



**Village of El Portal
Admin and Finance Meeting
Date: 7/16/19
Meeting Start: 6:33 PM
Meeting End: 8:15 PM
Meeting Length: 01:42:41**

Vice Mayor Nickerson: Let's do this. The Village of El Portal Village Council Administration and Finance Committee Meeting is called to order at 6:33 PM. This is for Tuesday, July 16th. We're going to simply have a moment of silent meditation followed by the Pledge of Allegiance.

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.

Vice Mayor Nickerson: Thank you very much, Madam Clerk may I please have roll call.

City Clerk Jacobi: Chairperson Nickerson.

Vice Mayor Nickerson: Here.

City Clerk Jacobi: Vice Chair Roman

Councilwoman Roman: Here.

City Clerk Jacobi: Member Cubillos.

Mayor Cubillos: Here.

City Clerk Jacobi: Also present for the record Yenise Jacobi, Village Clerk, interim Village Attorney Norman Powell, Village Manager Christy Alou and Rod Harvey, CPA.

Vice Mayor Nickerson: Thank you very much Madam Clerk I appreciate it. For the agenda, is there anything anybody wants to change, add, delete or can I have the approval, motion to approve the agenda?

Speaker 1: I motion to approve the agenda.

Vice Mayor Nickerson: Second?

Speaker 1: I'll second.

Vice Mayor Nickerson: Thank you very much. All in favor say aye?

All: Aye.

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Vice Mayor Nickerson: Thank you very much. Approval of minutes. Last time we had an extremely short meeting. Do we have a motion to approve minutes?

Speaker 1: [unintelligible 00:01:46] to approve the minutes.

Vice Mayor Nickerson: Yes. Do we have a motion to approve the minutes?

Speaker 2: Motion.

Vice Mayor Nickerson: Do I have a second?

Speaker 3: Second.

Vice Mayor Nickerson: All in favor say aye?

All: Aye.

Vice Mayor Nickerson: Opposed say nay. Approved by all, this is for Good and Welfare is up next. This is for anybody out in the audience who wants to come up and discuss anything concerning the Administration and Finance Committee meeting agenda. Come up and say so now, your name and address, which at the end of the meeting, there's another opportunity to come up [unintelligible 00:02:21]. Hearing and seeing none, going right to the agenda. The first thing on the agenda is the Forfeiture Fund Resolution, and go ahead Madam Manager and take it away.

Village Manager Alou: Thank you very much Vice Mayor Nickerson. The administration would like to access the public and health police department corporate funds to pay for some of the items we needed and identified by the [unintelligible 00:02:53] for the security of the Village Hall. They would include the internal and external security cameras, a replacement of a window that was broken and can't close, a swing gate for the parking lot, and a panic button for the front office. We do have just a bit over \$26,000 in our corporate funds presently, but we're asking for \$14,545.70 to cover these expenses so that we can have more safety and security around the Village Hall.

Vice Mayor Nickerson: No. I think they're going where they need to go, which is hardening our building and making sure that we're up to speed where we need to be, as far as safety for the employees and police officers. I think it's well done.

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Vice Mayor Nickerson: Thank you very much, Madam Manager. Council person Roman any comments or questions?

Councilwoman Roman: I agree. Nothing to add.

Vice Mayor Nickerson: Thank you very much. Mr. Attorney any comments or questions?

Attorney: No.

Vice Mayor Nickerson: Madam Clerk, any comments or questions?

City Clerk Jacobi: No.

Vice Mayor Nickerson: Thank you very much. I was looking to move this to Full Council, everybody. Can I please have a motion to move to Full Council?

Mayor Cubillos: I'll make a motion to move to Full Council.

Vice Mayor Nickerson: Thank you, Madam Mayor. May I please have a second?

Councilwoman Roman: I'll Second.

Vice Mayor Nickerson: Thank you very much. Madam clerk, may I please have roll call?

City Clerk Jacobi: Roll call. Chairperson Nickerson

Vice Mayor Nickerson: Here. I mean, yes.

City Clerk Jacobi: Vice Chair Roman.

Councilwoman Roman: Yes.

City Clerk Jacobi: Member Cubillos.

Mayor Cubillos: Yes.

City Clerk Jacobi: Motion passes.

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Vice Mayor Nickerson: Thank you very much Madam Clerk. We're moving on to is there anything we haven't looked at Madam Manager?

Village Manager Alou: Its fine, thank you very much.

Vice Mayor Nickerson: Were moving on to G2, this is the Extension of the Line of Credit Madam Manager.

