

VILLAGE HALL
500 NE 87TH 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: February 28, 2023
RE: February 2023 Village Manager's Report

Please accept this memorandum as my February 2023 Village of El Portal Administrative Report to Council and the Community.

State of Florida Legislative Session 2023

The Village of El Portal has submitted two projects for requested funding by the Florida legislature appropriations process. They are: 1. #1320 for Parks Renovation Funding and 2. #1321 for Village Hall Expansion and Renovation

The Village of El Portal's legislative team, Richard Pinsky of Akerman, LLC and Eli Nortelus and David Roberts of Nortelus Roberts, PA, advised that due to the State's requirement that municipalities prove and provide matching funds for all appropriation requests, these are the only two requests of the four we prepared, for which we could financially match. Our requests are sponsored by our State Representative Dotie Joseph and State Senator Shevron Jones. Our legislative team will be representing the Village of El Portal throughout the session.

The legislative session begins the week of March 6, 2023 and ends on May 5, 2023. Fingers are crossed for the Village of El Portal.

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, which is the reason there is a delay in receiving the obligated funds, according to FDEM Contractors. 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

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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.

Short-term Vacation Rental In the Village of El Portal

Councilperson Darian Martin, Chairperson of the Village of El Portal's Planning and Zoning Committee and Attorney Joseph Geller held a second community workshop to discuss resident concerns about the Village's Short-Term Vacation Rental Ordinance on Thursday, February 23, 2023 from 7PM-9PM. It was well attended. Discussion and concerns about the ordinance and fees were had, and the result will be the presentation of an amended ordinance from the Village Attorney and the Planning and Zoning Committee in the coming months. In the meantime, the Village is not enforcing its STVR Ordinance. The Village of El Portal passed an ordinance regulating Short-Term Vacation Rentals (STVR) within the municipality in May 2022. The Village Manager and Code Enforcement Officer are researching opportunities for the administration of STVR ordinance monitoring and administration, 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. Discussions about the manager's fee recommendation for STVR and the ordinance happened at the January 2023 Council Meeting and will resume once the ordinance is finalized and passed.

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 2nd Avenue. The project will be designed, and the construction management will be with Village engineering firm, Craig A. Smith, and Associates. Miami Shores Village Manager, Code Enforcement and Public Works Departments are in full support of the project and is working with the Village Manager 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

RFPs went out this month for a Tree Inventory to be conducted on all Village of El Portal trees within the right-of-ways, and a landscaping and tree services for maintenance and care of all Village

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right-of-ways and parks. Recommendations are being prepared for Village Council review and approval.

Village of El Portal Parks Renovation

The Village of El Portal has an active Request for Proposal (RFP 2023-03) posted on the Village website and with DemandStar.com for the Parks Renovation and Preservation project general contractor. The Proposals for this RFP are due on March 8, 2023 at 10AM. A non-mandatory pre-bid meeting was held at the Village Hall on February 13, 2023 at the Village Hall with the project manager, landscape architect and Village Manager. Vice Mayor Luis Pirela hosted a Community Meeting to review the Parks Renovation and Preservation Plans on Saturday, January 28, 2023 from 10AM-12PM, and answered residents' questions about the plans for each park. The meeting was well attended, and paneled by Landscape Architect Jim Santiago, Miami Dade County Archaeologist Jeff Ransom, Sr. Engineer/Project Manager Orlando Rubio.

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

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 managers, things are progressing slowly. The plan remains substantially the same as the slides previously submitted for a restaurant and offices. They are waiting on final material selections, and next steps to follow the process to submit the Site Plan Application at El Portal. This project is ongoing.

Roadway and Traffic – The Village's traffic study was conducted this month by Plummer and Associates. The report conclusively found that the Village roadways support a reduction in speed to 25 mph. The report is being sent to Miami Dade County Department of Transportation and Public Works for next steps. The NE 2nd Avenue mobility study, per Miami Dade County Department of Transportation and Public Works mobility study grant, is underway. 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. A Pothole, pavers and road repair phase is being conducted presently. The pavers at NE 87 Street at select intersections are being repaired. This has affected traffic on NE 87 Street, but EPPD continues to provide road use information on its emergency communication mobile boards. This project is ongoing.

