



**Village of El Portal  
Regular Council Meeting  
Date: 4/23/24  
Meeting Start: 7:02 PM  
Meeting End: 7:42 PM  
Meeting Length: 0:40:00**

**Mayor Omarr C. Nickerson:** Let's go ahead and get ready to get started so I can get you guys in and out. All right, how are we looking? Full Moon. Shout out to Full Moon. The regular council meeting for Tuesday, April 23rd, 2024, is called to order at 7:02 PM. We're going to have a moment of silent meditation, followed by the pledge of allegiance.

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

**Mayor Omarr C. Nickerson:** Thank you very much. Madam Clerk, may I please have a roll call?

**Village Clerk Jacobi:** Roll call. Mayor Omarr C. Nickerson.

**Mayor Omarr C. Nickerson:** Here.

**Village Clerk Yenise Jacobi:** Vice Mayor Luis Pirela.

**Vice Mayor Luis Pirela:** Here.

**Village Clerk Yenise Jacobi:** Councilperson Anders Urbom.

**Councilperson Anders Urbom:** Present.

**Village Clerk Yenise Jacobi:** Councilperson Darian Martin.

**Councilperson Martn:** Present.

**Village Clerk Yenise Jacobi:** Councilperson Dr. Anna E. Lightfoot-Ward is not here. Also present for the record, Christia Alou, Village Manager, Yenise Jacobi, Village Clerk. Attorney Geller says he's running late.

**Mayor Omarr C. Nickerson:** Thank you very much, Madam Clerk. I appreciate it. Moving on, approval of the agenda. I wanted to put an agenda item on. This is for discussion. You'll understand when I get there about the discussion aspect of it. It will be H2 Green Reuse Area Designation for the launch. It's the discussion part. You'll understand when I get there. For H2 on the agenda, if I have no more additions or deletions, do I have approval of the agenda?

**Councilperson Anders Urbom:** So moved.

**Mayor Omarr C. Nickerson:** Moved by Councilperson Anders Urbom. Do I have a second?

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**Councilperson Darian Martin:** Second.

**Mayor Omarr C. Nickerson:** Second by Councilperson Darian Martin. All in favor say, aye.

**Participants:** Aye.

**Mayor Omarr C. Nickerson:** All opposed say, nay. Hearing none. Moving right on to Good and Welfare. Anybody can come to talk about anything on the agenda right now. For everybody who's on the agenda, you all will be able to come and talk about it when we get to your particular agenda item. All right. I'm seeing nobody for the first Good and Welfare. Consent agenda. Do I have a motion to approve the consent agenda?

**Councilperson Darian Martin:** So moved.

**Mayor Omarr C. Nickerson:** Moved by Councilperson Darian Martin. Do I have a second?

**Councilperson Anders Urbom:** Second.

**Mayor Omarr C. Nickerson:** Second by Councilperson Anders Urbom. Madam Clerk, can I have a roll call on consent agenda, please?

**Village Clerk Yenise Jacobi:** Sure. Councilperson Darian Martin?

**Councilperson Darian Martin:** Yes.

**Village Clerk Yenise Jacobi:** Councilperson Anders Urbom.

**Councilperson Anders Urbom:** Yes.

**Village Clerk Yenise Jacobi:** Vice Mayor Luis Pirela?

**Vice Mayor Luis Pirela:** Yes.

**Village Clerk Yenise Jacobi:** Mayor Omarr C. Nickerson.

**Mayor Omarr C. Nickerson:** Yes.

**Village Clerk Yenise Jacobi:** Motion passed.

**Mayor Omarr C. Nickerson:** Thank you very much. Moving on to resolutions ordinances. This is the part where, Ms. Hammonds, if you want to come on up. The first one, Attorney Geller's not there and I hear we also have to do swearing-in for the hearing, right? Let's do

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this. Let's jump down to the agenda items first and do the H1 PACE Program discussion. All right, you guys, so the PACE program, there's two aspects of it. I wanted to bring this up. If you got just to explain briefly what it's all about, it may be able to help our elderly residents.

We do have a lot of seniors in El Portal. If you guys feel like this is something where you want me to bring one of the program directors or something like that from the county, just let me know. I can bring them in for next month's meeting or a future meeting to explain in full detail. I just wanted to put it out there just to see if this is something that the council maybe wanted to take time out to look into or bring somebody out from the county to explain because it could be beneficial to some of our elderly residents.

There's two aspects of it, the PACE program. This is something that also Councilperson Dr. Anna E. Lightfoot-Ward after the last meeting, she mentioned it to me also. I said, "Yes, I know all about that Councilperson Dr. Anna E. Lightfoot-Ward." There's two aspects. There's one aspect, which is the larger aspect. PACE stands for, in this aspect, the Property Assessment Clean Energy Program. It runs through Miami-Dade County.