Village Manager Alou: I know there's no item before us this evening. This is an extension of the existing line of credit that is considered a loan that we took out to pay for our expenses as it related to the recovery from the Hurricane Irma. That line of credit is coming due at the end of this month. So we have funds obligated, we would like to extend the line of credit so that we stay in compliance with the bank and do not default on our loan. We haven't received our community funds in just yet, but we do want to extend the line of credit so that we are **[unintelligible 00:05:50]**. This will be an item that will be before a special council meeting on Thursday, July 18th at 6:00 PM, where along council and the bank will come together to discuss it.

Vice Mayor Nickerson: Thank you very much Madam Manager. Any comments or questions for the manager about the line of credit? My way. So it's, especially in the first reading. Thank you very much.

Member 4: The only thing I would add is that this has to be done by way of ordinance so it's going to happen at the special meeting and then there has to be a second council meeting.

Vice Mayor Nickerson: Thank you very much.

Mayor Cubillos: I just want to add a couple of things. In an effort to ensure the residents that it's not that we were late or anything, but the reason that we're going to have to have a special council meeting one and two is because we did wait as much as we can, because the funds are obligated. We did it in the hopes that the monies would come in in sufficient time to be able to pay for the loan. Seeing as that they're not coming in in time, so that we do not default, there will be two special council meetings. There's going to be one this Thursday at six o'clock, which this Thursday is July 18th. Then the second special council meeting is going to be August 13th, at 6:30. That's going to be for the second reading. It's really clear that that's noted on the record. It's not for anything more than we did wait as much as we could in the hopes that the monies were going to come in because it had been obligated within time. Seeing that

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it wasn't, we're going to have to have the special council meetings so that we're in compliance with the loan.

Vice Mayor Nickerson: Thank you very much, Madam Mayor. Appreciate it. For the line of credit, the first meeting is going to be on Thursday. Today, there's nothing else we've got to do. We appreciate you on updating us on that.

Mayor Cubillos: You're welcome.

Vice Mayor Nickerson: Any of ask questions or comments about that, anybody? Thank you very much. Moving on to G3. It's the attorney interim status discussion, so I'll take this. I'll put this on here, not tonight to make any type of decision about this interim status. What I wanted to do was to just start to just put those seeds in everybody's mind as far as when you start to think about where you want to go with that because, let me just say, the reason why, and I suppose for everybody out there watching this, the reason why I think that tonight-- I never wanted to make an established decision tonight was because I think that once the budget is complete, then it's much clear, everything's much more clear, because we don't know, between now and the completion of the budget, whether the pay is going to stay the same, if it goes down or up, or whatever it is, and being that we don't know that, if this is the first thing that we don't know that. We don't even know if, let's just say for sake of argument, that the pay goes down \$3,000 and let's say that our attorney is like, "That's not even worth it for me. I don't even want to do it." We don't know until the budget is complete where a lot of that lies, as far as to pay for the attorney fees like that. That's the first thing, so I think we should wait to make concrete bowing decisions on what we want to do when the budget is complete, that's the first thing. The second thing is, I think that we need to think about also how we want to consider that happen. We can consider happening through both of the committees. Let's say if we wanted to vote in to be permanent,

Vice Mayor Nickerson: Not to be interim, to be full-time, to be permanent attorney. We can vote it through the committee and take it to Full Council like we've done in the past for other individuals. We can do it through evaluation. What we are talking about opening it up to be applied by other individuals. We also have to think about things like whether he's going to be considered even if full-time or whether they will be considered or he will be considered a regular employee of El Portal or will he be considered a contractual employee of El Portal because I believe, Madam Mayor, correct me if I'm wrong, but all those years Attorney [unintelligible 00:10:46] was in contractual.

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Mayor Cubillos: Yes. The attorney position is never in-house position. We can never afford that. If the residents think that we're paying a lot now, an in-house position would roll them out of the water.

Vice Mayor Nickerson: Exactly.

Mayor Cubillos: I don't think that's ever been at the table.

Vice Mayor Nickerson: Yes, because you are considering, like insurance [unintelligible 00:11:08]

Mayor Cubillos: The starting salaries for an attorney is anywhere between 150 to 175 if not 200 depending on experience. We are nowhere near in the realm of wanting an in-house counsel.

