: Pretty much, which is what we don't have right now.

Village Manager Alou: We don't have any [crosstalk]--

Vice Mayor Pirela: That's why we have so many problems with the driveways and people doing [crosstalk]--

Village Manager Alou: Yes, this has been a big problem for the zoning inspections. We've never had that, Plusurbia couldn't do it, but Corradino Group will be--

Vice Mayor Pirela: Basically, we're going to have now residential and commercial planning-- Okay.

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Councilperson Lightfoot-Ward: Mr. Mayor.

Vice Mayor Pirela: Yes. Councilperson Lightfoot-Ward.

Councilperson Lightfoot-Ward: I've done the numbers. Seems like an awful lot of money. We got the whole company in here, 12 hours per week at \$2,465 is 34,015 a week. 48 hours per month times 2465, which is the total of their hourly rate comes to \$118,320. I didn't know we could make that kind of money. I didn't know we had that kind of money to give away. It seems like a lot, a little bitty village like this. I'm just doing the numbers and 118,000-- pull out my planning for that come out of retirement. Are we doing the right thing? Do we really, truly doing the right thing without breaking the bank? We're a little bitty city. You're talking about 1, 2, 3, 4, 5, 6, 7 is all these people, staff people are going to be in on this?

Village Manager Alou: No ma'am.

Councilperson Lightfoot-Ward: Every week they do \$34,500.

Village Manager Alou: No ma'am. That's not how it reads. They're proposing to do about 12 hours per week working on zoning administration. It's not to exceed \$9,000 a month. That's the second paragraph. This is giving you the hourly rate per level of expertise. We will be at the engineering technician if we're doing driveway. If we were going to do a full planning of the city or road plating or those kinds of things, then you go up

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into the principal planners or senior planner level, but again, these people will be paid by the hour and they will come to us to discuss this before any billing is done about senior levels, but for what we are doing, we're talking about the engineering technician, which is \$100 an hour.

Councilperson Lightfoot-Ward: Whew. Thank you. I was really working with this a lot. Now that's a lot of money, but since you've explained it, I understand what you're saying now. I hope they don't do that again because that's very confusing, that gave me a ripple, but now you say no, we're just doing this part, this one right here. I'm okay with that.

Village Manager Alou: Typically they will give you a listing of what each level of specialty would charge per hour as was done with the Plusurbia contract also and as you know, our own one, Merrillot is, even more than [unintelligible 00:40:07] I think is at \$250 an hour, but he's only called in when there's a bigger project or something more intricate that we need from him, but the level that Ms. Camilla, who you know works at is a lot lower because she's not a senior engineer or a senior planner.

Councilperson Lightfoot-Ward: I'm glad we're on the same-- because that really confused me quite a bit. Thank you so much, Mr. Mayor. Appreciate that.

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Mayor Nickerson: Thank you very much, Councillor Lightfoot-Wood and Councilperson Martin, Vice Mayor Pirela. Any other questions or comments from the Council?

Councilperson Urbom: Yes, I've got a comment if I could. I'll start a timer on myself, try to make it quick. Okay, so, I believe I understand the separation of services here between the two companies. I'm glad to hear that this is the plan because in my discussions with Juan specifically from Plusurbia, I would like to, I guess, state and then be corrected if I'm wrong, but from my discussions with Juan, Plusurbia takes their direction from the village.

What they're working on is not necessarily what they can get to or what we tell them to work on. It's really because we've had so many other things to hand them that require that time and fill up that budget that is why some things have not been able to be brought to the forefront. For me, obviously, the resilience streets plan that they have is incredibly valuable, just that plan alone, which is technically finished, the plan is done. It's literally just not been something that village has yet been able to say, please come and present this plan to us.

I've had them present at one committee meeting some time ago but if this works, I fully support this division of labor because-- Councilperson Dr. Lightfoot-Ward's concerns are similar to mine. I'm looking at this list of titles and building opportunities, right? I'm firstly glad to hear that we have a cap

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essentially. Then we'll have our own oversight managers specifically, always adding responsibilities but similar to what you're already doing with Plusurbia, but-- and then obviously presentations to the committees, we should be in decent shape in terms of understanding value of service from the new company as well.

I am excited for what we can start to get done now that there is this division of labor. I just would like to, I guess, say publicly unless I'm wrong, and I'm still going to say publicly and someone will correct me and that would be fine. I do believe it is that the village has been directing Plusurbia as far as where their time is going to be spent. I believe that this plan will free up Plusurbia to realize their full potential of what, from their own mouths like this, we came to do the planning, right? And they're certainly seem to be really remarkable in that regard.

Not to take anything away from Corradino's planning abilities but I'm excited for that we're able to recognize this that Plusurbia is able to-- I'm excited for how this is going to work out for those. I think this is going to be a huge positive. It's going to be great to have fresh eyes and input honestly as well, especially on some of those smaller details and then be able to apply that to the bigger things. It's awesome to have things in stereo and I think this is great and that we've got the budget caps and we're in decent shape for it. Can't wait to get that loan paid off and we can do even more things like this, so, there we go. 3 minutes, 28 seconds, not too bad. All right.

