



**Village of El Portal
Council Meeting
Date: 3.27.18
Meeting Start: 7:01 pm
Meeting End: 10:40 pm
Meeting Length: 03:39:35**

Claudia Cubillos: Good evening. Today is Tuesday, March 27th. I would like to call this regular council meeting to order at 7:01 PM. At this time, if I can please have a moment of silent meditation, followed by the pledge of allegiance.

[silence]

Audience: 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.

Claudia Cubillos: Thank you. Madam Clerk may I please have a roll call.

Yenise Jacobi: Roll call. Mayor Cubillos.

Claudia Cubillos: Here.

Yenise Jacobi: Vice Mayor Nickerson.

Omarr Nickerson: Here.

Yenise Jacobi: Councilperson Mathis is not here yet. Councilperson Dreher is not here yet. Councilperson Roman.

Vilamri Roman: Here.

Yenise Jacobi: You have a quorum.

Claudia Cubillos: All ready.

Yenise Jacobi: Also present for the record, Yenise Jacobi, village clerk. Christia Alou, village manager. Norman Powell in the room, village attorney. Ronnie Hufnagel, acting as Chief. CFO Irwin Williams.

Claudia Cubillos: All right. Thank you so much. At this time, before I ask for approval of the agenda, I need to add a couple of items. F1, we're going to move to F2 and F1 as officer Sandy Owens has asked to make a presentation under Unfinished Business. Our lobbying teams are in town. They're be arriving a little late, so I told them that I would put them at the end of the agenda. They're here to give us a legislative update. Under K would be K1,

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Legislative Update. That session has now ended. That concludes any additions as the council have anything else to add?

Omarr Nickerson: None, madam mayor.

Vilamri Roman: Madam mayor, I just noticed, not a biggy, but under J3, the court enforcement chair should be Nickerson.

Claudia Cubillos: Yes. Okay, perfect. Under D, our chairperson is Vice Mayor Omarr Nickerson. Any other additions or corrections?

Omarr Nickerson: None madam.

Claudia Cubillos: Okay, great. Hearing none, make it a motion to approve the agenda with the additions and correction.

Vilamri Roman: Motioned.

Claudia Cubillos: Motion had made by Councilperson Roman. Is there a second?

Omarr Nickerson: Second.

Claudia Cubillos: All are favored and second by Vice Mayor Nickerson. All in favor, signal by saying aye.

Omarr Nickerson: Aye.

Claudia Cubillos: Aye. Any nays? All right, hearing none. The agenda is passed. At this time, we're going to go into approval of the minutes. The minutes for our February council meeting that was held on March 5th for lack of quorum on the end of February 27th, as the council had time to review the minutes.

Vilamri Roman: Yes. Mayor, I reviewed them. Everything seemed fine.

Claudia Cubillos: The motion has been made by-- Is there a motion?

Vilamri Roman: There's a [crosstalk] motion.

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Claudia Cubillos: Sorry. A motion made by councilperson Roman, is there a second?

Omarr Nickerson: Second.

Claudia Cubillos: Second by Vice Mayor Nickerson. All in favor, signal by saying aye.

Omarr Nickerson: Aye.

Claudia Cubillos: Aye. Any nays on the minutes? All right. Hearing none, the minutes from March 5th are passed. At this time, before we are swearing into new reserve officers, always very exciting. Victor Riberon and Mark Tines, is that correct? Sandy Owens has asked to make a brief presentation. Officer Owens?

Sandy Owens: Good evening council and everybody. Hello, residents and all of the others that are here. My name is officer Owens. I work for the El Portal Police Department for about 18 years, a little over 18 years. I've trained several officers throughout the years, well, more than several. Some of them gone on to bigger and better departments. Some went to the shores, city of Miami, Miami Beach and other departments. During that time, as a part-timer, I've been here 18 years. I've seen a lot, done a lot, I trained a lot of officers that still work here and some that have gone on.

The part-timers work and I just want to give you guys some insight about what we do as part-timers and the new guys that are coming onboard what they're about to get into. Basically, a time of part for at least 25 hours a month for volunteers. They're not paid. They're here to do that. These officers paved the way through their academy on their own. They're not paid by or was sponsored by anybody. When I started back in 1999 and retired in 2000, as a part-timer, besides doing a 20 hours reserve, they also paid us a fee to work shifts when they couldn't man them. We were only making \$10.12 in an hour.

That's a police officer back in 2000 as a part-timer. We would cover night shifts, midnight shifts, and that. When I started, I didn't think what I would see today that I've seen in 18 years. During my tenure year, I have responded to several hundred calls. I'm just going to give you a couple that I've responded to. One of them was during an event two years ago when the trailer park was opened. I responded to the death of a six-month-old child that passed away in the bed. I had to stay there for 11 hours with that child where I was being investigated.

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I've also responded to a call with suicide. They found the body. I found the body two days later. Responded to the trailer park. A neighbor said they haven't seen the gentleman, an older gentleman for over a week. I had to call the fire department. We went inside. He had been dead for over a week. I've responded to many many calls here during that tenure. This officer are going to see a lot. People think that when you're a part-time, you're not going to see it. I responded to a call about five years ago. A 16-year-old was shot at Northwest, 90th Street, or that's where they brought the body too.

I responded, I gave a CPR until fire rescue arrived. She passed away on the scene. I was there for nine hours with a dead body. This is what they have to look forward to. Also, mostly these cops, and I know their residence, applaud us, they're happy we're here. I like them to understand that when we do a traffic stop, you wonder why two cops are on that traffic stop. It's for our safety and the benefit of the village. You may not see because of our limited staff. You might not see us for an hour or two because we're on that traffic stop, there be leads to arrest or something else.

We're maybe out of the city where we may lead one officer. If there's only one officer on Biscayne Park and North Bay Village and Miami Shores, they help us out a lot. Mostly, when we lead them on a night shift, they're there for us and we're there for them. It's a mutual related thing. When there's a short staff, they do give us a call, we respond. It's the brotherhood out there, but they work hard. Most of the cops that respond to our domestic violence calls or to traffic stops, they're two [unintelligible 00:07:24] in the world today. No other cops get killed going to those. I'll trim down the full-type positions several times. A whole lot of times. The reasons that I have, I know the village is small, the pay and the benefits wasn't just there, but I continue to work here.

Hopefully, I'll be around for a long time. These officers, the part-time officers, when they come to work, if they go to classes, if they want to better themselves, they have to take their own vacation time. They're still not paid to attend these training classes. Over the years, I am the only certified school resource officer in the village of [unintelligible 00:08:03]. I took a 40-hour class. I took a vacation a week. I'm also a field training officer. That's how I come train these people. It's another 40-hour class. Back in about four or five years ago, we go to Westmont to New Mexico to learn a bit. It was a bomb class.

Responding to bomb calls and everything else. 40-hour class, once your bus went, the federal government paid for it, but we took a long time to go there. All the training that I've received

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and everybody else that's been here as part-timers to make us better as a unit and to complement the department, we do it on our own time. We don't get paid for it even we go to court, we take vacation time. Most of these guys with full-time jobs. They have children, they have a family. I've given up a lot in 18 years. I have two grown daughters. Let me go to page two because I'm not really reading it.

I have been through at least four to five police chiefs over the years. They've come and gone. Some stayed long and some stayed short. During that time, I've seen a lot of change. However, the change that I've seen recently is probably one of the best changes I've seen in the years. The strives that this department is trying to make to bring us up to code with compliance and everything else, is probably one of the best things that's ever happened to this department. It's hard for the new administration to make changes. I know because I'm one of those with values ones.

I've worked for the county for 29 years. Sent home a couple of times because I voiced my opinion. Now, I stay out of politics, I do my job. Change is hard for some people, but we may all have to make those changes for the better. The times had changed. It's just one of those things that I hope to see continue to change. I back the council People up there, I back the chief and the residents. Whatever changes that are made, I'm going to stick here and stay with it for as long as I can. Thank you for allowing me to speak.

Claudia Cubillos: Thank you for coming to let us know all that. Thank you. Before we go to the agenda, I also want to recognize, Charles from Federico wells Office for being here this evening. Thank you very much we always appreciate when you all can make it out here and see what we are doing. At this time we have the swearing in of two new reserve officers, if I can please have our acting chief Ronnie Hufnagel come up and tell us a little bit about each one of them.

Yenise Jacobi: Also present for the record, Councilperson Mathias, Councilperson Dreher.

Ronnie Hufnagel: Good evening, I'm going to go ahead and start with the first, applicant, his name is Victor Rivero, he's a bailiff with the county. He's been--

Omarr Nikerson: What's that name?

Ronnie Hufnagel: Rivero.

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Omarr Nikerson: Livero?

Claudia Cubillos: No, Rivero.

Omarr Nikerson: Rivero.

Ronnie Hufnagel: Yes, and he's been as a bailiff for 12 years. He's single and has no kids. He has a lot to offer when it comes to knowing the court system, I'm just putting it out there.

Claudia Cubillos: That means we are just going to have to work even harder.

Ronnie Hufnagel: At this moment I would like to have him come up until I can swear him in. Raise your right hand. I do- and repeat after me. I do solemnly swear and affirm-

Victor Rivero: I do solemnly swear and affirm-

Ronnie Hufnagel: - that I will support, protect and defend-

Victor Rivero: - that I will support, protect and defend-

Ronnie Hufnagel: - the constitution and government of united states-

Victor Rivero: - the constitution and government of united states-

Ronnie Hufnagel: - and of the state of Florida.

Victor Rivero: - and of The state of Florida.

Ronnie Hufnagel: That I am duly qualified to hold

Victor Rivero: That I am duly qualified to hold-

Ronnie Hufnagel: Office under the constitution of the sate.

Victor Rivero: Office under the constitution of the state.

Ronnie Hufnagel: That I will well-

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Victor Rivero: That I will well

Ronnie Hufnagel: - and fairly perform the duties of

Victor Rivero: - and fairly perform the duties of

Ronnie Hufnagel: - part time officer

Victor Rivero: - part time officer

Ronnie Hufnagel: - of which I am now

Victor Rivero: - of which I am now

Ronnie Hufnagel: - about to enter.

Victor Rivero: - about to enter.

Ronnie Hufnagel: Do help me God.

Victor Rivero: So help me God.

Ronnie Hufnagel: There you go, congratulations.

[clapping]

Claudia Cubillos: After both are sworn in we'll come down and take a picture with both of them.

Ronnie Hufnagel: Okay, next, first name is Mark Tynes. I always can't pronounce that name, but he is retired from the navy. He did 21 years. He just recently retired. He's married with a family and his family's here, and your wife also. He was actually came aboard Sandy Owens when the head told me about him. He came in and he applied. We did all go and interview him and he did wonderfully. He also has a lot to offer us. Can you please come up? Can you please raise your right hand, and repeat after me. I do solemnly swear or affirm-

Mark Tynes: I do solemnly swear and affirm-

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Ronnie Hufnagel: - that I will support, protect and defend-

Mark Tynes: - that I will support, protect and defend-

Ronnie Hufnagel: - the constitution and government of united states-

Mark Tynes: - the constitution and government of united states-

Ronnie Hufnagel: - and of the state of Florida.

Mark Tynes: - and of the state of Florida.

Ronnie Hufnagel: That I am duly qualified to hold

Mark Tynes: That I am duly qualified to hold-

Ronnie Hufnagel: - office under the constitution of this State.

Mark Tynes: - office under r the constitution of the state.

Ronnie Hufnagel: -That I will well-

Mark Tynes: That I will well

Ronnie Hufnagel: - and fairly perform the duties of

Mark Tynes: - and fairly perform the duties of

Ronnie Hufnagel: - pertinent officer

Mark Tynes: - pertinent officer

Ronnie Hufnagel: - of which I am now

Mark Tynes: - of which I am now

Ronnie Hufnagel: - about to enter.

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Mark Tynes: - about to enter.

Ronnie Hufnagel: So help me God.

Mark Tynes: So help me God.

[clapping]

Ronnie Hufnagel: Would you like to kiss him?

Mark's Wife: No.

Ronnie Hufnagel: Congratulations. We are going to- any of your families can also come up.

[Background noise]

Claudia Cubillos: Can we [unintelligible 00:15:10] Officers in the middle. We don't get to do it so often so let's do it right. We're really exciting when we get to split you.

Camera Woman: Can you just squeeze in a little more. Ready? Thank you so much.

[background noise]

Ronnie Hufnagel: Welcome.

[background noise]

Female speaker 3: Did anybody leave their cellphone behind? An iPhone?

Claudia Cubillos: Thank you and again welcome, before I move on to the agenda, I want to go ahead and welcome and recognize we have around HR coordinator, Marjory Thapias. I don't know if the council had met you, but they want to welcome you.

Marjory Thapias: Thank you it's an honor for me to be here.

Claudia Cubillos: Thank you for being here and welcome.

Marjory Thapias: Thank you.

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Claudia Cubillos: At this time is there anybody in good and welfare that would like to come up on any matter before we go to the first agenda item? Okay herein on, let's go to the first agenda item is our village attorney contract, this evening we are looking to approve an inner village attorney contract. At this time I asked the council, they've had the opportunity to review it and if they have any--

Yenise Jacobi: Are they in the right order?

Claudia Cubillos: Yes, and at this time if they have any questions, with the contract.

Harold Mathis: I got this two days ago and I hadn't really gone through it. I'm speaking for myself I'm not ready to vote on this because I haven't had an opportunity to go through the whole thing, I got it two days ago.

Claudia Cubillos: We all got it on Friday.

Harold Mathis: No, I got it two days ago.

Claudia Cubillos: How is that two days- We all got it on Friday.

Harold Mathis: No I got it two days ago. My email wasn't working so you sent it to me, I got it two days ago.

Claudia Cubillos: As you know, better than anybody here we have to operate on the charter with an attorney so this contract must be approved.

Harold Mathis: The contract doesn't have to be approved, we just have to have an attorney in place.

Claudia Cubillos: Is there anybody else that has had the opportunity to read the contract?

Werner Dreher: That has read the contract or?

Claudia Cubillos: That has read it and had the opportunity to questions or anything of that matter?

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Omarr Nikerson: Yes, I've read it madam mayor, I have no questions. When we got it in the issues of finance committee.

Claudia Cubillos: Councilperson Dreher?

Werner Dreher: What's the question?

Claudia Cubillos: Do you have any questions on the contract? Have you had the opportunity to review it?

Werner Dreher: Yes, I reviewed it.

Claudia Cubillos: Do you have any questions?

Werner Dreher: No questions.

Claudia Cubillos: Any concerns, any comments?

Werner Dreher: No questions.

Claudia Cubillos: I understand councilman Mathia's is not prepared to vote in it I'm going to open it up for a public hearing. Does the council have any other questions comments, recommendations?

Werner Dreher: No madam mayor.

Claudia Cubillos: Hearing none on I'm going to open up a public comment before I ask if there's a motion. At this time, the first item that we have in the agenda is the inner village attorney contract. I open it up for any public comments on this agenda item.

Anna Watson: Hi, good afternoon. I'm not a resident of El Partel, but I'm a resident of North Bay Village, and I can here to support Paul because he's done an exceptional job at our city in the past two three months that he's been our city attorney. He's accomplished more than probably the last five to ten years attorneys we've had. He's saved our city that's what an exceptional job he has done and that's why I've come here tonight to give him support in your city I think he'll do an exceptional job in your city. I Congratulate you if you hire him.

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Claudia Cubillos: Thank you. Can you state your name and address?

Anna Watson I'm sorry, Anna Watson.

Claudia Cubillos: Anna Watson?

Anna Watson Yes.

Claudia Cubillos: Address for the record?

Anna Watson I live at St 945 East Drive, Northday Village Florida, 33141.

Claudia Cubillos: Okay, thank you. Any other public comments? Hearing none, I open it up back to the council. At this time is there a motion to approve it or any other motion on the dice.

Vilamri Roman: A motion to approve the contract of the attorney.

Claudia Cubillos: There's a motion to approve the contract of the attorney, is there a second?

Omarr Nickerson: I'll second.

Claudia Cubillos: There is a motion in the second. Is there any discussion on the motion from the council?

Werner Dreher: Just have a quick question. See, my order says village attorney contract, and the first day I have here on my package said, village manager contracts. Apologies, I do have a question, I know there's a motion already set in place, do we need to go through the whole roll call before we address any questions?

Claudia Cubillos: No. Any questions and concern needs to be addressed now.

Werner Dreher: My concern is, I know I wasn't here the last council meeting, I just want to understand what happened in the last council meeting with the previous law firm that we had, and how did this go about as far as having a new attorney, just try to understand. That's [crosstalk]

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Claudia Cubillos: Of course absolutely. Did you read the minutes? Did you have the opportunity to review the video?

Werner Dreher: Unfortunately, I did not review the video.

Claudia Cubillos: As you know for the last year this topic had been on the agenda, and at the January council meeting we had agreed that some of us had asked to move it to, I think it was the December meeting that Vice Mayor Nickerson had moved it several times because we wanted to always give the benefit of the doubt to our attorney who has been with us for a very long time. I believe it was the vice mayor, and if you want, you can intervene if you like, had made a recommendation that we'll do it in the February council meeting whether or not he is or he is not present.

He had missed the last meetings. We understand he was in session, and he wasn't at the last meeting. Our agreement to to go through a firm was more of a it's not one that we are tied to for a year two or three. In fact at that February meeting, once you review the minutes and video, it clearly indicates that we are asking to appoint an interim attorney because we must have an attorney on record, and thereafter go through an RFQ or whatever the process may be to seek that affirm or anything of that nature. I want to say it was a very benign, but a lengthy conversation because it hadn't been a conversation for several months now.

That's where the committee council had reached a vote. I believe Councilperson Mathis was there. He did ask to wait for the entire council to be here and with all due respect to the residents and to what we have to do, I believe that we've waited a really long time for the attorney. I want to also put in the record and I've said it over and over, it was never personal. Attorney Geller has been a friend of many of us up here. This decisions are always really hard to make especially as you create friendships and alliances with them. At the end of the day, and one of the things that I said and I would reiterate is that the way we do business today in the village is not the way we did business 5, 10, 15, 20 years ago.

A lot of our residents want answers and they want them today. It's really hard to give answers when there are not attached, or they are not blessed for lack of a better word, by the legal opinion. It's in the last six months as this fiscal year started, there were six contracts that were passed over due because we were ready for an attorney. Actually, I was reminded in a conference call by [unintelligible 00:24:14] that although his contract was passed two months ago, it's still not signed by the attorney. This is not in any way to make the attorney

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look bad because he's a firms of ours and I even asked the current interim attorney if there could be a resolution that we did to honor Jo Geller's service in the village. This is more we are going to continue to wait on an attorney or are we just going to try get work done?

Waste management contract, past due, PBA contract, past due. I can really go on and on, this is not about defaming anybody or speaking poorly, it is about we need to get a job done, and we can't do it when all of us are not working. That was pretty much- this conversation has been going on for a year, and it was just reiterated again at the February that was in March meeting.

Werner Dreher: My question, I'm aware of these conversations. My concern is more, and this has nothing to do with the person it's more on the concern on the selection process that we carry to bring new people into the village. This is whether the previous attorney had his faults or whatever, my concern is here that we are being transparent to the community as far- let me finish.

Claudia Cubillos: I'll definitely answer that.

Werner Dreher: That's where I'm heading to. My concern is, there's a vote that's made during the council meeting, then how is this advertised, how is this person considered to be the temporary role that he's going to be playing. This is again nothing to disrespect their qualifications, but I'm more concerned that we are being transparent to the resident here. This had happened once and again, this has nothing to do with the village manager, this has we were at the same position, we had the village manager still in that out there and we still had the potential person sitting out in the audience.

We keep going through the same cycle and this is where I have my concerns. I brought it up during that selection process, as well to the village manager, this was nothing with respect to her performance, but I just want to make sure that we are being transparent to our residents on how we move forward with having our folks here. That's what I need to understand, how did the person being considered for a contract is sitting here today. Second, the honorariums that we were paying our previous attorney I understand was \$4000, now we are doubling the fee based on what I'm reading high level, I want to understand as well the logic why are we considering doubling the fee?

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Especially I would like to understand as well why does the background I asked a couple of questions before we move inside and approve a contract?

Claudia Cubillos: I'm going to answer the first question, may I? Your first concern which is a valid one, which I left out. Part of being elected is important to attend meetings and when we can't, we have to really read minutes Councilperson Dreher. That's number one, with that said, at the February that was held I'm March, one of the things that I said was, that when we have to terminate a relationship with an attorney, we have to be quick in our feet. The last couple of months at the cities which you and I attend every month and I sat on the board I had met Norman Powell there. Just to the conversation and relationships that I've created with other mayor's most of them watch the videos of other towns.

