



**Village of El Portal  
Budget Hearing  
Date: 09/12/23  
Meeting Start: 7:06 PM  
Meeting End: 7:43 PM  
Meeting Length: 37:35**

**Mayor Nickerson:** All right, okay. Let's get ready to go ahead and get started.  
[silence] All right, here we go. Are we looking for the full moon in the house? The Village of El Portal first budget hearing for 2023-2020 for fiscal year is called to order on Tuesday, September the 12th at 7:06 PM.

[gavel bangs]

**Mayor Nickerson:** We're going to stand for a moment of silence of meditation, followed by the pledge of allegiance.

[moment of silence]

**Members:** "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, may I please have a roll call, please?

**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.

**Councilperson Martin:** Present.

**City Clerk Jacobi:** Also present for the record, Yenise Jacobi, Village Clerk. Christia Alou, Village Manager won't be in. Joseph Geller, Village Attorney and the CFO. You have a quorum.

**Mayor Nickerson:** Thank you very much. Appreciate that. Do we a motion to approve the agenda? It's pretty straightforward.

**Councilperson Lightfoot-Ward:** So moved.

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

**Councilperson Martin:** Second.

**Mayor Nickerson:** Seconded by Councilperson Martin. All in favor say aye.

**Members:** Aye.

**Mayor Nickerson:** All opposed say nay, hearing none. Good and welfare, this right here if anybody was going to say anything about the budget at all, there's another good and welfare in the back. When we get into it, you also have a chance to speak if you want to. Shout out and good to see our District 3, County Commissioner's office, Hardiman representative are here. Mr. Barfield, Ms. Augustine, always good to see you all here. If there's anything you guys want to say we appreciate it, but if you're just here to visit, you're always welcome. You guys have family here so we

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appreciate you. It's all good. All right, you all. Moving right along to the agenda items. The first is the ad valorem, Attorney Geller, if you can read that into the record, please?

**City Attorney Geller:** Yes, Mayor. The resolution to the mayor and village council, the Village of El Portal, Florida, of Miami-Dade County, Florida adopting the final levying of ad valorem taxes of 8.300 mils, which is more than the rollback rate of 7.0257 mils by 18.14% for the village of El Portal and Miami-Dade County for fiscal year 2023-2024, providing for the incorporation of recitals, providing for an effective date.

**Mayor Nickerson:** Thank you very much. We're not raising the taxes at all, you guys. The taxes haven't been raised at all ever. For years we've dropped but we've not raised, so we're not raising taxes at all. With that being said, any questions or comments? If not, do I have a motion to approve the resolution?

**Councilperson Lightfoot-Ward:** So moved.

**Mayor Nickerson:** Moved by Councilperson Lightfoot-Ward. 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:** 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 very much. Let's move on to the second resolution. Attorney Geller, you can read that into the record.

**City Attorney Geller:** Yes, Mayor. A resolution to the mayor and village council of the village of El Portal, Florida, and Miami-Dade County, Florida, adopting and approving the annual operating budget of \$4,159,647 for fiscal year 2023-2024, providing for incorporation of recitals, providing for an effective date.

**Mayor Nickerson:** Thank you very much, appreciate that. I know with the budget, you guys, there was an outstanding question when it came to the CFO's salary. If you guys want to go to that, look at it, see what it is and whatever the questions or comments you guys have with that. If there's anything else you guys want to bring up, just go ahead and jump. The floor is the council's. Just on the Administration and Finance page in case you guys are looking for it.

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[pause 00:04:55]

**Mayor Nickerson:** Where it says, contracted accounting, you guys.

**Councilperson Lightfoot:** Mayor, it doesn't look like there's any comments. Can we go forward?

**Mayor Nickerson:** That's a motion. Do I have a second?

**Councilperson Martin:** I second.

**Mayor Nickerson:** Motion by Councilperson Lightfoot-Ward, 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:** Yes.