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Mayor Nickerson: Very much Councilperson Urbom. Do we have any more questions and comments from the Council?

Councilperson Martin: Yes, I have one. That was actually great timing. I think just to echo what everyone's issue is, we definitely don't want it to be a situation where we're spending more and either getting just what we were supposed to get or getting the same thing. Madam Manager, I think you said that 60 days was the-- Is there any way that within after that 60 days? You could just give us just like a rough estimate on how much we've spent on the Corradino Group and how much we've spent with Plusurbia and what those directives were that were either achieved or still left hung out there.

Because I can take your observation, which is maybe we've been directing them in a way that's spreading them so thin that they can't be as productive as they should be. I just want to know if that's the case. And if that is the case, then fine, we've solved the issue, but if it's not the case and the numbers don't bear that out, then we can explore some alternative avenues.

Village Manager Alou: The answer is yes.

Councilperson Martin: Awesome.

Madam Manager: I will definitely give you a report card after 60 days of this trial. Because I'm curious too. We want to maximize our-- the staff that we have. We know Plusurbia can

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do a lot more and they just haven't been able to. So let's give them an opportunity, but I also want to get that. We haven't had zoning inspections, we need more on that as well as we're suffering with code enforcement due to those shortfalls with the zoning. Yes, I'll give you a report card after that.

Councilperson Martin: That's it for me.

Councilperson Urbom: Everyone, just to find a comment to add on. Just as we're thinking about this, one of the issues with Plusurbia, let's say, time was not a concern and budget was not a concern and we could just throw everything at them. They technically only have the top two positions that are listed in the Corradino proposal. We're really dealing with two principles of a company so that no matter what the job is doing, you're getting that rate. The rate for one is astronomical when you're talking about the work that is being done compared to what another regular rate might be. Just to keep that in mind as we look at this 60 days out in terms of, was there a benefit to that aspect too?

Councilperson Martin: Just one quick thing. Also, maybe their structure doesn't fit our needs. If they only have those two, but we'd be better served with someone with a more complete suite of technical services and individuals to do those, then that's something we can look at too, but I take your point and we'll definitely look at that too.

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Mayor Nickerson: Thank you very much. Councilperson Urbom, Councilperson Martin, Vice Mayor Pirela, Councilperson Lightfoot-Ward. Are there any other questions or comments from the Council? Moving on, questions or comments from the audience. For the 60 days, so 60 days would be the June meeting. Do you guys want the report at the June meeting or you guys want to wait for the July meeting? 60 days June meeting?

Councilperson Martin: Let's give them till July. Let's give the manager a bit to [crosstalk]--

Mayor Nickerson: I thought you're leading now, Chairperson. I thought you're leading now. Okay, so July Madam Manager, July meeting. We're looking for a report at the July meeting. Do I have a motion to approve Resolution H6, Zoning Administrative Services?

Councilperson Urbom: So moved.

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

Councilperson Martin: Second.

Mayor Nickerson: Second by Councilperson Martin. Madam Clerk, can I please have the roll call?

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City Clerk Jacobi: Roll call. Councilperson Martin.

Councilperson Martin: Yes.

City Clerk Jacobi: person Lightfoot-Ward.

Councilperson Lightfoot-Ward: Yes.

City Clerk Jacobi: Councilperson Urbom.

Councilperson Urbom: Yes.

City Clerk Jacobi: Vice Mayor Pirela.

Vice Mayor Pirela: Yes.

City Clerk Jacobi: Mayor Nickerson.

Mayor Nickerson: Yes.

City Clerk Jacobi: Motion passes five to none.

Mayor Nickerson: Thank you. Appreciate that. Moving on. We have Resolution H7. The floor is yours, Attorney Geller.

Attorney Geller: Resolution of the Village Council of the Village of El Portal, Miami Dade County, Florida providing for an ADA-compliant-- Sir?

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Councilmember: [unintelligible 00:48:32]

Attorney Geller: Providing for an ADA-compliant restroom for the Top Lodge Park of the Village of El Portal, providing for incorporation of recitals, providing for an effective date.

Mayor Nickerson: Thank you very much. Anybody from the Council have any questions or comments about this? I don't know a Madam Manager if you want to chime or if we just want to go to budget or comments from the Council.

Village Manager Alou: Just to state that I know you have seen this before, you see the beginning of this construction project. We have to finish this project with a certified general contractor. Unfortunately, when we awarded this contract to someone else a few months ago, they were not honest about their certifications and they couldn't produce documents necessary. We had to eliminate them from the project and start over with the search.

We were able to do that. We would like to get this top-lot bathroom completed as soon as possible. I mean, it's been quite a process, but we wanted to do it the right way and not the fast way. So that is why it's important to get a GC that is able to do this in a proper way and to do the plumbing and everything else that's needed. We hope to get this top lot bathroom open in time for summer so that the children will have their places to play and a restroom that is accessible to them.

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This is an ADA-compliant family-style bathroom. It's just one room but it would really serve the community in a major way and very helpful that people won't have to get porta-potties when they have holiday parties or birthday parties in the [unintelligible 00:50:16]

Mayor Omarr C. Nickerson: Thank you very much. Any questions or comments about Resolution H7?

