

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



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

## MEMORANDUM

TO: Village of El Portal Council  
FR: Christia E. Alou, Village Manager  
DATE: April 25, 2023  
RE: April 2023 Village Manager's Report

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Please accept this memorandum as my April 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 through the Florida legislature appropriations process. They are: 1. #1320 for Parks Renovation Funding and 2. #1321 for Village Hall Expansion and Renovation. The Village's legislative team reports that the requests are still alive in the senate budget at this moment (Village Hall renovations), but there is a pending amendment to reduce the requested amount. According to the team, both funding requests, Park Renovation and Village Hall Renovation, made it into the Senate Budget. The amendment being proposed only reduces the Village Hall project request. The Parks Renovation request at \$435,135.00 is not being touched ... for now. Fingers still crossed.

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 the State's requires that municipalities prove and provide matching funds for all appropriation requests. 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 began the week of March 6, 2023 and ends on May 5, 2023. We have made it through so far, so keep your fingers crossed for the Village of El Portal.

### **Hurricane Irma Financial Recovery**

The Village of El Portal is in the process of re-negotiating our loan with Synovus Bank for Hurricane Irma recovery expenses as we continue to await fund reimbursements from the Federal Emergency Management Administration (FEMA) and the state, Florida Department of Emergency Management. This month, FDEM finalized its review of another category of funds for distribution to the Village of approximately \$81,000. We will await FDEM's obligation of those funds and their distribution as we continue to await the distribution of the obligated appeal amount from September 26, 2022 of \$448,998.21. This would give us \$529,998.21 in funds to pay on the Synovus loan. I will continue to pursue these funds and the appeal of those funds that have not been approved. I am now working very closely with both agencies in status tracking, as there are staff that have become more responsive. Once FEMA sends the obligated funds those funds will be transferred to the

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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 the intention to appeal the remaining funds, which may be the reason there is a delay in receiving the obligated funds, according to FDEM Contractors. I signed off on another request made on April 24, 2023 by FEMA. We hope that these funds will become available soon..

**Corona Virus/COVID-19 Pandemic Municipal Response and Recovery**

American Rescue Program Act (ARPA) funds were distributed by the US Federal government through Florida Department of Emergency Services. The Village of El Portal is a non-entitlement unit (NEU) and has been allocated funds to be utilized in our pandemic response efforts that address front line employees dealing directly with the public, technology-based service delivery, parks, pandemic related water projects. The Village is utilizing these funds to enhance the El Portal Police Department with equipment and staff that has been long-needed, and the Village is undergoing a digitization project for all departments, starting with the Building Department and Code Enforcement. By implementing digital services, the Village will make services and operations in those departments more efficient and convenient for residents. The Village is also planning for an inner-office renovation to allow for more space for co-workers to safely distance from one another, emergency communications that includes a digital marquee at the Village Hall, and other tech advances that will greatly impact emergency services for the municipality. The Village CFO and I will be providing a report to the federal government by April 30, 2023. This project is ongoing.

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

Last week the Florida Legislature passed House Bill 833 Vacation Rental both passed through its last committee of reference and is now eligible to be heard on the House floor. Senate Bill 714 will be heard on Tuesday, April 25, at 10:00 a.m. in the Senate Fiscal Policy Committee. This is the final committee stop in the Senate.

As for VOEP's STVR policy, there has been no update since February 2023. 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. 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.

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

The Village received \$300,000 from the State of Florida in the 2021 Legislative Appropriations to fund the development of a traffic calming project at NW91 Street and NW 2<sup>nd</sup> Avenue. The project was designed, and the construction management will be with the 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 it has been presented to the State for final approval. Once approved, the Villages will execute a MOU for the shared location, but this is an EL Portal project. An RFP will be issued for general contractors to construct the project, and mobility plans and information about the project will be shared with residents of both municipalities and Horace Mann Middle School. This project will take three weeks to construct once construction commences after general contract selection is made through the appropriate procurement process. This project is ongoing.

**SPECIAL PROJECTS**

RFPs were published in February and March for Tree Inventory Service, Landscaping and Tree Services, and Parks Renovation and Preservation Services. A selection for each project has been made and recommended for approval by the Village Council and will be on the April 2023 Council Agenda.

**Village of El Portal Parks Renovation**

The Village of El Portal conducted a search for general contractor services for parks renovation and preservation in February and March 2023. One general contractor responded to RFP 2023-03 and is being vetted. As points of information, these parks projects have nuance and unique characteristics. For example, Sherwood Forest Park and the Tequesta Mound must have all restoration and preservation work done under the guidance of a certified archaeologist. Mr. Bob Carr, former Miami Dade County Archaeologist will oversee the project once it commences.