What it does is it allows a lot of our residents who are our elderly residents, to get things done on their home to where normally, because they're on fixed income, they might not be able to have it. It supplements it for them. If they have Medicare or Medicaid, they get it for pretty much nothing. What it does is, you can get things fixed in your home, but it also adds the clean energy aspect.

You can get solar panels, you can get things done to your home to make it more environmentally friendly for energy consumption, and things like that. You can get newer things on your home that normally elderly residents who are on a fixed income just can't afford, period. You can upgrade your home but you can upgrade your home in an environmentally friendly way. That's essentially what the PACE program is about.

Like I said, if you are on Medicare or Medicaid, then you get it for basically nothing. If you're an elderly resident over 55 years old, but if you're not on Medicare or Medicaid, then you do have to go through a financing-- There's an interest rate attached to it, but it caps at 12% interest or something like that, if you're not on Medicare or Medicaid. If you are then you have no interest rate. If you are that cap set, like a 6%, if you are on Medicare or Medicaid.

It's just something that I think that it might be beneficial to our elderly residents since we do have a pretty significant senior population. I just want to introduce it, bring it up. If this is something that maybe we want to explore further, we can do a town hall on a Saturday morning and I can bring out elderly residents, bring somebody from the county to explain it, or we can have somebody come here to a future council meeting to explain it, a program

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director.

We can ask them to get into the details because, of course, they're experts where I'm not. Just something to bring up. That's all.

**Councilperson Darian Martin:** Oh, yes. I think it would be great to have a town hall on the weekend that contemplates them coming out and having all of their questions answered. I know that and I'm reaching way back into my mental Rolodex, but I think that there might be something related to their property taxes implicated in there. I would want somebody to discuss with them the pros and cons of that.

If they do think that they're going to be selling rather quickly after those renovations, the installation of the windows or solar panels, they might need to know how that impacts their property taxes and also their ability to sell. As long as they have all of the information, I think this is something that would be beneficial for them to hear and decide if it's a good fit for them in their current situations, but I do think maybe a council meeting day might be too late for them.

Maybe a town hall that's directly targeted towards them, and maybe bring someone out from the Veteran Affairs department as well, and just make it an info session.

**Mayor Omarr C. Nickerson:** Like a senior--

**Councilperson Darian Martin:** Yes, like a senior info session, but I love it.

**Mayor Omarr C. Nickerson:** No, thank you very much, Councilperson Darian Martin. I think that's what we'll move to do, and I'll move to put together on a Saturday morning a senior informational session. That'd be good. Appreciate that you guys. All right. Let's see what we can do here. Let's move to, H2, I can explain it. There is a legal aspect to H2 also. We have to wait for Attorney Geller for the legal aspect. Madam Manager, do you want to go ahead and do your report?

**Village Manager Christia Alou:** Wow, I've never done it this early. It just doesn't seem right in the daylight.

**Mayor Omarr C. Nickerson:** It doesn't seem right.

[laughter]

**Village Manager Christia Alou:** We stay busy, and we have a lot going on, but I do want to just talk briefly about a few items that stood out for the month of April for the Village of El Portal administration. This month, we are still on the governor's list for funding in

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Tallahassee for the building renovation. That's a \$482,000 ask that we made through our legislative team. I spoke with them this morning, they said we haven't been cut out yet. Governor DeSantis has until July 1st to either sign on it or scratch us out or what have you.

For now, we're still in there, so we're still in the game. We'll keep a watchful eye on it. Update about the septic to sewer conversion project conducted by the Miami-Dade County Water and Sewer Department, it continues. They're still installing the force main over on the west side of the village that will benefit the, it's called-- Oh gosh, in the city of Miami area, not El Portal just yet, but just know that eventually, it will benefit the village of El Portal as we connect in with what the county is building and its infrastructure.

From what I understand, they are looking at restoration of the village's park, which is the nature trail. We did send over the architectural plans that were created by the landscape architect. They're considering that, and I'll be meeting with them next week to see what the next steps are in terms of when they foresee the restoration project of the park to start. I'll keep you posted on that.

Thank you very much for passing the items on this consent agenda as we continue to address speeding and traffic calming in El Portal. With the item you passed, we have selected a vendor or a contractor to fabricate the signs and to install them. We're very pleased about that. Our speed limit was changed a few months ago from 30 to 25 on our residential streets. However, we are now in charge of taking care of our own street signs and making those changes. We did that in tonight's meeting, and that is very helpful.

We will be giving a notice to proceed as early as tomorrow so that we can start getting those signs made and then we can start the whole installation process of that. We also are doing a Northeast 2nd Avenue survey, which is going to also help us as we do the road diet that we need to again, address traffic calming on Northeast 2nd Avenue, and address some of those recommendations from our Northeast 2nd Avenue mobility study.