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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 2nd 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 2nd Avenue. This project is ongoing.

Biscayne Boulevard/Annexed Area Development

The Kavista Rental Development at El Portal Annex

The Kavista Project continues developing according to plans, with occupancy expected by year end. City of Miami residents have complained about the Skatebird 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.

Skate Bird Miami (Skate Park)

Skate Bird Miami is open for business with a temporary certificate of occupancy.

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 February 2023

EPPD Fleet additions – Tahoes with custom blue EPPD graphics were finished and assigned to Police Officers and Supervisors

New Reserve Officer Padron added to our ranks. The Department continues to pursue good and qualified reserve officers

Welcome new Full-Time Police Officer Jack Rodriguez, who has just completed Phase 1 training
Police Department storage unit in final stages of completion (ARPA funds)

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Code Enforcement

From Code Enforcement Officer Fitzgerald Simmons for February 2023

- *Active Cases (CCIN's, NOCI's, Verbal Warnings, Complaints) - 321*
- *Parking Citations Issued - 1*
- *Short-Term Vacation Rental (STVR) – contributed research and content for Community Workshop on February 23, 2023*
- *Work Orders - 2*

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*
- *January*
Tuesday, 3/28/2023
Wednesday, 3/29/2023
Thursday, 3/30/2023

ATTN: All PROPERTY OWNERS will receive a Civil Notice of Infraction for placing and storing CANS & BULK on the swale earlier than 4:00 P.M. of that day preceding the scheduled days of pick-ups. Failure to comply can potentially result in the Village rectifying the violation at the owner's expense.

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- *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.

(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.

Please note the Village of El Portal adopts any rules, regulations, standards, and/or requirements from Miami-Dade County where the Village ordinance is silent. Every individual, business, and entity must comply with the State, County, and Municipality; all compliance requirements differ and varies amongst each government entity.

Building Department

From CAP/Building Department Building Official Pedro Martinez for February 2023

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*Total Amount Collected - \$16,081.05
Total Number of Permits Issued – 32
Total Construction Value - \$163,685.00*

Planning and Zoning

Continued review and recommendations or denials 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:

From Public Works Department, Director Mohan Thampi for February 2023

- 1. Village has advertised RFP bid package for Parks & Recreation Improvements project in February 2023. Pre-bid meeting held in February*
- 2. Coordinated with CAS, hiring of archaeologist for inspection of Indian Mounds at parks during construction.*
- 3. County Archaeologist and CAS and VOEP met with El Portal citizens at public presentation on January 28.*
- 4. Received speed limit study for El Portal roads on February 21 from David Plummer & Associates. recommends lowering of 30MPH speed limit to 25MPH.*
- 5. Prepared bus shelter certification and indemnification documents between FDOT and VOEP.*
- 6. Received from Miami-Dade TPO executed grant contract for NE 2nd Avenue Mobility (Traffic) Study grant award up to \$31,000. Provided notice to proceed to start the Village Traffic Mobility Study with David Plummer & Associates to start in January 2023.*
- 7. Attend Biscayne Bay and Southeastern Everglades Ecosystem Restoration (BBSEER) Project Delivery Team Meeting on February 1.*
- 8. Attend CITT monthly meeting*
- 9. FDEP sent letter regarding Village's NPDES MS4 Year 4 permit renewal application requesting that Village provide additional information and provide documentation that Village has an Illicit Discharge Ordinance regarding discharge of contaminants and pollutants in the stormwater drainage system. Draft ordinance has been drafted and being reviewed by Village Attorney. Expected to finalize within 6 months.*
- 10. Miami-Dade County Water & Sewer Department has allocated their FDEP wastewater grant funds to El Portal up to \$6.7 million. MDWASD in December made presentation and met with Village Manager and PW Director on agreement, phasing, and discussions about taking over El Portal's "Septic to Sewer Phase 1" project and probably expanding it. Agreement is being drafted by MDWASD for FDEP approval of this project.*
- 11. Coordinating replacement of Police Shelter building replacement.*