**City Clerk Jacobi:** Councilperson Urbom.

**Councilperson Urbom:** No.

**City Clerk Jacobi:** Vice Mayor Pirela.

**Vice Mayor Pirela:** No.

**City Clerk Jacobi:** Mayor Nickerson.

**Mayor Nickerson:** Yes.

**City Clerk Jacobi:** Motion passes three to two.

**Mayor Nickerson:** Thank you very much. Moving on, you guys. The next item is good and welfare. Anybody that has anything to say about anything at all, you're free to come up and speak about anything at all.

**City Attorney Geller:** There's a concern here.

**Councilperson Lightfoot:** [unintelligible 00:06:15]

**City Attorney Geller:** [unintelligible 00:06:15] higher than the rollback rate requires a supermajority

**Vice Mayor Nicerkson:** The millage rate is a supermajority?

**City Attorney Geller:** Sir, I'm not [unintelligible 00:06:22] correctly, but the [unintelligible 00:06:26] rollback rate requires a supermajority. [unintelligible 00:06:30].

**Mayor Nickerson:** All right, so that being the case, so we need a supermajority, we need at least four confirmations on it. That would mean that either Vice Mayor Pirela or Councilperson Urbom state what you feel is the reason why you voted no, and maybe they can come to a compromise. If they can't and we need a supermajority and we can't decide on a supermajority tonight, then we will have to reschedule and come back for another first budget hearing. Vice Mayor Pirela, Councilperson Urbom, anyone of you want to jump in and say why you voted no, and see if we can come to a negotiation or compromise.

**Councilperson Urbom:** I can start. Am I on a time limit?

**Mayor Nickerson:** Go ahead.

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**Councilperson Urbom:** Just want to respect the time, that's all. I'll start by my time. I voted no because, specifically, I was not satisfied with the salary for the account services. The question becomes, why didn't you speak up and say anything, and the answer comes back, I did, I voted no. That specifically is my issue. I feel strongly that in the circumstances that we have acquired the current CFO, I feel very strongly that almost extreme diligence is required to move forward with any type of permanent resolution to accounting services.

I feel that, as stated by the CFO the other meeting previous last week, I think that at least members of the council, the attorney, the manager, the clerk, and the CFO are all acutely aware of how close we truly were to potentially, I will say this into the microphone, losing our village. Am I incorrect in considering the gravity at which Tallahassee let us know we were on the brink of losing control of our village because it became demonstrable that perhaps our village is not capable of governing itself financially, fiscally, specifically. Am I out of line in thinking the gravity of that was as serious as I just outlined? Mr. Mayor, I see you seem to have an--

**Mayor Nickerson:** I call it [unintelligible 00:09:15] that no councilperson Urbom. If you're saying that previous to when CFO Taubenfeld got here--

**Councilperson Urbom:** Correct.

**Mayor Nickerson:** -when we first got in, yes, we were getting letters and we lost a lot of money--

**Councilperson Urbom:** If we had not caught it in time, we could have potentially lost control of our own village.

**Mayor Nickerson:** Yes. They were saying that.

**Councilperson Urbom:** Here's two, now the road splits. We do owe a debt of gratitude to our current CFO without doubt, unequivocally. We absolutely owe a debt of gratitude to our present CFO.

**Vice Mayor Nickerson:** If I can, Councilperson Urbom really quickly quickly.

**Councilperson Urbom:** Yes.

**Mayor Nickerson:** Councilperson Urbom is talking about is very true. What he was talking about is, from the previous administration, when I came into power, what Tallahassee was doing is they were saying that they were going to come in and take us over financially the way they did to Opa-locka years ago. They were going to take over all the Village El Portal and the way operation and all that type of stuff. They were threatening with that. They were close to it because of what happened in the previous administration and the money situations. Go ahead, Councilperson Urbom.

