



**Village of El Portal
Regular Council Meeting
Date: 12/17/19
Meeting Start: 7:03 PM
Meeting End: 8:54 PM
Meeting Length: 1:51:26**

Mayor Claudia Cubillos: Good evening, everyone? Are we ready? Thank you for waiting, I would like to go ahead and call our December Council meeting to order. Today is Tuesday, December 17th and it is 7:03 PM. If I can please have a moment of silent meditation followed by the pledge of allegiance.

[silence]

All: 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. Madam clerk, please have the roll call.

Yenise Jacobi: Roll call. Mayor Cubillos?

Mayor Cubillos: Here.

Yenise: Vice Mayor Nickerson?

Vice Mayor Nickerson: Here.

Yenise: Councilperson Mathis is not here, Councilperson Urbom is not here. Councilperson Roman?

Roman: Here.

Yenise: Councilperson Urbom just walked in. Also, present for the record, Yenise Jacobi village clerk, Christia Alou, village manager, Norman Powell, interim village attorney.

Mayor Cubillos: Thank you for that. Councilperson Urbom just walked in. I have a motion to approve the agenda.

Roman: Motion to approve.

Mayor Cubillos: Motions were made to approve the agenda as is by Councilperson Roman. Is there a second?

Nickerson: I second the approval, madam mayor.

Mayor Cubillos: Second by vice mayor Nickerson. All in favor signal by saying aye.

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All: Aye.

Mayor Cubillos: Any nays? Hearing none, our agenda for December 17th passes as is. Is there a motion to adopt and approve the minutes for our November 19th regular Council meeting?

Roman: Motion to approve.

Mayor Cubillos: Motion has been made by Councilperson Roman, is there a second?

Nickerson: I second the motion, madam mayor.

Mayor Cubillos: Second by vice mayor Nickerson. All in favor of passing the minutes for November 19th, signal by saying aye.

All: Aye.

Mayor Cubillos: Any nays? Hearing none, our minutes for the November 19th regular council meeting has passed and will be posted on the website. I want to welcome everybody this evening. It's our December holiday Council meeting. We do have a brief but robust agenda. I'd like to go ahead and I have the honor this evening of asking the council to join me at the podium.

We received word from a resident and from the mayor of Miami beach that we have a resident amongst us who has and was nominated for a grammy. Not only is it a grammy that she was nominated for, but the category has been in inception since 1998 and it's the first time that there is a female that has been nominated. As such, we're going to recognize her this evening with the proclamation on behalf of the Village of El Portal. She has been a resident. She's owned a home on and off since 2004. If you can all welcome me and I can ask the council to join me at the podium so I can read the proclamation to Miss Tracy Young.

Miss Tracy Young, can you please join us at the podium.

Tracy Young: This is so formal. I'm not used to being so formal [chuckles]. Am I standing here? This podium or that podium?

Mayor Cubillos: I received her press release from Miami Beach and I also received it from her LA manager. I took some time to do a little history on her because I thought it was

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important. We all started somewhere and I'd ask if you all can just humor me and listen to the proclamation on behalf of the village council.

Whereas Tracy Young, an El Portal resident since 2016, is a pioneer in the music industry with over 60 number one billboard club chart hits in her almost three-decades-long career, and whereas in this male-dominated world of deejaying, record remixing and producing, Tracy Young has recently broken a glass ceiling. Whereas Tracy Young has collaborated on remixes with over 100 great artists of our time, to include but not limited to Britney Spears, Beyonce, Stevie Nix, Christina Aguilera, Gloria Estefan, Katy Perry, Demi Lovato, Share, Shakira, Pink, Rihanna, Lady Gaga, and whereas Tracy Young exclusively collaborated on 14 remixes for and with Madonna, whereby and which for she was nominated for 2019 Grammy award.

Whereas Tracy Young, the first female to ever be nominated in this category of best-remixed recording since inception in 1998, despite her having been eligible in previous years. Whereas Tracy Young's Grammy award nomination is for her original remix recording of Madonna's *I rise* (Tracy Young's Pride Radio intro mix off) of her *Madam X* album. Whereas Tracy Young is a fearless advocate of LGBTQI and women's rights and she is proud to be part of the history-making moment and the legacy it is going to leave behind.

Whereby she is forever grateful for the support of powerful women in her early career. Whereas given the opportunity to work with first lady Michelle Obama on her *This is For My Girl* song which was written by Dionne Warwick and featured Kelly Clarkson and Missy Elliot among others. Whereby Tracy's official remix of this single saw all proceeds from US iTunes purchases to go to the Peace Corp's Let Girls Learn fund.

Whereas Tracy Young who told *Billboard Magazine* of this dance tune dubbed, *The Tracy Young First Lady Remix Edit* and I quote, "Peace, education, love, respect and all in the name of impacting women on a global scale, What could be better than this?" she said. Whereas Tracy Young, right after high school, started her DJ career at a time when female DJs were almost unheard of. Even so, she quickly rose up the ranks for mix show DJ to music director on *WPGC 95.5 FM* in Washington DC. Whereas and thereafter it was Interscope Records that brought her to Miami, Florida, whereby she met Madonna in the mid-90s.

Whereas this was Tracy Young's tipping point, her impressionable talent, undeniable skill, and impaired enthusiasm led her to be hired by this music legend to perform not only in her movie premiers and album releases but even at her wedding. Whereas Tracy Young, bestowed with the Madonna stamp of approval and unprecedented talent, has inspired collaboration with other

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top performing artists. Whereas Tracy Young is now the top go-to remixer and DJ, she has become a global electronic music celebrity, is in high demand in the LGBTQI community for her live performances at various Pride events worldwide.

Whereas Tracy Young, composer, DJ, producer and remixer and El Portal resident has completed seven musical compilations of her own label, Ferosh Records and officially remixed for over 100 musical artists. Now, therefore, be a proclaim by the Mayor and Village Council of El Portal that our El Portal resident, musical artist, Tracy Young is hereby also going to be honored with a key to our Village in recognition of her accomplishments and groundbreaking honor that will hopefully inspire future generations of female producers and remixers in this industry.

The Mayor and Village of El Portal hereby publicly recognizes and acknowledges these achievements and also will proclaim this day as a Tracy Young Day, thank you.

[applause]

Tracy: You're kidding me.

Mayor Cubillos: No. The City of Miami mayor and the City of Miami Beach Mayor tell me that they are naming my resident the Tracy Young day. They're like, "Mayor Cubillos, what are you going to do?" I'm like, "Okay." I called the manager right away, I said, "I'm going to think about this." Here you go, congratulations on behalf of all of us.

Tracy: Thank you. You've said just about everything. I can't help but get choked up because I've worked so hard and you guys paying and recognizing me for some of my achievements in my life, it means the world to me. I love El Portal, I consider it my home. I've loved this neighborhood for 20 years almost when I started looking for a house. I'm proud to be part of El Portal and I'm here for you guys if you need a block party, like you need a DJ, I'm right down the street. Thank you guys so very much.

Mayor Cubillos: If I can ask everybody who's here especially residents, can you come join us for a photo because this is really our moment. If you could come and join us. I see many residents, just come on up and let's get a photo with all of them. Come on.

[background conversation]

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Mayor Cubillos: At this time, we have Good and Welfare. We have three agenda items, they're all our ordinances. Before we get right into them, anybody in Good and Welfare who would like to come up and mention anything or ask anything about the agenda. We will have one more Good and Welfare in the end.

Dr. Margaret: Hi, I'm Dr. Margaret Okonkwo and I own 211, Northeast 89th Street. This came up I think at the last meeting about the lighting that they're considering putting up in the neighborhood for the street lighting. I mentioned that in the neighborhood where I live, Belle Meade, the island has really intense lighting that's too bright and it's not nice for the neighborhood.

I was just at a party where the roads past Brickell also just went through a process of replacing their lighting, they did half the neighborhood and the other half of the neighborhood said absolutely not. That's how bad it was. Just trying to learn lessons from other people before we spend the money.

Mayor Cubillos: Thank you. Anybody else in Good and Welfare? Okay. Hearing none, we're going to go right into the-- We have three ordinances on the agenda that are all tied in together, so if I can have the attorney please walk us through the first, second, and third with a brief explanation and then go ahead and read the ordinance into the record, please.

Norman Powell: The first ordinance, Ordinance Number 2019-06, I'll read it into the record. An ordinance of the Village Council of El Puerto Florida amending Article 8, Public Benefits Program, to provide for the establishment of a public benefits trust fund providing for incorporation of recitals, providing for conflicts repealer, severability, codification, and an effective date.

What ordinance number 2019-06 does is it amends the public benefits trust funds section to allow the village to actually receive cash contributions from a developer into a fund that's going to be created by this ordinance. You'll see in the ordinance in summary that it will require administration by the manager and the manager will have to provide the council, on an annual basis, reports as to what's the fund's been used for and the balances just like any other fiscal responsibility agent would have to do.