Bulk pickup. We have a new calendar, new dates, and they are, I think going to be a little more friendly for our residents. We did have a little snafu for April, but our bulk pickup dates are April 30th through May 2nd, so that's next week. Please remember, any bulk items should go out and be on the curb and ready for pickup by 8:00 AM next week. That's Tuesday through Thursday, April 30th through May 2nd. We're happy to have a change-up.

This new schedule will allow for us to have a nice clean village during the holidays and to have our bulk picked up just as hurricane season starts. That's going to be a helpful change for us and so many things. I have put my manager's report on the village website, but I also want to bring everyone's attention to the Arbor Day festivities we're having on Sunday here at the village hall at 4:00 PM. It's going to be right here in the Tot Lot Park that's just behind

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the village Hall, 4:00 PM.

We are a Tree City USA, proud of that designation that we've held for several years now. We are under Councilperson Anders Urbom's leadership as a tree board chairperson. We continue to do good things with our trees and we would appreciate and love to see our residents out to learn more about trees and tree safety and to maybe plant a tree or two because we will have some trees to give away as well. That will be here on Sunday, April 30th at 4:00 PM.

All other matters you can maybe review and see in the manager's report on the village website. It's chock-full of information. We have up and working ADA-designated bathroom for families to utilize in the village in the Tot Lot Park. It is open during the hours of operation for the park, so sun up to sundown, it is being monitored daily, cleaned daily. We're very proud of it, and we hope you will be proud of it as well and help us maintain it for years to come.

I have nothing further to report, but if anyone has questions, you know you can always reach out to me here at the village hall or through email. That concludes my report.

**Mayor Omarr C. Nickerson:** Thank you very much. I appreciate it. You see the mayor's report that's there. If anybody has any questions, everybody has my information, you can always reach out to me. Let's jump to H2. There's a legal aspect to this but I'll just get into it, the overview of it. When Attorney Geller gets here, he can quickly just say a 30-second, 20-second of the legal aspect. The green reuse area designation for the launch. This is a thing where we actually get money to get that area cleaned up.

Nothing comes from El Portal, nothing comes out of El Portal. We actually get paid to be able to-- We get money through the launch. The launch uses that to be able to clean up that area so that we can finally have our riverfront restaurant. The green area use designation, it was advertised on schedule but an oversight by the attorney it is not on this agenda. He was reached out to by the company and it was supposed to be on this agenda.

Myself and Clerk Jacobi, we put the agenda together, but we didn't get any information from the attorney like we should have. Being that's the case, the advertisement in the *Herald* cost about \$3,000 for the Barrington Brothers for the launch. The advertisement is fully legal and it's fully in compliance with the way that everything's supposed to be done.

The oversight by the attorney is the reason why it's not done correctly on our agenda.

Being that as it may, went through the legal process and we realized that what we can do is we can give individuals two times. We have to give individuals two times to be able to talk to it and discuss it because it was advertised in the *Miami Herald* for those \$3,000. If anybody

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is here tonight to say anything about the green use program, the green reuse area designation of a riverfront restaurant because it was advertised in the *Miami Herald*, legally.

You guys can get up now and if you have any comments or questions or anything like that, you can do that now. Now, next month it will be on the agenda, but this advertisement will still suffice for that because it was just our fault that it's not on the agenda. Next month, anybody who does have a question will also be able to get up again and ask any questions or make any comments about that. That's basically what H2 is all about you guys.

All right. I was going to have Attorney Geller explain himself for the legal aspect that was missed, but he's not here for that.

**Village Clerk Yenise Jacobi:** I also have a copy of the ad if anybody in the audience more than welcome to see it. This is asked per the legal team. This is the one who gave that advice to the mayor. Also present for the record, Councilman Lightfoot-Ward.

**Mayor Omarr C. Nickerson:** Thank you very much, Clerk Jacobi. All right, you guys. Clerk Jacobi, would you do me a favor? Could we swear people in because I don't want individuals who have been here on time to [unintelligible 00:18:04] of that?

**Village Clerk Yenise Jacobi:** Anybody who's going to give testimony on tonight's items please stand up so I can swear you in. Anybody who's going to speak on behalf or about the three items that are up for hearing, please stand up. Please raise your right hand.

**Mayor Omarr C. Nickerson:** Even if you might think you may speak about it. Anybody who's here--

**Village Clerk Yenise Jacobi:** You have to be sworn in.

**Mayor Omarr C. Nickerson:** Yes, you have to be sworn in.

**Village Clerk Yenise Jacobi:** Anybody who wants to speak on anything, you have to be sworn in.

**Mayor Omarr C. Nickerson:** Any of the home items that are on the agenda.

**Village Clerk Yenise Jacobi:** Yes, so that would be G1, G2, and G3. Please raise your right hand. Even you. [laughs] Please raise your right hand, do you swear or affirm that the testimony you're about to give is the whole truth and nothing but the truth?