They know what's going on. They had asked where we were at, and I said I really don't know. That's how I met Norman Powell, none of us sure are friends with Norman Powell when I introduced him on the record in March 5th which is the February council meeting. I read his bio, his bio I took down from the North bay village website. One of my recommendations or the reason I recommended was because the mayor and vice mayor of North Bay Village had spoken highly of him and they were in a tough position like us where they had to move forward to another attorney after having an attorney for so long.

When you have a relationship for so long, it becomes difficult to have to break it apart and move forward. When Norman Powell was recommended on an interim basis, that's how he was recommended and believe vice mayor Nickerson had made a comment with regards to how we met him at the meetings as well. Second to that, I know some of us have not been making some meetings, I believe the attorney has made the attempt to contact every elected official up here because I asked him to do so and he did. He did not hear from you.

I believe him and Councilperson Mathias had to reschedule, but I believe he's met with me, he's met with vice mayor Nickerson, and he's met with Councilperson Roman individually on different days and different times. He told me yesterday when he was here meeting with the manager and I that the only person that had not responded back was I believe you. Councilperson Mathias had a conflict and needed to reschedule. If we miss meetings, and the person that is being temporarily or interim appointed is contacting us, it is in our job and our due diligence to respond back and meet the person.

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If you can't, then you do it over the phone especially when the meeting is missed. That would have allowed you the opportunity to really get to know him a little better and have a temporary opinion because to do an RFQ process right now will 30 to 60 days, which at the March 5th meeting, I strongly recommended that it should be done anyway. As we all know, a manager, an attorney and a clerk is mandatory by charter. An attorney had to be a point on an interim basis, and that's how he came to be.

To your last question in terms of transparency, one of the reasons why the videos are now uploaded on the website is because we are transparent, is because everything is done on the record. Again, and I'm going to reiterate a part of that is being present and having to be here and when we can, I understand we have conflict, we travel, we have work, and that's very respectable. We then we must do the due diligence of following through whether it's with the clerk, whether with the manager, whether it's reading the minutes, whether it's looking at the YouTube video or replying back to the individual that could potentially be a new attorney, a new manager, a new clerk.

I believe I think he made the attempt to contact all of us. I think those are your questions. I think you had-- How was he refereed which is Miami-Dade County League of Cities. [crosstalk]

Werner Dreher: I don't know. I'm still a little bit unclear.

Omarr Nickerson: It's only the mayor met with him. They decided she was going to bring him forward.

Vilamri Roman: It's mayor?

Claudia Cubillos: I want to retract because I don't believe that your statement is correct. The mayor met him at a Miami-Dade County League of Cities which you have met him too. When I did not know what was going to happen and when we actually had the motion, and Jo Geller was-- and the firm was terminated, a recommendation of a new attorney has to be done. Just as it was done when we did with the village manager, just as the way it has to be done on our basis. Now it is up to us to do our due diligence to follow through with an RFQ.

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Vilamri Roman: Mayor, if may add, I do recall where not only at the committee meeting it was discussed, but it was also discussed at the council meeting. It was asked if we knew anybody else that we could recommend that anybody on the council was willing to-

Claudia Cubillos: In the event that this happened?

Vilamri Roman: In the event that this happened. At the time, Mr. Paul was the only person that really-- I couldn't recommend anyone myself. That opportunity was given to the entire council.

Claudia Cubillos: I think that was at the December meeting.

Harold Mathis: I made a motion towards that with keeping principle and getting another attorney within the firm. Which [crosstalk] honesty, we all have had that option, to say Jo we don't want you anymore. Let's find somebody else in the firm.

Claudia Cubillos: Well, the reason that that didn't pass, or that didn't go move anywhere, Councilperson Mathis, is because we've witnessed firsthand three things here. Number one, we've given the firm plenty of opportunities. Last January, January 2017, we had Stephen Wairy who was handling the land use process. I can vividly recall, and I don't have the emails, but the delay in him getting back to was weeks. One can attest to that because we were to copy those emails. He probably took-- I don't even remember how long he took. Nice man, smart attorney. He was present, but that process was lengthy, and he was delayed.

To me is sort of like emulated attorney Geller's the way he was treating us. Secondly, we've had Jason Silver, very nice attorney. He's come here several times, but when he does, he's unfamiliar with who we are, what we are, what we're doing. When we ask him a question, he's got to text Jo Geller. With all due respect, I do believe where we failed as a council, and I do believe we failed in one area, when attorney Geller was elected as a state representative, it should have really been brought to our attention by us to ourselves at a meeting that it was a very good time to ask him to step down or appoint somebody in his firm.

Because as elected officials, we have a primary responsibility besides our own lives. I really need the clerk and Councilperson very not to talk and not to text at this time. Because all that information should have been done before hand.

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Vilamri Roman: [crosstalk] -by email or something. As I see he is asking for [unintelligible 00:34:22] information [unintelligible 00:34:23]

Claudia Cubillos: Right. Give me a second please do not respond right now. This Councilperson Dreher is the one with the questions I would really hope that you would be listening more than anything since you've missed many meetings. It's really important in that we respect that attorney Geller is a state representative. As a state representative, and as a state elected official, I respect that the state is his priority. Because the village of El Patel, I'm elected here and this is my priority. We failed when he got elected to not have recognized that he was not going to make us a priority. It doesn't make him a bad person, but actually makes him a really good state representative, that's what he's supposed to do.

He does well at the state. He comes home a second primary is Greenspoon Marder. Third, is the village of El Patel. If we can't be honest with ourselves and recognize that, not only did we not ask him to step down as a smart attorney that he is, he should have appointed somebody two years ago. Because by now we wouldn't be having this conversation. By now we would have a Greenspoon Marder attorney who is well equipped with the knowledge to do what we need him to do. My question to the counsel's, how much longer are we going to talk about this because it's not personal? Hey, listen, he came to my wedding in full disclosure, Jo Geller with his wife.

When at some point when PBA contracts are signed, waste management, we're like a year and a half behind. Hey, is that's okay with the residents. You guys electors us. If it's okay with you all to be in contract with vendors, no. Penoli is here. How long did it take to get an opinion? Come on. This is not personal. We have a fiduciary responsibility as five elected officials here, and none of us are taking it. Because we don't want to put our big boy pants on and make that hard decision, it's a hard one. Because we create feelings and we are so intertwined. I'm sorry that you find this comical and funny, I don't.

I am not done yet, I'm not done yet, I'm not done yet, and I'm the chair. I have the table, and you can speak afterward. At the end of the day, we have to make a decision. When you miss meetings, and you don't read minutes, and you don't look at the video footage, it's not my responsibility. If you did, if your email is not working, you know what, I don't have a village computer, mine broke, but I'm still prepared. It's our jobs.

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Werner Dreher: [crosstalk] prepare.[crosstalk] opportunity to finish to finish reading, and there are some questions.

Claudia Cubillos: With that said, that's pretty much where I think I'm mad. Again, I'm one person, and I would like to hear with the other members at this point.

Werner Dreher: I still have a question. That is still not answer. Why? Okay. Irrespective whether my attendance was the-- My question is very specific about the process. What selection process are we forward? have we posted out to any outside public that can-- who is competent. Again, please this is no disrespect. I know you have an audience out there. There's no disrespect to you. This is more on the fact that we need to have a process out there that we can get as well advertise and get qualifications irrespective of whether I was at the meeting or not, maybe that was, yes, life gets in the way.

My question here before we make a vote, I want to make sure that we're carrying a process that is very out there to the community and that is transparent. My other question is this, I just checked, while I was checking my email here on my phone, I have access to it-- there's no email right now that I have received out, somebody reaching out to me scheduling a meeting with me. I actually met yesterday with him very briefly during the workshop. I know it was very brief. It was during the workshop it was no. If you did send out an email, but I'm not seeing here in my phone, my apologies.

My point here is I want to be transparent to our community, that we're doing our due diligence and advertising a position that we think a qualified candidate. I'm not saying you're unqualified, but we're doing that. My second question is, now why are we doubling the salary of this contract right from 4,000 to 8,000? I read the email from our consul person Roman that, yes, we compared to North Bay village. There's 8,000 that the current salary, but do we compare within our budget the same El Patel to North Bay villages as well?

Claudia Cubillos: My apologies. You're right I didn't answer the last question. I have it right here for you. Okay. I asked administration and finance, Owen, to please give me the last three years legal fees that we've paid. Just so you can all see the increase that we've had in the last three years because it's clear we're getting a little busier. When the fiscal year ended in 2015, we spent 21,000. When the fiscal year ended in 2016, we spend 50,000. When the fiscal year ended last September, we paid 74,000 legal fees. That's all to Jo in Greensburg.

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Jo may have a retainer. It's not 4,000, it's 1,500. That doesn't all inclusive, there is we pay planning and zoning. We pay Jason when he comes here. Excuse me, Jason Silver, when he comes here. When you look at the numbers it's really not that far off. Our current attorney, the contract when read is asking for 8,000 a month. It would turn out to be 96. If we decide to keep him, which I'm going to answer in your next question, no one is not saying not to do an RFQ because you know what Councilperson Dreher I actually really agree with you. I'd like to see what's out there. We have a real opportunity to go out there and see what other firms may be out there in the next week and do it, but one of the things that discussed at admin and finance is, number one, we need to have somebody appointed and right away.

Secondly, I think that for the first 30 days, those contracts that I believe needs to get done before we get sued because we are really way stretching ourselves with contracts that are not signed that fortunately, we have very good relationships with the PBA, with **[unintelligible 00:40:49]** with Pennoni and waste management that we don't have agreed signed contracts that they could easily just come out and say, "We're not practicing good government and technically, we're really on odd." To answer your question about the financials, and they're right here if you would like a copy, I specifically asked Erwin to get this before the meeting today.

We are trending in a way where it's not too far stretched to what the interim attorney would be requesting as far as where we have been at. Then to the question before the moneys was, you're right, we have to be transparent. We didn't do with the manager. We have an interim and now she's actually next on the agenda with what we're going to do. That's the next item as far as what we're going to discuss, but I do agree. I think we do need to have one, but please understand that an RFQ doesn't happen overnight. It's just 30 to 60-day process.

We cannot be without an attorney for 30 to 60 days. This contract does not say he's going to be with us forever. It does not say he's with us for a year, for two or three, it says that he's willing to be the attorney of record and while we decide whatever we are going to decide as we move forward, which would be what you're talking about, which is what we talked about at admin and finance and we talked at the March Council meeting, which would be, once we are caught up with the four or five areas of what we need to be, then we are able to potentially, if the council so pleases that way, then and RFQ actually has to be written out and handled, then it moves forward then that's how the whole process starts, but we can't just do an RFQ and not an attorney in place.

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Werner Dreher: With all due respect Madam Mayor, you still haven't answered that question why are we raising the salary from \$4,000 to \$8,000?

Claudia Cubillos: I just answered it Councilperson Dreher.

Werner Dreher: It wasn't clear to me, I'm sorry.

Claudia Cubillos: Okay. I'm going to be even more clear. When attorney Geller charges 1,500, it wasn't all-inclusive, which is why we ended up paying last year 74,000. What contract, if you all read it, it is all inclusive. There's not going to be land use fees, there's not going to be when we pick up the phone and there's a fee for that. This is all inclusive. When you add up what we've paid Greenspoon to what we're being asked to pay now, the difference is a little bit more, yes. Would you like me to say this year? We're making it perhaps- what is that called a month?

It's going to be the same every month, but guess the better to that point is, we actually know what we are going to pay in. Erwin brought something to my attention today. There's a bill for \$34,000 in Greenspoon that hasn't been paid yet. The reason it hasn't been paid is because I signed checks and I questioned everything. I took that bill to Tallahassee with me. Erwin asked me before the meeting, "Ms Mayor, what are we going to do about this bill?" I said, "Clearly, the attorney told me that he was going to bring it down a little bit and that we will have to pay a portion of it because we have to do what's right,"

But there were many many many bills when Jo Geller was a little busy and we had Alicia Luis and we had Steven Weary and so on and so forth. The bill is still going to be a chunk of change, but the only thing he's going to change, which I think is customary in most municipalities, the attorney's charge to be 5400, but for municipalities, they charge 200, which is what these attorney is charging us as well. He was just going to take that bill and, I think, look at all the hourly rates and I think like Alicia and the other attorney were charging us 350 375. He says no, he will never approve that so we're still going to pay a bill.

Keep in mind that we may have paid 74, but there's still a \$34,000 bill that- 34, 26 [unintelligible 00:44:55] that still needs to be paid. Figure if we take a little bit off, it might be maybe 29,000 if we take a little bit off, but it's still a bill that's going to get paid.

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Paul: If you look at the budget and you take the legal retainer and add the other legal, it comes to 85,000. What you're proposing now is 96 so it's \$11,000 difference. However, the big difference is that if there's any lawsuits which the village has to address, it's all going to be all-inclusive in the fee. It's not going to be on the extra charges because that's, as you know, we've had a couple of years we've had one or two lawsuits and we had that one workers complain where our cost in legal fees was over \$50,000. You have to bear that in mind also.

Claudia Cubillos: Did I answer your question?

Werner Dreher: No. Honestly because I'll be very honest. First, now I hear an \$85,000 figure and \$96,000 figure, then I see in the contract the four \$8,000 increase in figure. That's my take and no disrespect on your recommendation or anything. I just don't have that level of comfort right now to make an informed decision so that's my take on things.

Claudia Cubillos: No. I'm just going to reiterate and I pose. I didn't mean to sit you down, but I've just got to be public comments and that public comments right now. I'll reiterate it just one more time. I would believe it's better to know what we're going to pay so it can be properly allocated as opposed to what we have been doing for the last couple of years, which we just say 18,000 is retainer because 15 times 12 is 18,000 a year, 1500 which is as retainer to come to the meetings, one meeting. It's 1500 then everything else is added on, as opposed to knowing that this is what the fee is. As you can see, there's many many many bills that came in that was not budgeted for.

That was the biggest eyeopener for me last year and I believe most of the invoices went through the clerk because I think Erwin sent them to the clerk and the clerk had to forward them to me, then we sent them to Jo Geller. That was just one bill, but there was a total of, at least, five to seven bills that I had to-- excuse me, invoices that I had to question because they were definitely steep. Clearly, what we have to monitor is if this is the route we're going to go for 30 60 90 days that there is nothing charged over that because this is a set fee that we know and that we can budget for that accordingly.

Werner Dreher: One more question too, I checked my emails and I want to make sure, has there been a resume out there distributed to us just to see what the education experience have we collected a pool of perhaps resumes out there? It's specific right now with the law firm as well. Do we have any resume out there?

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Claudia Cubillos: We will have that once we do the RFQ. We haven't even done the RFQ.

Werner Dreher: Also we don't have a resume from the potential lawyer.

Claudia Cubillos: Somebody can correct me if I'm wrong because I don't remember, whether it's the November or the December meeting when we were talking about this and we thought that there may be a possibility, I at that time asked the entire council if you all know anybody that we were going to have on an interim basis, please recommend him because we might be in that position in a few months. I came in prepared at the January February and I would have come prepared today, with the resume of an attorney that I want to recommend because we must have an attorney before we do an RFQ, which again, we all agreed with you at the last council meeting.

Again, when you have a meeting we read the minutes and we look at the audio. We all agree with you because this is a real opportunity for us, but we didn't have anybody and the council had voted to remove Greenspoon.

Werner Dreher: Those are where my level of comfort decreases because I don't have a resume in front. I haven't seen a resume out there. A person who works like a regular Jo out there, anywhere I go for an interview or I'm considered for a position, I want to see a resume. At least you get an idea of the qualifications for that person. If I don't have a resume out there, I've just checked my email right now, I haven't seen a resume out there. Put on my position, what's your comfort level of moving forward with the contract?

Claudia Cubillos: I'm going to say one thing and I sincerely don't want to disrespect you in any way, I don't, because I do believe we are all really busy, but I've been a councilor for a few years now and if the mayor or the council, and I missed a meeting, had said that they were going to potentially appoint or recommend an attorney, I would immediately called the clerk and ask for one, if she had one. I would have googled the individual. Usually, most attorneys, you can google and you can find them. That's what I would have done, but I'm a little more proactive and that's just who I am. I apologize, I don't know why.

When I came in to the meeting, I actually printed out his bio from the North Bay Village because I don't have his resume. His bio's on the North Bay Village website. I apologize, but at this time, if Norman Powell would like to say anything, it was to my understanding that every single person was contacted. I think I've tried to answer every question.

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Norman Powell: I can synthesize the conversation and give you at least a legal opinion. First of all, Florida law doesn't require any particular process to appoint attorney. An attorney that represents the council serves after one of the council. I could present an agreement or any lawyer could present an agreement that specifies any period of duration. It's month-to-month. It's at the will of the Commission. But I hear what you're saying, to the extent that it's the will of the Commission to go out for an RFP, RFQ. That process still has to take place with some gestation period.

You're going to have to pick some it at some point in time, but you still have to have someone in place, to the extent that I've never met anyone up here before. My only experience with the dais has been at the League of Cities. I've met Mr. Mathis before contrary to the comments. I've met with Mayor Cubillos. In fact, my assistant personally called each of you or we didn't email because that we find that to be a little bit formal. We may resort to email after we can't get a phone call back, but it's public record, so it doesn't really make that much difference. We tried to reach everyone.

What's important here is it's not about us. It's about the residents. I've only been quote-unquote, appointed interim since the last committee meeting. Since then, we can participate in the negotiation of the police contract. We're putting together the waste management agreement. We're looking at the scepter to sewer issue. We're looking already at the proposal to develop the vacant church site. I just got, a few minutes ago, a subpoena-- actually, a motion to hold the village in contempt for a subpoena that was issued that was ignored. You're more than welcome to decide to go on a hiatus, but the business of the village has to go forward in some deliberative process.

It has to be handled in a matter that's competent. Now, to the extent that, if there's any concern about my qualifications, you're barking up the wrong tree. I don't think there's anybody more qualified in South Florida to do this job, but you can research that for yourself. More importantly, when I was asked to propose an agreement, one of the things that I did purposely because of the nature and size of this village is and it's no secret the millage here is not dependent on much commercial revenue, primarily right now based upon the taxes that the residents paid based upon **[unintelligible 00:53:36]**

I tried to put together what I thought in the interim basis an agreement that would not be upside friendly to my law firm. I basically looked at all of the areas of governmental work that would be required by the village. It's itemizing the agreement, If you take your time to

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look at it, you'd see that I've covered every area that I believe the village is going to need, at least in an interim basis. Now, to your point about soliciting other attorneys, that is a will of the Commission. I'll be certainly more than happy to participate in that process, but I can tell you, from experience over the last 28 years in doing this, that the larger firms are going to be beating down their door to come and invest the amount of time to get the work done for the village.

Why I'm actually now appointed to North Bay village is because they had the **[unintelligible 00:54:32]** They had the Greenberg Traurig and the bills approximated over a million dollars a year because they were being billed for everything. What you need, and it doesn't necessarily have to be me, this is just advice. What you need is somebody who's willing to go all-in, somebody returned your calls, somebody who wants to sit with you and understands the direction, the policy that you're trying to implement on behalf of the villages residents.

If you don't have someone's gonna pick up their phone and return it, you can pull everyone here since I've been here and then I got a respond to call or responsiveness. That's what you need. It doesn't have to be me. But when you put that RFP together, you must make sure that you keep that in mind because you're going to be in the pecking order of a bigger firm or a firm that's doing this for a lot of villages. It can't be happening if you're going do it the right way. Based upon the testimony we've heard just today, it hasn't been all-in for whatever reason. I've known Jo for years. I've represented Jo when he was in the Florida Senate and his brother.

If you look at my experiences, I've represented the Florida Senate, Democratic Party, North Miami, North Bay Village, just about all the municipalities around here, including Miami Shores and North Miami. I don't think that experience is an issue. I think what you have to decide is what are you going to do at the end of the day. I have no problems in month-to-month because I was asked to come in on an interim basis. You've got a lot of work to be done and I think that's what we need to start doing. If at the end of the day, you want put a switch it or in, that's your choice. But your charter requires that you have an attorney.