**Councilperson Urbom:** That, I suppose, is my point. My vote on no is not a critique of our present CFO. Please do understand that it is not a critique of the present CFO. It is more of a critique of the process of how we are arriving at a 33% raise as discussed. There was many factors involved in terms of, was the scope of work fully understood at the beginning? We had a combative, not even a non-participatory, but

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a combative former CFO who would not contribute not one ounce of anything to the effort. That was unanticipated as we discussed last.

I could eventually be okay with the salary that is printed here on the present copy. However, the process by which we've arrived at this is my concern. I don't know where that correction lies, but I feel like if we arrive at a solution into the following fiscal year, as I said last meeting, I do think that when it comes time to solidify a contract, understand full scope, have done true due diligence in making sure we are in the best possible situation specifically regarding accounting services. I have no doubt we can make that adjustment under contract in the coming fiscal year. That's my succinct statement, I guess.

**Mayor Nickerson:** Thank you very much, Councilperson Urbom. I'm going to let Vice Mayor Pirela come in in a second. I do have a couple of questions. Well, first of all, I just want to point out that you're absolutely correct, Councilperson Urbom with what you said. In my opinion, I think that even goes further to show why CFO Taubenfeld deserves this raise. I think that from where we were and how the village was saved, yes, it was manager Alou, myself, CFO Taubenfeld, but manager Alou and myself, we did a lot, and we tried everything that we could.

CFO Taubenfeld really came in and he shored up everything and got the audits done and everything. I think for us to be here for Tallahassee not to have come and taken us over, for us to be consistent now and be caught up with the audits and things like that is why he would deserve this \$8,000 raise, and it would be going from 72,000 to \$80,000. Not to \$20,000 that it was last week when we were talking. Now it's just \$8,000. Now, I think that is understandable and I don't think that's too much to ask for the work that he did. I have one question for you Councilperson Urbom. It was 72,000 currently, if you don't want it to be 80,000, what do you want it to be at?

**Councilperson Urbom:** My original reaction was to leave it at the 72,000 until we could establish that we did make all efforts to find every possible-- not necessarily the most expertise, but the person who's best for this village. You know what I mean? The very best possible candidate. If you remember when we went through the last edition of attorney RFQ, I was very clear at that time as well.

I understand we did make a search for CFO, but as we established we are in a different place now. The reason I thought he was interim was because-- it was my understanding he was brought into shore up the dam, basically, like stick a thumb in the dike. This was my understanding. Now that we've gone beyond that, I feel strongly that we need to reevaluate and re-examine accounting services because we are again on stable ground. We're not in an emergency situation any longer. I'll let vice Mayor Pirela speak.

**Mayor Nickerson:** We'll do Vice Mayor Pirela, and then we'll do CFO Taubenfeld, and then anybody else from the council [**unintelligible 00:14:25**]. Attorney will speak after CFO Taubenfeld. Vice Mayor.

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**Vice Mayor Pirela:** I echo everything councilperson Urbom said. On top of that, I don't know for you guys, the reason why is because what's not clear to me is that there's two things simultaneously here. There's a contract agreement and the raise. Now, I don't know if you guys asked for the contract, because madam clerk said that she had a copy of the contract that was sent to her. I did ask for that contract and it says that it's effective January 1st, so I don't want any race that's being set today, for example, or for these coming budget to be retroactive and start from January. Unfortunately, I didn't have the time to actually discuss that with Mr. Harris or call the manager and ask those questions. Since it's a contract, I don't know whether it was signed already, but I think to me it's blindfolding you and saying like, "Okay, this is the raise," but then the contract comes later and say, "Oh, by the way, the contract is retroactive from January, 2023." That's my concern as far as approving any more than that's being said or what is set at the 72,000.

**Mayor Nickerson:** Okay, go ahead.

**City Attorney Geller:** I am looking to double check that determination about supermajority. There are two things that the council should be aware of procedurally depending on how you want to proceed. Like other things that require two readings, you can pass something on first reading and still withhold your vote as a no vote at the final reading, the second reading. In this case, that would consist of voting for something tonight, to get past tonight to allow further conversations and discussions. There's an alternative method to that if that's more to your liking.