Mayor Cubillos: For a little background, because we have some residents here that have not been here in a little while. This ordinance has come forward because we have been working with the annexed area which is behind Don Bailey Road and Don Bailey's big shop off of

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Biscayne Boulevard. Right behind there, there's about a three-acre parcel. Am I correct about that? There's a three-acre parcel that has been owned by the Barrentine brothers for quite a while now. The property is now vacant and we're looking-- for the most part, it's predominately vacant. They have been working with the administration on putting forward a project together.

With the projects of this, I don't want to say magnitude, because it's not that it's big in scope, but for us in El Portal, it will be. It's going to be something new and exciting. With projects like these, there are benefit factors that can come to the village. One of them is either through an exaction, a development agreement or impact fees. Our code was silent in impact fees, and as such, a development agreement was the route that we decided to go. It's also silent on the village being able to accept funding from a developer to the village.

Therefore, we had to put in an ordinance to amend the code to allow us to accept funding. That's where there's going to be three different ordinances. The first one is going to amend the code to allow the village to accept, potentially, funding on not only this project, but potentially may be on Little Farm and other projects as the village moves forward. Then the next resolution is going to be about the benefits program and then I believe the last one will a little bit more about the agreement.

After each ordinance, there are a total of three, after each one, I will call the council for a motion and a second, and after there is a motion on the table to potentially accept the ordinance, I will open up after each one for public comments. That's the time that you will be able to ask anything on that particular ordinance to the manager, to the attorney or to developers themselves who are actually here this evening. You have a Cannon AJ with their attorney and the architect who are here so you all have the ability to ask them as well.

I wanted to walk you through because again there's a few of you that I've not seen in a little while so you have an idea as to why we're doing these three ordinances. With that said, as the attorney said, this is the ordinance that allows us to amend the code so that we can accept funding from a proprietor or developer from the village that wants to develop a project. If I can please ask them to put them up in the easels because I see the easel and I see the projects, but I think it would be great to have them. I see two easels, maybe one on this side and one on that side, it allows the opportunity for everybody here to be able to see them. With that said, do I have a motion to adopt the ordinance 2019-06?

Vice Mayor Nickerson: I'll make a motion to adopt 2019-06, madam mayor.

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Mayor Cubillos: There is a motion to adopt 2019-06. Is there a second?

Councilperson Urbom: I'll second.

Mayor Cubillos: It's been seconded by Councilperson Urbom and the motion was made by Vice Mayor Nickerson. Another point that I forgot to mention that's actually even more important is that there will be two readings. This is just the first reading, there is a second reading that will most probably happen in the February council meeting. We like to allow ourselves about 60 days so that we give the opportunity for the Barrentine brothers to host a town hall with us and it gives the residents time to take a look at more of the project.

There is a motion to adopt ordinance 2019-06. Motion was made by Vice Mayor Nickerson and it was second by Councilperson Urbom. I'd like to open it up for discussion from the council. Councilperson Urbom?

Councilperson Urbom: We're doing these three together in a specific order for a specific reason, is that right?

Norman: Yes.

Councilperson Urbom: Okay. Just for clarification, would it be possible to have the attorney walk us through the reason for--

Norman: All right. The 2019-06 amends Article 8, the Public Benefits Program, to allow the creation of or they allow the contribution to the fund. We do not have the ability to do that under the existing ordinance. You'll see that the fund, it's intended, is amended to allow for this fund to be created for support of acquisition of park space, open space for investment in improvements, tree planting and landscaping within the village's boundaries. As I mentioned before, it also has requirements for fiscal responsibility on the part of the manager and providing annually fiscal reports to the council.

The second one, when we get to the second one, will actually amend the existing Public Benefits Program which is section 24-B.21 of the code to permit the village manager to do two things. One, to recommend the amounts that a particular developer would seek to develop in the village to the village council for your approval. Second, it gives somewhat of a guideline in section three that the amounts that the manager would recommend would be based upon the market price within the village or within market area adjacent to the village.

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Then the last ordinance that you're going to take up now is actually going to be consideration of the development agreement itself, wherein the council would be asked to authorize the mayor and manager to actually execute the development agreement which includes the project description itself and also the development fee that was negotiated. That's the reason why we're doing it in those steps. If we did it any other way, we wouldn't really have the logical sequence of events in amending our code to permit for the development agreement to go forward. It has to go last.

Mayor Cubillos: Any questions?

Councilperson Urbom: One more question. Under this structure then, developments in the future would be negotiated entirely by the mayor and manager?

Norman: There is no discussion within the ordinances as to who-- other than the manager who would be the point for the village. Usually, based upon my experience with the village, based upon the committee systems, generally, whoever is the chair of a particular committee, that would be in this particular case planning zoning, it would fall under their responsibility to at least assist or be the point person from the council to participate in those negotiations similar to when we do the collective bargaining agreement with the police department where the chair of the Public Safety Committee actually participates in those discussions.

Councilperson Urbom: Then just as we're experiencing now, then once we have a development plan or an agreement, then it comes in front of the council. Is that correct?

Norman: Correct. That's one of the beauties of El Portal's legislative process. It takes its lead. I think it's a good one. You have work product that comes out of what I just mentioned - the manager sitting down with either the chair of a particular committee depending on what the issue is, coming back with work product that goes to the community process first, which allows those committee members to further workshop the document or whatever is being proposed, and then it's then presented to the full council for every councilperson's consideration. There's so many layers of checks and balances, if you want to use that term, wherein everybody including the public has an opportunity to participate in full transparency.

Mayor Cubillos: Can I add something? Also, I want to correct one thing that the attorney said or I don't who said. When any agreement is in a draft final format, it always goes to the committee. It doesn't come directly to the council. When this agreement went to the Planning and Zoning Committee, that is 100% also the opportunity for every member on that committee

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to opine in any way shape or form on anything. That's Planning and Zoning. The same would go for Public Works, the same would go for Public Safety, everything goes it

s workshop which we've mentioned many times to the residents.

That's really where all what happens because that's where we can really say, "No, let's cross that out, let's put that. Let's cross out that." Then from there, the attorney will draft the Rezo as needed or redraft the agreement as needed or whatever it is that we're working on. Sometimes it's not even going to be the attorney having to draft it, it's the same thing for whoever we're working with in front of us. It wasn't just the Barrentine brothers, it's also the yoga studio. They're always going to come to the appropriate committee. The council will always have the opportunity to opine, always, always, always, always, always. That's done at the committee because we all can't meet together when we're meeting with--

Then the other point would be when the clerk sends out the committee notice where the committee notice has an agenda item and the agenda item is an agreement or a resolution. There is always the opportunity for you to pick up the phone and meet with the manager or meet with the developer, meet with the client, whoever the case may be. There's always that opportunity as well to be able to.

Many times when that has happened, we've gone back and changed a few things because, "Hey, you know what, it makes more sense or it is a better idea." Always take a look at when we get the agendas because it's always going to be a time for us to pick up the phone and call whether it's the manager, whether it's the attorney or whoever the case may be, just not one another. I don't know it that answers or that helps.

Any other question on this ordinance? I want to close the council and open up for comments if I can close the council meeting and open up for any public comments on this particular ordinance. State your name and address for the record, please.

Courtney Kirk: Good evening Courtney Kirk 265 Northeast 87th Street. First, thanks for getting the microphones to work. It's really much nicer to hear what's going on. Secondly, on this particular item, I've got two questions/concerns. One, what is the method we're going to use to make sure that this trust fund cannot be raided and/or transferred at somebody's convenience. Secondly, I'd love to see the phrasing ensure that this is for capital improvements, meaning that these are one-time things, not ongoing operating expenses. If I were trying to read the content, I could say, "Landscaping, well that's kind of doing a few things every week."

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I'd like to suggest, perhaps, that the phrasing be changed to ensure capital improvements. Thank you.

Mayor Cubillos: Any other public comments on this, Lauren.

Lauren Christos: Thank you. Just a couple of questions. I haven't been here, one of those who have not been here for a while. Where is the location of this structure?

Mayor Cubillos: Do you know where Don Bailey's carpet right off of Biscayne and about 83rd?

Lauren: Yes.

Mayor Cubillos: It's west behind it, it's 83rd and 84th Street. What's the crossroad avenue? Fourth Place.

Lauren: That's close enough. What has become of our Charette and the Little Farm trailer park? Is that still viable?

Mayor Cubillos: I can let Juan chime in if you want but every-- Did you state your name and address for the record?

Lauren: I'm sorry, my apologies. Lauren Christos 389 Northeast 86th Street.

Mayor Cubillos: I'm going to let Juan answer but I will preface it by saying that everybody that comes to do developing here, they have a copy of the Charette and they work directly with Juan. I don't know if you know Juan from PlusUrbia. He's been with us since we adopted this Charette through the comp plan initially back in '14. Back in '14, we started and then it was adopted in April of '16, the comp plan, to include the updates of the charrette.

Lauren: I recollect that.

Mayor Cubillos: The vision of the Little Farm and any development is to go along with the vision of the Charette. I'll let Juan chime in a little more.

Lauren: Thank you.

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Juan: Little Farm is the parcel that is further north. It's actually to the south to this parcel. This parcel was part of the annexed area which at the time had not been annexed by the El Portal during the Charette. The way that we worked with the applicant was to look at how compatible that would be with the future development of the Little Farm trailer park.