Your charter requires that you are responsive to the needs of the residents. I serve at the pleasure of the Commission just like the manager. I could give you an agreement for 20,000 years. You can come back with the majority and I'm gone. That's all I have to say on that. If you need an explanation about the building, I'd be more than happy to give that publicly because that's what's important here. If you look at the agreement, you'll see that I've

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itemized, I believe from A or K or J of all of the areas that the fee encompasses. You don't have to worry about if you're calling a million times a day in order to get questions answered.

It happens. You don't have to feel any way that if you asked me to sit down with you to go over the agenda, which I like to do, and go over the resolution so that I get your input, you don't have to worry about the clock ticking. You're not going to get that with a large firm. You just can't. I'd be more than happy to answer your questions online or offline because I represent you and the dais. I'm here at your pleasure. If you don't want, you vote it down. I just go back out the door and go back to my office.

Werner Dreher: Just so that I'm clear. Norman, at no point. I'm questioning your qualifications like you stated, I'm just asking for a resume.

Norman Powell: Excuse me. I provide the resume along with the interim agreement. My resume is public record. I'll be more than happy on a break to download. I'm going to hand them out to everyone. You could pass this item and move on with the agenda, if you're not ready to go for it.

Werner Dreher: That might be a common practice that go to the Florida Bar. My background, my history, my work experience, I'm not an attorney so I would have nowhere to go. Listen to me. But he works with attorneys. My background, the way that we operate, it's just having the resume out there. When we did the same with Kristya, she had the resume out there. We saw it, that was part of the process. I just want to be clear, in no point I'm questioning your qualifications. I'm just being part of what I've seen. My experience is usually have a resume out there and not-- I just want to be clear.

Norman Powell: Actually, what I'm telling you is I provided it along with the proposed agreement. It was attached as a PDF. If whatever reason it didn't go through, I can send it again. There's also been comment here that it was actually provided to the committee. The mayor just said she went to the website and downloaded it also.

Werner Dreher: Which committee?

Claudia Cubillos: At the admin-

Norman Powell: The same thing.

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Claudia Cubillos: At the admin and finance-

Werner Dreher: I'm not part of the finance-

Claudia Cubillos: Well, no. I apologize. I'm not correct. At the February council meeting that was held in March, when this was a possibility, I had gone to the North Bay Village website and I printed out his bio/resume. I read it at the February council meeting.

Werner Dreher: Go ahead.

Claudia Cubillos: Any other comments from the council?

Omarr Nickerson: No, ma'am. As long as Councilperson is Dreher. Is he comfortable with the answers that he's received? Is it like a better understanding of what's going on or- Good to see you here. I appreciate you voicing your opinion. I think that what the issue is kind of is the fact that with our charter, we need to have an attorney at all times. The day that- the council meeting where we got rid of our previous attorney. Even at that meeting before we actually had that vote, I said, "You guys isn't it true-" Like the mayor said, "Isn't it true that we have to have an attorney by charter." She said, "Yes." Advised me that's true. The understanding with that councilperson Dreher is just that as soon as we get rid of somebody we have to have somebody to step up immediately.

That's what maybe causes that problem in you to where you feel like, "Man you know what? We want transparent because we just rushed somebody else in," But that's our charter. If you don't feel comfortable with that we can try to change the charter if you want to, but being that the only individual which was brought even before that meeting. The only individual that had a name ready to go was the mayor. We can't go against our charter. We have to follow our charter. I understand that Councilperson Mathis also- he said that we should retain the firm even if we get rid of Jo Geller, but it just didn't pass.

If we retain the firm at that particular moment, we still don't know a particular person in the firm that we're going to use. At that moment whose our village attorney? Where per charter we have to have a village attorney. The mayor was prepared with the bio. The mayor was prepared with a name at that particular time. I asked the same question that you did that day. I said, "Do we have to have somebody?" And by charter we have to have somebody so we have to do that. As far as you're talking about with RFQ or the resumes that need to go out.

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I said also at that meeting-- I said, "You guys as long as its in term." I said, "I don't want us to be an intern it's like a year or two years that you guys remember I said that." He said, "No, he won't do that." This meeting just happened at the beginning of March, right? It was a February meeting where didn't have a quorum. The meeting actually took place on March 5th. Like we're still in March. It's okay, it's not funny, but we're still in March. The thing about it is that we're just getting started, right? You have to understand if this was May and you're like, "Man he's been here we haven't even word with of RFQ what is going on." I'll be like, "Councilperson you're actually correct."

We were just starting with the situation. We have to do the contract, He's officially in term with the contract and everything. I'm not sure he's in the finance committee. Okay you guys when are we going to start looking at resumes? How are we going to start going through this processes? [crosstalk] You're coming at it too early in the process though.

Werner Dreher: For the record, I just looked through my emails. All we got was the contract we didn't get this, the CV.

Norman Powell: I'm going to send it to you.

Werner Dreher: No, I'm just saying. I'm just stating for the record. All we got was a contract. We didn't get the CV. The committee may have gotten the CV, but the council--

Vilamri Roman: Mum I, just a second, just to address Dreher's concerns. Dreher I think we're-- this processes is new for me too. The process in government and with our village with charters completely different than anything that that is in the private sector. We've had several discussions at either council meetings or committee meetings where we said we need to be ready. We need to have attorneys. We were all present or we weren't present, we should have read the minutes at the point where we had that council meeting, and that decision was made because we knew it was on the agenda that that item was on the agenda. It was no secret that we were potentially going to partying ways with our law firm. We needed to do our due diligence as a council.

Werner Dreher: I didn't know [crosstalk]

Claudia Cubillos: There is somebody speaking. Go through the chair. You're out of call.

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Vilamri Roman: Be prepared and have a name. While I was in Tallahassee I met with an attorney. I started to network to find out who out there to get to know that I could be prepared. I had a conversation with that attorney following my trip from Tallahassee. I could have brought that name up when the mayor mentioned that. After listening to the bio, I thought this was the best way to move forward which is why I voted yes to that. The process is a little bit different. That's not to say that we're not going to-- once we accept or we vote to accept this contract.

We need an attorney. We will have an active process after we're-- it will be opened. Many will have the opportunity to apply. You'll see the resumes. We will have the process that we've had in the past where that we've had to hire someone. That's just really what I wanted to share because the processes is a little bit different.

Claudia Cubillos: Councilperson Mathis, I will open up for the public coms in a minute.

Harold Mathis: For the record, I didn't know we were actually going to be terminating Geller. I thought it was just up for discussion.

Claudia Cubillos: At what meeting?

Harold Mathis: What she just said that we knew we were going to be--

Claudia Cubillos: I'm going to open up public comments, but I'm going to say one thing to councilperson Mathis and councilperson Dreher whose not in their head. This is been a conversation that we've been talking about. We have been on it now for over 45 minutes. We have been talking about this for months. I didn't know that he was going to be terminated at the February council meeting that was held in March because I did have a quorum. I didn't know and it happened. You know what councilperson Mathis? You serve more time here than I have, and let me tell you something that you said would councilperson Brunson and councilperson Isaacs was elected.

Councilperson Brunson at his first or second meeting he'd said that he was not ready to make a vote. You said, "You know what? There's no time to learn, you got to jump in and you going to learn you do your homework. Someone senior as you were, you know how true that is. We took an oath of office that this is something that we don't have the luxury of a lot of staff. We've three employees here. We have to call one of them if we need information on a

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meeting we call the clerk. If you're not a part of the committee, you pick up the phone, you call the clerk and say, "Hey, can I have the whole agenda back then." She's going to get it to you.

Harold Mathis: What do I have to do with [crosstalk] that I didn't know we were getting rid of him that night. She stated that we knew we were getting rid of him.

Claudia Cubillos: Councilperson Mathis, we all knew that the possibility existed because we've been talking about it since last March--

Harold Mathis: That is quick. She does [crosstalk]

Claudia Cubillos: Don't interrupt. Please, through the chair. I'm not done speaking. At November we brought it up again. Viceman Nickerson was the one that kept saying over and over and over. There's no new questions. I'm going to open up public comments. I'm going to close it till the council opening up the public comments. [unintelligible 01:08:17] and [unintelligible 01:08:17] you're up free to go.

Lilliana Pekar: Lilliana Pekar 181 North West 87 street. Why were you guys so fast? Why were you in rush to fire Jo Geller. If you weren't in a rush to fire him, you wouldn't be at this point that it seems that you're not transparent. I would assume that you'd hold his position until you open it up to other members or to other candidates.

Claudia Cubillos: Normally the welfare is not in debate to go back and forth, but I'm going to answer. We are not doing this in a rush. I've said it about--

Lilliana Pekar: You were in the subjects. I'm on the subjects, same subject.

Claudia Cubillos: I'm answering your question. Terminating a relationship with Jo Geller Ginsberg was not done in a rush. We've been talking about this since March of last year. The council has not want to make a decision. One of the reasons that really prompted me to push him in November. In November of last year, I've been on the agenda or conversation was because what Norman Powell said. We have subpoena that are not responded. We've contracts that are not signed. At what point do we have to say enough is enough. Jo Geller wasn't able to make meeting.

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Jo Geller would send Stanley, but Stanley wouldn't know what's going on. Meanwhile, we have waste management that's been lingering that you often come back and say we're not doing our job. We've the PBA that expires back in October 1st that we have no contact with the union police officers, yet not contract signed. That's not good. We have planning and zoning company that doesn't even have two years and have a contract. It is our fault Councilperson Mathis because we're not doing our due diligence by keeping our employees accountable. That's what I'm trying to hopefully change here so it's been on the agenda.

Lilliana Pekar: So you guys were not transparent. That's it. Okay.

Claudia Cubillos: How can we not be transparent if it's been on the agenda?

Lilliana Pekar: That's right. You weren't transparent with the manager. All of a sudden we have a new manager.

Claudia Cubillos: We're talking about the attorney. It's been on the agenda since March. It's been on the agenda since March of 2017. Since March to now you probably come to three meetings.

Lilliana Pekar: You basically chose Mr. Norman and he's here now without going through the process of electing him.

Claudia Cubillos: You know what? Maybe we should have an RFQ. Do it for 60 days. Bring Jo Geller. Nothing gets done and then we get full lawsuits because we have contracts that are not signed so if you all want us to keep employees that don't work, Lillian Pekar I will do that for you.

Lilliana Pekar: Mr. Norman, can you tell us little bit about your experience? Are you currently an attorney with Northway Village?

Norman: Yes. I'm the outside attorney. Yes, ma'am.

Lilliana Pekar: Okay, and so you've been working with municipalities. Were you an attorney assigned to a particular municipality in Miami-Dade County?

Mr. Norman: I'm not assigned to when I've represented governmental bodies.

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Lilliana Pekar: Which municipalities?

Norman: I can start at the state level. I've represented the Florida Senate and for two decades I've represented North Miami. I've represented the village of Florida City. I've represented North Miami beach. I've represented North Miami. I've been outside council to North Bay Village also. I've been a magistrate. I'm currently a magistrate in a traffic court. I can go on, but I think it would be better to just look at my bio.

Lilliana Pekar: Thank you. Do we have in our budget the \$11,000 increase for an attorney?

?Harold Mathis: [inaudible 01:11:52]

Ives Garcia: Okay. Thank you.

Lilliana Pekar: You're welcome.

Ives Garcia: Hi. Ives Garcia Valherty 500 Northwest 87th street. Question. How long have we had an interim attorney approximately?

Claudia Cubillos: At the March 5th council meeting that was really the February council meeting. That's when the relationship with Jo Geller was terminated officially.

Ives Garcia: Officially terminated, but I've seen his face from before so I'm wondering how long--

Claudia Cubillos: March 5th of this month.

Ives Garcia: Okay, so then when I saw him was before because I remember I've been gone from the meetings for a bit because of everything. Hurricanes, I was away for a month, medical appointments, you name it. I get extremely busy. I'm an independent contractor so I do a lot of traveling, but I remember specifically the last time I was in a council meeting. We were discussing the same topic and that has to be at least six or seven months ago. At least. From what I gather and from what everything that I've heard so far, the current firm has not kept up with business.

Now, I'm a business person so if I don't answer an email, if I don't make a phone call, if I don't do my research, I don't get hired. I get fired. Simple. You need to keep up with your

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work. We shouldn't have pending contracts that may endanger the village because the firm is too busy to get to work. That alone should say, "Hey, this person needs to be replaced." Common sense. You're not doing the job, we need somebody else that does the job. Using somebody in the same firm, that'd be questionable for me because if the person in charge of the firm can't keep up with the work, why is anybody else in the firm going to keep up with the work.

For me, I would rather break ties with the person. Start fresh with the new company. That's personal. When I have a job pending or I have somebody that I'm going to meet, I do the research. I look them up. I myself take my personal time whether I get paid for it or not and I do the research so in that aspect, will all due respect councilpersons, it's your job to do the research. That's why you're representing us. You will need to get on the computer. You didn't get the resume? Okay, look it up. Simple. Find a way. Google. Lord, Google has all the answers.

Do the work. Don't sit and complain that I didn't get this, I didn't get that because that doesn't look good to the residents. It really doesn't. It tells me that you didn't make the time to prepare yourself for what's coming that's been printed that we all know what's coming. Me as a resident who's been gone six months to come and see that we're still discussing the fact that the attorney that we have didn't do the job, isn't keeping up on the contracts that need to be done, that seems to be a little bit ridiculous eight months later. What is wrong with whatever the contract term is?

Three months, six months, whatever it is, hire him. Get the job done. Get those contracts in place so that we're not in a litigious situation or someone might sue us or someone might renege on a contract or anything because those contracts aren't signed. Get that done. In the meantime, that doesn't stop the village from getting resumes. From getting information from other lawyers. It doesn't stop you from doing that, but it will get the job done in the meantime and we're not sitting for another six or eight months before we then get a permanent attorney that will then be happy with everybody and everybody votes for.

That seems like a large waste of time. We have an attorney that seems to know what he's doing. You want to know his background, look it up. Do the research. Investigate him. That's what we as citizens can do in us. What US council people can do, figure out if whether or not he's worth the time and the money. Put him to work. He will show you. If he can't do the job, get rid of him. Get somebody else. It's not personal. I don't know this lawyer. I didn't know

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the last lawyer. I've only been here three years, but I've seen a lot of changes in those three years.

From village managers on to attorneys. I wasn't thrilled with the first village manager for same reasons. He didn't get back to work. You send an email, you don't get a response. Those kinds of things. There are things that have fallen through the cracks for the village in the last three years that I'm unhappy about because things didn't get focused or they got put on the back burner. Nothing was agreed on. Why not give him the shot? He seems like he's got the qualifications. Other cities are happy with him. If he doesn't work out, he gets replaced. He knows that. That's what being getting paid for is in. When I get hired for a contract, if I don't do the work, I'm done. It's just common sense to me. Thank you.

Claudia Cubillos: Take care of this. Go ahead.

Anna Watson: Anna Watson, North Bay Village. I thought my city was so special, but I'm mistaken. I found another city just as special as mine. I'm amazed that the minority of the commission is only concerned about getting the email, I didn't get the resume. You just got a lawsuit that you haven't responded which the judge will sanction this city. You're a very much smaller city than mine and hurry up and sign them up because if you got a lawsuit at \$300 or \$200 an hour, you have no budget. He's doing a complete package for \$8000 a month.

You spent over a hundred thousand dollars and you're worried about if you got his email, if you got an RFP, and you have a lawsuit you're going to probably get sanction from a judge because you haven't responded to the complaint. What are the priorities? If your phone works or what the residents' taxes are going to be or what's going to happen to the city. There's no progress here. Like a standstill and you're not even worried about it. I took the time here to come here to tell you what a difference this man has done in my city. How he saved his city and I don't know him personally. I met him because I got coding force violation and he happened to be the magistrate. That's doesn't matter to you. It's all about what you didn't get about me. Good luck.

Claudia Cubillos: [unintelligible 01:18:13] Crystal.

Crytal Carol: Good evening. Crytal Carol, 480 Northwest 91st street. I just wanted to speak to the transparency issue because I have been at quite a few of these meetings. I don't come every month, but I will say that I always feel like come more than others. I recall sitting in a

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meeting just like this one for a very long time and the council did discuss their dissatisfaction with the attorney. I'm saying that to my residents because they know what they've done, but some of you may not have been here. On multiple occasions, I heard that he was given a task and it was given a deadline and the deadline came and went.

He was given an inquiry that maybe there was something that needed to be questioned and the deadline came and went and consistently he sent in another representative from his company or from his law firm that was not him. As a resident, I respect the fact that you guys put a lot of time into it. I respect the fact that there are a lot of questions that maybe you're not familiar with and the only way to learn about them is to ask, but as a resident, I don't know this man. Like the mayor has mentioned, we elected you to do a job. I'm not going to be in your office like many of these residents on a regular basis.

If there are lawsuits, if there are things that have not been done, if there are employee contracts that need to be signed or things that need to be done, we need to do them because we're setting ourselves up for being very vulnerable and not being able to accommodate what it is that the laws require of our small village and like I said, there are times that we come, we don't come, some of us are here, some of us aren't. I'll speak for myself, I elected these people because I expect them to do a job. I give you the power to make a decision. If it doesn't work out, then hopefully it won't take us long to get rid of him as it did for Jo Geller, but we have things that need to be done, and business needs to be carried on.

I see that someone that made a comment regarding the non-transparency of our council has left. However, I would like to counter that and say that you have been very transparent. I remember sitting in the meeting and saying we don't know what we want to do, we don't know if we want to let him go. Let's wait and see if he shows up at the next meeting, I recall all of that as a resident. Thank you for your time. I appreciate it because it is not an easy job, but you have been transparent. Now let's make a decision and let's move on.

Claudia Cubillos: Thank you. Any other public comments? Okay, hearing none. There's a motion on the this. Can you re-back the motion **[inaudible 01:21:05]**?

Yenise Jacobi: It's the village attorney's contract to approve. It was a motion by rule man and second by Nickerson.

Claudia Cubillos: Okay. May I have roll call please?

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Yenise Jacobi: Roll call. Councilperson Dreher.

Werner Dreher: No.

Yenise Jacobi: Councilperson Roman.

Vilamri Roman: Yes.

Yenise Jacobi: Councilperson Mathis.

Harold Mathis: No.

Yenise Jacobi: Vice Mayor Nickerson.

Omarr Nickerson: Yes.

Yenise Jacobi: Mayor Cubillos.

Claudia Cubillos: Yes.

Yenise Jacobi: Motion passes three to two, I'm sorry.

Claudia Cubillos: All right, thank you. Next on the agenda and I'm going to move quickly because every item is really important as we have another contract as the village manager. I'm going to ask Councilperson Roman who I'm sure has had a new finance who asked this to be moved from the last meeting to this meeting to go ahead to start off the conversation on this and if you all mind, I got to get up for one minute. I'll be right back.

Vilamri Roman: Okay. Thank you mayor. The village manager contract was set to be reviewed at the last council meeting and unfortunately I had to pull that because I found there was something that was brought up to me that I felt I needed to be fully transparent and bring it back to the committee level to then bring it to the full council. The concern or what was brought up to me when I-- was someone mentioned that the interim manager's law firm, the register agent that was recorded with the state was our Mathis. To me, that was just a red flag of concern, mostly because it wasn't something that was brought up initially from either the Councilperson or the village manager, and so I felt that the lack of candor relationship, that made me uncomfortable.

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I felt that at that time, I needed it to bring it to the committee to have a brief discussion and then at the committee level, we decided to bring it to the full council because obviously not everybody was there and we want to make sure that the entire council was there. I do believe that in the spirit of transparency, anything that I bet is brought to my attention, it is my responsibility as councilperson to bring it to all parties that need to know. I feel that Christia's performance has been very good in the time that she has been here and I don't question her performance. My question was just the fact that I felt that, that should've been disclosed from the very beginning.

Back to the word transparency, I'm all about being transparent and I felt that was important and that is why we're discussing that now. I just wanted to-- We did here from Councilperson Mathis, I'm not sure if he wants to say anything here at the council meeting. We also heard from the interim village manager. She is welcome to also say something if she wishes and Councilperson Dreher was not there, so Councilperson Dreher if there's anything you like to share, we'll be more than happy too. After this is brought up, we do have a contract that is-- has been reviewed.

It's also been reviewed by our interim attorney, Mr. Paul and he said that, should we decide to move forward with the agreement, it is fine. The only thing that needs to be change on there is that it still has Mister Geller's name on it, so we would just need to edit that. Aside from that, once discussion is complete, the contract is ready to go for a motion. [crosstalk]

Werner Dreher: I don't have anything to say.