The budget that is in front of you is subject to your review, and you have the authority to change any line item in it. You could move to amend the budget as to a particular line item, and if that motion passes, that's what passes on first reading. If you subsequently, prior to second reading, decide that something's been put into place that makes what was originally proposed satisfactory to you, you can come back and amend the first reading budget on second reading. You can amend it period, but you could certainly restore what you amended out.

In terms of getting something passed on first reading, you have those two different options. Pass it on first reading, but with state that you may not on second, or amend it on first reading and pass it, and then either leave it with the amendment for second reading or possibly amend it back. Those are two procedural routes that would enable you to reach an approval of a first reading budget.

**Mayor Nickerson:** Thank you very much, Attorney Geller. Vice Mayor Urbom--

**Councilperson Urbom:** I'll say one thing. I wanted to hear vice Mayor Pirela's thoughts before I spoke again after our discussion. Okay, all right, I do agree that \$8,000 is probably a reasonable amount without thinking too hard on it to say agree to. However, Vice Mayor Pirela has raised another concern of mine. Do we know the answer to his question of whether or not there's a retroactive component to whatever? Then again, the question becomes, what contract is it actually that we're dealing with, et cetera, et cetera? Now I've got those questions.

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**City Attorney Geller:** I can answer that one, I think, relatively easy. What you're voting on is not a contract. There is not a contract before you, so whether there exists a contract that you would have to approve or not.

**Councilperson Urbom:** We're just putting these monies in the budget.

**City Attorney Geller:** If you put monies-

**Councilperson Urbom:** Got you. Okay.

**City Attorney Geller:** -in the budget, the budget is for the fiscal year beginning October 1st, and there is nothing, at least, certainly that I'm aware of that's in this budget that talks about anything retroactively, whether a contract to approve something retroactively, which includes budget authority going forward from October 1st exists. If such a contract were put before you and the contract sought retroactive compensation, you would have to separately consider that, and actually, you could not approve that contract without also approving a budget amendment of some kind to create funds to pay a retroactive portion. What's in front of you is not a contract, retroactive or otherwise. It is a budget for the fiscal year, beginning October 1st.

**Councilperson Urbom:** Okay. Greatly appreciate that clarification. Thank you.

**Mayor Nickerson:** Thank you. I'm going to go to Councilperson Martin right now. Just let me say that I haven't seen the CFO contract, so I don't know what's going on. councilperson Martin.

**Councilperson Martin:** Okay, so I really get where everyone's coming from. I think it helps sometimes to separate it. In the last budget workshop that we had where the proposal was paying the contracted account, the CFO, I think 96,000, to me, that was otherworldly. It did seem as though there was some attempt to recoup some of the money that was lost based on what he negotiated for. There was more work than he anticipated, and he was trying to get some compensation for that. As we stated before, once you contract for an amount, there's really no way to then go back and say, "Well, I misadjusted that. Let me get some more." That's one thing.

The budget that we're looking at today, when I think of it, I think, "Hey, the manager has said that she needs this amount of money in order to provide quality CFO services." I'm very hesitant to hem up the manager in that way. If she's saying, let's say our current CFO says, "Hey, I'm not going to do this anymore." What then will she have to negotiate with to get us those services in an expeditious way that doesn't put us in a similar situation that Council Member Urbom recently stated.

I think if we look at it through those lens and that we're not supposed to really-- I guess we could definitely opine, but we don't dictate what the CFO-- We shouldn't dictate what the CFO gets if our manager says that she needs a certain amount to function. However, if we do authorize this amount and then notice that we're not receiving any enhanced services that we were detailed previously, that there was going to be some oversight as it relates to some issues that were still outstanding, digitization of other things.