**Participants:** Yes.

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**Village Clerk Yenise Jacobi:** Okay. You're sworn in.

**Mayor Omarr C. Nickerson:** Thank you very much. I appreciate that. Thank you, Ms. Hammonds. Let's move to resolution G1. Madam Clerk, would you want me to read that in the record or do you want to read it?

**Village Clerk Yenise Jacobi:** I can read it. G1, 176 Northwest 88th Street. A resolution of the Village Council of El Portal, Florida, authorizing the approval of a lot split at 176 Northwest 88th Street, as requested by SKAD PA, providing for incorporation of recitals, providing for an effective date.

**Mayor Omarr C. Nickerson:** Thank you very much. Appreciate that Madam Clerk. You guys, these properties we went through in planning and zoning. The first thing I'm going to ask for each property, I'm going to ask Ms. Hammonds, was there anything that they had to do between the planning and zoning meeting and today for this particular property? Was there anything with conditions that they had to work on or anything like that? Or is everything still the same?

**Ms Hammonds:** There was discussion by the planning board, before building permit to have them submit two different types, I think of architecture, just so that, I think there was some discussion of not wanting to have a cookie-cutter feel to the two properties that are going to be right next to each other. That was added as a condition that they would go ahead and submit for a building permit to two single-family homes that were not very similar to each other. [laughs]

**Mayor Omarr C. Nickerson:** Can I have the client come up? I think you guys have an easel. There we go with the image.

**Female client:** Should we turn this way toward the camera?

**Mayor Omarr C. Nickerson:** Toward the camera a little bit. Yes.

**Mayor Omarr C. Nickerson:** How are you doing?

**Male client:** We're doing great.

**Mayor Omarr C. Nickerson:** I do remember this, and I do see some differences there. Look at that. You guys went back. I'm going to open up to the council if there's any questions or comments from the council for this client. Go ahead. You can say whatever you want to say. Go ahead, you can jump in.

**Male client:** There was also a second condition that we demolished the existing house within

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a year.

**Mayor Omarr C. Nickerson:** I remember that.

**Male client:** We're working on that as well. We have it in for permit review.

**Mayor Omarr C. Nickerson:** Well, we appreciate that you went back and made two different-- Do you guys want to see? Do you guys want them to turn it around so you guys can see their idea so they don't look exactly the same? They're not box, you know the box homes that are exactly the same. [chuckles]

**Councilperson Darian Martin:** I think they're beautiful.

**Vice Mayor Luis Pirela:** Yes, they're beautiful.

**Female client:** Thank you.

**Mayor Omarr C. Nickerson:** All right. Thank you very much. If there are no more questions or comments from the council, do I have any questions or comments from the audience?

**Councilperson Anders Urbom:** I do have one comment.

**Mayor Omarr C. Nickerson:** Go ahead, Councilperson.

**Councilperson Anders Urbom:** As you finalize plans and processes as you go through all of this, please, please, with both of these properties understand that if you come into a situation where you say, "Oh, but I just really need to have this or that, " and it puts you on a path to need a variance to get around one code or the other to accomplish that, sleep on it. Maybe twice, maybe for a week. Okay?

**Male client:** Okay.

**Councilperson Anders Urbom:** It's fair warning, especially with new construction. It's going to be only out of an extreme need that this body is likely to grant something like a variance on a project like this.

**Male client:** Understood.

**Councilperson Anders Urbom:** Okay. All right. There you go.

**Male client:** Thank you.

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**Female client:** Thank you.

**Mayor Omarr C. Nickerson:** Thank you very much, Councilperson Anders Urbom. Anybody else from the council? No. Hearing none. Anybody from the audience? No. Seeing none. Do I have a motion to approve?

**Councilperson Dr. Anna E. Lightfoot-Ward:** So moved.

**Mayor Omarr C. Nickerson:** Moved by Councilperson Dr. Anna E. Lightfoot-Ward. Do I have a second?

**Vice Mayor Luis Pirela:** Second.

**Mayor Omarr C. Nickerson:** Second by Vice Mayor Luis Pirela. Madam Clerk, may I please have a roll call?

**Village Clerk Yenise Jacobi:** Roll call. Councilperson Darian Martin.

**Councilperson Darian Martin:** Yes.

**Village Clerk Yenise Jacobi:** Councilperson Dr. Anna E. Lightfoot-Ward.

**Councilperson Dr. Anna E. Lightfoot-Ward:** Yes.

**Village Clerk Yenise Jacobi:** Councilperson Anders Urbom.

**Councilperson Anders Urbom:** Yes.

**Village Clerk Yenise Jacobi:** Vice Mayor Luis Pirela.

**Vice Mayor Luis Pirela:** Yes.

**Village Clerk Yenise Jacobi:** Mayor Omarr C. Nickerson.

**Mayor Omarr C. Nickerson:** Yes.

**Village Clerk Yenise Jacobi:** Motion passes five to none.

**Mayor Omarr C. Nickerson:** Thank you very much. Congratulations. Take care. Have a good night.

**Female client:** Thank you.

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**Mayor Omarr C. Nickerson:** Pretty good. Resolution G2. We're moving to 45 Northwest 89th Street. Madam Clerk.