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

Mayor Nickerson and I met with electric shuttle service provider, Freebee this month to discuss the service. We are considering a smaller, less expensive vehicle that will not diminish the level of service. Though a small service, it is heavily relied upon by a small group of residents. Options for the service are being considered to increase ridership, such as expanded hours and expanded service area. This enhancement is forthcoming. Please stay tuned.

**NE 2nd Avenue Business Corridor**

The Sanctuary Property – The Village Mayor, Building Official, and urban planners, and I met with the entire Sanctuary Property development team this month to review site plans and discuss plans submission and next steps. private sewer conversion of the property is being planned with Miami

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Dade County and Miami Shores Village and is expected to run from NE 88<sup>th</sup> Street to NE 1 Avenue to the closest Miami Shores Village lift station at NE 96 Street. The Village Administration and El Portal Police will work with the community and the Sanctuary Property team to communicate and accommodate local impacts for this project. According to the property managers, they are planning to develop two small restaurants, retail and offices at the location.

Roadway and Traffic – The Village submitted our completed traffic study report and as soon as completed, our mobility study will be submitted as well to Miami Dade County Transportation and Public Works to support the Village's request for reduced speed limit to 25mph on Village streets, for painted intersections at NE 2<sup>nd</sup> Avenue and N. Miami Avenue, and for a "road diet" to reduce NE 2<sup>nd</sup> Avenue from four lanes to two lanes to match the City of Miami and Miami Shores Village. The Village's Public Works Director, Mohan Thampi is preparing a permit application for the speed limit reduction and will submit this to Miami Dade County in the coming days. This project is ongoing.

To report a pothole, please contact [publicworks@villageofelportal.org](mailto:publicworks@villageofelportal.org) with a physical address and photo.

**Biscayne Boulevard/Annexed Area Development**

The Kavista Rental Development at El Portal Annex

The Kavista Project continues developing according to plan, with occupancy expected by the end of the year. City of Miami residents have complained about the Skatebird for music noise 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 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 in the past several months.

The owners of the Kavista Project development are planning a second development along the canal coast of the El Portal Annex. The owners met with Mayor Nickerson, Building Official Martinez, Urban Planners, PlusUrbia and I this month to discuss the initial plans. Finalized plans are being prepared for submission in the coming months.

Skate Bird Miami (Skate Park)

Skate Bird Miami is open for business with a temporary certificate of occupancy, but has submitted plans for its kitchen, that when approved will satisfy the requirements needed to obtain its Certificate of Occupancy. EPPD, Code Enforcement Officer Simmons and I will be meeting with Skatebird Miami to review the process and the park's operation moving forward. .

Former Trailer Park "Little Farm"

This property is still in receivership. 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.

**VOEP DEPARTMENTS HIGHLIGHTS**

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

*From Police Chief Alex Mendez for April 2023*

- *Sent two (2) officers to Radar/Laser school to get certified*
- *Started phase 1 out of a 3 phases active shooter training*

**Code Enforcement**

*From Code Enforcement Officer Fitzgerald Simmons for April 2023*

- *Active Liens - 7*
- *Active Cases (CCIN's, NOCI's, Verbal Warnings)-266*

*FYI(s)/Reminder(s)*

- *GovPilot (Code Enforcement)*

*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. Complainants contact info is required, per F.S.S. 162.06(b))*

*\* 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.*

*PSA: EVERY PROPERTY AND PROPERTY OWNER ARE SUBJECT TO AN NOTICE OF CIVIL INFRACTION WITH AN IMMEDIATE FINE FOR STORING AND PLACING BULK TRASH AND PLACEMENT OF CANS UPON THE RIGHT-OF-WAY EARLIER THAN 4:00 PM OF THAT DAY PRECEDING THE DAY OF PICK-UP.*

- *Bulk Pick-Up Schedule*

*Tuesday, West of North Miami Ave*

*Wednesday, East of North Miami Ave from NE 88th Street to NE 90th Street*

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*Thursday, East of North Miami Ave from South to the Southern end of the Village Limits (Little River)*

*Tuesday, 3/28/2023 Tuesday, 6/27/2023 Tuesday, 9/26/2023 Tuesday, 1/23/2024  
Wednesday, 3/29/2023 Wednesday, 6/28/2023 Wednesday, 9/27/2023  
Wednesday, 1/24/2024*

*Thursday, 3/30/2023 Thursday, 6/29/2023 Thursday, 9/28/2023 Thursday, 1/25/2024*

*- Placement of Garbage Cans/Trash*

*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.*

*Florida Building Code, Sec. 104.1.1- 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.*

*Chapter 24 - Zoning and Land Development Code- 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.*

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### **Building Department**

*From CAP/Building Department Building Official Pedro Martinez for April 2023*

*No report was provided.*

### **Planning and Zoning**

Plus Urbia Design will be eliminating its Zoning administration responsibilities from the Village of El Portal. It will continue to do planning for the Village, where it will focus on large development projects, parking planning and comprehensive plan and Zoning Code amendments and updates. Before the April 2023 Council, a recommendation will be considered to take over the zoning administration and inspections that includes small plan view and variances for the Village of El Portal.