Lauren: Am I correct in understanding that this unit and the development of the Little Farm trailer park will be cohesive in some fashion in order to benefit the community of El Portal?

Juan: That's the intention but we don't have plans on what's going to happen at the trailer park yet.

Lauren: May I ask also - thank you - how tall this building is?

Juan: This building is seven stories, right?

Mayor Cubbillos: Eight.

Juan: Eight stories.

Lauren: Okay. I happened to be driving down Biscayne Boulevard, which I try to avoid, and I noticed an enormous structure going up. Nothing to do with us, sorry, the council or El Portal, but it's a large residential leasing opportunity, looks like a mega, much larger than this, development going up. I'm just curious if there's been a traffic impact study. Obviously, we can't have anything to do with that, but on this, and also how the Little River is impacted.

I'm just curious because I know we worked really hard on that Charette and I would really hope that the visions that were imagined at that time somehow play out or keen through the future of where we all live.

Juan: The main takes on that Charette were the volumes and the connectivity throughout the site. This parcel sits south of that Charette, and it has a corner that will be respected as we lay out the future interconnectivity between the sites.

Lauren: Thank you. Last question. I know this is in the future, but there's been talk of a try rail or Metro mover or something happening with 79th Street Station. Have you considered down the line of working somehow in developing Miami urban transit opportunities which I think is critical for our environment?

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Juan: Absolutely. Our firm actually did the study for the South Florida Regional Transportation agency earlier this year. Unfortunately, it's a little further south than this site. It would be within half a mile, which is what we call a transit shed. It would encompass a lot of this area as part of the study of the station. In fact, I know for a fact that this is actually in the City of Miami, but the idea would be to see how that connectivity would work from a pedestrian and bicycle mode in order to not only ease the connectivity but also incentivize ridership. It is very important and it is very close to both this site and the trailer park. Absolutely, we totally agree that it's very, very important.

Lauren: All right. Thank you. I appreciate those efforts and I really hope they come to fruition. Thank you.

Mayor Cubillos: Thank you, Lauren. Any other comments or questions from the residents or anybody in the audience on this particular ordinance? Okay. Hearing none, I'm going to close public comments and I'm going to put it back to the council. Does the council have any questions for either the applicant, for Juan, or for the attorney on this ordinance, which I think this ordinance is really more for the attorney? Councilperson Roman? No? Vice Mayor Nickerson?

Vice Mayor Nickerson: No.

Mayor Cubillos: Councilperson Urbom? No. Hearing none, madam clerk, can I have a roll call, please?

Yenise: Roll call. Councilperson Urbom?

Councilperson Urbom: Yes.

Yenise: Councilperson Roman?

Councilperson Roman: Yes.

Yenise: Vice Mayor Nickerson?

Vice Mayor Nickerson: Yes.

Yenise: Mayor Cubillos?

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Mayor Cubillos: Yes.

Yenise: Motion passes four to none.

Mayor Cubillos: If I can as the attorney to please read the first reading of the following ordinance into the record.

Norman: An ordinance of the Village Council of El Portal, Florida, amending Article 8, Public Benefits Program Section 24-B.21 to provide for trust fund contribution to the public benefits trust fund, providing for incorporation of recitals, providing for conflicts repealer, severability, codification, and an effective date.

Mayor Cubillos: Can you give a little background on it, please?

Norman: I'll reiterate what I said earlier. This is going to be a laser amendment to 24-B.21 subsection C. In this section, it permits the manager to recommend the necessary cash contribution to the village for projects in the zone five urban center. In addition, it includes in D3 a formula or a proposed method by which the manager would calculate what the cash contribution would be and specifically requires that the manager take into account and market value per square foot charge for units of similar projects within the market area within the village.

Mayor Cubillos: Any questions from the council to either the attorney or the manager?

Councilperson Urbom: My first question would be, there is no structure of the fund outlined as resident Courtney pointed out tonight and I think at a previous meeting as well. It sounds redundant, but my understanding is this is simply because there was not such a mechanism already, it's a way to create one. Now we're establishing what's going to be going into that. Correct?

Norman: Correct.

Councilperson Urbom: My question becomes, assuming this is passed tonight, how long until we would anticipate the first deposit?

Norman: Well, that would be dictated by the development agreement.

Councilperson Urbom: So it has not already been dictated by the development agreement?

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Norman: No. It's in the development agreement. When you look at the development agreement, I believe that's part of the package.

Mayor Cubillos: I have a question. The council received the development agreement I want to say a month ago, have you all read it?

Norman: Well, let me just highlight what's in--

Mayor Cubillos: Because it says exactly when the three payments would be--

Norman: There are, basically, scheduled payments, councilman. There is the initial payment. I don't have the numbers in front of me, but there's an initial payment that's called for upon execution.

Councilperson Urbom: Third, third, third, right?

Norman: Right.

Councilperson Urbom: Correct. Part of what I'm asking for is a little bit of clarification for residents who don't attend all these meetings. Really, the point is I'm curious how long the council would have to be able to establish what the structure of this is before that first deposit would arrive? I'm really trying to get a timeline. How much time do we as the council have to really solidify that structure because whatever this structure looks like, clearly, there's a need to define it?

Norman: It would be an account. It would be like any other account on the city's books. This would be segregated because it's designed solely to receive funds for these types of projects. The use of those funds are dictated by what we just described in the ordinance. It would just simply be ministerial and going to a bank and opening up an additional account and it would be entitled The Public Benefits Trust Fund for El Portal, Florida.

Mayor Cubillos: I want to also add, and I think this is important. When the meeting started, I gave a little background. This is going to be a first reading and the second reading which when anything will happen will have to happen after the second reading. There's two readings. The first reading is happening tonight in December. The second reading will most likely not happen- and we set this at the Planning and Zoning meeting - it will not happen in January.

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When it's something of this magnitude, we like the second reading to be within at least 60 days, not 30. Why? Because it really gives us the opportunity to have a town hall.

We did the same thing with the developers of the sanctuary where they came in with an agreement for an alcohol ordinance, and then we had we passed it in a December as a matter of fact. Then in January of '18, we had a town hall with them. That is the opportunity for once again the residents and all of us to come together and really say, yay, no, yay, to the project, to all of that good stuff. Then all of this comes back to the council in February. At that point, if it passes is when we move forward.

Nothing's going to happen tomorrow. Nothing's going to happen in January. One of the things I was going to mention tonight that if all of these were to pass in first reading, that in good faith I think one of the things that we may propose or direct the manager and the attorney to do to start working on early January-- because one thing is the agreement which indicates how the payments are going to be made, why the payment amount was decided and the total totality of the dollar and the project.

There seems to be a concern of how that money is going to be spent, they want to be sure that, "Hey, you're not going to take the million dollars and just pay it to what have you," and that's completely respectable. We all are property owners here. Some of us own more than one, completely understand that. I think what needs to happen as of January, which was what I was going to recommend if these were to pass, was allow the manager and the attorney to start developing what that public trust verbiage is going to be because that way there is a comfort level.

Another thing I said at the Planning and Zoning meeting is that it's also up to the administration and finance committee. It's also up to the full council that we are aware, we are reading, we are engaged, we are involved, and we're asking questions not just in the public so you all can hear us, but also on email, calling up the manager, calling up the attorney, and really getting those questions answered because, at the end of the day, it really is up to us also to help allow the manager make the best and the right decision for the totality of the village.

Again, this is our first reading, second reading will be most likely in February. We'll have a town hall, hopefully, in January with the developers who are here this evening to be able to go over the project. It really is a good time for the administration to start wording what that's going to look like to properly define or earmark the dollars, this is going to go specifically to this, it's going to go specifically to that because I think that that's where the question-- it seems

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to be like it's ambiguous and it's not. We've agreed that it's going to be a public trust fund, it's going to go for public works, it's going to address parks and all that good stuff.

I think that needs to be defined so it's not so ambiguous but we need to allow the time for the administration to do that. They should start it in January, not wait until after it's all done which I think was what you're concerned about. Let's not wait till it's all done, let's get started with the paperwork and have everything in line so that we're all on the same page. No? Councilperson Urbom? No. Vice Mayor?

I'm going to open up to the residents. Let's see if there is any questions here. I'm going to close up the council to see if there's any questions. Name and address for the record. This is the time to ask.

Sandra Valencia: Sandra Valencia, 8633 Northeast, Miami Court. Do we have, as residents, any access to the technicalities or the details of this project, specifically a website or something where we can go to during this period of time because we have no info whatsoever?

Mayor Cubillos: Is it on the website? Was it emailed to all the--? The packet that we have in front of us was emailed to all the residents as well and then as we mentioned--

Sandra: I'm a resident and I don't have it. I haven't seen it.

Mayor Cubillos: Did you get the email blast?

Sandra: I do get it a lot of emails from the city so I don't have it. I don't see any packet. If this is the package, I don't know what it is. Can you please make that available probably just as a link on our own website or something?

Yenise: It should be on the website. Every time I email-- Did you get it?

Audience Member: Yes.

Mayor Cubillos: Okay. He got it.

Sandra: It's on our website?

