

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



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

Regular Village Council Meeting  
Tuesday, December 15, 2015  
Minutes  
7:00 PM

Statement of Decorum

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

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

**A. CALL TO ORDER**

The Mayor Claudia V. Cubillos called the Meeting to order at 7:03 p.m.

**B. SILENT MEDITATION & PLEDGE**

The Mayor called for a moment of silent mediation and the oral recitation of the Pledge of Allegiance.

**C. ROLL CALL**

The Village Clerk, Yenise Jacobi called the roll as follows:

Mayor Cubillos----- Present  
Vice Mayor Nickerson-----Present  
Councilperson Isaacs-----Present  
Councilperson Brunson-----Present  
Councilperson Mathis-----Present

The Village Clerk also acknowledged the presence of the following:

Jason Walker-----Village City Manager  
Yenise Jacobi-----Village Clerk  
Steven Geller-----Deputy City Attorney  
Chief Eugene Morales----Chief of Police

**D. APPROVAL OF AGENDA –**

**D1.** Mayor Cubillos moved the approval of Agenda. The motion was second by Councilperson Mathis. **The motion passed by voice vote.**

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**D2.** Mayor Cubillos asked to strike E1. The minutes were not done for November 17, 2015. In addition for F1. To also be strike because Tracey was unable to attend although she will be attending for the January council meeting. Mayor Cubillos moved approval for striking E1 & F1.

**D3.** The Manager provided the following additions to the Agenda asked to replace F1. Mayor Cubillos asked to place under G2. Sergio-Laura Torres at 275 NE 89<sup>th</sup> Street, regarding fencing. Mayor Cubillos asked for approval of the agenda with additions and deletions. Councilperson Mathis moved, the motion was second by Vice Mayor Nickerson. The motion passed by unanimous “aye” vote.

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

**E1.** ~~Minutes for November 17<sup>th</sup>, 2015 Regular Council Meeting~~

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

**F1.** ~~Proclamation for Honey Shine Mentoring Program by Tracey Mourning.~~

**F2.** Special Presentation to El Portal Police Officers- Mayor Cubillos had a plaque order to acknowledge the presence of the police officers for being at every event of the portal. The plaque has the name of each police officer and she stated unfortunately not here yet.

**G. AGENDA ITEM:**

**G1.** CFO Financial Updates- Larry forgot regarding the meeting and will write a written report to the council.

**G2.** Sergio-Laura Torres- 275 NE 89<sup>th</sup> Street, looking for variance for fence on their property. Sergio –Laura Torres - 275 NE 89<sup>th</sup> Street, Laura stated that she would like to place a security fence and a gate, she is concerned for her safety. Sergio stated that both of their cars have been broken into that they both get home late night. Laura also stated getting signatures from each of their neighbors for the approval of the gate and fence, she also attached pictures and addresses of other residence in El Portal for references. Village Manager explained El Portal has a ruled can’t be placed in front the home. Some of them have been grandfather in and others who have placed them with-out permit and have fines running. He understands his concerns but needs to be brought for a variance decision can’t be made tonight because the 15 day advertised prior to the hearing. Mayor Cubillos suggested that because Laura mentioned lack of light on the property to please be looked at. Village Manager said he will take a look at it with the Chief.

**H. RESOLUTIONS / ORDINANCES:**

**H1.**

**RESOLUTION NO.2015-60  
BROWNSFIELD DESIGNATION**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF EL PORTAL, FLORIDA OF MIAMI-DADE COUNTY, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 471 AND 495 NE 83<sup>RD</sup> STREET, EL PORTAL, MIAMI-DADE COUNTY, FLOIRIDA 33138, IDENTIFIED BY MIAMI-DADE COUNTY FOLIO NOS. 18-3207-020-0130 AND 18-3207-020-0140, AS FURTHER IDENTIFIED BY THE MAP IN THE ATTACHED EXHIBIT “A”, AS THE “EL PORTAL NE 83<sup>RD</sup> STREET GREEN REUSE AREA”**