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If we see that those things are not happening, then I think that's more of a quarrel with the manager as to why the increase was requested and we are not experiencing or seeing or understanding what is the enhanced level of service that we're receiving. I say okay to the 80,000 because I speak to the manager and the manager says that there really is no chance of finding someone at the same rate with the same skillset. I take that on face value, but I also remember the pause that the initial jump from 72,000 to 96,000 had me with, and I'll keep that in mind as I evaluate what is being provided to the city for that increased 80,000. That's how I'm splitting it apart in my head to say the 80,000 seems reasonable based on the manager's representation.

**Mayor Nickerson:** Perfect. Thank you very much. Well said, Councilperson Martin.

**Councilperson Lightfoot-Ward:** Mayor.

**Mayor Nickerson:** Councilperson Lightfoot-Ward.

**Councilperson Lightfoot-Ward:** I ditto. See, I couldn't have said it any differently. It's because the manager says that's what I need at this time. I'm not happy with it. I barely know the accountant, but I know he took us out of what we were, he was there. I'm willing to do this for one year. This is not permanent, because he did take us out of whatever we were at financially. Holding the budget, we can't even do that. We can't wait for it. It's September. We have to report it.

She's not here, so I'm not going to say something that would embarrass her. I'm not going to do that. I'm going to go with her instincts. I'm going to go with her professionalism. I'm going to go with her-- which she said she needed at this point, and I'm not going to second guess the city manager 'cause she's brought us a long way. That doesn't mean you get to stay. This is a contract. We are not employing anybody. This is a contract. There's no contract? This is part of the budget. It will be like that in perpetuity? No, it won't. It will not, but this is what the gentleman is asking for right now.

He's a person, he's got family, he's got responsibilities, and he did take us out of a bad situation. That's the only reason I voted yes, because I think \$96,000 is a lot of money for somebody who's not here full-time. I do, but I'm not going to hold up the process of timely adopting a budget. It's September, y'all, for this whatever, for this one thing. I'm not going to do that. While we have our concerns, well, I'm going to watch you work, sir, I'm going to watch you work, but it doesn't say you get this in perpetuity. It's just in 2024 is the only reason that I voted yes because I'm just like everybody else. I think it's too high for a little bitty village like this, and it's not even a full-time worker. Thank you, Mayor.

**Mayor Nickerson:** Thank you very much Councilperson Lightfoot-Ward. Councilperson Martin?

**Councilperson Martin:** Can I just clarify? It's 80,000, right? We say 96,000. That always scares me, but yes, 80,000. Also, I just want to make sure that I'm correct on this. Even though we approve this \$80,000, tonight, we're not saying that it is this

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CFO that receives this \$80,000, that's it. It's just 80,000 for a CFO. There is no contract tonight. There is no contract tonight and it doesn't say that it has to be CFO Taubenfeld.

**City Attorney Geller:** You're correct, Councilperson. You are adopting a budget. A budget sets the amount that is available to be paid by the manager. It is not a contract.

**Councilperson Lightfoot-Ward:** It's not. Thank you. Appreciate that.

**Councilperson Urbom:** Just a final comment, and then I'll be happy to second a motion to take the vote again. My final comment is that the residence in this neighborhood who originally approached me to go for this seat, I was reminded I'm going to have one vote on this council, but the reason those friends of mine came to me is because people who know me well know that I have a difficult time truly holding my tongue. It's not often difficult to figure out where my opinions lie. I wear my emotions on my sleeve and I speak my mind sometimes to a fault, I will acknowledge. Having said that, I do want to say that I will second guess the manager. The situation that we found ourselves, and I outlined earlier, that had us on the brink of non-existence, there were three people ultimately involved in that, and that was the mayor, not the current mayor, former mayor, that was the attorney, not the current attorney, former attorney, and there was the manager, current manager.

Having witnessed that from this dais and gone through all the emails. I'm on a first-name basis with the director of the Miami-Dade County Commission on Ethics, that's not something I wanted to have as one of my accolades, but that was the outcome of all of that. Because of my experience on this council, I will say that I will second guess the manager. We have to have oversight. As you said, I'm going to watch you. We have to have oversight specifically in the accounting services. I remember when you came on, you acknowledged at the microphone there, the precarious situation you were putting yourself in because you came in to put your reputation on the line.