Claudia Cubillos: Since the admin and finance meeting, have had some time to think it over and I had a lengthy meeting with the manager. I haven't had the opportunity to work with her pretty directly since she started here, I was one of the ones who initiated to definitely make her permanent because my experience with her has been nothing, but professional. Clearly when this came up, as I mentioned that the admin and finance committee, I was-- we're all talking about transparency and we also forget that in today's world, nothing is really private.

It's important that we disclose. Especially as elected official, it's our job to disclose any personal ties and it was that we have to do and we understand things are overlooked, though we forget because we all have really busy lives, but I just wanted to go an saying that my experience with Christia has been a very good one. It's unfortunate that this happened, but I also know both individuals and I asked and in the public, I say that, if we move forward with

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Christia on a permanent or extend her interim, I just ask for nothing, but professionalism, which is what I feel I have received in the time that I've been with her.

As well as from Councilperson Mathis. I've actually known him longer than I've known the manager and I think that's what's most important and I believe that just what's happened right now with the attorney, decisions are so hard to make when you're up here because they become personal or they become sensitive and I just asked that as we move forward, that we must be mindful of that because you're right Councilperson Mathis when you said about 20 minutes ago that it's our fault that a lot of things happened aren't done it's because we are not holding our employees accountable.

It's our job to do it and at some point one of us, and I guess it'll be the mayor that says, "Enough is enough." There's friendships, but then there is business and we're like to do business, not to be friend. We all want to be liked, but that's we're not elected to be liked. In this particular relationship, I just want to be sure that the lines are not blurred. That when the manager is not doing something that it needs to be something that it needs to be rectified although however hard that may be or it needs to be voiced however hard that may be, because there's friendships involved.

That's my only area of concern, but Councilperson Mathis at the admin and finance committee mainly said, he will use himself of this vote today. I believe that's what you said at the admin and finance committee meeting. If you changed your mind, you could say something, but that's why I'm mad at this point. It's an unfortunate situation I believe that, in the time that the manager has been with us, she's worked diligently to try to complete tasks. There are some things that are beyond our control, but hopefully with the interim village attorney which I really acts the council to make the opportunity to have a conversation with, we can get some things moving forward.

I'm excited about that as far as I'm having that. I want to hear what the council has to say. Councilperson Dreher who not on the committee, Vice Mayor Nickerson and Councilperson Mathis, if you would like to as well before there maybe a recommendation or maybe not.

Omarr Nickerson: With this situation-- Madam Mayor, thank you. With this situation, I agree with the mayor as far as I think that our village manager, interim village manager, I think she's been a very good. I think she's worked great with all of us. With this situation and the disclosure element, I suppose I agree with that also I do feel that she's never been the type

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of person that's been like, "shady" or something like that so I wouldn't think that she will hide anything on purpose. I also believe Councilperson Mathis in the committee meeting, when you said that he slipped his mind and he just remembered.

This is-- It's a weird situation for me because as we all believe in transparency, I also believe in consistency and it has said in the committee meeting when it came up to make her permanent manager, I was the only one who voted no. It wasn't because I didn't believe in her agenda, her work ethic or anything like that. I just voted no on it. I was only I voted no because it was a question about should the job be opened up for other resumes to come in and then it wasn't. Then we also have our chief situation going on. We have an acting chief. Was acting chief is going to be in term one day permanent or we're going to open that up. We're talking about the village attorney. He's an intern village attorney. Let's say he does a wonderful job which he's already started doing a wonderful job.

Months from now, he continues to do this wonderful job. It's just easier. Are we going to go from intern village attorney to making permanent village attorney? Are we going to open it up? I just don't want to get into the situation to where we open it up sometimes, sometimes we don't open it up because it just gets weird. We're consistent now and I voted no because I didn't want to open it up for other resumes. Let's say, if we're consistent now and she went from intern to permanent village manager, well then, it's not fair to then open it up for the chief.

It is not fair to open it up for the attorney if they're doing good jobs. I just want not only transparency, but also want consistency, but as far as this situation is concerned, I have total confidence in the manager which I always have. Thank you, Ma'am.

Claudia Cubillos: Okay. Any other comments on this topic? Councilperson Dreher.

Werner Dreher: Yes, definitely. I'll make my comment, but I just want to make sure that I'm not going to get personally attacked by any of the council members here. I feel like the last part, there was a lot of attacks with my person, but I did do their due diligence. I contacted Christia. We spoke about it and you know what with what we spoke, I really feel comfortable really to move forward and that was my-- Just for the residents that out here, I'm just doing my due diligence going to Christia, having my one-on-one with her, and making sure that what was discussed in that finance and admin video which I saw, but I just wanted to have that one-on-one conversation with her.

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Based on my conversation with her, I feel comfortable and I don't have any comments. In respect to the attorney, I did-- Just so be clear because I know some of the residents came up, it is not questioning the background of the attorney. It is just making sure we go through the process of hiring so to be fair. With Christia, I did speak with her. I feel comfortable with what we spoke and I don't have any further comments.

Claudia Cubillos: Okay. Council member Mathis?

Harold Mathis: When you opened up for the public.

Claudia Cubillos: All right. Any other comments from the council? Christia, would you like to say anything?

Christia: I'll keep my comments brief. Yes, as we all know I did know council member Mathis before I started working for the village. We were friends. I know him personally and professionally. He did help me incorporate my business when I got my divorce and began to practice law. I need help setting up my PA and he did that for me. He was in the legal profession as well and he had a side business that conducted that kind of work. I employed him and through the years, we were good friends. As we get older and people move away and back and things have changed, I still consider him a friend.

I've also been very professional and as a government affair professional for many years working on the hill, working here in the village, working in the county, I know about ethics. I'm trained on that every year because I'm an attorney and have to do continuing legal education. My name means a lot to me. My reputation. I want to do a good job for the village of El Portal. I'm on the line as well and I'm not-- Friendships or giving someone special favor isn't more important than me doing well, being proud of the work I do for you, and being proud of my name and passing that on to my own child.

In the seven months as interim village manager, I hope I've demonstrated that loyalty to all of you because I've had or started relationships with each of you individually and as a council. I'm loyal to you as a council when I got sworn in. I took an oath to uphold this council in this village as its interim manager and hopefully its manager. I would continue to do that. I want you to have faith in me and your choice. I would like where for you to see that and I hope you will reflect back on the things that have happened over these seven months to show you that loyalty in that I have been fair across the board with everyone. If you have any other

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questions or concerns, I hope I can make you comfortable as time goes forward. I respect whatever decisions you make.

Claudia Cubillos: Okay. Thank you. Any other comments from the council? Hearing none. I'm going to close it open for public comments before I ask for a motion.

Harold Mathis: Harold Mathis. 420 NE 90th Street.

Norman Powell: Mr. Mathis are you recusing yourself from this item?

Harold Mathis: I'm talking as a public person right now.

Norman Powell: If you're recusing yourself-

Harold Mathis: I'm not recusing myself.

Norman Powell: Okay. That's not what was discussed before.

Harold Mathis: I said that if it was needed that I will recuse myself.

Norman Powell: Are you or are you not recusing yourself?

Harold Mathis: I'm not recusing myself.

Norman Powell: Because they need to be back on the dais.

Harold Mathis: No. She opened it for the public.

Norman Powell: You're a Councilperson. You'll be back on the dais.

Harold Mathis: Yes, but my integrity was-

Norman Powell: You need to be back on the dais.

Harold Mathis: I don't have to be out.

Norman Powell: Yes, you do. You need to be back on the dais because you are a Councilperson. Please return to the dais.

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Harold Mathis: I'm not speaking as a Councilperson to this.

Norman Powell: Sir, as your legal counselor, requesting that you go back to the dais and take your position as a Councilperson. You can make your comments from the dais.

Harold Mathis: I will not do that.

Norman Powell: Okay, then. Submit them for the record.

Claudia Cubillos: Crystal.

Crystal Carroll: Crystal Carroll. 480 NW 91st Street. I applaud you because in this day and age, secrets are always things that come out into the light, regardless of what you think may happen. I know that all of you seem to be taking a very ethical and very transparent position in this. I sit up here and I made a positive comment for the new manager and I still uphold that. I still believe that she has set an example and has put our village first, regardless of personal relationships. As far as Mr. Mathis is concerned, I think that he has held his integrity as well that with time, relationships change.

Some get better, some get stronger, some get weaker. You never really know, but I think that all of you have really set a very good example. Just speaking on what Mr. Nickerson has said was that he was saying about consistency and I do know that as a long-term resident, we do have interim chief that something needs to happen. The same way that I spoke up for the interim manager and encouraged that we made a decision that the work has been put in where my words. That she has set an example. That she has stepped up and instantaneously after the hurricane.

I do have those same feelings and sentiments about our interim chief. Something needs to be done and if it had to be with the fact that there was no legal counsel and contracts hadn't been done and employee reviews hadn't been done, the same transparency that you guys are showing here, if there's a weakness or something that's lacking that may cause you not to want to hire someone, I think out of all fairness that needs to be discussed so that those people can change it. It could be anybody. Our clerk. It could be anybody, but I just think that just speaking to what Councilperson Nickerson said.

I hear you. I think that it's important to be consistent once you have those opportunities that you shine. I have been a part of the hiring process and with Mr. David Rosen-- I forget his

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last name, but I was here for that as well. I know that the process is time-consuming. I know that the process can be long and lengthy, but I've seen you do it. I saw you. I watched where we stood here and actually hired somebody and then they decided not to take the job. Then we went back and then we changed again. I saw all of that. Again, transparency.

I believe you guys have shown it very well, but I want to say that it should be consistent. We need to have something else done with our other interim people here. Thank you.

Claudia Cubillos: Thank you. Any other public comments?

Ives Garcia: Ivis Garcia Valherty 500 Northwest 87th street. Just to reiterate what Miss Carol said I agree, I have not met our newest village manager, I say newest because I have seen the progression of the changes. Personally, I don't have any issue if you knew Councilperson Mathis in the past, I get hired by friends all the time because small people, qualified people. I have no problem that I don't believe it's the conflict of interest especially if everybody is in agreement that she's done a good job in the process.

I do agree with the consistency it should be something that-- Just because somebody has a job, it doesn't mean that job is permanent. Fortunately in day in age other applicants come, nothing keeps you from getting other applicants for a situation. We have interim everything and get those resume's, get those applications, look at the qualified pool if the person that's in the job is doing a good job and you don't find somebody that's worth replacing then you don't replace them, you keep them, make them permanent. But just because we're agreeing to keep them, get them off the interim label into a permanent situation that still really is based on the decision of the council.

Because if the person doesn't did his job and they're not happy with it, they will be gone because it's the right thing to do for the residence, thank you.

Claudia Cubillos: Thank you Ivis. Any other public comments on this item? Okay, hearing none we're going to close up the public comments, open it up back to the council meeting any further discussion before I ask for a motion if there is one. All right, hearing none is there a motion for the village manager contract of any kind? Motion can be to continue the interim basis, the motion can be to accept the contract that is attached to the agenda, the motions could be--

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Harold Mathis: I motion to accept the contract as it is.

Werner Dreher: Second.

Claudia Cubillos: The motions been made by Councilperson Mathis, it's been second by Councilperson Dreher. There's a motion on table, any further discussion before I ask for roll call? Madam clerk?

Yenise Jacobi: Councilperson Dreher?

Werner Dreher: Yes.

Yenise Jacobi: Councilperson Roman?

Vilamri Roman: Yes.

Yenise Jacobi: Councilperson Mathis?

Harold Mathis: Yes.

Yenise Jacobi: Vice mayor Nickerson?

Omarr Nickerson: Yes.

Yenise Jacobi: Mayor Cubillos?

Claudia Cubillos: Yes.

Yenise Jacobi: Motion passes five to none. Congratulations.

Claudia Cubillos: Next we have-- will be returning one of the things that we have discuss since November of last year, one of the things that we do as a council is all of our work is done at the committee level. Therefore we recognize last year that having the attorney present at the committees was first and foremost an important to do as we move forward. In January I also ask the council if we would consider transparency and consistency which is the one thing we hear over and over. In my time being up here the committee meetings have change so much for Monday, Tuesday, Wednesday to Monday and Tuesday to Mondays.

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Since our council meet already on Tuesday and most of our residence know that I thought that maybe we can offer a Tuesday government night where we have our committee meetings that day, that January or December when we were floating the idea. We talked about either the first or the second Tuesday in the first and the third Tuesday. We ended up going with the first and the second Tuesday. However, when the new attorney was came in as a potential new attorney, he looked at his calendar and he says, "I can make everything, but the second Tuesday I have a conflict," Because I believe he says in the plan in the zoning work. Is there any way we can do the first and third Tuesday?

The first Tuesday's okay, because that there's no problem or conflict with any of us. The conflict is the second Tuesday which is public affairs, public works and admin & finance I believe. If we can-- If I can ask the council to please work with us one more time and move those meetings from the second Tuesday to the third Tuesday?

Omarr Nickerson: Madam Mayor. You brought up a great point on when this first came up, that is Councilperson Dreher, and he's the chair of public works. Public works with everything that we have going on is a huge committee, and since the huge committee there's a lot going on, there's a lot of times to where before we get to the council meeting we have to have things that need time, from committee to council. For that purpose on and you suggested it last time Madam mayor which was wonderful, that if Councilperson Dreher, is the chair public works doesn't mind, if we can move the public works committee from the second or third Tuesday to the first Tuesday. We just switch one of those committees around.

Claudia Cubillos: The reason I made the recommendation for you all to consider was because a lot of things that have come from the meeting have to be publicly noted and from the third Tuesday to the council meeting we may not have sufficient time. We'll have to move things around, but the public works it's at seven o'clock on the second Tuesday that could potentially be the third Tuesday. If you think it's not a problem, it wishes a recommendation that I floated out there, I thought that it might be a good--

Harold Mathis: I'm trying to understand because it says here, requesting here moved from second Tuesday to third Tuesday, but what I'm hearing from Nickerson is to move it to the first Tuesday of the month.

Claudia Cubillos: No, your committee.

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Harold Mathis: Correct, I'm reading here what's in the agenda. I want to be clear before--

Omarr Nickerson: I'm with you councilor Mathis. It's two different things right? The mayor because of the attorney's schedule right now we have our committee meetings on the first Tuesday and second Tuesday okay? Because the attorney scheduled he can't make the second Tuesday, the mayor is wondering if we wouldn't mind moving those meetings from the second Tuesday to the third Tuesday. Since the public works would then be on the third Tuesday that leave a small amount of time between the public works committee meeting and the regular council meeting.

Harold Mathis: I understand what you both said. But I just want to be clear what's the motion, are we saying from second Tuesday to third Tuesday are you saying why you're proposing?

Omarr Nickerson: Let's do it like this then-- Let's do this so that be cleared, let's do it like this so that be cleared. Let's focus on the first motion first, let's go from the second to the third and then we'll discuss-- I don't think so, otherwise it will be--

Claudia Cubillos: I'll try to bring it up.

Omarr Nickerson: All right, let's just focus on moving because of the attorney schedule. Moving those committee meetings from the second Tuesday to the third Tuesday.

Claudia Cubillos: Okay, do you have a question?

Harold Mathis: He's been hired, we have to work on his schedule. I don't think we need to question. Second Tuesday to the third Tuesday, we have to have council. We just need to move our committee to first.

Claudia Cubillos: No, Councilperson Mathis, I put this in that specifically to accommodate you more than anybody, because I know you are really concerned about it. In full disclosure, full transparency I would've never just made the change. The first thing is, there's three committees on the first Tuesday and there's three committees on the second Tuesday. The second Tuesday the month is the only day that the attorney is not available. We need to move those three committees to the third Tuesday. The three committees are public affairs, admin & finance and public works. I need the committee chairs and all of us if we are okay with that.

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I would recommend-- I would need a motion and then to move from the second Tuesday to the third Tuesday. The three committees and then we'll go on to the next thing after this, because I just going to wait till we did this first.

Harold Mathis: I motion to move, from the second Tuesday to the third Tuesday.

Claudia Cubillos: There's a motion to move the three committees which are public affairs, public works and admin & finance from the second Tuesday to the third Tuesday. Is there a set motion made by Councilperson Mathis. Is there a second?

Vilamri Roman: Second.

Claudia Cubillos: Second by Councilperson Roman okay we have a motion on the table. Is there any discussion to that? No.

Harold Mathis: Just to make sure Nickerson, you were saying move the public--

Omarr Nickerson: Don't worry about that.

Claudia Cubillos: Let's move, let's work on this motion and then if this motion passes, I'm going to revisit that with you on the second thing okay? In the event that it works out, is there any discussion? Okay hearing none, any public comments? We're moving our committee meetings from the second Tuesday to the third Tuesday and the three committees are public affairs, public works and admin & finance, 6:30, 7:00 and 7:30. Okay hearing none, I'm going to close public comments, open it up back to the council. Any comments before I request roll call from the clerk to move the three committees from the second Tuesday to the third Tuesday? Hearing none Madam Clerk.

Yenise Jacobi: Roll call Councilperson Dreher?

Werner Dreher: Yes.

Yenise Jacobi: Councilperson Roman?

Vilamri Roman: Yes.

Yenise Jacobi: Councilperson Mathis?

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Harold Mathis: Yes.

Yenise Jacobi: Vice mayor Nickerson?

Omarr Nickerson: Yes.

Yenise Jacobi: Mayor Claudia Cubillos?

Claudia Cubillos: Yes.

Yenise Jacobi: Motion passes five to none.

Claudia Cubillos: All right, thank you. Councilperson Dreher, also when this transpired I wanted to ask you, if you thought it would be better if we-- Now that we've moved all the committees from the second to the third Tuesday, if maybe we should consider moving public works to the first Tuesday. Simply because, if within public works a lot of public notices come out, things have to be properly noted and from the third Tuesday from the fourth Tuesday to the next council meeting, there is not sufficient time. Do you think that's necessary, that consideration?

Werner Dreher: Our committee work with the rest of the committee because I know we have the committee members.

Claudia Cubillos: Yes, the three of us.

Werner Dreher: I want to be respectful of you, and as well as-

Claudia Cubillos: I'm flexible.

Werner Dreher: - attract the people before we make any changes. I want to hear it.

Claudia Cubillos: I'm flexible. If you keep it on the third I'm okay, if you move it to the first I'm okay.

Mathias: I would suggest it to the first because there's a lot

Werner Dreher: That's been a-

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Harold Mathis: There's just so much.

Yenise Jacobi: For noticing it's a problem.

Werner Dreher: Let's bring that motion then. I would like to bring the motion to move it the third now that we made that motion, to the first Tuesday of the month with the Public Works at

Claudia Cubillos: 7:00

Werner Dreher: - 7:30.

Claudia Cubillos: 7:30 better? I'll get to that.

Werner Dreher: Yes.

Claudia Cubillos: There is a motion made by councilperson Dreher to take the Public Works Committee meeting and move it from the third Tuesday to the first Tuesday-

Harold Mathis: As the last meeting.

Claudia Cubillos: - as the last meeting. Okay great.

Harold Mathis: I second it.

Claudia Cubillos: It's been seconded by councilperson Mathis. Any discussion?

Werner Dreher: Yes, Madam Mayor. It has to do with this. Are we going to-- and this will come right after this-

Claudia Cubillos: I'm going to do it next. I'm going to a committee up.

Werner Dreher: Let's move a committee.

Claudia Cubillos: It's my committee. No problem.

Werner Dreher: When they're just heavy or when they get slide?

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Claudia Cubillos: I will take care of it. I want to do one thing at a time and it's going to be my resolution. There is a motion on the table by councilperson Dreher and councilperson Mathis. I'm going to close it up for public comments, any public comments on this move. We're removing moving Public Works to the first Tuesday at 7:30. Hearing none, I'm going to close public comments and Madam Clerk may have a roll call.

Yenise Jacobi: Roll call. Councilperson Dreher.

Werner Dreher: Yes.

Yenise Jacobi: Councilperson Roman.

Vilamri Roman: Yes.

Yenise Jacobi: Councilperson Mathis.

Harold Mathis: Yes.

Yenise Jacobi: Vice Mayor, Nickelson.

Vice Mayor Nickelson.: Yes.

Yenise Jacobi: Mayor Cubillos.

Claudia Cubillos: Yes.

Yenise Jacobi: Motion passes five to none.

Claudia Cubillos: Okay, thank you. Now my recommendation in effort not to have two meetings and then two meetings, I will move Planning and Zoning to the third Tuesday. I have to keep code enforcement and public safety together because a chief can get-- It makes more sense to keep it together.

Harold Mathis: Are we to mention that?

Yenise Jacobi: He comes out of it and commenting on this?