Councilperson Urbom: Just a comment. I'm glad that we were able to catch that, stop work, and be prepared to get it done right. All things on the long vision, it's far more important that the job is done correctly. I'm glad that we were able to catch it and that we were able to fix it. Kudos to all involved in following up on that and doing diligence.

Mayor Omarr: Thank you very much, Councilperson Urbom. Any other questions or comments from the Council?

Councilperson Martin: I do have a question. I just need some help to figure out how to think about this because I see three companies for sure, and VMR's proposal seems to be a bit out of scale, but I know that they are providing more as to number three and number five, insulation of a new 3-inch PVC pipe, all things I have no idea about because I'm not a builder. I don't know whether or not their proposal is indeed competitive or better if I have no clue as to what it would cost, Eurozone construction or DLM construction to provide those same things.

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Can you give me some enlightenment on that? Where would they land if they provided these? Are they just not able to provide it?

Village Manager Alou: I don't know that they can't. We're a one-stop shop so that we won't have to go back out to find so that there won't be change orders or additional fees to go with this. Unfortunately, our Public Works Director who has more experience and could explain that better in terms of the items that you're talking about, the technical items, I can't speak to.

It was explained to me, this was a shop that was competitive and that they had all of the certifications necessary as well as our building official was a part of that selection because he was the one who caught, oh, they don't have that certificate and that work is not up to standard. These are the things we're looking for so that when those three proposals were reviewed, he made the selection. Unfortunately, I just don't have that technical information to provide because I don't know.

Councilperson Martin: I get it-

Village Manager Alou: I would be deferring it to the experts on that.

Councilperson Martin: -because I don't know what this stuff means either, but I just know that for me, I can't compare them if I don't know how much it would cost for the other two to

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provide this or whether or not they're even able to provide this and where the numbers would land. It's a little confusing for me because it's a bit incomplete. At least for me, that gives me pause. I don't know if anyone else shares that.

Mayor Omarr: Absolutely. The itemization of the services and exactly the equipment and stuff like that. I know what you're saying. I got you, Councilperson Martin.

Village Manager Alou: Believe me, when we get these proposals, we find that those who list it all out, we work better with them. When you don't list certain things out and then, "Oh, you've approved a contract," then they keep coming back, "Oh, we need this, you need that." That's a lot of what happen with the former one. Then tell us everything we need up front instead of coming back and asking for more once the contract is awarded. I do understand your situation. I will get that information to you.

Councilperson Martin: This is a resolution, correct?

Councilperson Dr. Anna E. Lightfoot-Ward: [inaudible 00:54:06] Can you hear me?

Mayor Omarr: Yes, go ahead, Councilperson Lightfoot.

Councilperson Dr. Anna: I'm really excited about having a bathroom accessible from the park. I'm very excited about it. I

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am concerned about how it's done but I'm going to leave that to you. I'm actually going to leave that to you. It's not easy, but we're talking about the children. That's it. I'm looking forward to seeing it built and how it is. All it means is they don't have to come inside. They'll be able to have it. Now, the maintenance of that will be the same way that's done here?

Village Manager Alou: Yes, we will be doing an RFP for cleaning services because we've had the same cleaning service for a while, but it'll be added to the responsibility of our cleaning service, yes, a daily clean.

Councilperson Dr. Anna: I'm looking forward to seeing it because just to say that it's the bathroom in the park, threw me out of the way. What do you mean? Discriminating against the children? No, no. It means they're easily accessible, and I like that. Thank you.

Mayor Omarr: Thank you very much, Councilperson Lightfoot-Ward. Thank you very much, Councilperson Martin, previously.

Councilperson Martin: I do have one more question. Sorry about that. I know we're all trying to go home. The company that's being recommended is Vmark correct? At this point, they're about \$14,000 over the Eurozone.

Attorney Joseph Geller: The next comparative right? That's \$20,000 [unintelligible 00:55:43]

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Councilperson Martin: Yes. One is \$20,000, one is \$17,000, and they're \$31,000. I can't wrap my mind around giving it to them without knowing how much it costs to provide number three, that PVC piping or the drawings. I would need those two bits of information to really make a sound decision and move forward. I know everyone wants it to move, but I need to know the numbers.

Mayor Omarr: Thanks for moving in a responsible manner. I'll come to you, Vice Mayor Pirela, right now. I guess one question would be the projection on how long it looks that they're going to take to finish this. Not to say that that trumps what you're saying. I agree 100% with what you're saying, Councilperson Martin. One question is timing, and the second question, I guess, would just be, if we do delay, can we receive that information let's say, by the next Council meeting?

Attorney Joseph: Mayor, if I might.

Mayor Omarr: Oh, yes, Attorney Geller.

Attorney Joseph: One alternative.

[pause 00:57:08]

Councilperson Martin: We've got two meetings going here.

[background conversations]

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Mayor Omarr: I think what we're looking at it-- Vice Mayor Pirela has a question, but he's having technical issues, so he's trying to look on the material so he can ask the question that he wants to ask.