**Village Clerk Yenise Jacobi:** A resolution of the Village Council of El Portal, Florida, authorizing the approval of a variance to the site and front yard setbacks at 485 Northwest 89th Street as requested by Mordecai Feinstein [chuckles], providing incorporation of recitals, providing for an effective date.

**Mayor Omarr C. Nickerson:** Thank you very much, Madam Clerk. I appreciate it. Again, Ms. Hammonds, is there anything here that we have conditions or anything like that since the P&Z, or was everything the same?

**Ms. Hammonds:** We do not have any conditions added to this report. The application remains as is.

**Mayor Omarr C. Nickerson:** All right. Thank you very much. Do I have the client here? Do I have them here? Is 45 Northwest 89th Street, is the client here? Okay. Do I have any questions or comments from the council? Hearing, seeing none. Do I have any questions or comments from the audience?

**Vice Mayor Luis Pirela:** Oh, 45 Northwest?

**Mayor Omarr C. Nickerson:** 45 Northwest. Do you have a comment?

**Vice Mayor Luis Pirela:** No. Well, I passed by, I saw they took the hedges in front of the houses. They took them all out. They're good.

**Mayor Omarr C. Nickerson:** Any more questions or comments from the council or the audience? Do I have a motion to approve?

**Councilperson Dr. Anna E. Lightfoot-Ward:** Moved.

**Mayor Omarr C. Nickerson:** Moved by Councilperson Dr. Anna E. Lightfoot-Ward. Do I have a second?

**Councilperson Darian Martin:** Second.

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

**Village Clerk Yenise Jacobi:** Roll call. Councilperson Darian Martin.

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**Councilperson Darian Martin:** Yes.

**Village Clerk Yenise Jacobi:** Councilperson Dr. Anna E. Lightfoot-Ward.

**Councilperson Dr. Anna E. Lightfoot-Ward:** Yes.

**Village Clerk Yenise Jacobi:** Councilperson Anders Urbom.

**Councilperson Anders Urbom:** Yes.

**Village Clerk Yenise Jacobi:** Vice Mayor Luis Pirela.

**Vice Mayor Luis Pirela:** Yes.

**Village Clerk Yenise Jacobi:** Mayor Omarr C. Nickerson.

**Mayor Omarr C. Nickerson:** Yes.

**Village Clerk Yenise Jacobi:** Motion passes five to none.

**Mayor Omarr C. Nickerson:** Thank you very much. I appreciate that. G3, resolution G3. I don't know, Attorney Geller, if you want to go ahead and read that into the record. 1 Northeast 87 Street.

**Village Attorney Joseph Geller:** The resolution of the Village Council of El Portal, Florida, authorizing the approval of variance to the site and front yard setbacks at 1 Northeast 87th Street is requested by Jorge Davila, providing for incorporation of recitals, providing for an effective date.

**Mayor Omarr C. Nickerson:** Thank you very much, Attorney Geller. I appreciate it. Ms. Hammonds, were there any conditions or anything that we need to think about or anything extra added to this [unintelligible 00:25:41]?

**Ms. Hammonds:** No, there was no additional conditions. This is exactly the report from the Planning and Zoning Committee.

**Mayor Omarr C. Nickerson:** Thank you very much. Is the client here? You want to come on up just so we can see your face. This is your last stand, man. After this, you don't have to see us anymore if it goes right. [laughs]. This is your goodbye party here.

**?Jorge Davila:** I've been here for four years. [crosstalk]

**Mayor Omarr C. Nickerson:** It's all good. Do we have any questions or comments from the

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council?