Claudia Cubillos: I'm sorry? I need-

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Yenise Jacobi: Nothing comes out of it and you [inaudible 01:52:03]

Claudia Cubillos: You know what, and Madam Clerk, I thought about that. How I hope that we move forward and in a time that I've met with the attorney and with the manager. We met for an hour and a half preparing for today's meeting. One of the things he's going to hopefully recommend is that we get prepared a little bit earlier. Things at Planning and Zoning, if they need to come out, they're going to have to wait a whole month. If that's the case, we'll have a special meeting and that's fine. I believe it's the-- P&Z is at 7:30, right? It's still swaps.

Harold Mathis: Do we need to make a motion for that?

Claudia Cubillos: Yes, give me one second. I'm just going to-

Yenise Jacobi: Yes, P and Z. I have a schedule.

Claudia Cubillos: Okay, perfect. I'd like to make a motion that says now Public Works is going to be on the first Tuesday at 7:30. I make a motion to move Planning and Zoning that's at 7:30 from the first Tuesday to the third Tuesday. Do you second? Does the motion by Madam Mayor could be a second by Councilperson Mathis. Any question on the days?

Werner Dreher: Yes, Madam Mayor. The other committee that is on the first Tuesday is-- was it Public Safety?

Claudia Cubillos: Code Enforcement and P&Z.

Werner Dreher: You can go back on Code Enforcement.

Claudia Cubillos: Code enforcement and Public Safety should be kept together because it's cheap.

Werner Dreher: Because-- Yes, it's cheap.

Claudia Cubillos: That's my recommendation. We have to be together.

Werner Dreher: That's true, that's true. I just didn't want to come in the way-- Public playing is not-

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Claudia Cubillos: Yes. Keep in mind members of the Planning and Zoning. We're all on there. We're all on there. Are you okay with all that, moving the change? It's going to affect all of us. I want to close the counts and open up for any public comments. We have taken the 7:30 meeting on the first Tuesday, by the way it's every other month, and moved it to the third Tuesday which Plan and Zoning which we all sit on. Hearing none, I'm going to close public comments. Council, any questions before I ask for roll call? Attorney Paul, I believe that this needs to be via a resolution so it's in writing and we all can see it, but we can be for the next meeting. Madam Clerk.

Yenise Jacobi: Roll call. Councilperson Dreher

Werner Dreher: Yes.

Yenise Jacobi: Councilperson Roman.

Vilamri Roman: Yes.

Yenise Jacobi: Councilperson Mathis.

Harold Mathis: Yes.

Yenise Jacobi: Vice Mayor Nickerson.

Omarr Nickerson: Yes.

Yenise Jacobi: Mayor Cubillos.

Claudia Cubillos: Yes. Thank you.

Yenise Jacobi: Motion passes five to none.

Claudia Cubillos: H4, at the Public Safety Committee meeting, the council-- excuse me-- the committee moved to the council of village-- a potential village-wide traffic study. Councilperson Romans' and a resident approached her and they came to the committee meeting with regards to speeding. Speeding is really no big secret. It's really a concern. Our village has moved towards a lot of small families, a lot of dogs, a lot of peacocks, and I

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believe that with all the construction of Biscayne Boulevard 995, that it is time that perhaps we revisit doing a a common study. We did it about-- I want to say like-

Harold Mathis: Five years ago.

Claudia Cubillos: - five, six, seven years ago and we didn't qualify. If we qualify for traffic common study, what that means is one of two things potentially. Number one, speed bumps can be put in placed, and number two, they may reduce the speed village wide. Speeding, again, is something that comes and it goes, comes and in goes, but it doesn't really go anywhere.

I know the residents want our police officers everywhere, but when you only have one or two on duty per shift and two is scarce on shift, they can be in this small village at the same place at the same time, which is 87th Street, which is Worthwest Second Avenue, which is 90th Street, 86th Street, Cherry Forest, Northwest Second. It's really, really difficult for them to be all at the same time in the same place.

We are hoping that maybe if the council makes a motion, and all of this is really going to do is give a directive to the manager to go ahead and open that conversation with the county to start the dialogue about a traffic study. The next component is residents have been emailing me because they want to start putting signs out. I've tried to tell the residents that we could put all the signs, Ducks Walking, Peacocks Walking, Kids Are Playing, but the police officers can't afforce the sign in this village unless it's county-issued. With that said, while the signs are really cute and pretty and some of them have been putting them up on Northeast 87th, I think our end goal is to really reduce speeding and save lives because, again, you have dogs and you have children that are walking on sidewalks, and a lot of our streets don't have sidewalks.

I ask the council that we can have a dialogue. All this is really d-- If this motion were to pass or if there is even a motion, is really for the manager to entertain a conversation with the county so we can start the dialogue and get the wheels rolling. This is nothing that's going to happen right away. Everything takes time. This is something we will have the budget for the new fiscal year because the traffic study is going to cost anywhere from 20,000 to 25,000. I know this is music to your ears one because you're thinking of traffic calming patterns or maybe swales and things like that. With that said, any questions from the council on this item?

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Werner Dreher: No questions, Madam Mayor if I may. I think this is a great idea. I remember a while vividly the whole show at Fort Claudia Hasals, and there was always talk-- There was always talk about doing another traffic study village wide. There is a cost that comes with that. I think it's been more than enough years to where-- It's time that we did this again.

Claudia Cubillos: There's just a lot of traffic.

Werner Dreher: A lot of traffic, yes.

Claudia Cubillos: Especially on your street, a lot of traffic. On your streets. Any comments?

Vilamri Roman: I agree. There's five weeks. We put it on the agenda for today, but yes, I feel strongly that-- I'm seeing more and more concerns. I just forwarded a length of poles from next door to the manager's so that she can take a look at that, but it was in reverse to speeding and some other concerns in regards to traffic. I agree.

Claudia Cubillos: Councilperson Dreher, Councilperson Mathis?

Harold Mathis: I motion.

Claudia Cubillos: We now open for public comment. At this time, let me close it up and open up for public comment. Any public comment on this agenda item?

Crystal Carroll: Crystal Carroll for 18 Northwest 91st Street. Just something for the mayor and the city manager to keep in mind when you do have this dialogue if it's decided, is that I reside on 91st which is the very last street of El Portal or the first street of El Portal, depending on how you look at it, and across the street from me is unincorporated Dade County. What I would ask, and I'm sure I'm speaking for my resident neighbors, is that if this survey is completed, please don't leave us out because Northwest Fifth Avenue, and though is not realistically El Portal except on half of the street, there's a lot of speeding on that street. It's the very first street right after I-95. That Has become a very large cut-through street.

There's a lot of traffic that speeds from the unincorporated Dade area into our El Portal area. There's a couple little small hills, nothing crazy, but it's difficult to see when you're looking on the other side. I'm just asking to take that into consideration that even though that corner is the west side of El Portal, we do too also have a lot of speeding. Thank you.

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Claudia Cubillos: You are my neighbor.

Richard Pinski: Madam Mayor, Council Richard Pinski Acreman. I think I went to the bathroom at the wrong time because I think there was a discussion about money for a traffic study, what not. When I heard money-- and I know the manager knows this, congratulations by the way madam manager, that you have the MPO which has funds available for just this. The federal government has just passed- the President has signed the \$1.5 trillion infrastructure package, that they'll have basically nine months to spend, so it's going to come very quickly. I don't know if it will be in the form of a tiger again, but it will be in some form, certainly more money to the EDA.

There are going to be moneys available, just on the traffic side and infrastructure side. Maybe later on if we have the opportunity to speak about the post-session, we can talk about some other opportunities for other projects, but just strictly the infrastructure beyond the county, there are plots of money that are available, so if the item moves forward and you're working with one and where to do it, we're happy to get with the manager and really look it low hanging fruit that's probably available right now.

Claudia Cubillos: Thank you, Richard. Ives.

Ives Garcia: Ivis Garcia Valherty 500 Northwest 87th street. To reiterate my neighbor, Northwest 5th Avenue is a huge problem. There is no stop sign between 95th street and my house on 87th street. There is a hill that you can't see over. For example if you're standing on my driveway, you can't see what's coming over, so the people that choose to use it as a NASCAR race track, which happens on a regular daily basis, it gets hairy. I have ATVs and motorbikes that come zooming through and turn on 87th heading towards North Miami to go around through Little Haiti.

It's a constant battle. Sometimes the police officers are scared because it is two sides of the village, but it does feel like the West side get forgotten in that aspect. I know on incorporated Davis across the street and I am the last block of El Portal that in the last corner of El Portal because we're on the coldest sec at the end. People get lost all the time because it's a dead end and nobody realizes, so they come through trying to find a way out, they don't realize there is now way out, but the speeding is a really big issue on that corner.

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Racing, Camaros, you name it. It's constant. I hate to envision the idea that somebody's going to come over that hill, not be able to stop at the stop sign and go right through my garage because that is the end of the stop sign, it's my garage. That is something I needs to be in mind for the West side.

Claudia Cubillos: Thank you, Ivis.

Juan Muirati: Good Evening. Hi, how are you? I have been here a while--

Claudia Cubillos: Good. How are you? Congratulations to you.

Juan Muirati: Thank you. Juan Muirati planning and zoning, preserving design.

?Speaker 1: Pictures.

Juan Muirati: Pictures later. Not on the record. Plotting and zoning, preserving design, I just wanted to mention that the traffic study is a perfect first step. Please consider that the speed bumps are just one of the many solutions that you have, if we can work with Beckerman and your lobbyist up in Tallahassee, we can look at bike lanes, we can look at curves and gutters, we can look at many other things. Even planting trees reduces traffic and I know that we're very big about planting trees. I don't-- I would recommend that we don't think about speed bumps unless you look at the whole thing. If we can find something up North that can pay for a full holistic view of what the traffic is and reduce even traffic by providing bicycle lanes for your residents. That's a very healthy and very simple solution. Holistic, think holistic.

Claudia Cubillos: Definitely. Thank you, Juan. Any other public comments? Okay, hearing none I'm opening it back to the council. Is there a motion to move-- Is there a motion giving the manager's directive to start to process in conversation with the county, with regards to our traffic common study in El Portal? [crossstalk] A motion made by Councilperson Roman, second by Councilperson Mathis. There is a motion on the dias. Any question before we request roll call? Okay, hearing none madam clerk roll call please.

Yenise Jacobi: Roll call. Councilperson Dreher.

Werner Dreher: Yes.

Yenise Jacobi: Councilperson Roman.

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Vilamri Roman: Yes.

Yenise Jacobi: Councilperson Mathis.

Harold Mathis: Yes.

Yenise Jacobi: Vice Mayor Nickerson.

Omarr Nickerson: Yes.

Yenise Jacobi: Mayor Cubillos.

Claudia Cubillos: Yes.

Yenise Jacobi: Motion passes five to nine.

Claudia Cubillos: Councilperson Dreher, H5 and H6, since it's one agreement we can put them all together. I've had the opportunity of H5 and H6 is to execute the waste water grant agreement as well as the storm water loan agreement. I can ask Steven Lyes if you'd like to come up and say a little bit about it. This is just the solidification of the application that was submitted along with the resolution. I believe it was submitted in January, because we were just waiting for the CITT letter. This was the formality of the agreement that we said was pending that needs to be signed.

I've read it. I know I'll definitely ask our attorney to say a couple of words that we like to as well because I know he-- Manager and I were discussing that yesterday. Briefly we when we were prepared for today's meeting. Thank you Steven.

Steve Lyes: Good evening. For the record, Steven Lyes with Panonne. You've pretty much you've said it all, but to add on to that, obviously we've been talking about this for about six months. This is the formal agreement to accept the funding assistance of the DEP approved back in August, so now all the legal opinions and the resolutions and everything is in order. It's gong to the DEP underwriters and they have prepared these agreements to pretty standard. Although they added some specifics for the village, and those agreements for both the sewer-- the septic sewer project and the storm water facilities planning project is now before you.

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The one caveat that I'd present, the term of the agreement is that, because I evaluate the interest rates for any moneys that have to be borrowed on the project, those interest rates get adjusted quarterly, so the one thing that this is time-sensitive with respect to the interest rate is defined in there. It's 1. -- I'm going off-memory here. It's 1.16% or something like that for the planning part of the project. As long as the village executes that agreement by April 1st, it locks in that interest rate.

Claudia Cubillos: I read that.

Steve Lyes: Okay.

Claudia Cubillos: Literally we have a day. We read that and we were aware that the deadline must be submitted by April 1st.

Steve Lyes: Okay.

Claudia Cubillos: It's going to be signed by myself, the attorney as well as sealed and attested by the clerk. Does the council have it?

Steve Lyes: It was included on the package. I have requested it.

Claudia Cubillos: Any questions to Steve?

Omarr Nickerson: Not really madam mayor. I would just say is you got to know, you guys said that you guys are working on a week or sooner or later get all the deadline dates and things like that and-- Okay? Yes and they had their workshop and there was a special public works meeting, I stood up because I now work for the committee so I was sitting out there for the workshop and for the special-- for the works meeting weeks ago. I went to the podium and I said that it would be because of a lot of things that had come up and it's always like you know what this is like, do now, it's these deadlines coming up or this and that, and I said going forward could we get a list of those deadlines and what's coming up and things like that so that we're just not told up here and they were like, "Dang." We never really know, so we can see it coming.

Claudia Cubillos: To add to that-- That's a good point. Last night I was at your-- the workshop that you held for the residents here and you laid out some dates with regards to how-- what happens after definitely-- I didn't take notes last night, I apologize, but if there is

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a way you can get us on e-mail, so that the manager can send it to all of us because I think that's important and you made a comment about August, and you made a comment about the dates and there's difference between shovel-ready and at the construction when the construction goes to bid.

I think there's just a lot of layers that-- and when the village has to actually start paying it back and when the residents have to be concerned about they're going to have to pay. If we can get all that, it would better help us see it visually, that would be great too.

Werner Dreher: Okay and just for the record-- I apologize I can't help there's a lot of paperwork involved in this process, but for the record we have had public hearings back in June and we had-- we made a presentation and we had all these dates, but I'm sure it was new to you. You might not have absorbed it all, but we had kick-off meetings and we're trying to put together all the dates and the milestones, but I know it's a lot. Every time we turn around there's a hearing or resolution, but we are trying and you're right. The last two hearings we do have-- The last couple of slides have a lot of the milestones that are completed and we listed some of the ones coming up. Robert just tonight asked for a copy of that so we kind of cut that out and we've sent out to Robert so we can provide that to you.

Claudia Cubillos: Almost break it down to you know, lesson for what do they say?

Vilamri Roman: Dummies?

Claudia Cubillos: [laughs] Lesson for the dummies, break it down where the dates will be like-- and I think you did give us, when we had the kick-off you gave us like a long spreadsheet of all timeline. If we can just have a little snippet and we'll be good with putting it in our calendar and we just know so we're not hearing it- because even though we may have heard, it's going to be in our calendar and usually most things I put in my calendar because I can't possibly remember everything. But I did remember all those dates yesterday and the dates from timeline I have it there, but as far as we move forward there's might be new dates whenever and I think that's just as important.

Steve Lyes: The good news is we're through I think the shovel ready stage and we're going to make application in June so we got good at the process now so we're going to have to go through the exact same process for the construction phase so we'll repeat the process here so hopefully will make it a little quicker.

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Claudia Cubillos: Thank you. Any questions for Steve? Attorney, did you want to say anything with regards to the contract or?

Attorney: No, I reviewed both of the contracts and the loan agreement, I'm fine with that.

Claudia Cubillos: Just by April 1st, okay.

Attorney: You just have to sign it by April 1st.

Claudia Cubillos: Okay, we're going to move on to H7.

Robert Ruano: Robert Ruano, 1544 Morse Avenue Court Coral Gables. I just want to say for the record that everything looks fine, we received these on Friday and then another one I believe yesterday. I was talking to Erwin about it and he has not had time to fully review it. So I would just say if he'd make a motion which I would encourage to make a motion to accept it, but with the contingency to make sure that Erwin and the city attorney or the village attorney, we make sure that Erwin gets the blessing. Going forward I want to make sure because I don't want to come up here and try to sell you something and as your project person and your contractor, try to sell you something that we haven't dotted all our eyes in and everybody, the attorney and the CFO have not reviewed properly.

We need to make sure before it goes out and it actually has to go to them by April 1st so it has to be executed and signed by everybody and go out the door on Thursday, two days from now, okay. But I would say yes, let's please make sure that any of these before I propose anything for you to sign, I want to make sure your that attorney and your CFO have reviewed it and signed off on it. That's my two-cents.

Claudia Cubillos: No, good point, thank you. Can we be sure that Erwin gets it this evening?

Robert Ruano: Yes, I told him.

Claudia Cubillos: I thought he had it, okay. [crosstalk]

Robert Ruano: I talked to him about it, but he'll receive it tomorrow.

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Vilamri Roman: : He is in the office on Thursday so maybe we can make that the priority for [unintelligible 02:12:58]

Claudia Cubillos: Councilperson Dreher.

Werner Dreher: Yes, before we jump in to H7, I'd like to make a motion on H6, right? Those two because we're going to H7 you said so we're going to make a motion to authorize the mayor designee to execute the funding for the waste water Agreement WW1300Z0, right? As well as authorize the mayor's designee to execute the funding of the Storm-Water Agreement SW1320L0 with the contingency that the CFO reviews it. Do I have a motion for

Claudia Cubillos: There's a motion to accept the waste water grant agreement WW1320CO, storm-water loan agreement SW1320LO contingent upon ensuring that the CFO reviews it. Is there a second to that motion?

Omarr Nickerson: Second.

Claudia Cubillos: It's a second by Vice Mayor Nickerson. Before I- there's a motion on the table, madam manager I just want to be sure that anything that was related to some money should always in copy of all emails to make sure that he- we're definitely ready to move forward and so he's back on Thursday and he already has it in his possession? Okay, perfect. At this time I'm going to open up for public comments on this H5, H6, with just a formality to what we've done a few months ago. Okay, hearing none, madam clerk, may have a roll call please.

Yenise Jacobi: Roll call, Councilperson Dreher

Werner Dreher: Yes.

Yenise Jacobi: Councilperson Roman?

Vilamri Roman: Yes.

Yenise Jacobi: Councilperson Mathis had to leave. Vice Mayor Nickerson?

Omarr Nickerson: Yes.

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Yenise Jacobi: Mayor Cubillos?

Claudia Cubillos: Yes.

Yenise Jacobi: Motion passes four to none.

Claudia Cubillos: Okay, excellent, thank you. At this time, we are in lieu- we are in receipt of a letter from the county and I'm going to please ask Steve to please come up to and Robert I want to thank you for the questions. There were some really great questions that you emailed Steve Lyes. This is- you can come up see this is a- As we move forward with this, the county will assume the utility of the septic to sewer and there's going to be a cost for the village, from the residence a lot of that was discussed last night. It's been discussed for the last you know, year that we've been working on this so our project manager Robert Ruano brought us some really good points and questions so I'm hoping that you have the answers for us this evening.

This is nothing that we really need to make a motion on it's more I think, dialogue and I want the council to be aware of the potential agreement that we're going to be signed, that's going to be signed and the answer needs to be to them by April 16th. This was initially given or received by Steve or I believe Jason Rice received it initially on February 14th, but I'm sure we were all probably a little busy that day on February 14th, enough of valentines it was the terrible shooting. But then it was given to Robert Ruano and then it's been given to the manager so this has been in the village's possession since February 15th, but it's got to be executed and done by April 16th, am I correct?

Steve Lyes: Well, a little clarification on that and just a little background. This is the result of the village for the first time connecting to the county's utility system so you're essentially, starting potential starting a new utility, a quasi utility in partnership with the county so in order to do that they treat you as a new customer like a developer, you just happen to be a village. So in doing that they required us as a part of phase one sewer project to master plan the entire system for the village and we've made application with the first phase of plans to the county and so their legal staff and technical staff of all put all their thoughts together and this is a pretty standard process- what is a standard process for them to prepare a utility agreement which will define all the terms and conditions of whose going to maintain things and how money will be repaid potentially to the village over time for people that connect into the system.

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All those things are I think is about a 22-page agreement, normally it's a two-month process to turn that around because they have a consent decree and things change so they assess their capacity availability and they put all the terms in this agreement and typically require a two-month process so that's what are originally where the April 16th deadline came from, but since that time, I'd say that's the normal process. Robert happens to know the attorney I believe that drafted the agreement and I've seen his email correspondence where they've, I'm not sure if it's official- official okay.