[background conversations]

Attorney Joseph: Councilperson Martin, one alternative to that would be the resolution authorizes the manager to proceed. It does not require her to get it in the field tomorrow. The manager could simply get that information to you as the one who's raising the question and, if you have a problem, you can ask her to just bring it back for further discussion at the next meeting. If it looks okay, she can just hold off a couple of days so she can get it to you. You have a chance to review it, and the Reso passes, which authorizes her. Like I said, it doesn't require her to sign it and put it in the field tomorrow.

Mayor Omarr: Then our options would be, you guys, from what I'm hearing is, we could either table it till next meeting, till next month, or, as Attorney Geller was saying, if we want to see the bathroom, then we could pass the resolution-- but we're voting through the resolution. Are we voting on this particular company tonight, though?

Attorney Joseph: Yes. We would be selecting that company, but if there's only one member that has a question particularly that wants to see the numbers, that's fine, or if everybody

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wants to get a look, the manager can just circulate it around. Then, unless somebody says, I got a problem now that I've seen this, I'd really rather you hold off and bring it back to us, I'm sure the manager would be willing to do that. If nobody has any problem or objection once it's furnished, you've got the resolution passed, she's authorized, unless there's a problem after she circulates whatever the information that members want is, she can just hold it a few days, get that information out, and see if there's any objection.

Mayor Omarr: What's the procedure if we all vote for a resolution, but then we have a problem with the number? If we voted for something and we passed it, what's the procedure of bringing it back?

Attorney Joseph: It would be a motion for reconsideration at the next meeting. The manager's responsive to what the members of the council want. If a member wants some additional information, manager can furnish that and then if the member's satisfied, that's fine. If there's a problem, that member can say gee, I really would rather you not go forward and bring this back, the manager is authorized to proceed. She's not required to proceed immediately. The resolution merely authorizes her to move forward and if there's council members who say, no, don't do that, I'd rather come back, anybody that's on the prevailing side can move to reconsider it the next meeting.

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Mayor Omarr: Let's say if that happens, the next meeting happens, it starts, when do we do the reconsideration? Is it like right after you pledge-

Attorney Joseph: You would do it at the next meeting but that would mean that some member or members of council would say, "Hey, I got this information. I don't like what I saw. Don't go ahead with it. Let us discuss it further at the next council meeting." I'm sure the manager would be happy to accommodate that but if it turns out in a couple three days nobody has an issue once the information is circulated, then she's ready to go ahead. You can authorize it and the manager doesn't have to do it tomorrow. She can get the information to whoever wants to see it, including all of you and then you can't discuss it collectively till the next meeting. Individually you could just say, yes, that's fine. I got no problem with what I saw. Go ahead.

Mayor Omarr: I understand. I appreciate that. I'm sorry to belabor. I know we want to go home. I just want to get the clarification, you guys if I may. My question is, okay, so we're in April. The May meeting starts, so at the May meeting, I'm going to do the reconsideration. I do the reconsideration, I guess after the pledge or whatever, I do the consideration. My question is, right-

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Attorney Joseph: Well you would notify the clerk in advance, "Hey, I'm going to be bringing a motion for reconsideration of what we voted. Please put that on the agenda.

Mayor Omarr: Okay, so the reconsideration is an agenda item.

Attorney Joseph: It is not absolutely mandatory that it be an agenda item, but it can be an agenda item. If short of somebody deciding at the last minute, I'm not saying the failure to agenda something like that would preclude it from being acted on. Normally something has to be on the agenda for you to proceed but if it's an item that's already been considered by the council and somebody says I just decided I really wasn't happy, you can still bring it up.

It does not have to be agenda-d because it's already been noticed and heard on an agenda but if somebody on getting the information says, Ooh now that I know this, I got a problem, the better thing would be at the first opportunity to notify the clerk that you'd like the item to be placed on the agenda for reconsideration. At which point the clerk could notify the other members of council and then everybody knows in advance going in what's going on but I wouldn't say-- yes, it can be an agenda item, but it's not one that if it didn't get on the agenda, it means you can't reconsider it. It's an exception to the normal notice requirements because it's already been noticed and heard.

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Mayor Omarr: Yes. Thank you I appreciate that. I was just looking to see if once we do the reconsideration, if we don't have to-- if the procedures, we don't have to wait. If the reconsideration takes place, let's say for example in May, then we have to wait to actually do the resolution again in the next month. You can do the reconsideration and the resolution right there in the same meeting-

Attorney Joseph: When you do the reconsideration. Well, if it fails then it just stands what you did but if the reconsideration passes, that means the item is then up for discussion right then and there because you are reconsidering it and you can go ahead and consider what you think you want to do with it and by the way, if you pass-

Vice Mayor Prella: Now, excuse me if I might interrupt because before going any further this number three, it's actually the most critical one because it's the first work should be done before pouring the slab, the concrete, which I think those pipes are already on because I was there present actually when they were digging and putting the PVC pipe. The fact that VMAR is not including, and the other ones are saying-- these company are saying will be included, all materials and labor is included, the pipe is already there. I don't know if they're replacing it because it's not-

Village Manager Alou: The pipe is not approved by our building official. That's why the-

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Vice Mayor Prella: They had to rip it off and redo it?

Village Manager Alou: Yes.

Attorney Joseph: Okay. There you go. That's the answer.