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**PURSUANT TO SECTION 376.80, FLORIDA STATUTES, OF FLORIDA’S BROWNFIELDS REDEVELOPMENT REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPEMENT; AUTHORIZING THE VILLAGE CLERK TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**H1a.** Public Hearing (Public Comment 2 minutes/person)

**H1b.** Mayor Cubillos stated this is the second reading. Resolution was read into record by Village Manager. Mayor Cubillos asked for a motion of approval for resolution 2015-60, **Moved by Vice Mayor Nickerson and Seconded by Councilperson Mathis.**  
**Vote:** Motion carried by roll call vote of 5-0. (**Summary:** Yes=5, No = 0).  
**No:** None. **Yes:** Councilperson Isaacs Councilperson Brunson, Councilperson Mathis, Vice Mayor Nickerson and Mayor Cubillos.

**H2.**

**ORDINANCE NO.2015-50  
PEACOCK FEEDING**

**AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, TO AMEND CHAPTER 4, OF THE VILLAGE’S CODE OF ORDINANCES BY AMENDING SECTION 4-5, ENTITLED “BIRDS; MOLESTING, ETC., PROHIBITED; EXCEPTIONS.”, TO PROHIBIT ANY PERSON FROM FEEDING OR PROVIDING ANY ATTRACTANT TO ANY GAME BIRDS OR WILD BIRDS WITHIN THE VILLAGE RESULTING IN THE ACCUMULATION OF DEBRIS WITHIN A PUBLIC RIGHT-OF-WAY OR PRIVATE PROPERTY, WITHOUT WRITTEN CONSENT FROM THE VILLAGE OR THE PRIVATE PROPERTY OWNER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**H1a.** Public Hearing (Public Comment 2 minutes/person)

**H2a.** Mayor Cubillos stated this is the second reading. Ordinance was read into record by Village Manager. Mayor Cubillos asked for a motion of approval for resolution 2015-50 **Moved by Councilperson Isaacs and Seconded by Councilperson Mathis.**  
**Vote:** Motion carried by roll call vote of 5-0. (**Summary:** Yes=5, No = 0).  
**No:** None. **Yes:** Councilperson Isaacs Councilperson Brunson, Councilperson Mathis, Vice Mayor Nickerson and Mayor Cubillos.

**H3.**

**ORDINANCE NO. 2015-51  
SWALE**

**AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, TO AMEND CHAPTER 24, OF THE VILLAGE’S CODE OF ORDINANCES BY AMENDING ARTICLE 3, SECTION 24-22 ENTITLED “OTHER GENERAL REGULATIONS”, TO PROVIDE THAT IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF PROPERTY, LOCATED IN ANY ZONING DISTRICT WITHIN THE VILLAGE, TO MAINTAIN THE SWALE WHICH ABUTS THE PROPERTY; PROVIDING FOR**

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**CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**H3a. Merlin Brooks, 400 NE 90<sup>th</sup> ST, El Portal** –Ms. Brooks was concerned if some of the trees in the swale destroyed the sidewalk and who would be responsible to fix the sidewalk. Village Manager stated if it's a sidewalk issue the village will repair the sidewalk.

**H3b.** Mayor Cubillos stated this is the second reading. Ordinance was read into record by Village Manager. Mayor Cubillos asked for a motion of approval for resolution 2015-51, **Moved by Councilperson Isaacs and Seconded by Councilperson Mathis.**  
**Vote:** Motion carried by roll call vote of 5-0. (**Summary:** Yes=5, No = 0).  
**No:** None. **Yes:** Councilperson Isaacs, Councilperson Brunson, Councilperson Mathis, Vice Mayor Nickerson and Mayor Cubillos.