They've granted I think a six-month extension to this so to relieve the pressure because really it's a legal document and your attorney should be reviewing this, there's a lot as we've mentioned there's a lot of terms and conditions in here. This is a big deal and there probably there's room for negotiation that should be done. I'd recommend, on our end there's no real rush to have this agreement executed it's all Date county. You're not going to be out to construction until

Claudia Cubillos: You said January of 19th

Steve Lyes: Bidding, yes.

Claudia Cubillos: [laughs] [crosstalk] Then it won't go out until January of 19th, is what you said.

Steve Lyes: Realistically, I would shoot for maybe a two-month target to get this negotiated and approved just so we can make sure DEP funds the project and there's no hold up there. But I think the April 16th we can back off that.

Claudia Cubillos: That's great because when I spoke- I called the attorney today and I said you know everything in the agenda looks pretty good I go, but this agreement is a little stiff I think we really need to take a look at it and read it and then I got your email that the manager sent us- which I'm not an attorney and I had a lot of similar questions that you were laying out so I have a much better comfort level in and this is the first time that you're not rushing us Steve, this is good. [laughs]. This is good.

Steve Lyes: I just follow the procedures of the channel.

Claudia Cubillos: Okay so is there a way that we can get that in writing that we have perhaps additional months

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Steve Lyes: We have it in writing.

Claudia Cubillos: Councilperson Dreher. Okay. Thank you. Councilperson Dreher with that, that we move this so we can go to the next items since we know have a few more months?

Werner Dreher: I rather just move forward with that I put on the agenda, right to start have the request of attorney.

Claudia Cubillos: Yes, of course.

Werner Dreher: Because that's the actual motion that I would like to bring up. I would like to bring a motion to request the attorney to review and negotiate, start negotiating the Date county has that utility agreement and we're going to bring it for approval with April 16th, that's what we had discussed in the committee meeting and that was what actually was- we got into a votes so we've been extended.

Claudia Cubillos: Yes, but I don't- I mean given what I think what we've heard I don't think that's a realistic time frame because I think we're selling the village short by not perhaps having a little more time there's no rush- I agree there needs to be a motion that the attorney immediately starts working on it, but to have answers to us by April 16th, I don't think there's a sense of urgency if we have more time

Steve Lyes: From our standing point, from a project timeline keeping things moving, and I'm not a hundred percent positive of this, I would just say as gut feel, trying to secure an approval within two months, would be the goal, but I have a feeling some of these terms that can be negotiated in here, dollars and contribution and this sort of stuff, I have a feeling if the village proposes a change it's going to take 10 attorneys on their end to evaluate it with their technical staff. It's going to take time going back and forth. I would not let it sit around, but anyway.

Attorney: If I may madam chair, I think we need to be really deliberate. I'm obviously going to take the six months, but I think the instructions should be to review it, come back within at least the next three months to get it done, that way I can work with the consultant, they can identify areas where we can actually negotiate it. There's also legal opinion that I noticed that they called for and hear that we've to put together so I think rushing in would be a detriment to the village.

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Werner Dreher: If the April 16th date doesn't seem to be we need more time, so I want to hear what's a reasonable time and compromise between the attorney and the firm as well so we can make a motion.

Attorney: I think at minimum if I may, Councilman Dreher I think at minimum we should put on the agenda that we come back with at least the report as to where we are, not at the April meeting, but the May meeting. At that time we may have a realistic horizon as to where we are in the process and what the county is looking back in terms of recommended amendments or visions. That will give me an opportunity to sit with him and identify those areas that can benefit the village.

Werner Dreher: I have a quick question here. We're saying the May time-frame for the council meeting. Are we saying you're going to review it as well negotiate and bring in a form of approval for that May time-frame? Is that what you're saying?

Attorney: No. What I'm saying simply is this. I'll make a motion to direct the attorney, which is myself, to go ahead and begin reviewing the contract and beginning the process of negotiating with the county for approval of the agreement. For purposes of the agenda, I'll put on the agenda for the May meeting to come back with a report and if at all possible with the time certain estimate we expect that the agreement will be actually finalized and executed.

Werner Dreher: Let me understand here. A motion to review and negotiate with the Dare County and just bring a proposal by the May time-frame?

Vilamri Roman: Yes.

Attorney: To bring back a report as to where we are in terms of negotiation and if at all possible to provide the village and the council with a projected finalization of the contract. It's just that us on this side we haven't even begun to negotiate and even proposing changes to the county and I guess the consultant can tell us better, but recommending changes has to go up the pipeline especially where the county's concerned.

Werner Dreher: All right, let me repeat the motion. To review and negotiate with the Dare County to bring a report during the May council meeting for you to show a report where you at-

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Attorney: Correct.

Werner Dreher: - and that report will state when the finalization date for review will be.

Attorney: We'll preferably do that. I think that's realistic.

Werner Dreher: I want to hear from the Engineering firm as well based on that we have timelines, commitments and all that as well.

Steve Lyes: Just from our project, perfect world, I wish it could be quicker, but I agree that it's got to be deliberate. This is a big deal. There's a lot of dollars at stake. I'll commit that we'll make ourselves available immediately to-- I think we probably need to strategize on what items can be negotiated and maybe an initial meeting with the county just to test the waters so to speak. It maybe possible to give that report in April which I guess will be five weeks from now just an interim report and maybe possible, if there's nothing to negotiate, we might be ready to approve it.

Claudia Cubillos: Robert, would you want to come up since you're the one that's- you have the extension date and [unintelligible 02:24:40].

Robert: Yes. I agree with the attorney. I think getting back to you in May with the report is very feasible and doable. This doesn't mean that we're slacking off on negotiating it, I want to get it done as fast as possible, but this agreement puts you on the line for certain payments. It also mentions property that you have, that you control and that's where you're putting your system. Currently the design that they have has part of the system on property that we don't control. We have to hush that out because we have the whole pump station on the school's site.

We got to figure that out, we have the deadline not only from this and we will move quickly to get this done. Remember we have that parallel path with the school's system to negotiate where that pump station will be. I think to councilman Dreher concerns, we're moving very quickly on this, but we want to do it carefully because this could put you on the line for a lot of money in terms of connection charges down the line.

Werner Dreher: Just to be clear then, from your perspective, from the project management perspective, we are looking to have a report by the 22nd, which is the fourth-- where we are with legal review. All right, with related to this contract and then when would you foresee to

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have finalization date based on the timeline you have on the project just so we can set some expectations here as well with the attorney.

Robert: If all goes well with the county, with WASA we could very potentially have something to present to you in May, but because of the parallel issue with the school district, we can't resolve the WASA contract until we resolve the issue with the school district. That could push it up further. You're talking June, July. I'm being totally realistic on this. We need to let those processes play out because remember we're asking the school system to give us a plot of land that's 45*65 and basically deed it to us. That doesn't just happen in one day.

Claudia Cubillos: Okay.

Werner Dreher: All right. Sorry. Can I just to make sure because--

Claudia Cubillos: Go ahead.

Werner Dreher: We're going to be asking to have that review in May that's clear. [crosstalk] We're doing it talking about on the finalization date, that's where my question is. I know there's some dependencies from the county that are beyond our control--

Claudia Cubillos: Councilperson Dreher may I add something, would it be a little more realistic, because there are a lot of moving pieces here to say that when they come to us on May 22nd they may have at that time a more realistic time-frame as to what that end date's going to like? I think it's too hard to give them that time-frame now when they'll just going to start a dialogue.

I think that and May 22nd when they come to give us a report, at that time, they've had conversations, meetings with all the individuals from school board, which is not that easy, from the county as well with attorneys and then we'll understand what the give and take may look like and then at that county meeting that may be able to tell us, "June is going to look very realistic, August is going to look really realistic." I think it's too premature to expect that answer tonight.

Werner Dreher: Well, if you may let me finish to what I was going to say, definitely have a report by May and then make the recommendation on what you see when will be the final day-

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[crosstalk]

Robert: I think that's realistic that by May we would have a better understanding of the time-frame.

Werner Dreher: Great. I would like to make a motion for the attorney to review and negotiate the Dare County waste and sewer utility right agreement, bring it to the May council meeting with a report where we at and as well with a recommended finalization date. I have a motion for that.

Claudia Cubillos: There's a motion by councilperson Dreher to move H7, to have the attorney start negotiating the process with Dare County, bring us a report on May 22nd and at that time a possible date of when this could come to fruition. Is there a second?

Vilamri Roman: I second.

Claudia Cubillos: There's a second by Councilperson Roman. I've a motion on the table. I'm going to close and open for public comments. Anybody in the public has a question or comment about this? I'm going to close the public comments and open it back up and say thank you. This is really, as Steve pointed out and Robert pointed out, this is an encompassing project that puts the owners and us a lot as well as the resident so thank you for extending the time because I think it's very necessary. Madam clerk may I have roll call please?

Yenise Jacobi: Roll call. Councilperson Drea

Werner Dreher: Yes.

Yenise Jacobi: Councilperson Roman.

Vilamri Roman: Yes.

Yenise Jacobi: Councilperson Mathis had to leave, Vice-Mayor Nickerson.

Omarr Nickerson: Yes.

Yenise Jacobi: Mayor Cubillos.

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Claudia Cubillos: Yes.

Yenise Jacobi: Motion passes four to none.

Claudia Cubillos: Great. Thank you. Now we're moving to-

Werner Dreher: H.

Claudia Cubillos: H8. We have, I bring back Steve up again with regards to proposing, accepting \$10,000 to work on for their receiver Robert to come up and talked about H8 please.

Steve Lyes: Yes, at the last council meeting we talked about this proposal which is the proposal by Pannoni to provide us both grant writing in terms of trying to get us grants for the connection for the residence, after the fact and negotiations with WASA right now. Right now, there are engineers. They're doing these designs and everything, but they're asking for other time to come into our meetings with us and help us in negotiation.

Based on that, I think that we see a value in them being there in terms of trying to negotiate this. The connection fees is going to be over a million dollars all told. We've been going back and forth with them and I think at the last council meeting we talked about that yes, we wanted to move this forward, but that we were going to go to the village manager myself. We're going to keep talking about to Pannoni to try to flush out the details of this agreement.

As of today, going back and forth on language, as of today, I received a proposal from Pennoni to bring that cost down to 10,000. I'm sorry from \$10,000 to \$6,000 and then to reduce the scope just for one of the grants and coordinate with DP and prepare that. That's one point. The negotiation assistance with the county commission staff to pursue cost sharing and then research discussing with county staff concerning the technical and permitting requirements for septic system abandonments.

I think that based on this. I think it's agreeable now because it takes out- it really focuses on the area which we need which is the negotiation with the county. Obviously, we're going to be negotiating with them, but I even verified with CAP Engineering who is your contracted, I believe public works or building official and I said, "Is this something you would do?" "Is this something you know you're contracted?" They said that it's better actually that Pannoni

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does it because they've been there familiar with these types of agreement much more than CAP.

It's not something that they do a lot. You haven't seen this? I just got it today. I'm just letting you know. I'm not proposing that you- but the agreement seem sound in terms of something that we could use but--

Vilamri Roman: I've two questions. The first question I have is- I don't know if you wanted to say anything because I know that we also talked about this, but just because I don't have it in front of me. Can you reiterate so this this? If this were accepted and moved for the \$6000- there's already a copy of that, but I guess the question would be- Are they still going to negotiate on behalf of the residence who are trying to find funding for them?

?Robert: They would apply for what is called a section 319 grant which actually the deadline closed on march 9th, but according to Steve if they could and you can clarify. You could still put one in by April 1st and they would accept it for this funding cycle.

Vilamri Roman: April 1st, this has to be--

Robert: He would do an application for the section 319 in three days, okay?

Claudia Cubillos: One thing I want to reiterate and remind the council is that and I heard it from a few residents last night. We were awarded this grant on that specific phase based on that it was categorized as low income. As a result, clearly, their concern is the connection fees. This is important because we may have been awarded money to do this, but if you put the onus on the residence because of the low income that actually allowed us to be qualified it's sort of puts us not on a great position.

I would like to really reiterate and reinforce to the council to think about that, if we're going to move forward with this that I would really like to see that due diligence and that work specified and that's the priority when it comes to this possible agreement of \$6,000 if it's going to be to see what it is that we can do for them because that's the concern that they have because they're going to pay whatever the fees.

I think it's \$3,000. I don't remember the exact fees. All that said, I think that's where I just want to make clear and remind that just got to be a priority to you.

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Werner Dreher: I have a couple questions, if you may allow me. You've mentioned a couple words here, reduction of scope with this grant from \$10,000 to \$6,000 that's clear right? But when we spoke last when we had a committee, the Public Works Committee. We're talking about \$10,000, the scope was pretty much discuss from that time we had the Public Works Committee. How may I got to where we at? Why are we reducing the scope? I know we want to obviously reduce the \$10,000 to \$6,000 that's clear, but where did that come out of?

I know a councilman Mathis that is beavering up the question though, but is it really reducing the scope are we truly going to be getting that through aid that we're looking forward to help our residents connect to that sewer system? I just want to understand before why this change now. Besides, I understood because you got council Mathis. He did mention about seeing the potential to reduce, but I want to understand more what's being removed from the scope? Perhaps, you can help me up--

Steve Lyes: Let me explain. He can find it in here. Originally, we went back to them and said the two grants. The one that we knew about which is the section 319. The deadline has passed. Let's take that out of there because you're not going to do this fiscal year. Why are we going to get you under contract for something that you're not even going to do until next fiscal year? The other grant is not- we're not talking about that right now. We're just doing one grant and we're doing the negotiation for WASA.

What was taken out was that other grant and assistance in helping us and helping the village become a utility which you have decided you do not want to take that responsibility on. Those pieces have been taken out. Now, we're getting to really what we need which is negotiating with WASA to reduce the amount that we're going to paying connection charges and applying for funding so that residents can have a way to fund those connection charges. Those are the only two crucial pieces on this proposal. It's in for the record, I'm sorry it's \$6,300. To be perfectly--

Claudia Cubillos: 300 okay.

Robert: Yes that's really quick. That's pretty much here. We're going to apply for two different grants. We're going to apply for one. There are some utility and I really think that you're attorney needs to look at this even though you're not a utility. You probably still need to modify you're land development code and some of your ordinances even though the county is going to be providing the service. We're going to assist with that, but I'm not

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saying that the attorney can't do it or you can go to another utility and copy theirs and use that as a starting point, but we've helped start up a couple utilities. There is some work involved with that, but we took that out.

Claudia Cubillos: Any questions from the council to either our project manager or to Steve? I believe now we have- correct me if I'm wrong Robert this has to be approved by April 1st?

Robert: No this is not. This is separate. This is an agreement--

Claudia Cubillos: Yes, I know. I thought you said it's April 1st or something? I miss that.

Robert: I'm sorry, the grant is going to be submitted by April 1st. Yes, he would need to start working on it. If he's going to submit that grant.

Claudia Cubillos: Okay, we have moved. We've reduced the scope that you're going to submit to us because we have not seen and if would've been reduced from \$10,000 to \$6,300 and part of the scope is to assist in funding for our residence along with a few other components to that. Attorney, this has to be done via a resolution, but it can be approved. The contract is attached however is not accurate because the numbers have changed and so the scope.

You tell us the way forward. If this should move forward, I need the way forward it needs to be based on the fact that we're not deferring information.

Attorney: It would simply be a resolution to approve the supplemental agreement to the master agreement with the amendment to let the scope and services to include research and potential section 319 grant funding opportunity for septic tank abandonment and water service line construction and administered through FTPs land profit source funding, fund section. Coordination of the FEED and preparation of this section 319 septic tank abandonment of sewer service and line grant application, negotiation assistance with them and the commission staff pursue funding and assistance/cost sharing for the villages 20% loan portion of the phase one sewer system cost.

Last research and discussions with the county staff concerning the technical and primary requirements for septic system abandonments. You'd be proving the supplement agreement with those amendments of the scope of score services are just based upon what was just handed out.

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Claudia Cubillos: If there is a motion by a council member, what would the motion be, to accept?

Attorney: The motion is to accept the supplemental agreement to the master agreement with the amendments reflecting the scope of service as identified in the correspondence dated March 27, 2018. And I just read the record and that would be in the resolution.

Claudia Cubillos: Okay. The attorney has read what the motion would be. Is there a motion from the council members to accept that?

Vilamri Roman: I'll motion to accept that.

Claudia Cubillos: Councilperson Roman has accepted. Is there a second?

Omarr Nickerson: I'll second.

Claudia Cubillos: Okay Vice Mayor. Nickerson has second and there's a motion on the table. Any questions on this motion?

Werner Dreher: Yes. Madam Mayor, this is for the attorney, we're accepting it with the change of the scope of a-- Do we also have to, for the record, say the change of the-- from the 10,000 to the six. Should we also say that?

Attorney: That's in the-

Werner Dreher: Or are you including that with the scope of services?

Attorney: Yeah. It's in the document.

Claudia Cubillos: It's in this.

Werner Dreher: No. Yes okay. I didn't know if he wanted to-

Claudia Cubillos: To put it on the record. Is there any comments from the dias? Okay. Hearing none. Is there any public comments? And I guess my question is to Robert and Steve, are we okay with the motion that's passed is it something you can both work with? Any other questions or from the council? From the public? Okay. Hearing none. I'm going to

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close public comment open up back to the council. Any question on the motion that was read by the attorney, but it was moved by Roman and second by vice mayor Nickerson. Counselor. Hearing any Madam Clerk? Roll call.

Yenise Jacobi: Councilperson. Dreyer?

Werner Dreher: Yes.

Yenise Jacobi: Councilperson. Roman?

Vilamri Roman: Yes.

Yenise Jacobi: Councilperson Mathis is not here. Vice mayor Nickerson?

Omarr Nickerson: Yes.

Yenise Jacobi: Mayor Cubillos?

Mia Kubinho: Yes.

Yenise Jacobi: Motion passes, four to zero.

Claudia Cubillos: Excellent. Thank you. Robert and Steve. H9, I believe the date is wrong. We are having a public hearing. The Pannoni's presenting the stormwater facility plan, but it's not April 3rd its April 4th.

Vilamri Roman: April 4th.

Claudia Cubillos: At what time?

Vilamri Roman: 7 o'clock.

Claudia Cubillos: April 4th at 7 O'clock. I believe that is a Wednesday. So there is going to be a public hearing presenting the Stormwater facility plan on April 4th. I'm here. That's Wednesday 7 O'clock. Did you need to add anything to that? Okay. Hearing none. Excellent. Thank you. We're going to move on to the ordinances. Our first ordinance on the record, this

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is the second reading, its ordinance 2018-01. Attorney, can You please read the ordinance to the record,

Attorney: Yes Madam Mayor. An ordinance of the village of El Portal Florida amending the code of ordinances chapter five, appendix permit fee schedules only fees in order to amend the zoning fees, providing for incorporation of recitals, providing for conflict and repeal, providing for severability, providing for codification, providing an effective date.

Claudia Cubillos: Excellent. Thank you so much. I want to bring up Juan at this time and Camilla to please talk a little bit more about this and I want to remind or inform the council that from the first reading to the second reading, there has been a change and I just want to be sure that Juan recognizes that. As a reminder, when this was first passed, we gave 60 days instead of 30 days because we wanted the opportunity to have a town hall, which we did.

At that town hall we had a few, usually a lot of residents, but one resident pointed out what would be, I don't want to say an era, but something that could be placed better, or look better, or made more sense, better's a better word. As a result, or has it changed to this second reading and I want Juan to please let the council know exactly what that changes before we move forward.

Juan Muirati: Certainly Juan Muirati, planning and zoning, preservative design. The major change that we did was really formatting. The biggest one was the formatting. We separated Z3 from Z4 and Z5. That is single family residences from everything else, for both clarity and so that residents know exactly what it is that they would be paying. We also reduced the fee for something that we have introduced, which is called site improvements.

It makes complete sense. There is some confusion in the code with regards to what a site plan approval is. It's a process by which is required before certain applications, site improvements would be anything from a new pool or a fence, and that doesn't require a site plan approval. We've created a separate category for it, which is comparable to the average that we found in the seven municipalities that we're comparing this to.

The average is 270. What we've recommended is 300, that's pretty much it. That's pretty much the changes that we've done from the first reading to the second reading. I'll just remind you that these fees have not been changed since 1965. I found out, I did a little bit of

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research, so it is time for the village to look at comparables and to update their fees accordingly.

Claudia Cubillos: Okay. Thank you. The clerk does have copies in the event that any residents in the audience who would like some. Does the council have the update?