Village Manager Alou: It's still not my answer. Yes, but that's having the answer for your question. I do have another couple questions. If we do pass this resolution tonight does VMAR have any claim against the village that they were awarded this contract and if we decide to then take it back, is there any issue with that?

Attorney Joseph: No, and the reason is this, if again, what the resolution says is that the council is authorizing going forward with VMAR and authorizing the manager to sign a contract with VMAR but given that the council may apparently be giving notice to the manager, don't rush off on this until we get this other information and look at it. The manager presumably, and certainly she can speak for herself, but she is authorized to sign a contract but not required to.

If she doesn't sign a contract with them, just because you said she could, that doesn't give them any right. As long as she doesn't sign the contract and she can hold off on doing that till you guys get what other information you want. If it satisfies you, then she can go ahead then and when she hears that, sign the contract. If you or any of you or some of you or a couple of you

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or even one of you says, wow, this is a problem, please don't sign that contract and hold off till the next meeting and let us-- I'm going to bring up that we should reconsider the decision based on this information, they have no claim as long as the manager hasn't executed and entered into a contract with them.

Village Manager Alou: Point taken and thank you so much for the clarification, for me to be able to vote yes on this at all I would need numbers on for both of the other presenters on number three or number five or some sort of clarification on whether or not this work has already been done or duplicative so that I would be able to assess all three on the same playing field just because the numbers are still very different in my point of view. That's pretty much it for me.

Mayor Omarr: Thank you very much. Councilperson Martins. The way I say it to you guys is that we have two choices. We have the choice of we could either table the resolution until next meeting-- get until next meeting, and hopefully we get the information by next meeting that the individuals are looking for, everybody who doesn't feel comfortable with this or we can do it-- attorney Geller said pass it through with a particular company and then information in the forthcoming days and weeks and then if anybody feels uncomfortable, we do the resolution again next meeting, but we go through a small particular process about it. I think those are the two options

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we're looking at. Are there any more questions or comments from the council before I move to the order?

Councilperson Urbom: Yes, I've got a question and a comment. My question is what was the original amount awarded to the original company that is now no longer the company?

Mayor Omarr: I think it was 24 if I'm not--

Councilperson Urbom: 24?

Village Manager Alou: [01:09:29] It was something about 25,000 approximately.

Councilperson Urbom: Okay. Reading the comments in the recommendation, I think the item of a company that has acknowledged that they're going to have documentation and work behind that schematics, et cetera to be turned in-- Part of the reason we're in this situation is because the original company-- this was a significant piece of why we're in this situation, that line, that item of this one company's going to do it, and the other two either didn't think to put anything there or whatever the reasons might be.

If the original estimate for the original job to be done correctly was 24, now we find out is with a company that cut corners, the jump to 30 is not unfathomable. I'm thinking of what it would

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cost me to remodel a just a bathroom in my house. I know this is more complicated than that in terms of-- my house is small, the square footage-- would not be a big bathroom. It's not currently. It won't ever be. This is [chuckles]

Attorney Joseph: [01:10:53] No, it is about that \$20,000 just to build a new bathroom in your house, [unintelligible **01:10:56]** quotes.

Councilperson Urbom: I don't find the estimate to be astronomical in terms of what I would expect it to be. Understanding what the original estimate was, what their shortfalls were, and understanding what this company is willing to do, then matched with the comments from our side makes me comfortable to go ahead with this company. Now I'm left with a conundrum of, okay, if I support it tonight, are we going to go down the easy path of-- two easy paths?

One information comes back and everybody's happy with the decision we made tonight. Two, it says easy to reconsider this item as the attorney has said, it may in one scenario be possible to do, or are we going to get the other path where a nightmare has ensued because we weren't clear in our communication from the outset of this vote. That's what I'm wrestling with. I'm excited for the vote. Let's see what happens.

Councilperson Martin: One more thing before we do it. Can I do one more? I think when you're dealing with other people's

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money, specificity is key. I don't think that we should be here guessing based on our bathrooms because none of us have undertaken a project like this, I assume. Specificity is key. I don't know whether or not these other submitters didn't think to add it, or if we did not reach out to them and say, hey, this is a part of the project, how much would this cost. Maybe for them it would cost an additional \$2,500.

Maybe it might cost an additional \$25,000. We don't know but it's the unknown that gives me pause because I think-- well, I know when I'm dealing with money that's not mine and my husband would probably be upset because I don't do this when I'm dealing with money that is mine. I really want to be specific in what the spend is and what I'm spending on. I definitely don't want to lengthen the process. I definitely want the kids to have a bathroom, but if we are able to save money on any item, I think we should and then add some other things that they might find of value as well. I guess we know where I'm going with my vote.

Councilperson Urbom: Mayor then I have one final comment if I can. As a younger person up all the way up to my 30s, so frequently I found myself caught out of contention, so to speak because I was not prepared. I got learning disabilities, ADHD, other things, issues, so to speak, anti-authoritarian behavior, that kind of stuff. I'm not historically super great with deadlines in full checklist of preparation, what's needed, things like this. In

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that regard, I would say one, I don't disagree with anything at all that Councilperson Martin just said.