**Vice Mayor Luis Pirela:** No.

**Mayor Omarr C. Nickerson:** Do we have any questions or comments from the audience? No. Do I have a motion to approve?

**Councilperson Dr. Anna E. Lightfoot-Ward:** So moved.

**Mayor Omarr C. Nickerson:** Moved by Councilperson Dr. Anna E. Lightfoot-Ward. Do I have a second?

**Councilperson Darian Martin:** Second.

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

**Village Clerk Yenise Jacobi:** Roll call. Councilperson Darian Martin.

**Councilperson Darian Martin:** Yes.

**Village Clerk Yenise Jacobi:** Councilperson Dr. Anna E. Lightfoot-Ward.

**Councilperson Dr. Anna E. Lightfoot-Ward:** Yes.

**Village Clerk Yenise Jacobi:** Councilperson Anders Urbom.

**Councilperson Anders Urbom:** Yes.

**Village Clerk Yenise Jacobi:** Vice Mayor Luis Pirela.

**Vice Mayor Luis Pirela:** Yes.

**Village Clerk Yenise Jacobi:** Mayor Omarr C. Nickerson.

**Mayor Omarr C. Nickerson:** Yes.

**Village Clerk Yenise Jacobi:** Motion passes five to none.

**Mayor Omarr C. Nickerson:** Very goodbye party, my brother. We're sending you off the right way. Take care [laughs]. All right, you guys, we're down to--

**Village Attorney Joseph Geller:** H1.

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**Mayor Omarr C. Nickerson:** Well, no, we already did that. We already did H1 and H2. It was the green reuse area designation. I explained it. If there's anything you want to add just from a legal point of view?

**Village Attorney Joseph Geller:** Did you open for any comments?

**Mayor Omarr C. Nickerson:** I did.

**Village Attorney Joseph Geller:** Okay. The only other thing is we need to vote specifically to postpone it to a time certain, being the next council meeting. Since it wasn't agenda for tonight, that means they will not have to re-advertise because [unintelligible 00:27:07] it's expensive and all because it will be postponed from tonight to a time certain. You need a motion to postpone it to a time certain, being the next council meeting.

**Mayor Omarr C. Nickerson:** All right, we'll do all in favor. Do I have a motion to postpone the green reuse area designation to the next month's council agenda? As it was supposed to be on this agenda. Do I have a motion to approve that, to put the green reuse area designation on next month's agenda?

**Councilperson Darian Martin:** So moved.

**Mayor Omarr C. Nickerson:** Thank you very much. This will be the May agenda meeting. Do I have a second?

**Vice Mayor Luis Pirela:** Second.

**Mayor Omarr C. Nickerson:** Second by Vice Mayor Luis Pirela. All in favor say, aye.

**Councilperson Darian Martin:** Aye.

**Vice Mayor Luis Pirela:** Aye.

**Councilperson Anders Urbom:** Aye.

**Councilperson Dr. Anna E. Lightfoot-Ward:** Aye.

**Mayor Omarr C. Nickerson:** All opposed say, nay. Hearing none, moving right along. We're down to the Village Attorney report. Attorney Geller, do you have any report?

**Village Attorney Joseph Geller:** We're waiting to see if the governor is going to sign the short-term rentals. The last I heard, he had not made a decision on the bill, whether to sign or veto it. Hopefully, that'll be offered quite soon enough. Other than that, no one sued us and

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we have not sued anyone.

**Mayor Omarr C. Nickerson:** All right. Thank you very much. I appreciate it. Last, Good and Welfare. This is the good and welfare review. Anybody can come and talk about anything at all. Doesn't have to be things only on this agenda, but anything at all. Come up and say your name and address for the record and the floor is yours. 3 minutes, so short.

**Thomas Pulliam:** Hello, good evening. Thomas Pulliam. 205 Northeast 86th Street.

**Ricardo Lemus:** Ricardo Lemus. Same address.

**Thomas Pulliam:** As some of the council people may or may not be aware, the documents for our variants at the last meeting was mixed up, so we have requested that that be revisited via email with Chairperson Martin. You requested that we bring it up with the manager and staff, which we have. We've heard from them that they do recommend it being revisited, so we're up here asking when we might learn if that will be the case.

**Mayor Omarr C. Nickerson:** It's up to the committee. Manager Alou, she said that she has no problem bringing it back. It's up to the committee. It's just up to the chairperson because the chairperson puts what's on the agenda or not. Between the chairperson and [unintelligible 00:29:41]

**Councilperson Darian Martin:** Madam manager, all of that is correct, right? That you have approved that it can be heard?

**Village Manager Christia Alou:** Yes, I did. I did approve of that and I'm willing to waive the resubmission fee as well.

**Councilperson Darian Martin:** Awesome.

**Village Manager Christia Alou:** I know there was a slip-up, but I know that Clerk Jacobi did catch it and then sent on. If there was anything that could have hindered the applicant's request, I'm willing to allow it.

**Councilperson Darian Martin:** That seems supremely reasonable. Yes, if everything has gone through the administrative staff and that's their recommendation, then in the next Planning and Zoning Committee meeting, we don't know exactly what date that is at this point in time, but I'm sure you'll be notified by the clerk.