Vilamri Roman: Is there another?

Juan Muirati: We've printed extra copies in case. Madam mayor, if I may, one additional change that we made was to increase slightly the variances for Z3, and that was taken into consideration the amount of time that it would take for us to come to three hearings and to do all the due diligence needed for a variance. That went up from 500 to \$700.

Yenise Jacobi: I asked the council if they have any questions for Juan, this is the time to ask. I was at the town hall, so I'm pretty comfortable with this and we've spoken to great length yesterday, again with the attorney on this, but I asked Councilperson, Dreher, Councilperson Roman and Vice Mayor Nickerson, if you have any questions on this before I open up for public comments.

Omarr Nickerson: No Madam Mayor. I want to thank you guys for this and bringing us into the present. We appreciate it.

Yenise Jacobi: Councilperson Roman?

Vilamri Roman: No, I have reviewed is this new? I didn't remember.

Juan Muirati: That's been-

Vilamri Roman: Is this the change?

Juan Muirati: I believe you have the new one which makes-- Does it start with Z3 site improvements?

Vilamri Roman: Okay

Claudia Cubillos: Yes she has the new one.

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Vilamri Roman: No, I don't have any questions.

Claudia Cubillos: Just to reiterate the way it was before, our town is split up into Z3, Z4, Z5 and the question that came up at the town hall was that Z3, which is predominantly the entire village of El Portal, Z4 which I believe is the northeast second corridor of our business. Then Z5, which is the little farm there was, it didn't make sense that they were all shoved together and that the same would be paid if you're Z3, which is all of us single-family residence or Z5, which is going to be the future of midtown of little farm and Z4 which is the sanctuary.

The fees had to reflect commercial and all that stuff and that's what was separated in the line item, correct?

Juan Muirati: Correct.

Claudia Cubillos: All right. Any other questions for Juan? All right hearing none, anybody from the public that has a question for our planning consultant? There's only one resident. Okay. Hearing none. I'm going to close public comments. Do I have a motion to accept? This is the second reading so second reading is final.

Werner Dreher: Question.

Claudia Cubillos: Yes.

Werner Drehe: If we approve the motion to accept these fees. When does it take effect?

Claudia Cubillos: Immediately.

Werner Drehe: Immediately?

Claudia Cubillos: Yes sir.

Werner Drehe: Tomorrow?

Claudia Cubillos: Yes. That's why we gave a member, that was the topic that came up, that's why we gave a 60 day window. There was residents here when it was first passed and then we said, well, we're not going to adopt it at the next council meeting. We're going to do in

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two council meeting later because it was allowed for town hall and then there was a town hall on this matter in February.

Werner Drehe: I remember the town hall but, the question when?

Claudia Cubillos: Immediately

Werner Drehe: Immediately?

Claudia Cubillos: Yes. All right. Thank you. Any other questions? Okay. Hearing none. Is there a motion to accept the second reading of this new El Portal? Zoning fee schedule

Vilamri Roman: Motion.

Claudia Cubillos: Motion made by councilperson Roman. Is there a second?

Werner Dreher: Second.

Claudia Cubillos: Second by counselor person Dreher. Madam Clerk may I have roll call, please?

Yenise Jacobi: Roll call. Councilperson. Dreyer.

Werner Dreher: Yes.

Yenise Jacobi: Councilperson. Roman?

Vilamri Roman: Yes.

Yenise Jacobi: Vice Mayor Nickerson?

Omarr Nickerson: Yes.

Yenise Jacobi: Mayor Cubillos?

Mia Kubinho: Yes

Yenise Jacobi: Motion passes four to none.

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Claudia Cubillos: Okay. Great. We have in second ordinance. It is also again, a second reading. This is done every other year as we move into elections. We've got to approve the qualifying dates. May you please read the ordinance into the record.

Attorney: The ordinance of the village of El Portal Florida to amend section 6-4 of the code of ordinances relating to candidates qualifying period providing for incorporation of recitals, providing for appeal, providing for severability, providing for inclusion in the village code, providing for an effective date.

Claudia Cubillos: Okay, thank you so much. Madam Clerk, just to confirm the qualifying dates are? It's August 13th through noon on August 24th.

Yenise Jacobi: Yes, it starts at noon on August 13th through noon August 24th.

Claudia Cubillos: Okay, those are the qualifying dates if you want to run for office. All five seats are up every two years. I'll open it up for public comments? Anybody has any public comments on these. Okay, hearing none, I'm going to close it. I have a motion to approved the second reading of ordinance 2018/02.

Vilamri Roman: Motion.

Claudia Cubillos: Motions were made by Councilperson Roman. Is there a second?

Werner Dreher: Second.

Claudia Cubillos: Second by Councilperson Dreher. Any discussion before we request roll call? Hearing none. Madam Clerk, roll call?

Yenise Jacobi: Roll call. Councilperson Dreher?

Werner Dreher: Yes.

Yenise Jacobi: Councilperson Roman?

Vilamri Roman: Yes.

Yenise Jacobi: Vice Mayor Nickerson.

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Omarr Nickerson Yes.

Yenise Jacobi: Mayor Cubillos?

Claudia Cubillos: Yes.

Yenise Jacobi: Motion passes, four to none.

Claudia Cubillos: Excellent, thank you. We're going to move on to reports. The first report that is up is mine, and what I'm going to do is in the spirit of patience in lieu of my report, I'm going to ask the lobbying firms to come up and give us an update on the legislative session? You're all were in K1, but you have to go through seven reports, so you can use my time.

Richard Pinski: It's quicker.

Speaker 1: Yes.

Claudia Cubillos: No problem. Come on up. Introduce yourselves, please.

Richard Pinski: For the record, Richard Pinski, Acreman, and Kevin Cabrera Southern Strategy Group.

Elon Notelas: Elon Notelas, Notelas and Roberts Group.

Richard Pinski: Mayor, Council, Madam Manager, Mr. City Attorney congratulations to you. We wanted to come in the first meeting following this session. We felt it was important because not only was the session itself, every session is unusual and different and this was no exception. This session was different for a lot of reasons. Indeed, what was going on normal, as normal could be, we thought the hurricane was going to be the big issue, the big budget issue, it turned out to be the horrific tragedy of February 14, completely transformed the end of the session.

The budget had to make room for certain items at the end particularly in Medicaid. There is a huge fight on safety net hospitals. There's a lot of food fight going on in the budget. One of those things was school safety. We had a bad year as far as number of bills go. Last year was the record fewest number of bills ever passed in the 2017 sessions. Only 300 bills out of the

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1,600 or 1,700 bills that got filed. This year, out of the 1,600 or 1,750 bills, only 200 Bills passed. The budget was unusual and that was not the usual process for water projects.

El Portal, we thought everything was going according to what you had to do, in fact, representative Harman got the bill heard in committee which was only 15% of all the project bills. Not all of them got a committee hearing, very few. We were fortunate to get one of those. We thought that was really going to set it up because not everybody made it in.

The Senate did not have a deadline. In fact, everyone was waiting for Senate Bill deadline of projects. It was just announced three weeks out, that's it, budget is done without a single hearing or pin dropping, nothing. There was no opportunity to say, "Oh." To scramble at the end.

The process was unusual in that way, and, of course, unfortunately, El Portal was not able to follow up on the rest of the funding that we got from last year. There is only, last year, there's \$55 million in water projects. This year it ended up only at \$30 million. There were very few projects that made it. Full disclosure, I also do work on behalf of Miami-Dade County. I represent WASD public works department. I work on their water projects in Tallahassee as well. They got zero. County got nothing. It was a bad year all the way around and didn't end the way that we wanted.

On a positive note, we really do think there is a lot of things in the budget that now, and we are all happy to work with the city, with the village manager because there are parts of money that were untouched in the budget. A lot of times, as you know, Madam Mayor, there is provisor language. A lot of those pots of money, the provisor did not sweep all of that money, so there is still pots of money available for whether there are transportation issues, certainly cultural grants, there is money available. We talked about some of the infrastructure money under plans items.

We're happy to continue to work, pick up and, of course, get ready for the next session, but sounds like there's a lot of things going on already that perhaps we can help find some things that would supplement it. I did bring by the way, and I'm very quietly going to hand this out, this is just an overall, so you'll have a good reference of things that just passed in general and didn't pass, so you get a good feel of session. There's a lot more on here that failed and passed, but I'll introduce Kevin from the Southern to follow along.

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Kevin Cabrera: Thanks. Speaking of the pots of money, one of the ones that was funded again this year was Governor Scott's job and growth and infrastructure fund about 85 million. It's a fund that sometimes doesn't get a lot of attention. It started last year and, basically, it gives the governor almost sole discretion in deciding how to allocate those \$85 million dollars. Cities apply, municipalities, districts all sorts of entities, and everybody's eligible. There's not necessarily a set criteria. Their number one component that the governor does look for is the ROI for the state and what's going to produce jobs which has always been his number one priority for the State of Florida.

I think that that's a large, as Pinski was saying, a large pot of money that's out there, 85 million. I think, correct me if I'm wrong, I don't believe that last years 85 million has been completely--

Richard Pinski: There's 30 million out there.

Kevin Cabrera: There's still 30 million, so now we've got 85 plus another 35 that the governor has at his discretion to allocate, and being that his term is coming to an end soon in a couple of months, I'd feel that he's probably going to allocate all of it out [laughs] in a relatively short manner. I'll turn it over to you, Adam.

Adam: Mayor and Council, not to be longwinded, my colleagues has covered all the points. I would also add your representatives wanted to come tonight, both Representative Harman and Senator Daphne Campbell. Though we're not in the agenda, last we should mention we felt the need to actually come since this was the first meeting after session, but this is ongoing discussion with not only the mayor and the council and also the city manager as well to discuss these opportunities as we move forward before the start of next session.

Claudia Cubillos: Thank you. I want to thank you for your time. I have the opportunity to really dialogue a lot with you, I spent some time with you in Tallahassee. I wanted to open it up to the council that perhaps hasn't had the same, so Councilperson Dreher, any comments?

Werner Dreher: I'd rather have somebody else go first. I'm still digesting the information.

Claudia Cubillos: Vice Mayor Nickerson?

Omarr Nickerson: I'm good, Madam Mayor.

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Claudia Cubillos: Councilperson Roman?

Vilamri Roman: Gentlemen, I just want to thank you. It was a pleasure for me to go up this year and be there with you guys and see you in action, and I know that you tried your best. I look forward to continuing to work with you. Thank you.

Richard Pinski: What did you think of the craziness?

Vilamri Roman: I'll tell you off the record.

[laughter]

Kevin Cabrera: In noting what Richard was saying that last year we had about 50 million in water projects, this year was I think closer to 25, right?

Richard Pinski: Yes.

Kevin Cabrera: This wasn't necessarily the original idea. Even with the hurricane, there was going to be a lot more emphasis on the water projects, but, unfortunately, the Parkland situation, tragedy, caused them to allocate \$450 million to school safety and uphardening of schools and to have more resource officers and so on. We know that El Portal does have a school within its boundaries which should benefit from the school safety and having additional resources available to that school through the school district.

Claudia Cubillos: I know. When you all sent the email, the manager, the chief, and I replied almost immediately with whatever we could as part of what we will need for the school, so thank you. Councilperson Dreher?

Werner Dreher: I've got a quick question here. I'm looking at the Florida legislative newsletter 2018 what? Passed and failed, right? Looking at it from a public works perspective, I'm just skimming through this. It's the first time I'm seeing this. Could you give us a quick update? I know last time you guys were here, we brought in a couple of items to bring up to Tallahassee. I know Councilwoman Vimari and our mayor have been up there. They've been advocating, so I just want to hear from your perspective on the especially the septic to sewer, one phase. I know we had that 20% piece that the village we'll have to put up upfront. Looking at this report here, I don't see anything in that respect.

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Perhaps you have any updates on what we talked the last time you guys were here.

Richard Pinski: Sure. The intent was we had two projects that we were going to be requesting. One was to build on the \$550,000 that we were able to help secure in 2017 session, so we're going to come back with the rest of the storm water discharge flooding areas in addition to the [unintelligible 03:00:57]. That was one project. The other was trying to convert as many septic to sewer as we possibly could. We designed that project in concert with what we thought Pennoni was going to be doing which was they want to see regional impact.

Connecting on 2nd Avenue was going to be the natural, so we had that project in as the overall connection because we were one of the few remaining on 2nd Avenue not connected as well as the flooding from the stormwater.

Werner Dreher: 2nd Avenue is Phase Two supposedly, but more focused on the Phase One, that's on the west side which we had, I don't know if you guys heard, but 2019 as it dates.

Richard Pinski: Correct. Part of that was directing towards what DEP was offering already as a revolving loan. We like going for free money. [laughs] The project, that Phase Two is the one that actually got heard in committee, so at the end, we had to choose because there's almost 1,000, it was about 1,000 bills totaling \$2.1 billion. In addition to the 1,700 bills that were introduced over substantive legislation, there was another thousand house bills worth \$2.1 billion just on water projects. Trying to compete for a hearing, so we got that one bill heard and we thought that was the one we were gonna push forward.

Werner Dreher: On Phase Two, yes?

Richard Pinski: As far as overall and that's what we mentioned, that's what Kevin was saying earlier was of the 25 to 30 million of what they were calling water projects, there was maybe seven actual septic to sewer in the entire State of Florida. We, unfortunate, were not one of them. While that started out, as Kevin said, that started out as one of the priorities. The 400 million, the rumor in conference committee was that 400 million that was going to be pledged, was going to wipe out all water projects. For a while there, we had about a 48-hour period that we thought not a single water project was going to get done, and really when that budget got printed, it was like everybody's looking at it for the first time.

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Infrastructure projects all overall got hurt by everybody.

Werner Dreher: The base one is what I'm talking about.

Richard Pinski: That's for Hajj, but the flooding project that we got last year, that's still continuing and we want to come back, of course, next year and do it.

Werner Dreher: For next year, that will be the 2019 legislative, that's what you're saying.

Richard Pinski: Correct.

Kevin Cabrera: Another thing that were noted earlier is that the governor does have, at his discretion, some 85 million this year plus 30 left over from last year for infrastructure projects that he deems are of merit and that they have regional impact and state impact. That's a grant that would be worth pursuing on behalf of the village especially as soon as possible as we get nearer toward the end of his term.

Richard Pinski: There's no deadline on that.

Kevin Cabrera: There's no deadline to apply, there's no deadline for him to allocate it. It's solely at his discretion.

Werner Dreher: What's the name of the grant?

Kevin Cabrera: It's the Florida Job Growth and Economic Development Fund. We don't have to wait until 2019. It's money that's already available. It's at the governor's discretion you apply. There's an application process you apply and the governor staff and himself they evaluate each project on its merits and they decide which ones they feel have a regional and state impact.

Werner Dreher: Is that something we, and I'm just asking questions on that, is that something we can apply then for the Phase One? That indicates that the Phase One septic to sewer it's about 4.4 million we're assuming. I see a nodding head over there in the back, but I just want to make sure this grant that you're talking about perhaps we can apply for it, but I'll let you guys answer that.

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Kevin Cabrera: I'd say that the one on 2nd Avenue, I'm not sure which one of the phases that one is, that would probably be our best bet.

Richard Pinski: Probably second.

Claudia Cubillos: That's just because, I would just reiterate, isn't that because one of the biggest things the governor always focuses on is ROI which is return on investment? They want a regional impact and they're not going to get a return on the investment if it's on a residential area. It would have to be a business area that could be potential business area that's going to develop jobs and create jobs, and it's going to be an economic advantage to the town.

Kevin Cabrera: Exactly and the argument is you're going to pay taxes to the state. State tax is going to be generated. That would be the argument to be made for that project. Unfortunately, a residential area you wouldn't be able to make that same argument towards the governor. That's his criteria. It's at his discretion, unfortunately.

Claudia Cubillos: The the win-win on that not only that, I would assume from the governor's perspective is not only the return on the investment, but Northeast 2nd has a regional impact. It doesn't just impact the village of El Portal, it connects to Miami Shores, it connects to Biscayne Park, it connects to Little River, and it connects to Little Haiti. That's the regional impact that we're looking for.

Richard Pinski: [crosstalk] including the sanctuary, the project because that's the job component, and you could do something for little farm, infrastructure. These are all ideas. What Kevin was saying earlier was they did a new 85, that's what just came out the budget. We'll still have 25 or 30 left over that we haven't spent already plus a new 85. Now he's running for US Senate and there's no reason why he would leave any money on the table.

Kevin Cabrera: For the next governor.

Richard Pinski: It's all going to go out the door.

Werner Dreher: Quick question then to Kevin's point. I know we're working on Phase One, but is it too premature to apply for Phase Two now that we have this opportunity?

Richard Pinski: No.

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Vilamri Roman: No. Absolutely, not.

Richard Pinski: As long as you get the ROI, the job.

Werner Dreher: Then, my next question, if it's not, then what are we doing working with the village.

Claudia Cubillos: That's why they're here. That's why we're suddenly talking about them. Absolutely. That's our next step.

Richard Pinski: We're waiting for you to say yes for the city manager.

Werner Dreher: All right, what are we doing?

Claudia Cubillos: We don't need a motion for that. The village manager I need you to consider their in contract with us. Just start the dialogue and keep us in the loop of that and I think it's something that should be done. Absolutely.

Richard Pinski: What if I come to some public works committee when we start to flash something out and come get rid of [inaudible 03:07:33].

Werner Dreher: Sure, that would be great. Excellent.

Claudia Cubillos: Excellent.

Vilamri Roman: What day is it?

Claudia Cubillos: It's on the first Tuesday now, 7:30. [laughs].

Kevin Cabrera: First or second?

Richard Pinski: I apologize, I can actually call.

Claudia Cubillos: Hey, thank you all. I know you came from Tallahassee and Palm Beach. Thank you for being here and we can't stop working. It's offseason when we have, sometimes, to work the hardest.

Richard Pinski: Thank you very much.

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Claudia Cubillos: Thank you, it's great seeing you guys. Christia?

Christia: Yes.

Claudia Cubillos: I'd have to say interim village manager because you're the village manager.

Christia: No, it's going to be weird.

Claudia Cubillos: We have a signed contract, so interim village manager. We still haven't signed the contractor, so it's interim village manager.

[background conversations]

Claudia Cubillos: Will you love for 30 minutes.

Christia: Okay, I'll make it pretty quick. I know I give you a lot of words. I, unfortunately, just gave you this report today and didn't give you a couple of days to review it, but I'll speak quickly. As you know, our new loan service is doing really well. If you look around the village is looking better, but if you see anything, let us know so we can let the new contractor know, but they are handling the more visible public works items in terms of taking care of the trees, the lawns, the signs, and sprinkler systems.

We are still working with the electrical contractor to get some lights up, but, as you all know, the FPL poles or FPLs is different from us with the lighting in like Sherwood Forest and in village hall in those locations. We did a fund farewell to Mr. D last week. We had a wonderful retirement luncheon for him on Friday. Yesterday was his very last day, but he's retired from our ranks and moved on. We will have to find a part-timer or some staffing to fill in his public works responsibilities. We have identified a cleaning service that will be doing the internal cleaning here in the village hall and they will be starting on April 3rd so that's next Tuesday.

This week we've got to clean up after ourselves. [laughs] Be as clean as you can. Hurricane Irma, we're still working with our contractor, but just of note, the Mayor's Town Hall Series April meeting will be the emergency preparedness townhall, but the second hour, it's a two-parter it's going to be the public safety, aggressive driving townhall where we'll talk about the speeding, and what we're doing to address the speeding. I've been working with Acting Chief

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Hufnagel to try to do something for enforcement for the village and so we're getting all of that.

Then, as well as the emergency preparedness guide and handbook and instructions, hopefully, we'll have all that finished by then, but it's my target and I think we'll have it completed so that the village is on same page when it comes to responding to emergency situations. We are addressing the speeding and aggressive driving slowly, but surely we're getting there. We hope to employ a decoy vehicle somewhere so that that can perhaps deter the speeding. We've gotten our speed guns recalibrated or calibrated, so they will be used soon. We just have to work with the limited staff. We are trying to identify creative ways to staff and get police officers.

Let's see. Thank you. I'm skipping around a little bit just because I think either way. We do have a new building permit clerk her name is Daisy Haifa. She is being trained right now by the cap government staff and we will be renegotiating the whole presence there at the front desk. That's a building permitting clerk and in the past, that position was a Cap employee. The last person who held the position was Elena Grec, but she's no longer with us. I'm going through the cost-effectiveness of having that position as our own employee or would it just be more effective to continue that relationship with Cap.