For me the specificity is that one company provided specificity and two other companies did not. Just as I've been caught out in the cold and out of contention in the past because of my own personal lack of preparation, that's a bit of how I'm looking at it. However, I do not take it lightly the comment of we're dealing with other people's money. In that regard that is a point incredibly well taken. I will sit and think two or three times on that one.

Mayor Omarr: Thank you very much. Council sir.

Councilperson Dr. Anna: Mr. Mayor?

Mayor Omarr: Yes.

Councilperson Dr. Anna: I'm at a point of unreadiness myself and I like a motion and just simply-- what's that thing called?

Vice Mayor Anders: Table.

Councilperson Dr. Anna: Table of motion for the next meeting.

Mayor Omarr: Is that a motion council?

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Councilperson Dr. Anna: It is a motion.

Mayor Omarr: Okay. We have a motion. I'm going to go to the audience but we do have a motion. Do I have a second for the motion to table?

Councilperson Martin: Second.

Mayor Omarr: Okay. We have a motion to have a second. Any question or comments final from the council? Hearing none, any questions or comments from the audience? Seeing none. I do have a motion. Do I have a second? That's the table until the next meeting, which will be the May meeting. Madam Clerk, have a roll call on this one.

Madam Clerk: Roll call. Councilperson Martin?

Councilperson Martin: Yes.

Madam Clerk: Councilperson Lightfoot-Ward?

Councilperson Dr. Anna: Yes.

Madam Clerk: Councilperson Abam?

Vice Mayor Anders: Yes.

Councilperson Martin: Vice Mayor Perela?

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Vice Mayor Perela: Yes.

Councilperson Martin: Mayor Nickerson?

Mayor Omarr: Yes.

Councilperson Martin: Motion passes. Five to none. That meeting will be May 23rd.

Mayor Omarr: May 23rd. Thank you very much. Moving right along you guys. We are at the reports, Madam Manager if you want to go over a couple of things.

Village Manager Alou: Thank you. I'll be brief. Actually, it is pretty brief. It's a 10-page, not a 17-pager this month, but thank you. The Village developer **[unintelligible 01:15:52]** submitted two projects for requested funding through the Florida legislature approach variations process. With our legislative team in Tallahassee, we're in week nine of the legislative season with it being the last week. Things are looking pretty good. We have a project called Parks Renovation and another one, Village Hall Expansion and Renovation.

Those are our two requests for appropriations from the Florida Senate or Florida State legislators and our legislative team reports that we're still in the ballgame. They haven't taken us out yet. We're at the Senate budget level at this point and we're still in. Now our parks renovation request is for \$435,000 and

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our village hall renovation appropriation request for us for \$900,000. Now that has been split in half. I'm okay with that as long as we're still in the running because we can still work with that.

Fingers crossed and May 5th is the end of the session, so let's all just keep our fingers crossed for a positive outcome for El Portal this year. We haven't been successful in the last couple of years getting any appropriations, but we keep trying. That said, I've been on a weekly call and hearing from other people with the Florida League of cities and our local league as well. Last week the Florida legislature passed House Bill 833 vacation rental through its last committee of references now eligible to be heard on the House floor. Senate Bill 714, it was heard today at 10. Their final committee stops and there's going to be some changes.

Obviously, we have an ordinance the past last year but we'll see what comes down the pike. I know our attorney is working on that and keeping an eye on that as well but things are changing and we'll just be ready to pivot as necessary based on what comes from Tallahassee this legislative season. Speaking of legislative appropriations, back in 2021, we did receive state fund for the traffic calming or school safety rotunda over at Horace Man Middle School. I don't know why it's so slow, but it is slow because it's a big process that involves federal funding for this from department of Transportation, this project.

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Our project manager, Craig A. Smith is still on task. We've gotten our designs all completed. We've gone through the process with Miami Shores Village, with the design plan already approved by them, as well as the homeowner in Miami Shores who's allowing his, swale to be impacted from the construction. The next step is once we are approved by the state, then we will then go on to do an RFP to get a general contractor just to construct the project.

The project will take about three weeks total, so it'll be great to finally see it happening. Hopefully, this will be something that can be done before school starts in the fall. That said, we'll also have a mobility plan for the area and we'll be getting out the word to the residents in the area as well as to the school so that they are prepared for the road closure that will be necessary for a construction work. I will keep you all posted, but at least we're getting closer. The ball is a little bit further down the field, the design is being approved by the state.

Once that's approved, we'll start the RFP process, which takes two to three weeks, and then we'll make a selection and bring that before the council and then go forward with construction. Also, just something that is up for some revision and improvement is our transportation circular shuttle to downtown Miami. Mayor Nickerson and I met with the owner of Freebee this month and discussed service improvement, service enhancements. The service is being utilized, but Freebee recommends that we go to a smaller vehicle, stating that we

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don't need nine passenger van, it's more expensive. Why don't we go with a Tesla that holds six?

We said, fine, we can still use the charging station, but we're also looking to change the service boundaries, perhaps expand a bit, but we'll be looking into that, what is feasible, understanding that we don't have a lot of funding for this from our CITT funds, but we do have some, and we want to ensure that we have a reliable service for those who use the shuttle. That is forthcoming, but we may be seeing a change in our vehicle very soon.