Yenise: It should be on the website too, yes. When I email the residents, I also sent it to the website at the same time.

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Sandra: I didn't get the email but anyway, it's okay. I will look into it. Thanks.

Yenise: No problem.

Courtney: Cortney Kirk, 265 Northeast 87th. Madam mayor, I'm going to address you just because of the information you just provided. I want to make sure I understand because I raised a couple of concerns on the previous one. Are you saying that those concerns will be addressed before the second reading? The concern I had, the verbiage doesn't include the restriction to capital improvements rather than just any improvements as well as understanding how the council could to say or the manager could say, "Hey, that's what the intent is but I'm not going to do that or I'm going to transfer the money out." Are you saying that's what's going to happen in January?

Mayor Cubillos: Something I thought about when I was here this evening and I was reviewing my notes for my report, that's something that came up because it has come up a little often with residents that I speak to is how is this going to look, how was it going to go through. We have our first Planning and Zoning meeting also in January and I was going to also bring it up at that meeting what would it look like to let the manager and the attorney to start working on the more specifics so that there's an ease to it.

Hey, listen, I've lived here also for over 10 years and our town has never been injected with a million dollars potential of a development agreement and I completely understand. In an effort to ensure they're all on the same page and the manager has a proper instruction, it will say on there they'll be able to give it to us. Committee meetings again start in January so I think it's a good time to start the year off that way.

Again, that's something I was going to talk about at the end if this were to pass. I'm under the assumption that if they all pass then it will most likely pass in March. If we're aiming in that direction, let's be proactive as opposed to reactive and not wait till after they're passed to do these things. Let's start potentially working on them so that we have it all lined in together.

Courtney: Okay. If I could ask the attorney, I don't know, madam mayor or chair, if I can address the attorney if that's acceptable or not?

Mayor Cubillos: You can ask the attorney.

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Courtney: With these trust funds, what is the method for taking money and using it for a purpose that it is not originally intended? Are you transferring out for whether the council decides to or the manager decides to, et cetera?

Norman: Well, the way the ordinance is drafted and we're talking about even refining that more between now and the final second reading, the ordinance will provide specific projects or specific improvements or acquisitions that the council would be limited to under the ordinance. The clear response to that would be if there was action taken contrary to the provisions in the ordinance, it would violate the ordinance and it would be illegal. It's codified.

Courtney: Thank you. That means if the council, whether it needed a supermajority or just majority, changed or decided to change, a future council, decided to change the ordinance, they could then spend that money on whatever they wanted. Is that accurate or not?

Norman: Let me make sure I understand your question. We've clarified the ordinance to provide for specific criteria by which the funds have to be utilized for, if a future council decides to amend the ordinance, it would have to go through the same process we're going through now, a first reading and a second reading. To further answer your question, if a future council decided to ignore the provisions of the ordinance, it would be illegal, it would be contrary to the ordinance and any resident or taxpayer would have standing to challenge that action.

Courtney: Thank you. Thank you, madam mayor.

Mayor Cubillos: No. Any time.

Juan: Madam mayor, may I clarify one more thing to Courtney if I may? The ordinance actually reads, "...to support the acquisition of land for parks and open space, reinvestment in improvements to existing parks and open space, tree planting, and landscaping within the village boundaries." The reinvestment in improvements is to specifically existing parks and open space, tree planting, and landscape within the village boundaries. I don't know if that clarifies further. It doesn't?

Courtney: It doesn't [inaudible 00:48:14]

Juan: You mean capital improvements or the capital?

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Courtney: Capital.

Juan: Capital improvements. Your recommendation is to include capital improvements as part of this, for instance, repaving a road?

Mayor Cubillos: Courtney, if you're going to answer, just come back and put it on the record, please?

Juan: My apologies. I just want to see if we--

Courtney: My suggestion is that we make sure that it's restricted to capital improvements not ongoing maintenance.

Juan: I understand. Got it. Thank you.

Dr. Margaret: Margaret Okonkwo, 211 Northeast 89th street. In terms of contributions from developers, how much money are they contributing and was that determined before or after their project was approved? For future developers, what's the dollar amount that they can contribute? Is there a maximum amount and will that be determined before or after their project is approved?

Norman: That's a legal question. The project has not been approved. There's still further work to be done, the site plan is being construed by the consultant. To answer the first question as to the dollar amount, at the last workshop we described it but I'll just give you a general overview. We conducted an appraisal through a company that appraised the values adjacent to the site and came up with a workable formula which is also on the website so you can read the appraisal. We negotiated

from that standpoint with the developer.

Dr. Margaret: How much they'll contribute into this fund?

Norman: Correct.

Dr. Margaret: Then, just in terms of Miami 21, I don't exactly know where this building is. Does it fit in with the Miami 21 in terms of the number of stories on the building?

Juan: Miami 21, the city of Miami zoning code? You mean our code?

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Dr. Margaret: Right, the Miami 21 building code. I don't know if El Portal is part of that, where there was--

Juan: Our zoning code? Sorry.

Dr. Margaret: The Miami 21.

Juan: No, the Miami 21 is the City of Miami zoning code. We work with the Village of El Portal zoning code which is similar--

Dr. Margaret: I'm sure there are single-family homes very close to that eight-story building. I don't know if there's some code or zoning or something that controls how high a building can be near single-family homes.

Juan: Yes. Our code describes how tall a building can be in certain zones. It's based on the zoning, not the actual land use. The land use in that area is varied, there's a lot of vacant land. There's actually development to the south in the City of Miami which is higher than single-family properties. This area here is Z5 which allows a total of eight stories with such contribution.

Sandra: Sandra Valencia, 8633 Northeast Miami Court. I was just looking through it briefly. I found it, thank you so much. I did that confrontation. I just noticed that it says something blah blah blah, the name of the project and apartment, so that means this is a rental community? Is this a rental unit of apartments or is this a condominium? I presume it's not a condominium, right?

Juan: The current application is for apartments, yes.

Sandra: For apartments. That means it's just a rental community?

Juan: Yes.

Sandra: Okay.

Mayor Cubillos: Any other questions?

Sandra: Do we have an idea of the rental range in terms of pricing, what will be the range in rentals?

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Juan: That's not part of the application, but if the developer wants to furnish those right now, I assume that they're still working on the numbers.

Sandra: Okay. I was just trying to understand what would be the person living in this community. He's just next to us and is part of our village. I would like to know and understand what sort of person is the people are going to be living in this building. Do we have any information or idea? Is that part of the plan?

Juan: Again, the application has not been approved. The application, as it stands now, again, you can check it on the website, has a range of units. The biggest variation on the ground level, they're work live units which are units that may create some type of small home-type commercial use, and on the upper levels they arrange, and I correct, it's like one and two, and do you have any three stories? There's some three-- Sorry, three-bedroom three units.

Sandra: Yes, I saw that, but understanding-- you can build any edification but it all depends on what kind of--

Juan: Finishes.

Sandra: Yes, are you looking for. I would like to know who will be my next-door neighbor. No? We have no idea? Is that's something that the village will be interested in finding out?

Mayor Cubillos: That's part of the town hall that we're going to host in January to get all more information on the development.

Sandra: Okay, thank you.

Mayor Cubillos: Any other questions? Hearing none--. I saw you motion, do you have a question?

Vice Mayor Nickerson: No.

Mayor Cubillos: Councilperson Urbom? I saw you motion while they were talking but it was public comment time.

Councilperson Urbom: Speaking to what Courtney's concerns were in terms of the structure, not having structure. We have some guidance in terms of how that money's going to be spent. I also feel that it is important to really detail what the structure will be. That's the purpose of

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my question of saying how much time do we have to do that before the first deposit because without that, then the first withdrawal-- because the way I see this fund going in the long term is like the note that I put is long-term short deposit variation, meaning how many developments are we really going to have in El Portal over the next 50 years.

I'm hoping the two that we're talking about now, the sanctuary, when the village acquires it like they should have done, develop that, that's three. I don't see really any other developments on the horizon for El Portal and I'm very happy with that. It's a huge part of why I love this village. We're not talking about a revenue mechanism here. We're talking about an opportunity two perhaps three times over the next 50 years. That, to me, is the core reason why a more detailed structure would be necessary because it's not going to be a source of revenue that can be redirected in the future. It's going to be three opportunities, two perhaps, three and a half.

I think that's what Courtney specifically was getting that in terms of the risk of reappropriation. I termed it risk of reappropriation based on his notes, but meaning, is there a mechanism or is there truly not a mechanism where funds could be moved to a different department or what have you outside of that based on everything we're passing this evening? I don't expect there to be a structure tonight before we pass these two items. I recognize the need for these two items. My concern becomes if we don't have a structure together by the time that deposit would come in, then that's going to create, at a minimum, drama and then a further concern would be a lost opportunity.

Mayor Cubillos: Councilperson Roman? Vice Mayor Nickerson?

Vice Mayor Nickerson: No.

Mayor Cubillos: Before I as for motion, I just want to make one comment. Councilperson Urbom, I have asked if you'd like to chair Admin and Finance, I haven't gotten an answer yet. If you would like to, and when I asked you that question a few days ago here, part of my asking you that question was because I was going to propose a chair the Admin and Finance to work alongside the manager to write this.