There are some things I need to review with Irwin in terms of the financials, but for now, that's what we have but we are working on resolving that. Let's see, I will be working with the attorney on some outstanding items that trickled down from the former village attorney. That's the public works right-of-way permits variants after the fact a land conveyance with Mr. Hugh Gladwyne. Those are items that will be worked on and hopefully, we can move those along quickly and move on to other things. We are out of compliance with two major contracts, but I'm working on those daily.

One is the bus shelter on Northeast, 2nd Avenue, and the other is the National Pollutant Discharge Elimination System MS4 permit. We're trying to get there. We have deadlines, we're out of compliance and I was told we haven't filed reports since 2011. I've got to go back and try to resolve all of that. I have asked Robert Romano to take on another responsibilities with project management and working with me to get those technical details prepared for the reports that I have to submit. All of this is due by June 30th. It will be a quick project. That concludes my report.

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Claudia Cubillos: I have two questions. The first question I have is the new contractor, have we fixed the lights at Sherwood Forest, Sherwood Park?

Christia: We are waiting for parts with those lights. We are just waiting to get them.

Claudia Cubillos: I know there were orders that have not been placed.

Christia: No, the orders have been placed but it's just they haven't come in yet.

Claudia Cubillos: They haven't, okay. Do we have a time frame as to when they're going to come in?

Christia: We were hoping this week but I don't know.

Claudia Cubillos: If you will let us know because it's been a while now. The marquee that the kids broke has it been reordered, do you know if it has arrived?

Christia: No, it has been ordered as of yesterday and Carlos Garcia, our code enforcement office has also been on repair base, so it's in seconds they will start putting that back together.

Claudia Cubillos: Then the last thing is you concluded by saying- what was the last thing?

Christia: The MS4 permit that we're allocating?

Claudia Cubillos: Yes, when you first mentioned that to me a couple of days ago, I think when they emailed or called you, I just want to be sure the council's aware is that not only have we been out of compliance because it has not been done by the former administration, but they're now beginning to enforce it more. Whereas it was required but it wasn't, I guess, they didn't deliberately continually contact the managers. I think now they're making it and move all the transpired, was that?

Christia: Exactly, right. In fact, they had a compliance meeting via telephone versus FDP yesterday with I have to deliver by a certain date. That's why I called him one on one because I need help with that. I can't do the other things or do the thing business of the village and get all of this information. If we don't abide by this new deadline, this set deadlines, we will be fined \$10,000 a day and we still have to do the work, but there is no way out of it.
[unintelligible 03:15:37]

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Claudia Cubillos: If you could just keep us in the loop with that just reminds us whether it's weekly what have you, let us know where we're at with that and how Robert Romano is working on that.

Christia: I will.

Claudia Cubillos: I want to close off in your report because I really don't have one. I want to thank Vice Mayor Nickerson and Councilperson Roman for coming to Mr. D's retirements little luncheon. I want to thank the manager and the clerk for putting that together. I've known Mr. D for a really long time. I've had a really good relationship. I also want everybody to know that he's having a lot of fun tonight. My husband gave him the Heat tickets so he's watching LeBron and Wade Pitt play tonight. He was really excited and the tickets now are emailed. He didn't have an email, so it was really funny, so we had to work late, my husband worked for hours trying to get him an email.

He went with McNair because his wife didn't want to go and Mr. D doesn't have an email. He's out there and I want you to know he's having fun and he was so excited about that. I want to thank you guys for putting that together because that luncheon was very sweet, it was very pretty, it was very well put together. I think that the plaque and all was just a nice touch, so thank you. Committee chair reports, are you the vice chair of public affairs?

Werner Dreher: You might be.

Vilamri Roman: I'm in.

Claudia Cubillos: You can do it. You want to do them now? That's okay. Councilperson Mathis is not here. Everybody Easter egg hunt you cannot miss it. We go way above our call there on Easter egg hunts. We love stuffing eggs.

Vilamri Roman: We're very good at that.

Claudia Cubillos: Yes, [laughs] we love stuffing eggs. I want to thank State Farm and I want to thank Kids Town. Kids Town is sponsoring, they're our sponsors. They're paying for the bunny and a few other things. State Farm is bringing popcorn machine as well as extra goodie bags for those kids that arrive late and don't get some eggs. I want to also please save the dates. We do have our 5K, the 10th annual. I want to thank Fernandez Vasquez from Mercantile Bank, he's a resident. He's our first sponsor to sign on. I'm really excited about

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that. I asked the council to please help us by being there and supporting the events as well as the administration.

That is, it's always the third Saturday. It's May 19th and as of April 1st, you'll be able to sign up online. I'm really excited. Please help us spread the word. It's an event that's been near and dear to me and Harold's sort of taken off with it and always helped me spearhead it and run the event, so I'm very grateful and thankful for that. Public affairs, a few other events we have coming up. We have the Little River cleanup. The date has been changed, it is not April 11th, it is now April 28th. Kristin McLean who spearheads that project has asked us to please move that to April 28th. The other thing that we do annually with the police department, in and around Earth Day is our village-wide cleanup that is April 21st.

They will be meeting at horsemen and you can accede on our village of El Portal website for more information, but that is April 21st. With that said, pretty much that concludes public affairs. Actually, one more thing. At the public affairs committee meeting, one of the things that I said that I was trying to spearhead and put together is archives. If you go on the website and you will see under community photos or event photos we're always trying to archive what we've been doing. Then thereafter, I'm going to start focusing and I'll use my last 10 years and then focus more on years prior to us. [coughs] Sorry.

We've been around for 80 years, so clearly, we have some data that we want to be sure that we leave behind to whoever comes afterwards. With that said, that concludes my report. To Councilperson Dreher, chair of public works, thank you.

Werner Dreher: This month, we actually had two septic to sewer conversion workshops. I want thank UPO for the last resident year. Thank you for showing up yesterday. It was a good turnout we had yesterday. Obviously, we wanted to have two workshops in life that we wanted to give that flexibility. As well I want to say thank you to the Pennoni team. They did a great job and pretty much we're going to be posting that video of the first workshop. I'm working with the clerk just to make sure we can get post that out and for the rest of things that we're not able--

Claudia Cubillos: It's one website.

Werner Dreher: It's on the website?

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Claudia Cubillos: Yes.

Werner Dreher: We're going to be sharing that link as well so everybody can view too. Actually, yesterday I had the pleasure of meeting our attorney. It was a brief conversation. I also attended the workshop. We had the mayor's workshop on Saturday on "trash talk". It posted on the app when our council mayor posting there. It was a good turnout as well. Thank you very much, that's all on my update.

Claudia Cubillos: Good and we're excited to see what's going to happen. Don't let us down, Steve. Public safety. I'd share public safety. I try to meet regularly with our acting chief and interim village manager and so contract is signed. We're really tackling speeding, we're really tackling evaluations, we're really tackling more of what we can do and be more present. That was our big meeting yesterday. We're excited we have two new police officers to join our reserve team. I want to also mention that citizens crime watch is back.

We had our first meeting today with David Ward and we're looking to put out a town hall where we can reinvigorate the program that we worked so hard in the years past with citizens crime watch. We don't have a date set but there'll be a town hall coming after that. I just want to reiterate that as a result of public safety course along with everything else being, first and foremost, so important to us, we've extended the townhall that's April 14th to include, not only hurricane preparedness which the police offers, the chief, and manager will be a part of that dialogue.

I'm also going to ask our contractor who does- what is the name of our-- Disaster pros or something to sponsor the snack so that the village doesn't have to pay for the snacks for that hurricane. Then, the hour after that from 1:30 to 2:30 it's going to all be public safety and what are we doing to really address the concerns of the residents which will always be speeding, speeding, speeding and the amount of police officers that we have as well per shift. That concludes my public safety. There's a lot more, there are things going on that will get passed and be moved to the full council meeting. Code enforcement chairperson, Vice Mayor Nickerson.

Omarr Nickerson: Yes, Madam Mayor. I have a couple of questions, but they're kind of administration and finance. I'm going to wait until after Chairperson Roman gives her report and I have a couple of questions from that. One of them does concerned code enforcement in a major way. I'm going to my just wait for that. It's not necessarily towards her, but it's her

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committee, so I'm going to ask her during that. There is also a new code enforcement of what Councilperson Roman began a while ago, and this has been a very, very good and uplifting creation that she has, called home of the month. She's going to talk about that a little bit further.

Vilamri Roman: Thank you. Just with the home of the month, I just wanted to remind residents to please submit any nominations over to the chair. I don't have that email. I think it's homeofthemonthelPortal@gmail, but I'll confirm that and I'll have the clerk send that out, but please we're on our third month. Yesterday, we did receive six nominations. Thank you to the residents that they put those in, but this is ongoing every month. In October, we're looking to do a little contest for the Halloween.

Omarr Nickerson: Madam Mayor, that concludes my report for now.

Claudia Cubillos: Planning and zoning. That is me. I want to remind everybody that is now the third Tuesday at 7:30 is planning and zoning. The next committee is going to be in May. The only thing I wanted to talk about in planning and zoning, I want to remind the council that at the planning and zoning committee meeting, the clerk gave each of you the plans for the sanctuary. It is your responsibility to do your homework. It is your responsibility to call them if need be, but I urge you that this is something that I am diligently working on. I'm going to be pushing, I'm going to probably requested a special p&z meeting, so I need you all to be prepared.

The manager and I have met with the developers because I wanted to have the opportunity to see what we can do potentially with regards as the council. Excuse me, not as the council, just as a village. We met with them and we asked if it would be a consideration or a possibility that our village offices would be there. They are very open to the idea. That's an exciting opportunity for us. Are we done? This is really important because you all need to be ready because when I call for the special p&z meeting, I need everybody to be ready. That p&z meeting is in May, but I can almost let you know as of now there is going to be a special p&z meeting.

I've emailed Juan. We've really tried to keep the attorney up to breasts but we didn't want to overdo it because we didn't have a signed agreement, but as we move now with a signed agreement, I really want to dive into this because I don't want us to just appear here in June at the council meeting and nothing has happened with the sanctuary. Then the mayor's going to

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bring it up and they're going to be like, "Look, I didn't know anything about it." I'm putting it on the record again that this was given to each and every single one of you and if you do not have the plans, it is your responsibility to contact the clerk and get it from her.

I was here again yesterday, I didn't know where my plans were. I got another copy. I've already called the planners, the manager and I've already met with them. You have every single right to call the developers and meet with them. You have every single right to ask questions. Come prepared, I'm going to probably request a meeting the next couple of weeks for a p&z meeting once I feel the attorney's up to speed, and once we've met with them. Juan has given us a staff reports. I want to be able to go over with that and then it's got to follow a proper chain. Everything takes time. I want to be able to follow through with it and not let it just linger. That is with the sanctuary. That concludes my p&z report. Yes.

Werner Dreher: To all these instructions that we are getting, obviously being out, I feel a little bit uncertain. Where right now I was asking the clerk if we had a plan, if that had a plan doing due diligence to make sure we have a feedback from that time, but I'm going to request then here officially then to please forward me those plans, and as well the contact names or the developer-

Claudia Cubillos: Everything is on there.

Werner Dreher: - who we need to contact, and what do we ask what specifically what was the scope entail that. Specifically that.

Claudia Cubillos: Once the clerk gives you the plans, everything's on there. The scope, everything is on there of what their intent to do for the building. Keep in mind that when we miss the meeting, it is our responsibility to call the clerk and ask her to send you everything from the meeting. I didn't realize you weren't at the p&z, but if you were not there, you need to call the clerk and find out what happened at that meeting or the clerk needs to let anybody know what happened at any meeting. The plans, I don't have it with me. They're pretty big.

Yenise Jacobi: I sent them an email.

Claudia Cubillos: She says she might've sent it to email. I say that to say that we all have to stay on top of what we have to do. When you receive it, it's the plans of what their intended to do for the sanctuary. That's what we're reviewing. We're reviewing, they're coming with us

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with plans and I had a town hall on that in January. They're showing us the plans of what their intent is and it is up to us to approve it, but that is where we have to do our homework.

Werner Dreher: What's the expectation from the council? to review those plans and make recommendations?

Claudia Cubillos: Your expectations is to know what's going on and if you have a doubt, ask. I'm sure I've looked at it, I'm going to have doubts, I have questions. We want to be sure that whatever goes in the sanctuary is the will of the residents. We want to be sure that whatever goes in there is by a form-based code. We want to be sure that whatever goes in there is the vision of the residents. The visions of the residents don't want to see a big change story, they want to see art studios, they want to see a nice local restaurant. That's based on the charade and based on a form-based code.

That's where we have to do our due diligence to look at it and say, "Is this the will of the residence? Is this what we want to see happen?", but that's where it's really important for you to call the attorney. It's really important for you to call if you have questions, but you have to first take a look at the plans and become familiar with what it is and then move forward with any questions, comments or recommendations. Or you might say, "Wow, this looks amazing. I can totally see this to be in the village of El Portal. It goes along with who we are, what we are, and what we plan on being.

Norman Powell: I think if I can just clarify what they developer, and this is just general based upon my baptism this past three weeks, the developer is going to come with a site plan for approval, and included in that are going to be necessarily use exceptions, especially use exceptions which require covariance's, which require council approval. In that regard, that does provide the council with some leeway to have input into what the developer will do there. Obviously, the zoning has been changed in the past to permit the project to go forward, but the next step would be the exception and the variance process which allows you as a councilperson to have further input into it.

Just like you, I'm gonna also get up to speed because I've only been able to look at it generally the last couple of weeks.

Werner Dreher: Just beside that site plan, you mentioned something that was not communicated within the variance. Is that something we need review as well in advance or--?

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Norman Powell: Right, the proposal for the developer will include what variances and especially use exceptions that they're going to be seeking. It might be something, and, again, I'm just being general because, again, I'm just being baptized here, what I've looked at so far is going to require commission approval for certain use exceptions, but they're also many. I don't want to get into the specifics.

Werner Dreher: That still hasn't been socialized yet.

Norman Powell: No, that's going to be part of the approval process.

Werner Dreher: That eventually, that's not part of this site plan.

Claudia Cubillos: Yes, it is.

Werner Dreher: That's why I'm asking.

Claudia Cubillos: It will be included. They will come from an overall site plan, but that will also include request of the Council to make decisions on use exceptions and variances which is what you'll all be called upon to build on.

Werner Dreher: See that's clear. Much clear. Thank you.

Claudia Cubillos: Once you actually have it in your hands which you need to get it by tomorrow, you'll know what we're saying because everything is on there. If there's any variance or anything like that everything is on there. Any other questions on that? Okay, that concludes my report. Admin and finance.

Vilamri Roman: I don't have much. The only item that is still pending and wanted to mention is that we're still getting in compliance with FDLE. We have one more employee which is the clerk who needs to complete that by March 30th, and after that, all of our employees would have been completed. That concludes my report in terms of admin and finance.

Claudia Cubillos: Go ahead.

Omarr Nickerson: First of all, I wanted to ask, and this runs through, there's a couple of things, this runs through administration and finance, but our code enforcement officer, and

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this is not necessarily for you Chairperson Roman, this is more for, I guess, the manager. Our code enforcement officer Mr. Hufnagel, is he still our code enforcement officer?

Christia: Yes.

Omarr Nickerson: Is he going to continue to be our code enforcement officer?

Christia: Possibly that may change with a little bit of moving around because now we're missing some key positions and people have left, so we may move him into more public works.

Omarr Nickerson: Okay, and then will he be replaced? We'll continue to have code enforcement officer.

Christia: Absolutely, we have that.

Omarr Nickerson: Okay, that's was one thing. The second thing and was going to ask this, but I didn't want to interrupt the mayor because the mayor finished off the manager report. The acting chief, have we done her--

Christia: Evaluation?

Omarr Nickerson: Yes, have you done her evaluation yet?

Christia: I have her. It's all ready but we're sitting down tomorrow to do it.

Omarr Nickerson: Okay, so that will be done?

Christia: Yes, and I wrote about it in my report.

Omarr Nickerson: Okay. All right. Thank you.

?Claudia Cubillos: Did you know anything?

Omarr Nickerson: I don't know, why don't you ask her. All right, thank you very much, I appreciate it.

[laughter]

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Claudia Cubillos: Any other questions? Anything else? Vice Mayor Nickerson, anything else?

Omarr Nickerson: No, thank you, Madam Mayor.

Claudia Cubillos: Anything else? At this time the village attorney.

Norman Powell: Can I get a motion for consideration of the agreement?

[laughter]

Norman Powell: Just joking.

Claudia Cubillos: Yes, haha, okay.

Norman Powell: Just generally so that we can move this along. I believe at the administrative committee meeting, I recommended proposing procedures for the council to help streamline the business of the council so that we get to the residents' work a lot quicker. We had a meeting with the PVA to finalize the police department contract. We have another meeting scheduled for the 2nd of April to see if we can get that finalized which we expect. I know there's some sticking points, but I don't want to get into that publicly right now.

Obviously, you've heard earlier that we will be working on the sewer agreement and all the other accompanying items that go along with that. What else?

That's pretty much it depending on what else your manager calls me about in the next week or so. I will personally call everyone myself this time so that I get to throw my sister under the bus to schedule meetings with council people I've not been able to meet with. You're going to be the first Councilman Dreher, so when I call you, we can schedule around your convenience.

Werner Dreher: Sir, just direct clarity. I'm sorry, was it your assistant who send the email or was it you?

Norman Powell: The calls.

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Werner Dreher: It was a call, it wasn't an email because it was stated that there was an email and I was just looking at an email.

Norman Powell: I don't know who stated that we make calls. I believe I called Councilman Nickerson, Councilman Roman to just set up meetings, but this time I'm going to do it myself because it is important at least for us to sit down to get an understanding collectively of what your vision is and how can I assist in facilitating that as the village attorney.

Werner Dreher: Just to add clarity as well, I'm looking at the communication that it's sent by the village to all the residents which includes all the attachments regarding the public works and as well the contract for the village manager was included in there, but to the fact that I don't see what we're overlooking in the email that goes out to all the residents, that's why my due diligence it is to question that in respect. Those are the reasons or my questions, and in no content, my intention is to be disrespectful, but I'm looking at the package that we received as councilpersons, and as well what's sent to the residents and that's why my questions are being driven.

Norman Powell: That's unfortunate, that's not a village attorney exercise, but I want to revisit that all over again. That was not my intention, I just want to make sure that part of my report is I'm going to continue to make sure that I meet with each councilperson initially and then have that meeting.

Claudia Cubillos: Thank you. Does that conclude your report?

Norman Powell: Yes, Madam Chair.

Claudia Cubillos: Okay, great. I had K1 which is a legislative update that I put under the mayor's report so we don't have unfinished business, we don't have new business. Anybody in Good in Welfare? You can come in and if you like to say anything about the meeting, you have three minutes. [laughs] State your name address for the record again.

Ives Garcia: I'm Ives Garcia Vahadi 500 Northwest 87 street. I think you guys have done an excellent job tonight. It seems like things have gotten on the table and accomplished. I'm very happy with that. I am glad that we at least have an interim attorney to be able to handle things and the village manager that would be able to take care of things. I'm very happy with all of you for taking the time and I thank you as a resident for looking up for us.

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Claudia Cubillos: Thank you for coming tonight.

Christia: Thank you.

Ives Garcia: Sorry it's a little long, but if wanted to ask about something that's not on the agenda, but I want to know who would handle that, how do I find out?

Claudia Cubillos: If it's based on the committee, you can go the committee chair.

Ives Garcia: What if I don't know what committee?

Claudia Cubillos: You can always email the clerk. If you can just tell me what issue this is.

Ives Garcia: Is that the clerk?

Claudia Cubillos: Sewer? Planning and zoning or public works, yes.

[crosstalk]

Ives Garcia: I need to bring that back into focus from before.

Claudia Cubillos: Yes, it was brought up last night.

Ives Garcia: Awesome.

Claudia Cubillos: Thanks, that was great seeing you. Thank you so much for coming. At this time, if there's nobody else in Good in Welfare, may I have a motion to adjourn.

Roman: Motion to adjourn.

Claudia Cubillos: Motion is made by Councilperson Roman, is there second?

Nickerson: Second.

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Claudia Cubillos: Second by Vice Mayor Nickerson. All in favor signal by saying aye.

Council: Aye.

Claudia Cubillos: Any nays? Hearing none, the meeting is adjourned at 10:22 PM. Give me a pen really quick.

Yenise Jacobi: No, 10:40.

[03:39:35] [END OF AUDIO]

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