**Village Attorney Joseph Geller:** Madam Chair, as a matter of form, and so we don't set a precedent that's not understandable. The form that this can take would be that anyone other than the mayor who voted for it, anyone else who was on the prevailing side should make a

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motion for reconsideration. This can be done either at the meeting that it occurs, which was last time, or at the immediately subsequent meeting. If there's a motion for reconsideration, and that's adopted, then the matter can be reset just as you just said, Madam Chair.

**Councilperson Darian Martin:** Okay, but that would occur at the next Planning and Zoning Committee meeting. Then the mayor would have to make that motion.

**Village Attorney Joseph Geller:** No, anybody but the mayor.

**Councilperson Darian Martin:** Anyone but the mayor, okay.

**Village Attorney Joseph Geller:** He voted in favor. It has to be somebody on the prevailing side to move for reconsideration. Anyone else could make the motion except the mayor.

**Councilperson Darian Martin:** Okay.

**Mayor Omarr C. Nickerson:** Let me ask you a question. Not for you [unintelligible 00:31:31]. Let me jump in. I didn't want to cut you off. Let me Jump in real quick.

**Councilperson Darian Martin:** Sure. No, go ahead.

**Mayor Omarr C. Nickerson:** If that's the case, if we're asking for the motion at the next meeting, then that means it's not on the agenda for the next meeting. That means they're not on the agenda until--

**Village Attorney Joseph Geller:** Do the motion tonight. Right now anybody but you can move to reconsider the previous action. Once the motion for reconsideration passes, then you can say when it'll be set so that it can be heard.

**Mayor Omarr C. Nickerson:** Okay. Even though this is not the Planning and Zoning Committee meeting, it can still be done?

**Village Attorney Joseph Geller:** Yes, because there was a council-- Wasn't it a council voting?

**Councilperson Darian Martin:** No, it was a P&Z.

**Mayor Omarr C. Nickerson:** It was P&Z. That's why I'm confused.

**Village Attorney Joseph Geller:** That's why I [crosstalk]

**Mayor Omarr C. Nickerson:** I don't want them to have to wait an extra P&Z. You see what

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I'm saying?

**Village Attorney Joseph Geller:** In that case, it can be done at the P&Z meeting. The next P&Z meeting is the first P&Z meeting after the P&Z meeting when it was adopted. At that time, if the motion for reconsideration passes, you can move immediately to the reconsideration and consider the item again at P&Z. It just requires the next P&Z meeting to have a motion for reconsideration brought by anybody but you because you are the only one that-- Everybody else was on the prevailing side, motion for reconsideration.

Anyone can second it. It takes a simple majority to pass. Once it passes, the item is again open for consideration on the table to be considered right then and there.

**Mayor Omarr C. Nickerson:** That's what I want. I don't want them to have to wait any longer but I want to make sure this doesn't come back to bite us. If they're not going to be on the agenda until the motion's made at the meeting, how does their stuff go out to the residents before the meeting?

**Village Attorney Joseph Geller:** Any member that voted on the prevailing side, that is anyone but you, can request now or subsequent a request publicly that a motion for reconsideration be added to the next agenda. Once the request is made by anyone eligible to make the motion, the item will not only be on the next agenda, but when the agenda for P&Z is advertised, it will say on the agenda is a motion for reconsideration.

**Mayor Omarr C. Nickerson:** I see what you're saying. You're saying now that in a council meeting, we can make a motion for something to be on a P&Z meeting?

**Village Attorney Joseph Geller:** No, sir. You were correct, it was P&Z. The fact that it was four, one-

**Mayor Omarr C. Nickerson:** Yes, I got you.

**Village Attorney Joseph Geller:** -jogged my memory incorrectly. Anybody that's a member-- Oh, you're all members of P&Z?

**Mayor Omarr C. Nickerson:** Yes.

**Village Attorney Joseph Geller:** Any member of P&Z that voted on the prevailing side on that motion, that is four members, anyone other than you can make a motion for reconsideration. They don't have to wait till the meeting to bring it up. Anybody can simply say it right this minute. On the record while we're here, anybody that wants to say, "I would like to have the P&Z agenda include a motion for reconsideration." The item will then be put on the agenda.

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When the agenda is published, it'll be advertised. When you get to the meeting, the person who's asked for it makes the motion. It's voted on. The moment it passes, the item is again open for consideration by P&Z.

**Mayor Omarr C. Nickerson:** No, I understood all that. I just didn't know that we can cross, we can do stuff for a different committee in a council. That's what I was saying.

**Village Attorney Joseph Geller:** No, I'm not saying that you're [unintelligible 00:35:19]. If it was a different committee and only three council members served on the committee, it would have to be brought by someone on the committee. You don't have to say it now. 10 minutes after the meeting, any P&Z member can say, "I would like there to be a motion for reconsideration of this issue at the next P&Z meeting." Doesn't have to be tonight. It can be done because you do have a record tonight.