If it's something that I believe that you would want to do and if you have that opportunity, just let us know because this is something that is incredibly important. I was going to be asking the chair of Admin and Finance Committee to work on them.

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Councilperson Urbom: My father's in surgery. I'll know later this evening if I'll be able to commit to that.

Mayor Cubillos: If you do that, then just let the clerk know. I need a motion to adopt ordinance 2019-07 if there is one.

Councilperson Roman: A motion to adopt.

Mayor Cubillos: A motion's been made by Councilperson Roman. Is there a second?

Vice Mayor Nickerson: I'll second that, madam mayor.

Mayor Cubillos: Second by Vice Mayor Nickerson. Any discussion before I ask for roll call? All right. Hearing none, madam clerk, may I have a roll call, please?

Yenise: Roll call. Councilperson Urbom?

Councilperson Urbom: Yes.

Yenise: Councilperson Roman?

Councilperson Roman: Yes.

Yenise: Vice Mayor Nickerson?

Vice Mayor Nickerson: Yes.

Yenise: Mayor Cubillos?

Mayor Cubillos: Yes.

Yenise: Motion passes four to none.

Mayor Cubillos: Thank you. If I can please have the attorney read ordinance 2019-08 into the record?

Norman: Ordinance number 2019-08, an ordinance of the Village Council of the Village of El Portal, Florida, approving and authorizing the mayor and village manager to execute and to

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otherwise enter into a development agreement between the Village of El Portal and BH, 495 Northeast 83rd Street LLC for the development of property located within the village as recorded in official records book 28751 pages 808 through 809, and official records book 2867 pages 4489-4491 of the public records of Miami-Dade County, Florida, and as more fully described in the development agreement which is attached hereto as Exhibit A, authorizing the appropriate village officials to do all things necessary to effectuate the intent of this ordinance, providing for conflicts, providing for severability and providing for an effective date.

Mayor Cubillos: Thank you. If you can just provide a little background for those in the audience that have not been here?

Norman: Again, this is actually the last step in the process. This actually as it states in the title, this provides that if it's passed, it will authorize the mayor and manager to execute the proposed development agreement which would be the Kabista project. That's it.

Mayor Cubillos: Also, for clarity purpose, by allowing us to accept the Kavista project is also accepting the dollar amount of 1.1 million?

Attorney Powell: I think the question was asked earlier. This is just approving the terms of development agreement including the development fee. There still has to be the steps that have to be taken by the developer to go through the city's approval process. The site plan has to come back to the council, whatever variance is, whatever plans that are going to be proposed for the project, they have to all come back to us, this doesn't rubberstamp what's being presented today.

Mayor Cubillos: Did you want to say anything, add to this? No? Did you all want to add anything, either AJ, Ken, or Ben or the architect at this time? No? Any questions from the council on this ordinance to either the attorney or to the manager? Hearing none, I'm going to open up for public comments on ordinance 2019-08, which is the actual acceptance of the development agreement. Just state your name and address for the record.

Courtney Kirk: Courtney Kirk 265 northeast 87th. I'll be as brief as I can on this one. At the planning zoning committee, I felt that the Barrington Brothers presented a very reasonable and appropriate development for that area. They could do it by right at six stories or five stories, whatever the number is. It is in a semi-commercial area where there is, to my knowledge, the only single-family housing is across the street, everything else is duplexes, et cetera, so it's a reasonable location for it. It fits in I think with what we're hoping for at the village.

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These are, I don't know whether I'd call them luxury apartments but certainly upscale apartments with nice amenities, et cetera. I would hope that people affording that money and using those facilities would be very welcome in El Portal and mix in with everybody else that we have here from poor to rich. I believe this is good for El Portal, and I hope that this will be the beginning of a nice relationship with these developers because they seem to be doing a very reasonable thing.

The attorney has said they still have to go through all the hoops of site plans, approvals, permits, yadda yadda yadda, so they still have a lot of work to do as well. Thank you.

Mayor Cubillos: Thank you, Courtney. Any other public comments? Hearing none. Is there a motion to adopt ordinance 2019-08?

Vice Mayor Nickerson: I'll make a motion to adopt ordinance 2019 08, Madam Mayor.

Mayor Cubillos: Motion's been made by Vice Mayor Nickerson. Is there a second?

Councilperson Urbom: I'll second.

Mayor Cubillos: Second by Councilperson Urbom. Is there any questions or discussion from the council on this ordinance?

Councilperson Urbom: I just had one more comment to make about the Height. I know one resident was the last mayor of the Height. I had a chance to ask the developers a few questions at the last meeting we had as well. It sounds to me that with this height, they went as high as they were allowed to go, they were restricted to that height. I would love to see Miami with nothing but four-story max. I'm an idealist, I understand I'm not going to get my way, but this does seem to be a reasonable compromise, and so I'll just say that about the height of the building. There you go.

Mayor Cubillos: Thank you. Any other comment from Vice Mayor Nickerson or Councilperson Roman?

Vice Mayor Nickerson: No, ma'am.

Mayor Cubillos: All right. Thank you. Madam clerk, may I have a roll call, please?

Clerk Jacobi: Roll call. Councilperson Urbom?

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Councilperson Urbom: Yes.

Clerk Jacobi: Councilperson Roman?

Councilperson Roman: Yes.

Clerk Jacobi: Vice Mayor Nickerson?

Vice Mayor Nickerson: Yes.

Clerk Jacobi: Mayor Cubillos?

Mayor Cubillos: Yes.

Clerk Jacobi: Motion passes, four two none.

Mayor Cubillos: Thank you. Just to repeat again, there will be be on the lookout if you do not get the emails from the clerk, sign up at the village website elportalvillage.com. Be in tune of the town hall that we will most likely have sometime in January, and hopefully the second reading for these ordinances will take place on the fourth Tuesday in February. Thank you for your time. I will go on now to the individual reports. Give me one moment.

[pause 01:04:48] Okay, now we're going to go into the mayor, manager, and the attorney reports, and if there are any end of the year comments that the council would like to make as well. A couple of points that I wanted to just wrap up as we wrap up 2019. I really want to thank everybody, first and foremost. I want to thank our village clerk. I want to thank our village manager. I want to thank our village attorney. I want to thank the council. We attend a lot of meetings, we do a lot of work and sometimes it's not the easiest of work, and sometimes we do not necessarily agree, but as long as we can move forward to the greater good, at the end of the day that's why we're elected.

2019 hasn't necessarily ended in the fashion that I thought that the village would hopefully end. I think that as many great things that this administration has been working on, it gets clouded over a continual one item which I am going to discuss tonight and that's FEMA. It's really unfortunate the amount of work that we do and the amount of work that continues to happen and the great work that is done, it is all overlooked because the village hasn't gotten their money back. We are equally as frustrated, we are equally as angry and we are equally in the dark with why.

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On July 11, the manager and I had a closeout meeting with FEMA from Washington DC. They specifically on that conference call which was well over 30 minutes said to us, and they followed up with an email that I have no problem sharing and that email specifically said, that you all have passed through a lot of hoops and you have done excellent work, and now all of your money through all of the eight or nine projects has been obligated to the state of Florida.

I don't have the total dollar amount but the federal government FEMA obligated to the state of Florida of 2.3 million. It's a little more than our loan that we have taken out and we have gotten an extension. I apologize it's not a loan, it's a line of credit. It really has been a disappointment that since then the state of Florida now has your money, our money, and now they just have a lot more questions.

All of the questions that they're asking are questions that we have continually answered. *The Miami Herald* calls us and they ask the same questions. The manager brought up a really good point to *The Miami Herald*, and that was, why isn't the State of Florida being asked these questions? Why are small cities being targeted as something that has been done wrong? Nothing has been done wrong. What is wrong is that the State of Florida has not given us our money back because it is hard money that we have paid as taxpayers here that have lived here for a really long time.

I challenge every single resident that instead of asking us all those questions, instead of doubting the quality of work that was done, I challenge every resident to really get on the State of Florida and demand where our money is. Because I do believe one thing. I do believe that if all of the residents would come together and the council would come together on this issue and fight with one united voice, their strength there and we will get our money back, but right now no one is doing that. The only people that are fighting for the money is the manager and myself.

We're the only true believers behind this entire fight-- Sorry, and the attorney who's on every phone call, and we are on every phone call, we are on every email, we email constantly, and the State of Florida does not give us any answers. Do you want to know what's happened? I will tell you. It has been over two years since Irma, and now we are talking to people in the State of Florida, but guess what? They have just been hired, they weren't even there when Irma hit us. They're asking us questions that we have answered over and over and over.

Does it justify their jobs? Probably, because if they didn't have all of this work to research, they wouldn't be there. I challenge every single one of you because it is our money, it is the

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taxpayers' money that they are withholding. I ask *the Herald* who is here today to really ask the State of Florida, "Why is a small city of our size being put through this. Why?" It's a question we ask the state of Florida, and they don't answer it.