For the record, I'm speaking to the CFO. You really put your reputation on the line, which, again, I do factor into what we're considering here tonight. Without beating a dead horse here, I will just say that that experience was as real as it gets. It really was. I never anticipated finding myself in the situation that we found ourselves in on this council. I do want to state that as clearly as possible, because while we are unstable ground again, the village does seem to be pointed in the right direction. The ship has been righted. Things are level, winds are even. I just do not want us to lose sight of why we're so glad that that's the case. It's great to have things going back to boring again. Drama in government is expensive, as all get out and serves no one. It's nice to have a council, as the mayor always points out, that's got certainly a lot less drama these days than his previous.

**City Attorney Geller:** Mayor?

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**Mayor Nickerson:** Thank you very much, Councilperson Urbom. Attorney Geller?

**City Attorney Geller:** If I may, Councilperson Urbom stated he'd be happy to second a motion to revote, but in fact, because it filled only those on the prevailing side, that being the Vice Mayor and yourself, can move to reconsider the previous vote and that we would need a motion to reconsider. Frankly, the only two who could bring that are you two.

**Mayor Nickerson:** Yes. That's why, I'm trying to see if everybody has everything out that they want to get out, and then I'll get the motion in a second for the reconsideration. Everybody, good?

**Councilperson Martin:** I want to get something out. I always tell Councilman Urbom that I love serving with him because I really do love. We're very different but a in lot of ways very the same. I do like the idea of a healthy amount of skepticism. I think that that's vital. I think that that's why we're here, definitely not to just take what the manager is saying or the attorney or the CFO, because we owe that to everyone that entrusts us with this really important duty. With that being said, I say, for sure, I am committed to being the ultimate skeptic. I don't want to second that.

**Mayor Nickerson:** Thank you very much, Councilperson Martin, appreciate that. Any last questions or comments? From the audience? Nobody? Everybody good? Okay, I'm going to need a motion in a second for reconsideration. It can only come--

**Councilperson Urbom:** [unintelligible 00:32:59]

**Mayor Nickerson:** Motion made by Councilperson Urbom, seconded by Vice Mayor Pirela for this reconsideration vote. Madam Clerk?

**City Attorney Geller:** Look back behind you.

**Councilperson Urbom:** I did not make a motion. I have not made any motion yet.

**Mayor Nickerson:** Okay. Well, you said "I second."

**Councilperson Urbom:** I said that. I am sorry. Forgive me. I had said I would using the future tense. I would second a motion to.

**Mayor Nickerson:** Okay. Do you want Vice Mayor Pirela to make the motion?

**Councilperson Urbom:** Makes no difference to me. I believe the attorney said that if that's the case, then, yes, that's fine.

**Mayor Nickerson:** You don't want to make the motion you just want to second the motion?

**Councilperson Urbom:** Only the two no's are able to make the motion is that correct?

**Councilperson Lightfoot-Ward:** That's correct.

**Councilperson Urbom:** Got you. I will make the motion then. I move to reconsider the vote.

**City Attorney Geller:** I'm sorry, I should have said, yes, on the record not no at my hand because we do have a record. I apologize.

**Mayor Nickerson:** Thank you very much for clarification. Councilperson Urbom you're making the motion?

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**Village of El Portal**

**Budget Hearing**

**Date: 09/12/23**

**Meeting Start: 7:06 PM**

**Meeting End: 7:43 PM**

**Meeting Length: 37:35**

**Councilperson Urbom:** Yes. Confirmed.

**Mayor Nickerson:** Okay. Vice Mayor Pirela you have a second?

**Vice Mayor Pirela:** I'll second.

**Mayor Nickerson:** Thank you very much. Madam Clerk, may I please have a record?

**City Clerk Jacobi:** 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.

**City Clerk Jacobi:** Motion passes five to none.

**City Attorney Geller:** Now, you've only moved to reconsider.

**Mayor Nickerson:** Moved to, yes.

**City Attorney Geller:** You've only moved to reconsider, so the item is now as if there had been no vote but you've not adopted anything. There's no motion pending but it is properly back in front of you.