Anybody who wants to say, "I want to have a motion for reconsideration at the next P&Z meeting." Anybody can say it here. They can say it after. They can say it next week. They can send a memo to the clerk. Any P&Z member who voted in the prevailing side can move for reconsideration at any time up to the adjournment of the next P&Z meeting. After that, it's no longer reconsideration.

Any time prior to the conclusion of the next P&Z meeting, any member who voted on the prevailing side can ask for a motion for reconsideration. I was just suggesting that if somebody wanted to do it now while we're here while there's a record, it just makes it that much easier and makes sure there's no slip-off.

**Councilperson Anders Urbom:** I did. I took it upon myself to email the chair of the P&Z committee as well as the clerk and make the request. [crosstalk]

**Mayor Omarr C. Nickerson:** Perfect. Thank you very much, Councilperson Anders Urbom.

**Village Attorney Joseph Geller:** There you go. Thank you.

**Mayor Omarr C. Nickerson:** There it is. It's done.

**Councilperson Darian Martin:** Basically, he's saying they're going to be in the agenda like we've done before with discussion with possible action. Basically, that's what he's saying.

**Mayor Omarr C. Nickerson:** All we need is one person, so we're good. He sent the email. We're good. All right, thank you. Is there anything else you want to add?

**Pulliam:** Yes. Just is it possible to do it at the next village meeting which will be next month in May, rather than waiting for the next P&Z which is not scheduled yet?

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**Mayor Omarr C. Nickerson:** No, because you have to go through the P&Z to get to the council meeting level.

**Village Attorney Joseph Geller:** It was the P&Z that voted against it, so it's the P&Z that has to reconsider it. If P&Z passes at this time, then it would go to the council. That was my confusion for a minute as well. It was the P&Z committee that took the action. To reconsider that action whether it's undone or not, it has to be done by the same committee that took the original vote.

**Pulliam:** Yes, I understand. Thank you, everyone. Thank you so much.

**Mayor Omarr C. Nickerson:** Thank you very much. Thank you. Anybody else for Good and Welfare? Okay. Hearing, seeing none. Any last questions or comments, you guys? We good? We're good.

**Councilperson Dr. Anna E. Lightfoot-Ward:** I'd like to say something.

**Mayor Omarr C. Nickerson:** Go ahead, Councilperson Dr. Anna E. Lightfoot-Ward.

**Councilperson Dr. Anna E. Lightfoot-Ward:** Mine's the only one that sounds this good. [chuckles] Just want to make an announcement since I am Public Affairs. The DEC, the Democratic-- What it mean, mayor, EC?

**Mayor Omarr C. Nickerson:** The DEC?

**Attorney Joseph Geller:** Democratic Executive Committee.

**Councilperson Dr. Anna E. Lightfoot-Ward:** The elections are on April 26th, that's a Friday, 7:00 PM to 9:30 PM. It would be held at the Metro-Dade Firefighters Local 1403 which is in Doral. That address is for all that's attending. I hope you do. Come on, people. I hope you do. 8000 NorthWest 21st Street. Zip code 33122, number 222.

**Mayor Omarr C. Nickerson:** Is that democratic Big D? Is that for registered Democrats?

**Councilperson Dr. Anna E. Lightfoot-Ward:** The DEC is the Democratic Election Committee elections. They're electing committee members. Very, very necessary committee. Extremely necessary. I was part of it all this year. Mayor, did we do something with the Live Local Act?

**Mayor Omarr C. Nickerson:** The Live Local Act? We're not discussing that. We didn't discuss that tonight. That would come up because a gentleman had a question about it. I think it was last in the P&Z meeting. I told him that when we get to the next P&Z meeting because

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they weren't able to be here, the launch individuals weren't able to be for the P&Z meeting for the site plan. That's when we'll go through the whole Live Local.

**Councilperson Dr. Anna E. Lightfoot-Ward:** All right.

**Councilperson Anders Urbom:** Is there anyone here tonight who's coming to speak about the GreenSpace at the launch?

**Mayor Omarr C. Nickerson:** We went through that, right?

**Councilperson Dr. Anna E. Lightfoot-Ward:** Thank you, mayor.

**Mayor Omarr C. Nickerson:** All right. Thank you very much, Councilperson Dr. Anna E. Lightfoot-Ward. Do I have anybody else? Everybody good? All right. Do I have a motion to adjourn?

**Councilperson Dr. Anna E. Lightfoot-Ward:** Sure.

**Mayor Omarr C. Nickerson:** Moved by Councilperson Dr. Anna E. Lightfoot-Ward. Do I have a second?

**Councilperson Darian Martin:** Second.

**Mayor Omarr C. Nickerson:** Second by Councilperson Darian Martin. The village council meeting for Tuesday April 23rd, 2024 is adjourned at 7:42 PM. Very good, people.

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