

VILLAGE HALL  
500 NE 87<sup>TH</sup> ST  
EL PORTAL, FL 33138  
JASON M. WALKER  
VILLAGE MANAGER



MAYOR CLAUDIA V. CUBILLOS  
VICE MAYOR OMARR C. NICKERSON  
COUNCILPERSON HAROLD E. MATHIS, JR.  
COUNCILPERSON AUBREY BRUNSON  
COUNCILPERSON ROXANNE ISAACS

Regular Village Council Meeting  
Tuesday, February 23, 2016  
Minutes  
7:00 PM

Statement of Decorum

Any person making a racial or slanderous remark or who becomes boisterous while addressing the Village Council, Staff, etc. shall be barred from the audience by the presiding officer. No profanity, shouting, heckling, verbal outbursts or disruptive behavior in support of or opposition to a speaker or his/her remarks is permitted. No signs or placards shall be allowed in the Village Hall. Person exiting the Village Hall shall do so quietly.

“Pursuant to Florida Statutes, Chapter 286.0105: If a person decided to appeal any decision made by the Board, Agency or Committee with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.”

**A. CALL TO ORDER:** Mayor Claudia V. Cubillos, presiding, called the meeting for February 23<sup>rd</sup>, 2016 to order at 7:02 PM.

**B. SILENT MEDITATION & PLEDGE:** Mayor Claudia V. Cubillos asked all those present to stand for a pledge of allegiance and a moment of silence.

**C. ROLL CALL:** Mayor Claudia V. Cubillos asked the Village Clerk, Yenise Jacobi, for a **Roll Call**.

**Present:** Mayor Claudia V. Cubillos, Vice-Mayor Omarr Nickerson, Councilperson Harold Mathis, Councilperson Brunson, Councilperson Isaacs, Village Manager Jason Walker (Not voting), Jason Silver Sitting Village Attorney (Not voting), Chief Eugene Morales (Not voting), and Yenise Jacobi, Village Clerk (Not voting).

A quorum was declared.

**D. APPROVAL OF AGENDA:** Mayor Cubillos asked for a motion to approve the agenda with correction **Motion:** A motion to approve the agenda **Action:** Approve, **Moved by** Councilperson Brunson, **Seconded by** Councilwoman Isaacs. The motion passed by voice vote.

Da. Mayor Cubillos asked that G3. Be added Little River Clean Up & Serenade.

**E. APPROVAL OF MINUTES FOR THE FOLLOWING MEETING(S):**

## **Regular Council Meeting Minutes**

**February 23<sup>rd</sup>, 2016**

### **Meeting Agenda**

**E1.** Minutes for January 26, 2016 Regular Council Meeting- Councilwoman Isaacs moved for approval of minutes. Councilperson Brunson seconded the motion. **The motion carried by voice vote. Minutes Passed.**

E2a. Mayor Cubillos asked that corrections to be made Page 2 out of 10, E2. To strike Mayor Cubillos.

E2b. Mayor Cubillos asked that corrections to be made Page 2 out of 10. On G1c. that the word therefore was missing the e at the end of the word.

E2c. Mayor Cubillos asked that correction to be made Page 4 out of 10. On G3. that Edmunds was misspelled to be corrected to Edmonson.

E2d. Mayor Cubillos asked that corrections to be made Page 7 out of 10. On H1a that Balsano be corrected to Balzano. In addition in that same page on H2a. that Warner was misspelled to be corrected to Werner. Also for H2b. warner was misspelled to be corrected to Werner and the address instead of 847 is to be replaced with 486.

E2e. Mayor Cubillos asked that corrections to be made Page 10 out 10 on I4. Note after sentence stated that for a he to be added.

Note: Councilperson Mathis, Jr. is here.

### **F. ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:**

F1. Mayor Cubillos acknowledged the residents and thanked them for attending, also thanked Tracy from Commissioners Edmond's office for attending and former Councilperson Adam Old.

### **G. AGENDA ITEM:**

**G1.** Proclamation For Rare Disease Day was presented by Mayor Cubillos to Scarlett Vento daughter of Lazaro Vento.

**G2.** Larry Spring- CFO Update- Not in attendance

**G3.** The 2016 River Serenade & Clean-Up

G3a. Kristen McLean explained that the 2016 River Serenade & Clean-Up would take place Saturday, April 16<sup>th</sup>, 2016 from 8:45am to 12:00pm. The Village has supported the event, Adam Old is also a participant in organizing.

G3b. Mayor Cubillos asked that it would be sent the event to the Village Clerk for calendaring.