I challenge every single resident who is not only here but is watching whether it's tonight or whether it's in a couple of days. Call the state of Florida. Find out what is going on. Because I do believe that if they got more calls on behalf of the Village of El Portal we might just get answers. If you don't want to just call us because maybe you have no faith in us then call your county commissioner, call your state senator, call your state representative, call your congressman because all of them got elected by all of you. Why aren't you all calling them?

Why are we being challenged and being looked at as if something was done wrong? Nothing was done wrong. I will say this. At a meeting that we had with the interim CFO, I mentioned something to the manager which I'm going to say on the record because I have no problem saying it. That is the next time there is a hurricane because we will have another hurricane, there is no doubt about that. Not sure who is going to be elected, not sure who's going to be living here and not sure what manager will be here, but there will be another hurricane.

I told the manager, "We need to take a look at our county MOU". Why? Because the county will come pick up all of our trash. Don't pick up the debris on the sidewalks they're going to do it. It's just not going to be in the four weeks that we had it done. They might pick it up in four months and then the calls will be a little interesting then because what happens with all of the debris hanging out in the swells? It's going to collect rodents, there's public safety and all that stuff.

It's really easy for two years later for those that worked to be ridiculed or questioned or doubted but at that time, when all of that work was being done it was quality, good, honest, decent, hard work done by people like me that I don't get paid anything to do this as well as the manager who at the time was relatively new. The bullying that I feel that the village of El Portal has gotten maybe it's because we're a small city it's easy to pick on us.

I don't really have those answers but the only thing I can say is this, if you all are passionate about El Portal as you all say you are and some of you have told me you are, if you will really care because we're taxpayers then I challenge you all to call your state senator. I challenge you to call your congressman and demand why have we not gotten our money? Why? Because once you get that answer I'd love to know too.

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Because it is unfair. It is unfair that we were supposed to meet with the head of FEMA today and all of a sudden they called us today, "Oh, well no you weren't in the calendar. There's no time for you". Really? See that's the stuff that we deal with almost day in and day out. No respect. Because I don't know maybe they have bigger cities to deal with. We don't really know what the case may be but I'm going to tell you that your manager and your mayor constantly are on the phone with them demanding answers. Because we have a right. The village of El Portal has a right to be paid back.

If it's the last thing that I do as a mayor here we will get our money back. I don't know how it's going to happen but I'm going to tell you that I have enough perseverance, I have enough grit, I've been through a lot, and we're going to get that money back. It would really help if everybody had a united voice on it. It would really-- It might make the process a little quicker. It might make it happen a little quicker but it would also just mean something. Because if at the end of the day what matters most is to get the money back then let's work on that. Let's work on getting our money back because it belongs to the village of El Portal, not to the State of Florida and it has been there way, way, way too long.

I challenge all of you if you have public records requests, ask them to the State of Florida. You don't have to ask us. Ask them. Ask the State of Florida for public record requests on what hours are they putting in to look over our [unintelligible 01:14:28]. How much are they getting paid? Where is that money coming from? Is it coming from our dollars that now we're probably going to get less on? I don't have the answer. Do you all have it. I really challenge all of you. We're going into a brand-new decade. It's a brand-new time. The village of El Portal has a lot of great things happening, and we do not deserve this treatment. Not from *The Miami Herald*, not from the state of Florida. We do not deserve it at all.

We should be equally respected as Miami Beach, as the City of Miami, as Miami Gardens, as Doral, or South Miami because it does not make a difference what city we're in or because we're smaller that we are worthless. No. We're all human. We're all worth exactly the same. The difference is that we actually need our money. We actually need our money back. A couple of things before-- FEMA was the one thing I wanted to discuss.

The next thing is as most of you know we've been Tree City, it was safe for four years in a row. We really need a tree board chair. If anybody is interested in being a Tree board chair, please reach out to the manager or see the clerk and let them know, and they will get back to me or the chair of public works. Let's see. There are proprietors for the little farm. I believe I got an email. Most of us got an email that on October 31st, they have hired a master plan

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company. That should mean something really good. As we move forward into the new year we have instructed Plusurbia to create an El Portal Architectural guidebook so you all can look for that in the spring of 2020.

Let's see. Our clerk has earned her certification for municipal clerk. That also happened. We have two sergeants; Officer Burrell was promoted to sergeant, Officer Sharpe was promoted to sergeant. The El Portal police department also won Small Agency of the Year by Ring. I want to thank the residents who came together during September for the Bahamas relief by donating many, many items. The impact that our small city had at the county when we dropped off the stuff, just dropped off all the items was quite impressionable. We have secured the necessary easement on the Horace Mann's School grounds so that the process for the phase one for septic-to-sewer on the west side can start moving along again.

In the spring of 2020, look forward to the fifth anniversary of our little library. We've sort of modernized it a little bit and we have a bigger one coming to be able to accommodate all the books. We have a wealth of books that a book exchange program if you're unfamiliar with it. I encourage you to go to Little Free Library. I'm not a big Kindle person. I like to touch and feel my books, so I love the exchange program that was brought forward in February 2014, and so we'll be celebrating our five-year anniversary.

Let's see. Councilperson Roman was appointed to the Neat Streets Miami board. Councilperson Urbom to the long-range planning committee. This highlights 2019. We also have-- the manager has put together along with Craig Smith a cost analysis for all of our roads to have a road map to address all of our streets and infrastructures, so we have an idea of what every street the damage that they have right now and what it's going to cost to repair them whether it takes us 3, 5 or 10 years. We have at least a cost of what it would look like in the next three years at least.

I received an email this morning with the manager that there is a company that has donated, I believe, 5 or 10 bicycles for children for Christmas. They donated it to the Miami Dade County League of Cities and as a current president El Portal will be receiving those 10 bikes. I have thus mentioned to the manager that I'll work with her and the chief to see how we're going to inseminate the 10 bikes. I'd like them to go to 10 children in our community that are in need.

I will be hosting the-- Annually they've been hosting a toy giveaway at-- not Horace Mann, excuse me, at Phyllis Smith Miller. I don't have a time but that should be happening on Friday. The morning on Friday. Friday is December 20th. El Portal is signed and as part of the Resilient

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305 but real quick and Resilient 305. Really as good as the activity that everybody gets involved, so be part of Resilient 305 just provides access.

Nothing great happens by the mayor signing the accord, but what does happen is it gives access to all of you to be able to either take training in the county or anything. If you want to know more I'd encourage you to email the manager or email myself, email the clerk and get more information on that because Resilient 305, also, there's a lot of training for residents who, if you want to get more involved when there is an acute disaster, how can I receive training to be hands-on in the first few days?

They provide a lot of training on that. They also provide which I think is fantastic-- I might have the name. What is it called? Non-stop bleeding, first bleeding-- what is the name by the Florida Department of Homeland? It escapes me. Stop the bleeding.

Speaker: Stop the bleeding.

Mayor Cubillos: They provide training on that. With the city of our size, all hands on deck are very helpful when we have a disaster. Again, we become part of these programs to provide all of you the access to be able to be a part of it by signing up and all of that and having access to all of those websites. I was also advised on Friday that there's a resident on Sherwood Forest who is a veteran, who has been selected by the Miami Dolphins Foundation and his house will be painted and slightly renovated. I don't have the details. It is this Thursday. I told the manager already and as soon I get the timing, I'll let her know so that the council will know. They just haven't gotten back to us.

I thought that was another good story to know about. It would be great if *The Harold* wrote about great stories about El Portal such as that. Our young lady that is a nominee for the Grammys, who I don't know if you were here for that but she was here. We gave her a proclamation. I think the manager finalized also Roberano the CBDG grant. I've been trying to think of other highlights. Just a few highlights. The newsletter is out. If you have not received an email, let the clerk know. It has been on our website as well. It will be hand-delivered to your homes by Friday. Today is Tuesday, yes by Friday. I believe that concludes - stand by. [silence] I'm sure something will come up.

That really wraps up 2019 with some of the highlights that we have been able to achieve this year amongst the dark cloud. There's a lot of great things happening in our village. I'm going

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to now move on to our manager then our attorney who will provide more reports. If any council member afterwards would like to say anything else as well.

Manager Alou: Thank you, Mayor. You did a really good synopsis and I don't have a whole lot to add to that. I can state that we're working on a parking plan with our planners, Plusurbia, for the North-east Second Avenue business corridor. We've been in talks with the county as well as the private entities on how to address our parking needs. Since we're a community that is already well established but we're facing a parking challenge. That will be coming before planning and zoning I'm sure very soon and stay tuned for that.

Our Police Department continues to do its very best in filling in. We've had a little bit of a scheduling matter but ranks have-- in case the situations and we have our staff really doing a great job in solving cases and working with the county to address speeding and traffic on North-West side of town, North West 5th Avenue and 94 Street.

They're continuing to work on those matters. We have equipment that will be put into place pretty soon. We've already ordered the speed tracking devices. They will be coming in and we will be placing those. That will help with the traffic study and those things that we really want push in the beginning of the year. So stay tuned for that as well. I'm just trying to go through quickly because I don't want to hold everyone but we're finishing up an environmental audit for our phase one of ECD/GB funds that we received and that's part of the contract that we have to do.