**H4.**

**ORDINANCE NO.2015-52  
DOG LEASH**

**AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, TO AMEND CHAPTER 4, OF THE VILLAGE'S CODE OF ORDINANCES ENTITLED "ANIMALS", ESTABLISHING SECTION 4-10, REGULATING THE RESTRAINT OF DOGS WITHIN THE VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**H4a.** Public Hearing (Public Comment 2 minutes/person)

**H4b.** Mayor Cubillos stated this is the second reading. Resolution was read into record by Village Manager. Mayor Cubillos asked for a motion of approval for resolution 2015-60  
**Moved by Councilperson Mathis and Seconded by Councilperson Isaacs.**  
**Vote:** Motion carried by roll call vote of 5-0. (**Summary:** Yes=5, No = 0).  
**No:** None. **Yes:** Councilperson Isaacs, Councilperson Brunson, Councilperson Mathis, Vice Mayor Nickerson and Mayor Cubillos.

**I. REPORTS OF THE VILLAGE MANAGER, MAYOR & COMMITTEE CHAIRS:**

**II. Village Mayor Reports** - Mayor Claudia V. Cubillos- stated that it was a pretty good year. As she took a look back at the whole year with a smile and growth. She wished everyone to have a safe and happy holiday. Toy Drive was set for December 23, 2015 at 3pm with everyone present.

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**I2. Village Manager Reports** - Manager Jason Walker- stated currently working on a grant for thirty thousand dollars for Miami-Dade County NPO to do the design for medium on NE 2<sup>nd</sup> avenue, and also reducing lanes on NE 2<sup>nd</sup> avenue. Middle of CITT audit, pull records for five years ago. Most of the money was spent on repair of sidewalk. CITT audit to be placed on January's agenda. Also the offer to buy the church was turned down because of another offered by another group. There is a running fine on the church on 2<sup>nd</sup> avenue of over 80,000 dollars. In addition there were two successful submitted budget request projects on time they were narrowed down two projects one is El Jardin fluid litigation and the other request was the sewer on NE 2<sup>nd</sup> avenue. It was confirmed that they were received on time. Trim package was received by the state. Audio system will be fixed by the January meetings Comcast said too many complains that residents couldn't hear the meetings. Halfway house has a hearing coming up 8900 NE 7<sup>th</sup> Avenue. Interviewed a person to be a full time for the front office for January 4, 2016. Indicated Crime Watch meeting for December 16,2015.

**I3. Committee Chair Remarks -**

**a. Public Affairs**

Chairperson Claudia V. Cubillos-Toy Giveaway Reminder December 23

**b. Public Works**

Chairperson Omarr Nickerson- Welcomes Ms. Jacobi, Thanks Ms. Brooks.

**c. Public Safety**

Chairperson Aubrey Brunson-Congratulates Mr. Walker for a job well done. Postponed Jazz in the grass for June 2016. Appreciation for Police Department.

**d. Code Enforcement Committee**

Chairperson Harold Mathis-Wishes everyone Happy Holidays

**e. Planning & Zoning**

Chairperson Claudia V. Cubillos- Awaits variance in January

**f. Administration & Finance**

Chairperson Roxanne Isaacs-Wishing everyone Happy Holidays

**I4. Village Attorney Reports** - Attorney Steven Geller- Hearing on 9am, Public Employees commission regarding take home car. December 18, 2015.

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

**J1. Newsletter Deadline is January 4, 2016**

**J2. Dog Tethering Ordinance in January Council Meeting**-First ordinance in July to make sure it goes into January meeting 2016.

**K. NEW BUSINESS:** None.

**L. GOOD AND WELFARE:**

**L1a. Merlin Brooks, 400 NE 90<sup>th</sup> ST, El Portal** –Ms. Brooks was concerned if the CP phone has been changed, she said she called an no one responded. Councilperson Mathis asked what did she get she said she got a voicemail. She suggest that the money should be used for the

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bridge in reference to the one the Manager spoke regarding earlier. Also commissions for the council come and see NE 90<sup>th</sup> Street said it was a lake that it was underwater.

**M. ADJOURNMENT:** Vice Mayor Mathis moved that the Regular Village Council meeting for December 15, 2015 be adjourned. Councilperson Isaacs seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:30pm.