### **Public Works and Maintenance**

*From Public Works Department Director Mohan Thampi for April 2023*

- 1. Served as member of RFP 2023-02 Landscaping and Tree Service Proposal Selection Committee on April 5th. (Director Thampi)*
- 2. Preparing permit application for MDC Transportation and Public Works recommending lowering of 30MPH road speed limit to 25MPH with David Plummer & Associates report as backup. Preparing application.*
- 3. Check and report on progress to MDC about NE 2nd Avenue Mobility (Traffic) Study by David Plummer & Associates. Funded with MDC TOPS grant.*
- 4. Review and respond to questions to Building Department from Bacteria Pollution Control Plan field survey by consultant for Miami-Dade DERM.*
- 5. Review and attend meetings on USDOT Safe Streets and Roads for All (SS4A) FY 2023 Grants.*
- 6. Construction on hold with Tot Lot Park with issues with contractor as he has not provided certified documents as a GC. Have selected new contractor, whose scope and agreement will be presented to Council in April 2023 Council meeting .*
- 7. Attend CITT members monthly video meeting.*
- 8. Drafted MS4 Permit Illicit Discharge Ordinance regarding discharge of contaminants and pollutants in the stormwater drainage system has been drafted. Has been reviewed by Village Attorney and first reading will be made at April 2023 Council meeting.*
- 9. Coordinating final release construction completion punch list of Police Shelter building replacement.*
- 10. Drive and Inspect daily to various areas of Village to check for litter, problems or issues.*
- 11. Continue to coordinate landscaping activities with Orchidman Landscaping.*

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12. *Continue to make inspection and inventory of streetlights which need repairs and bulb replacement.*
13. *Continue checking stormwater drainage inlets, clear and clean them of surface debris blockages as needed.*
14. *Continue to review various Village right-of-way permit applications and those submitted to Miami Dade Department of Transportation and Public Works (DTPW) for construction in Village Road right-of-ways.*
15. *Inspected installation of new poles and anchors by ATT at 24 locations in Village right-of-ways. Informed ATT of site deficiencies from construction which needs to be corrected.*
16. *Coordinating Building Recertification & Inspection – 40 Year Certification Study by HMB Engineering Services PA.*
17. *Respond to queries on right of way requirements by contractors.*
18. *Install stainless steel kick plate for interior and exterior doors of Village Hall.*

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.

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

Extremely slow to no progress continues.

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



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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 convene 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 with 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.
4. The Neat Street Tree Planting Matching Grant was received this month and will allow for the planting of 75 native trees in the Village. Planting to take place in May 2023. Tree City USA Certification is being renewed through application. A VOEP Tree Board will hold a board meeting in the coming months under chairman Councilperson Anders Urbom. In the meantime, Grants Consultant Robert Ruano and I continue to process necessary reports and documentation of the Village's Tree City USA status and activity and work with the Public Works Department on day to day maintenance.

### **Public Affairs**

Mayor Nickerson hosted an Easter Egg Hunt on April 8, 2023 with Skatebird Miami.

Councilperson Anders Urbom and the El Portal Women's Club hosted the Annual Arbor Day Celebration on Saturday, April 22, 2023, from 4-7pm at the El Portal Nature Trail. 15 fruit trees and

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plants were distributed to members of the community after a discussion about tree care and maintenance was provided at the event.

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.

**Administration and Finance**

*From Chief Financial Officer Harry Taubefeld for April 2023*

Village CFO has been out of the office for April due to religious holidays travel, but worked remotely for critical matters.

*From Office Administrator David Perez for April 2023*

- Finalized the transition to our new payroll company.
- Program employees' biometrics in the new punch clock
- Processed first payroll with ADP.
- Initiated and currently working on an employee payroll audit.
- Cancelled AT&T First Net Account.
- Participated in the Landscaping and Tree Services Evaluation Committee to recommend the best vendor.
- Regular day-to-day responsibilities.

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. I also participated in several forums on behalf of the Village over the course of the month. For more information, please contact me directly. Thank you.

*Village Manager Christia E. Alou, Esq.*