That said about vehicles, let's move on to our traffic study. The Public Works director, Mohan Thampi and I met with Vice Mayor Perella and the Miami-Dade County Transportation and Public Works senior traffic engineer to discuss our project, what we are requesting through that traffic study that justifies the need for a lowered speed limit from 30 to 25 on village roads, and he agreed.

He was in whole support of that as well as some of our other requests that include the painted intersections at our major intersections at 87th and Northeast Second Avenue and Northeast 88th and North Miami Avenue. Also, we were requesting a road diet that would reduce the four lane to two lane on Northeast Second Avenue, so that that could also be a deterrent for speeding, but also make it more walkable as we develop our downtown El Portal.

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He was in support of it, and then the technicians came in and said, "Okay, now we have to start uploading these documents into a portal." Mohan Thampi and I have been working on the portal entries and once our mobility study is finalized, we'll be including that as well, because that really impacts what we can request for Northeast Second Avenue.

Our studies are going to good use and they will support our requests, and hopefully we'll see some changes in El Portal in terms of just the speeding on Northeast Second, the speeding through the roads, our narrow streets, and just the impact that the cut-throughs have been, even this morning, with 95 being shut because of the weather. We had so much heavy, heavy traffic throughout the village and I was **[unintelligible 01:23:27]** out there getting my daughter to school seeing that people can be very reckless. I hope that that would improve just the quality of life for our residents and in terms of walkability, but also just get this speeding under some kind of control. I know the chief he's walked away, but he has been implementing the radar laser training with his staff.

In fact, two members of the staff got certified this month with the use of the radar detector. They'll be using this new equipment that the council approved for the purchase so that we can also address speeding with that deterrent. If you will notice that you see parked police vehicles in certain intersections during the day. They are manned, it's not just a

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decoy. They're actual police officers in those vehicles just monitoring and keeping traffic at a low point.

In fact just before this meeting today, there was a major stop that was addressed based on just observing and being in the intersection and seeing people blow through a stop sign that then warranted a stop and then a probable cause for a search that could be a pretty big fine for us, so many things happening in the village. I feel like we're always on the edge. We're almost there. We're getting there step by step, and I appreciate everyone working with me, together we're getting their step by step. If anyone has any questions, please don't hesitate to reach out to me. My village manager's report will be also on the village website. That concludes my report.

Mayor Omarr: Thank you very much, Manager Alou. Appreciate that. Moving on, you guys see my report there? There's a lot that I left off, but I'm trying to spread it out from month to month. Do you have any questions? Any of you residents or anybody have any questions? You guys can contact me directly. Everybody has my cards, so you guys get my name, my phone number, my email address and everything.

You can text or call me anytime day or night. Trust me, I get all the texts even in the middle of the night from residents about certain things. I always respond. That being said one thing I want the council to think about as we move forward, think

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about how we want to start to implement staff evaluations, you guys. There's different ways, different municipalities do it.

Madam Clerk, I know that for staff evaluations, I know some other municipalities they do it or most municipalities do it behind closed doors. Mostly all of them. I want you to speak on this. Some do it where each individual member being evaluated sits with at a different time, each individual council member to go over like whatever results or talk about things. In the past we've done it differently out in the open, but I don't think that's how most municipalities do it madam clerk.

City Clerk Jacobi: No, I think actually I have to research that, but I do remember a clerk calling it to my attention that they've never had a municipality that does it out in the open. I mean, the discussion after the fact you guys obviously can meet altogether unless it's noticed, so it's a one-on-one, but before it was done, the discussion right on the dais, gone through the whole process, the person sitting right there. I think from other clerks that I've heard about, that has never been done. That's not the common practice or maybe not even the best practice. Unfortunately. I think on the past it has been used for public humiliation more than anything.

Mayor Omarr: Just think about that. I'm going to bring it up again as we move into the budget seasons, evaluations, and stuff like that, because then we'll kind of know through evaluations like how we feel about budget items and who

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should get this rate or not or whatever and stuff like that. That's why I want the evaluation to come up. That's going to be coming up. Start to think about that, brainstorm how you want the evaluations to go. I'll bring next council meeting the sheet, I'll bring a couple of like different ones that we can choose which type we want like the evaluation sheet, how we want to use it. I'll bring like maybe three options and we can just pick an option that we all feel comfortable with. Just start thinking about that. All right, you guys, Attorney Geller.

Attorney Geller: We have not been sued. We have not sued anybody. The only other thing I do want to add is I spoke for, I think it was an hour and a half with the gentleman on the short-term rentals. I think we've come to a tentative understanding subject to, we want to see what the legislature does or doesn't do, but we spent a long time on the phone. We went through in some detail comments that he had. Let me just add that while a great deal of this is preempted by the state a little more than it might have looked, what we've come up with is there are some remedies that we can use by using the state preemption.

The headline would be that we would have our code enforcement officer respond to complaints, look into them, and have an arrangement where our code enforcement officer would be in position to notify the Department of Business and Professional Regulation if there appears to be a violation of the state regulations, which they're not non-existent. The state could then come out and investigate and enforce, so that may

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be a pretty good alternative to some of the things that we would've liked to do that look like they are in fact preempted by the state.