We're finalizing on that tomorrow and I will be sending that over to the county and signing it, so another item that will be probably on the public works committee coming in January about the contract for the funding. Sadly, we could not get anyone in the [unintelligible 01:24:28] area to allow for us to put an easement or an outfall in there along the property lines.

We have to come up with an alternative to cure that stormwater issue or we give the money back. We don't want to that. We want to solve our stormwater issues. We are looking at an alternative but we could not get anyone to agree to allowing us just a 10-foot easement to go through to the C-7 canal. We're back at the drawing board but we've got to come up with something. I'm working Orlando Rubio who is our engineer with Craig Smith to address that. The Mayor and I worked with him and walked that area and met with residents too out there as we tried to find a place to put that outfall. Residents were not willing to do the easement, we have to come up with something else.

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We did have our beautiful annual tree lighting holiday celebrations here on Friday the 13th. It was a very nice event. Well attended. Santa came in on a fire truck. Lots of residents had a good time. It was a very nice holiday event. I thank residents for coming.

Mayor Cubillos: No snow.

Manager Alou: No snow but that's why we live in Miami. [laughs] I do want to invite all of the residents to come tomorrow's bridge meeting. The county is going to be closing the North Miami Avenue, only one lane. Closing down one lane but there's going to be some serious traffic issues on the North Miami Avenue starting in the beginning of the year when that project starts. They're renovating and reconstructing that bridge over the canal and that traffic will be diverted down to one lane. There will be a public meeting here for residents to get answers from the county as to how long is going to take, what it's going to look like and how long will it be before we can have access.

Then what's going to happen when they come over on North East second Avenue. That is tomorrow 6:00 to 8:00 PM here in the Village Hall. Please join us. Just really fast, our legislative team, they've been activated. We're all hands on deck as the mayor said. This FEMA reimbursement is key. It is all we live and breath every day, all day because we're constantly answering, providing, giving whatever they need. They keep asking for the same things over and over again, we keep providing it. We did good work. We got obligated. They said we did good work. We're ready for our reimbursement. We do have our lobbying teams in place.

They're working on that. We've actually put aside some of our usual things because we've made this the priority. We will be working on our other priorities which is the stormwater and septic to sewer and traffic safety. Those are still on the legislative agenda. In fact, they have been promoted by our state rep, Dodi Joseph. Who sponsored those three bills for the Village of El Portal. We're really, really laser-focused on the FEMA reimbursement as well. I have been in touch with our Federal representatives as well as our state. We'll continue to work on that. That concludes my report.

Mayor Cubillos: I apologize, can I add something onto that?

Manager Alou: Go ahead.

Mayor Cubillos: Because you know I'm a little bit passionate about this one. The manager has talked about the bridge on North Miami Avenue. They're going to remove the palm trees.

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I'm not happy about it. We really need the residents to show up on Wednesday night. That's tomorrow. That's a great time to come and come together because they're going to remove those trees. They're going to remove them because they said that it obstructs the view. My question to them was, "Why always El Portal? Why aren't you removing the trees in Miami Shores?" These are the palm trees on North Miami Avenue on the median.

It's really important. This is a great time for you to come together with your neighbors. Please attend that meeting tomorrow. I know that councilperson Roman has posted it. I believe the clerk has emailed it out but please, please that is tomorrow night. The meeting is here. I'm sure the county is not really happy at the moment but I'm really-- If they have to seriously move the palm trees, you've seen them like 30 feet high. Where are they going to put them? They cost so much money. Really, really, really tomorrow-- what time is the meeting?

Manager Alou: 6:00 PM to 8:00 PM in Village Hall.

Mayor Cubillos: 6:00 PM. I really hope that they start the bridge in summer. That would probably make more sense, right? [laughs] That would really be a good idea. That's another thing that as parents, as traffic I hope they start this project in summer, it would make more sense. This is a great time for you all. Please, I will be here. Really important meeting tomorrow. I just wanted to add that. Then the other thing is I found it. I didn't realize I have it. If you can all bear with me because-- this is you didn't even have to ask the clerk. I can email it to you. The manager and I received an email on July 11th. It's from our-- back then he was our manager from FEMA, Washington DC. The email was received July 11th at 1:18 PM. It says, to the Village of El Portal officials, DPO. That's our contracting company and the city's constituents. Thank you for completing the process of the grant funding with FEMA. I know it's a long process to get your grants funded. DPO, Disaster Program Operations did a wonderful job for you. Each project passed through so many levels and hands to get to this point.

There were many FEMA employees all working towards this goal. I'm honored to work for FEMA and it's days like this that make it all worthwhile. If you have any questions, please do not hesitate to reach out to me. The State will handle things from here. I know Gabriela. Gabriela is from Disaster Program Operations, will be able to help you with this. Gina Riley was copied on the emails. She has been very responsive to other applicants as well, that we have dealt with. There's also Amanda Cabin. Sincerely and thank you, Cory writing from FEMA, program delivery task force leader out of Washington DC. That was July 11th.

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We're in December and we have received nothing. I'll open it up to the attorney for his report.

Attorney Powell: I just have a brief report. The evidentiary hearing that we were scheduled to have this week has been canceled because we've been able to reach a resolution with the Police Benevolence Association to conduct the re-openers early next year. Also concerning the easement, I've reached out to [unintelligible 01:32:16] forward the easement to them. They're reviewing the easement to make sure that there's no changes or amendments that may be required and I should be reporting back at the next meeting. We're bringing back the original settlement that we had proposed a few months ago to get that process moving forward. That's it.

Mayor Cubillos: At this time, is there any council member that would like to add any comment on anything they have been working on or to wrap the year? Vice Mayor Nickerson?

Vice Mayor: How is everybody doing? Good to see everybody here tonight. I just wanted to say that this past year as the mayor said through all the news that has been coming out, that I feel blessed to have worked with all of you guys. Madam Mayor, Manager Alou, Councilperson Urbon, I appreciate it man sitting next to you. I've learnt a lot from you. I appreciate it, my brother. My former seat partner over there, how are you doing, Councilperson Roman? Mr. Attorney, my brother I appreciate all the work you've done for us. Last but not least, the one and only clerk, congratulations on your certification and your ongoing education.

I see nothing but the highest of elevation for you, Madam Clerk and I can't wait to see in the future where everything takes you with all your certification and education that you're getting. Madam Mayor, I respect you and more than you could ever imagine. It's a shame that a lot of people don't see all the work and just don't realize where El Portal once was and where El Portal is now. By far, I have respect for everybody who was here before. By far, Mayor Cubillos has taken El Portal to a much greater place than when I first moved in many, many years ago I could have ever imagined.

That's no disrespect to any of the mayors before her, but El Portal if you guys don't remember El Portal, 10 years ago, people didn't even know what El Portal was when I used to go places. Had no idea that El Portal even existed. We're respected because of Mayor Cubillos. I just want everybody out there to be cognisant that this time of the year, especially up north, if you have family members to reach out to them. A lot of people because of the wintertime, depression reaches its heights. Sadness goes up. If you do have family members and people

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that live especially in colder areas, reach out to them and keep them in your mind during this holiday season. Thank you very much, Madam mayor, that's all.

Mayor Cubillos: Thank you Vice Mayor. Councilperson Urban, Councilperson Roman?

Councilperson Roman: Thank you, mayor. I just want to wish everyone happy holidays. Merry Christmas and a happy new year. We're going into a new decade. I know I'm very excited about 2020. I'm very proud of what we've done in 2019. How far we've come. How hard our manager, I've said it during different meetings. I feel like we're really coming together. I want to thank the staff. Our clerk, thank you for everything. All of our events, all our holiday event, she did all the decorations. It really turned out to be a fabulous event. Our police officers, we have a great new chief. We do have so much to celebrate and we're blessed for, here in the Village of El Portal.

Now, with hopefully, the Kavista project that's coming into the new decade and so much more. I feel very blessed to be here. I've lived here since 2005. Serving here for three years has been an honor. It hasn't been as pleasant at times but I have to say that we live in a community that is very unique. There aren't any communities like this that I know of in Miami. I'm proud to say that I'm a part of it. Thank you to the council and for being here and for serving actually, for all of your hard work. Merry Christmas and happy new year.

Mayor Cubillos: Thank you. Council Urbom? You're good? Okay. Before I ask for an adjournment, anybody good and welfare would like to come up and say anything?

Sandy Rollings: I know we're trying to be positive. Sorry, Sandy Rollings CID 633 North-East Miami Court. I know we're trying to be positive but I would like to ask a question. What the position of the Village is regarding the recent event on Mathis incarceration? I would like to know if the Village has pronounced anything publicly, what is our position regarding that? And if the Village in the future will run probably an audit suspecting any of the same issues that he's facing right now? Thank you.

Mayor Cubillos: Do you want to answer it? Do you want to answer it?

Attorney Powell: Are you asking me to comment?

Sandy: No, the Village position [crosstalk]

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Attorney Powell: At least from a legal perspective, the Village does not have a position. There was an unfortunate incident that happened last week. We're just part of the public just like everyone else. We will if asked to by whatever authority is investigating the matter we will cooperate in whatever ongoing inquiries they make of the village like we've done with everything else in the past.