### **H. GOOD AND WELFARE**

(Note: This section of the agenda is reserved in the spirit of a representative democracy "of, by, and for the people" and is specifically provided as a mechanism for the input and solutions on matters of concern of Villagers. We request that comments be limited to 3 MINUTES PER PERSON, and that speakers and the audience maintain proper decorum at-large. The speaker should keep to only issues on the agenda.)

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**Ha. Maribel Fruistone**-314 NE 88<sup>th</sup> Street –Ms. Fruistone she wanted to bring up something from last month's agenda, questioned as to the reason why the removal of the CP phone that she was very unhappy with this decision and extremely disappointed. That she only became aware through the broadcasting of the meeting held in January through Comcast. She said having the phone gives her a sense of security she has been living in the village for over 15 years. She said she felt connected with the police, it's the 21<sup>st</sup> century crime watch. If she sees something suspicious she felt comfortable calling. She thinks there are a lot of new residents that maybe it's a matter of reeducating. People are still calling the phone and it doesn't work any longer. No fliers, no notifications. She is extremely disappointed. Felt like it was for the safety of the police but that the residents were not taken into consideration.

**Hb. Lilian Pico**- 181 NW 87 Street- Ms. Pico stated that by now everyone is aware that social media is pretty powerful. In addition one of the perks of moving in El Portal was that CP Phone she felt safe and feels it should be brought up again before council.

**Hc. Donna Stavel**-205 NE 86<sup>th</sup> Street- Ms. Stavel expressed that the CP Phone was brought in because of the house break ins and that there was no way of getting a hold of the police. She stated she spoke to the Chief and she understand that his wants his staffed to be protected. She said that it's the tax money of the residents that pay everyone's salaries in that room. She doesn't understand that how in this date and age there is not a phone who doesn't record conversations and the other thing is that she doesn't see why budget was not reworked to have a dispatcher if the police can't protect us the way we should be then we don't need the police force. That there were loose cables and wires ripped off by trucks going down 96 Street, that large trucks coming by would rip them that there should be a No Truck Zone sign added on that street to prevent from keep occurring.

**Hd. Barbara Fueshal** – 220 NE 85<sup>th</sup> Street- Ms. Fueshal stated that for 9 years she had been enjoying the CP Phone that its 9 years no incidents, introduced by the Village Manager. She said that she was thrilled to live in El Portal because it's a small community she has the phone numbers of the Mayor, Councilperson Mathis the Village Attorney. She questioned why it wasn't a manager decision for it to be removed. She also came to address that she felt like the residents were not included in this decision. She Petitioned Isaacs, Brunson and Nickerson to reconsider the motion to remove the CP Phone.

**He. Lanny Doss**- 8538 NE 4<sup>th</sup> Avenue- Ms. Doss stated she is an editor with the New Times, she said she is very concerned regarding the cell phone that the neighborhood is in transition that she had concerns and the realtor gave her the cell phone number to the police which made her feel safe. She works from home during the day and in the evening she is home alone because husband travels often. She said that when she hears fireworks, or noises or whatever it is she felt comfortable to know she was able to call the CP Phone. She said it was important for her to say her piece she loves her community the peacock, the trees. She needs to feel protected.

**Hf. Andre**- 460 NE 89<sup>th</sup> Street- Mr. Andre stated that he has trained hosts and servers, first thing he thought them not to take situations personally. On this topic it sounds like there is a communication breakdown it sounds like there is certain people who want a service and the way the service was being implemented was problematic. Communication, Training and alternatives. This issue specifically he stated he grew up in a poor neighborhood he was targeted all his life. That he hopes that he never has to be in the situation where safety is an issue. There is a desire to have an outlet to give someone the information to prevent something from happening. Asked to look for a solution for something that is a concern.

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Hg. **Vimari Roman**- 112 NE 90<sup>th</sup> Street – Ms. Roman stated that she has been living in El Portal for ten years, she tries to come to the meetings which are not enough. She agrees with everything the residents have said today. Her biggest concern is the lack of communication, because to her that shows lack of care. That when the decision was made was not thought through. That the phone was turned off immediately, to her it shows lack of care. She states that this decision was not thought through. She is asking for it to be brought up again before council.

Hh. **Kristen McLean**-270 NW 86<sup>th</sup> Street- Ms. McLean stated she appreciates all the work everyone has done for the Village. That there is a big communication gap. She would like to hear on the record from the Chief the reasoning behind or input they had in making this decision that to her is sufficient.

Hi. **Nays**-376 NE 85<sup>th</sup> Street – Mr. Nays has lived for two years, he has been disappointed in calling 911, but when he called the CP phone it was immediate.