It's going to end up looking a little different, but based on the input from the public meeting, the town hall meeting that Chairperson Martin held, and the input we got, I've looked at some litigation that's been brought against other cities, I think it's-by memory, I think it's Cape Coral. We don't want to be them. We don't want to be the target of that lawsuit, but we can do some things, we can have registration, and we can have what would actually be a pretty robust protocol for violators. Last word I'll say, and I'm sorry to get into such detail at the late hour.

There are some other things we can do to be more aggressive in enforcing our codes that don't on paper, single out short-term rentals. Two good examples of that are reexamining our village-wide noise ordinance, and also the village-wide-- We have some regulations in place already for things like trash. If we were to ramp those up and have our code enforcement people, and particularly the police department, because when the parties occur, not necessarily during the hours when our code enforcement officer is here.

By working with and training the PD, if there's a loud party going on next to you at one o'clock in the morning, whether it's people who live there all the time, or who were there part of the

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time, may not make much difference to you. It's still a loud party at one o'clock in the morning, and we can enforce our codes against it. If your neighbor doesn't want to deal with that, then maybe he just needs to invite you to the party so then you're not going to be disturbed by it, you'll be one of the people partying.

Anyway, that's just a quick overview of the direction in which we're heading. I think we're going to get for our next meeting now that once the legislature is done, we'll be able to look at it in some detail. There are some strategies we can use, that we can take advantage of notwithstanding the fact that the state preempts some of what we were looking to do internally. That's my **[unintelligible 01:32:41]**.

Councilperson Martin: Mr. Mayor, can I have a comment? We're going to have a chance to discuss these changes in the ordinance before this is brought forth to the next council meeting.

Attorney Geller: Absolutely. Now keep in mind, as an ordinance, it's also going to be two readings. Yes, absolutely. With you, chairperson, but with anybody else who does want an advance, once the session concludes, I'll return to my conversation with Mr. Brady, try to reach a conclusion with him, and then be able to circulate in advance or have a discussion before we circulate what we're looking at, and then we'll have that out. Again, even when it comes out, it's the first reading

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and we'll still have it. We can have a big discussion about it and it still will come back for second reading after that. The answer to your question is yes.

Councilperson Martin: Sounds good. Thank you.

Attorney Geller: Thank you.

Mayor Omarr: All right. Thank you very much, Attorney Geller. Moving on to good and welfare. Is there anybody in the audience that has anything to say? You can talk about anything at all. It doesn't have to be things only on the agenda. You have three minutes to do so. Name and address for the record and the floor is yours. Hearing, seeing none. **[unintelligible 01:33:57]**

Councilperson Dr. Anna: **[unintelligible 01:34:02]** everybody who got this Florida City gas distribution. I called them and asked them why did you give me **[unintelligible 01:34:12]**.

City Clerk Jacobi: I can't hear you. **[unintelligible 01:34:18]**.

?Speaker: As older folks [crosstalk] hear that so much. Absolutely.

Councilperson Dr. Anna: Just stop. Okay. If you receive the Florida City gas benefits for everybody. It was meant to be in the rail for the rail. How they got our addresses, I don't know,

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but we all receive one of these, I would imagine since it was directed straight to the City Hall. What I was told when I called them, I just act like a regular citizen. I said, "Why did you give me this pamphlet? Florida City gas came through mail, everything." They said it was a mistake.

They said, "Everybody probably got it. It was a mistake. It was a big mistake. We did not mean to put you all at arms to tell you to get gas. If you don't have the gas, we weren't pumping that. It was a mistake." If you received this and this is for the public in general, this pamphlet, it's very pretty, it's all informative and everything, but we don't even live in the area. We're not even close to Florida City. I thought I'd tell everybody just disregard it. They're not pimping us or trying to get us to do something. Thank you.

Mayor Omarr: All right. Thank you very much, Councilperson Lightfoot-Ward. I appreciate it. After **[unintelligible 01:35:42]** I'll always move to any last comments from the council, which is what I was doing now. Any last or final comments or questions from the council? All right. Look, we're the most transparent council in the history of El Portal. Y'all know I always give y'all a chance to talk now. I appreciate that. Let me just say really quickly for the record. These two individuals, young men that I see sitting out here, Mr. Martin, JR.

You all come to pretty much every one of our meetings. As citizens, I don't take it lightly that you guys take your time out to

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be here and listen to what's going on. It means a lot. I just want to say thank you to you guys, because you could be at home doing anything right now. For you guys to be here, it really does mean a lot and it shows that you guys are really involved. Thank you very much. We appreciate that. All right. No last comments or questions from the council? Do have a motion to adjourn?

Councilperson Martin: So moved.

Mayor Omarr: Moved by Councilperson and Chairperson Martin. Do I have a Second? Second by Vice Mayor Pirela. All in favor say aye.

Councilmembers: Aye.

Mayor Omarr: All oppose say nay? Hearing none, the regular council meeting for Tuesday, April 25 is adjourned at 8:39 PM.

[01:36:56] [END OF AUDIO]

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