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

**Mayor Nickerson:** Yes. That's what I said [unintelligible 00:34:45].

**Councilperson Urbom:** I'm satisfied with our discussion, I'll move to approve the budget.

**Mayor Nickerson:** Okay, motion by Councilperson Urbom to approve the budge. The second could be from anybody.

**Councilperson Lightfoot-Ward:** Second.

**Mayor Nickerson:** Second by Councilperson Lightfoot-Ward. Madam Clerk, may I please have a roll call for the budget approval?

**City Clerk Jacobi:** Roll call. Councilperson Martin?

**Councilperson Martin:** Yes.

**City Clerk Jacobi:** Council 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.

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

**City Attorney Geller:** [unintelligible 00:35:09]

**Mayor Nickerson:** Go ahead.

**City Attorney Geller:** I'm sorry before we adjourn, I want to put one thing on the record and I've been looking frantically here. I made the statement that it requires a supermajority to pass. I'm looking for the actual budget section, I'm 100% certain that that's the case in adopting a millage rate in excess of the rollback rate. I have not found the authority that I'm looking for as I'm searching that says that also applies to adopting a budget, but I've spoke up in an abundance of caution so that we do not adopt something improperly. I don't want it to be clear that it's my opinion. I expressed that, but I'm looking for the authority to back that up. Frankly, as long as I've practiced, I've never seen that one happen before, so I'm not 100% familiar with it. It's moot in view of the vote that you've just taken to reconsider and adopt it, but I don't want to mislead the council. Because we'll be right back in this situation on second reading, I assure you by then I'll have a definitive answer for you. I didn't want to say that on the record.

**Councilperson Urbom:** I'm glad I can help you [unintelligible 00:36:23], Mr. Attorney.

**City Attorney Geller:** Thank you, Mayor.

**Mayor Nickerson:** Thank you very much. Appreciate that, Attorney Geller. I believe, if I'm not mistaken, when we get to the second reading right before that we do a special assessment. I know for that we do need a supermajority.

**City Attorney Geller:** I believe that's correct, too, but I'll [crosstalk].

**Councilperson Lightfoot-Ward:** You still going to look, yes.

**City Clerk Jacobi:** We'll refer back to, again, Councilperson Urbom and the Vice Mayor.

**Mayor Nickerson:** Yes, and that is for the special--

**Mayor Nickerson:** Yes, that was for special assessment, I believe.

**City Clerk Jacobi:** Try to get it sorted out [unintelligible 00:36:50].

**Mayor Nickerson:** You guys, good and welfare, anybody have anything they want to talk about? You can talk about anything at all. You have three minutes, name and address, and the floor is yours. Hearing and seeing none, do I have a motion to adjourn?

**Councilperson Lightfoot-Ward:** So moved.

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

**Councilperson Martin:** Second.

**Mayor Nickerson:** Second by Councilperson Martin. The village of EL Portal's first budget hearing for Fiscal Year 2023-2024 is adjourned at--

**Councilperson Lightfoot-Ward:** Aye.

**Councilperson Lightfoot-Ward:** Wait for the second part.  
[crosstalk]

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**Councilperson Urbom:** All in favor for adjournment.

**Mayor Nickerson:** Oh, all in favor say aye.

**Members:** Aye.

**Councilperson Martin:** Ready to go.

**Mayor Nickerson:** All opposed say nay. Yes, I know, I thought that was going to be quicker than it was.

**Councilperson Lightfoot-Ward:** Are we through with the budget?

**Mayor Nickerson:** The meeting is adjourned at 7:43 PM.

**[00:37:35] [END OF AUDIO]**

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