Hj. **Adam Old**- 140 NE 86<sup>th</sup> Street – Mr. Old stated that when he was in the council there were a few incidents when someone called 911 it was very upsetting. He asked for the CP Phone to be brought back for discussion.

Good & Welfare is closed.

**Manager Walker** stated that things could have been done better, on delivering the message. Also stated that they are very passionate to the phone and he agrees and this is his opinion but he also respects the decisions made by Council. He also stated that when he researched his phone he also had numerous complaints regarding the CP Phone. The same people are complaining one way or another. He is a supporter of the phone.

**Vice Mayor Nickerson** stated that the reason he voted the way he did you have a former police officer saying it is for police safety and the Chief police saying it is for police safety he questioned the police officers and they said it was a hazard for them as well.

**Chief Morales** stated that he thought it was a great idea of the phone but this is for the safety of both police officers and residence. For over years they have received calls that they don't understand what is an emergency or not. What happens if the police officer is in a call and the CP Phone is ringing he is not stopping to answer the call and there are the complaints come in that the officer did not answer the phone. It is a regular Metro Pcs phone it can malfunction at any time. He stated that he has explained the 911 functions numerous times to the Crime Watch meetings which not many attend. When you call 911 and they are asking you all these 200 questions they are typing this information which is being related to the police radio. His said is 305-4Police we are not saying that you can have someone come in we are providing better service someone will respond 24-7. Even before the CP Phone we still have the fastest response time in any city in Miami-Dade. When your alarm goes off the alarm systems calls the Miami Dade dispatch line. The numbers of times we have caught the thief inside the house, were calls that came in through 911. The safety of 911 is also for the residents. Kids in school are taught to call 911.

#### I. RESOLUTIONS / ORDINANCES:

None

#### J. REPORTS OF THE VILLAGE MANAGER, MAYOR & COMMITTEE CHAIRS:

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### Meeting Agenda

- J1. Village Mayor Reports - Mayor Claudia V. Cubillos**
- Deferred to Manager's Report.
  - Ordinances to be placed on Muni-Code
  - Tallahassee trip for the Storm water project/Sewer study
- J2. Village Manager Reports - Manager Jason Walker**
- Survey was completed for Storm Water
  - Audit of Building Department and Permits
  - Projector quote
  - Audit is close to be completed but not yet completed
  - Traffic counter on NE 2<sup>nd</sup> Avenue from four lanes to two
  - 314 NE 88<sup>th</sup> Street property going up for Auction
  - Nature trail meeting grants
  - Halfway house court date March 7
  - Parking improvements quotes
  - Update of the Form Base Code technical issues
  - Waste Management illegal dumping
  - Village signs upgrades
  - Jazz in the grass
  - Parking improvements
  - Kioka Boyce –Full Time Permit Clerk
  - Michael – Part Time when does it end

Note: **Scott Russle** -44 NE 88<sup>th</sup> Street – Mr. Russle stated that mattresses must be removed from its location.

**Councilperson Mathis-** asked for the order of the halfway house to be emailed to him.

**Kioka Boyce** – coming from Miami Dade College she said she has dealt with any type of permits and overseen. I am an extreme discipline and strict, and I will continue to bring my expertise to EL Portal.

**J3. Committee Chair Remarks -**

**a. Public Affairs**

Chairperson Claudia V. Cubillos

- March 23, 2016 Resident Lunch
- March 26, 2016 Easter Egg Hunt

**b. Public Works**

Chairperson Omarr Nickerson

- Welcomed Kioka Boyce

**c. Public Safety**

Chairperson Aubrey Brunson – stated that he was transparent, that El Portal is also a community he lives in and appreciates the passion everyone expresses.

**Crime Watch** meeting is on March 16, 2016

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**d. Code Enforcement Committee**

Chairperson Harold Mathis

Violation of Codes

**e. Planning & Zoning**

Chairperson Claudia V. Cubillos

**f. Administration & Finance**

Chairperson Roxanne Isaacs – work better on communicating in the future  
CFO to be added to the Agenda replacement or keeping the current

**J4. Village Attorney Reports** - Attorney Joseph Geller – Falconberg vs Village of El Portal has been sent back to Circuit Court. Sober house Mr. Geller would like to speak to each of you directly on this matter.

**K. UNFINISHED BUSINESS AND GENERAL ORDERS:**

**L. NEW BUSINESS:** None.

**M. GOOD AND WELFARE:**

**N. ADJOURNMENT:**

Mayor & Councilpersons

**In accordance with the American With Disabilities Act of 1990, all persons with disabilities and who need special accommodations to participate in this meeting due to that disability should contact the Village Clerk's Office at (305) 795-7880 no later than two (2) business days prior to such proceeding.**