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12. *Coordinate with Police Department and Saltex Corp. for design of access control.*
13. *Continue coordinating training of Public Works and Code Enforcement staff on requirement for MS4 NPDES Stormwater Permit.*
14. *Continue to provide engineering information to Ecostrata as requested by State grant manager for Police Station Hardening Grant requirements.*
15. *Continue to coordinate installation of new Village Hall carpeting and flooring replacements.*
16. *Continue to coordinate construction of new restroom facility for Tots Park. Construction on hold. Have issues with contractor as he has not provided certified documents as a GC.*
17. *Drive and Inspect daily to various areas of Village to check for litter, problems or issues.*
18. *Continue to coordinate landscaping activities with Orchidman.*
19. *Continue to make inspection and inventory of street lights which need repairs and bulb replacement.*
20. *Continue checking stormwater drainage inlets, clear and clean them of surface debris blockages as needed.*
21. *Continue to review various Village right-of-way permit applications and any submitted to Miami Dade Department of Transportation and Public Works (DTPW) for construction in Village roads and right-of-ways.*
22. *Coordinate completing the painting of Village Hall.*
23. *Coordinate with ONE PAVER Construction in reference to paver repair in the rotunda and across NE 87 St. 21.*
24. *Received from 3 engineering companies for Building Recertification & Inspection – 40 Year Certification.*
25. *Coordinate repairing of potholes with proposal list sent by Osuna on February 21.*

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.

Mayor Omarr Nickerson is leading a collaborative effort with all Miami Dade County Coastal Mayors of Biscayne Bay, with a meeting at the Village Hall Wednesday, March 1, 2023.

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

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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 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.

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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.

Mayor Nickerson and Members of the Village Council conduct outreach to residents regularly. The Village Departments and I prepared research, content and support for the following public education opportunities provided by the members of the Council:

Saturday, January 28, 2023 – Vice Mayor Pirela hosted a Parks Renovation and Preservation Community Meeting

Monday, February 13, 2023 – Councilperson Lightfoot-Ward meeting with Horace Mann Middle School Principal Dr. Lita Thompson

Thursday, February 23, 2023 – Councilperson Martin hosted Short-Term Vacation Rental Community Workshop. The second of its kind.

Administration and Finance

From Chief Financial Officer Harry Taubenfeld for February 2023

The State of Florida has begun funding the Village of El Portal again with monthly revenue sharing and half cent tax as of November 2022 in the approximate amount of \$25,000 monthly! Our CFO's diligence has garnered a 30-day grace period for submission of the 2021 Audit that is being finalized by the Village's independent auditors, Caballero, Fierman. Synovus Bank has extended the Village's note for the Hurricane Irma funds. The Village is still in appeal for the funds as noted in part one of this report. Continuing to work with the Village Manager and Village Attorney and Police Chief for the labor contract 2022-2025.

From Office Administrator David Perez for February 2023

- *Updated vendors in BS&A that are supposed to receive 1099.*
- *Printed out 1099 for vendors and mailed it.*
- *Completed 1096 form and mailed it to the IRS.*
- *Submitted FRS Report for January 2023 with corrections.*
- *Performed a PTO audit for the Police Department*
- *Generated and sent Florida League of Cities a list of insurance companies that have paid the required business tax for the current 2022 through 2023 tax year. Clarified some of the invoices listed multiple times in the report.*
- *Met with ADP on multiple time to go over and configure data for the new payroll platform. If all goes well, we can launch first week of April.*
- *Participated as a member of the committee that reviewed the Tree Inventory Proposals to make a recommendation.*

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- *Corrected employees tax reductions errors made by the previous administrator.*

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.