Sandy: Is the Village will run an audit to our financial? He was the chair of finance.

Attorney Powell: The Village is audited every year by state law, I believe we've finalized an audit just a few weeks ago.

Mayor Cubillos: Yes, we're about to go into another one.

Sandy: That was before all this came up.

Attorney Powell: Again, the Village has completed its audit. There's nothing remarkable in the audit concerning any irregularities.

Sandy: That's good to know.

Mayor Cubillos: Thank you. A couple of things just to verify. The Village does do an audit every year and the audit is posted on the website too. If you go the homepage, right in the bottom they are all there. That's self-audit, we do it every single year. The good position also is that the manager has brought a new pair of eyes for our finance department. Chris Wallace I believe.

Manager Alou: Yes, Chris Wallace.

Mayor Cubillos: He has a lot of municipal experience. I think most of it is in Broward for the most part but pretty solid experience. That's a great part because now we have fresh eyes looking in. The other thing I wanted to correct, Harold Mathis was not the chair of admin and finance.

Sandy: I thought he was.

Mayor Cubillos: The chair-- No. This past year was Vice Mayor Nickerson.

Sandy: Not anymore?

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Mayor Cubillos: Every December the mayor has the option to ask the council what they want to do. What I had mentioned to the council in November was that 11 months in the committee was really not a lot of time to make progress because everything takes so long in government. I had asked if they had any committee that they were dying to chair to let us know if not, I wanted to keep things the same. That is an opportunity to see a difference in the committee. The only change that I wanted or I thought of making was as I mentioned a little while ago, at our holiday staff dinner I had asked Councilperson Urbom if he wanted to chair admin and finance.

Sandy: Got it.

Mayor Cubillos: He said he will let me know. Hopefully, by tomorrow I'll know. That would be the only change but Councilperson Mathis was not the chair.

Sandy: That's what I thought.

Mayor Cubillos: No, he was not the chair.

Sandy: Replacing him, what's going to happen?

Mayor Cubillos: There's no local authority that we have, if he's removed, it is by the Governor. It's two choices if he's removed, is by the Governor or he resigns.

Sandy: That was on the article that the Governor removed him. He actually just publicly-- yes, it's on the article. I'm just reading the press.

Mayor Cubillos: He's right here. Now the Governor has not called me. Has not called the manager. I have been called before when things have come up. If I would get a call, the first person that's got to know is the manager and the attorney.

Sandy: I'm just asking from when I read the article came out. If he's removed from chair, are we running for election or what happens?

Mayor Cubillos: It's really interesting because believe it or not about six months ago after Werner Dreher resigned and we had to pay for an election. I think maybe 30 days after that an election. I suggested to the committee that we really need to take a look at our charter because we can't afford special elections. It's a lot of money.

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Sandy: I agree.

Mayor Cubillos: Werner Dreher's election is \$16,000 that was not budgeted for. It was two months after the election. I had recommended to the council for us to take a look at our code and it would go out to vote. It's a referendum, you all would vote. That would be if we were in the situation where if someone is removed or someone resigns, that the council can appoint someone.

Sandy: As residents, we would like to have a vote anyway. Somehow a voice within, if that happens.

Mayor Cubillos: If this were to have actually passed, it would first have to go to you all on a ballot and you would have to say, "Yes, I agree for this amendment to change." So that there's an option. Either we can have the special election. Maybe we have an abundance of money we want to spend 15,000 on an election or you authorize the council to appoint someone by majority. There's going to be three votes to appoint somebody up to the next election. So that in the next election that person can run or somebody else can run. At least it gives us an option. Right now we have no option.

If the Governor removes him, my next question is how long can we have four instead of five? I would hate to put the Village through another special election right now. We just got out of one.

Sandy: I understand. That's a concern for all of us but also if we get to pass this motion of you guys being able to actually name someone to take over. I would like to just bring the idea of having someone that represents the residents. Someone that probably we can choose to represent us within so that we have a voice in the council. Even if it's not a councilperson, I don't know if that works. The legality of it, I've no idea. [laughs] I would like for the residents to have a voice anyways, if that comes to happen.

Councilperson Roman: We're your voice, you voted us in.

Sandy: Well, choosing that person somehow without the cost of a whole election somehow [crosstalk] anyways.

Mayor Cubillos: It is not something I would like to see happen for this village.

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Sandy: Okay, thank you. I appreciate it.

Miss Garcia: I'm Miss Garcia from 500 North-West 587. First I would love to thank the council, Mayor. I moved here in 2014 and I for one I have seen the amazing changes that our village has gone through. I come from this type of place. I was raised as my husband was in Miami Springs and Virginia Gardens. Which is very much Miami Shores and El Portal West Coast. I call it the east and west side of the same coin. I'm used to this type of scenario which is why my heart was so happy when I was able to find a home in here. I've jumped into getting involved for that reason because I'd like to continue that feeling that you get from this village.

I think your collected ideas and projects are helping us move along that. I believe that you, Mayor Claudia, have done an amazing job of pushing those projects and bringing up great new ideas along with the rest of the council. We need some of these great projects that are coming in. These types of apartment buildings that are coming in are coming regardless. I'm happy that we cap at eight stories because I don't want to see monstrosities that happened downtown in Brickle. You feel like you're driving through a canyon. I worry that Biscayne Boulevard will eventually become that because it's not for our doing but because of the city's doing, Miami-Dade County in general.

Everybody wants to live here. That causes more traffic, more issues, more cost. I love that our united vision is to keep a sense of community here. That you're not going to get outside but you're still-- to me I tell everybody I live in the gem. That's the heart of Miami-Dade. Nobody is aware of it and that makes it such a gem because you don't usually find a gem shining out bright. You find it hidden. Its hidden gem that allows a community feel that you don't get anywhere else.

I would love to see our village focus on more environmental issue when it comes to the sea walls and the river. That's my big platform and it has always been. I love working with the Little River Conservancy as we have. I love the tandem team there. The women's club of El portal. I believe they bring a lot to our village as well. They keep that sense of community and I love volunteering with them as well. Definitely to focus on the Iguanas that are driving us insane on the river. They're burrowing their way through the foundations. We're losing the river properties faster every single day because of this.

I know FWC has done different priorities now with the iguanas but we need to at least put that somewhere in an agenda for good and welfare for the residents because they're getting bolder. They're crossing the streets now. I'm seeing them go other people's yards. They're getting

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further into the village. They eat everything. They destroy habitats. Where birds sanctuary. They do cause a lot of damage. I believe when they're young with bird eggs and stuff like that not when they're older. When they're older I think they're vegetarians but when they're younger, they're not.

Just to add that to our fore coming projects and I know that we did at one point when I first came in, we had stuff on the table. There were grants available. There were things available that were set aside for sea wall projects but then, so many other things came into play that I know it got sent off somewhere. I would love to have the council and the mayor bring that back to something in the forefront for our residents on the water. Thank you again for the work that you've done and I'm hoping 2020 will be a good year. Thank you.

Mayor Cubillos: Anybody else in good and welfare? Hearing none, I'm going to bring it back to the council. Before I ask for adjournment, there's three things I need to say. Lieutenant Mendez also is new on board. I mentioned all the highlights and I forgot to mention you, I'm so sorry. Lieutenant Mendez is also on board. As private as this is, my condolences go to officer Battaglia. Officer Battaglia lost his father a couple of weeks ago. He's just lost his mom. As private as I know that is, I shared with all of you that I don't know how many of you have lost your parents, I have back to back. It's never good. It's very hard.

We're not sure when he's going to be back but keep him in your prayers because he's young. It doesn't matter if you're young or old but my heart goes out to him and his family. He has been a tremendous asset to the police department. They've all been one big family with Officer Battaglia. If you don't hear him as active right now on next door or any social media,- you all have a little understanding of why. With that said, I want to wish you all very Merry Christmas, a Happy New Year. I am always here no matter of what you have to say is great or not great, I'm here to listen to the good, the bad and the ugly and to bring forward any other ideas that you believe is going to make our village a better place.

After I won mayor in 2014, I started a hashtag called IHeartElPortal and I really do, I really, really do. My husband often wonders if I love it more than I love him and if I love it more than I love my own business because I'm here all the time and I really believe in what I do.

My employees really don't see me as much as they'd like to but I genuinely mean it. No matter if I'm in office or not, I'm going to fear that way because I live here. Everything I do is for perpetuity because I'm not going anywhere even if I'm not sitting up here. I only want the best

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and hence why the hashtag is IHeartElPortal. With that said, Merry Christmas, Happy New Year. May I get a motion to adjourn.

Councilperson Roman: Motion to adjourn.

Mayor Cubillos: Motion has been made by councilperson Roman. Is there a second.

Vice Mayor Nickerson: I'll second the motion to adjourn, Madam Mayor.

Mayor Cubillos: Second by our vice mayor Nickerson. All in favor signify saying aye.

Members: Aye.

Mayor Cubillos: Any neys. Hearing none. Our December meeting adjourns at 8:54 PM. Thank you.

[01:51:26] [END OF AUDIO]

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