Vice Mayor Nickerson: I just wanted to put this out there to have a discussion just so that we start to all think about it and just ponder what direction we want to go into when it comes to this. I have no problem with the way he is now, but I don't know if it is fair to him, or even want to keep like him just to be in-term forever. After a while, I think it's just fair just to make somebody permanent. If they've been doing a good job you should make someone permanent. I'm sure that there is a lot of-

Mayor Cubillos: I want to add something. A couple of things. I think that if this would go on to RQ, RP, whatever the proper term is, or the council would like to get three quotes or bids, I think the residents will be surprised to see what it's going to come in at, because I think the residents fail to recognize that the attorney is here four to five nights and two to three hours minimum per night. That in itself covers the salary. We are speaking about an attorney. Attorneys do make anywhere between at a low pro government regularly \$200, if not \$375. That's \$675 an hour, but with Attorney [unintelligible 00:12:42] who's our former attorney and with the current attorney the rate is at \$200.

Well, I know \$96,000 may seem astronomical to a lot of people. They are an attorney. As such, they're paid as an attorney, and attorneys do not make \$25, \$35 \$45 an hour. They just don't. When you do the calculation of what is being paid a month divided by \$200 an hour it probably come up to what? 20 hours? I don't know what the math is on that. 40 hours. Out of the 40 hours, how many hours is probably spent here at a meeting not factoring all the meetings that he attends with us.

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I almost think it would be good for the residents to see what he would come in at because at the last meeting we had a resident at the podium who said that the Miami Shores attorney made 54. Well, I went to check, and they don't. It's like \$350,000. We need to get our numbers clear. We need to be correct when we're on the record and I don't think it's fair to throw numbers out there as if no one is going to actually do their homework and look. \$96,000, [unintelligible 00:13:51] Park is a little lower than we are. [unintelligible 00:13:54] Park doesn't have any development happening at all whatsoever. Zero, zilch, nothing, and not to mention that they only meet once a month. There is no community meetings for the board.

So, there's a lot of variables that we need to consider and hey, because it goes out to RFP, I think the residents should see what is going to come out, because they're going to be surprised. They're actually going to be pretty surprised as to what is probably going to come out. I don't necessarily agree to wait because- and the attorney can definitely speak. He's here. When you're interim it's interim. We've had interim clerk for a long time and then we had an interim manager for a long time and it may somewhat not be fair to Attorney Powell to say, "Oh, we're going to go to RFP because everybody else has done interim to permanent," and our residents complain about that. You're going to get stuck with the fact that we may not do that, but the reality is that we can't do this forever also. It's not fair to him at all and it's not fair to us at all. The reality is that he may have interim before the title, but I'm at all the meetings with the manager for the most part and he's always there.

He's pretty much a full-time, not a full-time, but a permanent contract employee that represents the Village. I don't think waiting-- It doesn't really matter with the budget in the sense that 96 is where it's at and we may not go higher, so even if we went lower, it's fine, or even if exactly it stays the same it's fine, but waiting another 30 or 60 days to wait, I don't think that there's any relevance to the budget for that. I think either decision can be made tonight to just say, "Hey, let's do an RFP so the residents can see," or "Hey, I want to propose to make him full-time and bring it to the Full Council." I don't think waiting for the budget is completely necessary because one thing has nothing to do with the other, that would be my two cents on it.

Vice Mayor Nickerson: Councilperson Roman.

Councilwoman Roman: I agree. I don't think it makes any sense to wait. We've had him for a long time. I think we've all seen how far we've come. I'm prepared to even say that I'm comfortable to say that I don't see it needing aside from the residents having to have a clarification, that it's not a crazy number that we're paying for our fee. Aside from that, I don't

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see there's a reason to send out an RFP, because number one, that's time consuming, time is money, and in my opinion I'm happy with the services. I've seen the extreme differences, and so either way I'm here to support what the council or what the committee wants, but that's just my view.

Vice Mayor Nickerson: Thank you very much Councilperson Roman. Mr. Attorney.

City Attorney Powell: I serve at your pleasure. Whatever the committee chooses I accept.

Vice Mayor Nickerson: Any comments or not?

City Attorney Powell: Whatever process you all want I will accept.

Vice Mayor Nickerson: Appreciate it. Madam Manager anything to add or comments, questions?

Village Manager Alou: No. I have nothing to add. I do recognize attorney's fees are very expensive and I know that our Attorney Powell's fees are low. \$200 an hour is government rates, and that's really low.

Vice Mayor Nickerson: Madam Clerk, any questions or comments?

City Clerk Jacobi: No.

Vice Mayor Nickerson: We have Councilperson Urbom up here. At this point in time if we have residents this is where before we vote or we make motions or anything, I would ask that residents if there was anything that they wanted to say or comment or anything like that. Since Councilperson Urbom, since you are on the council up here, you're not on this committee, but you are also a resident, so at this time if there's anything that you want to- any questions or comments. I don't know, matter of fact, if you want to say Councilperson Urbom for the record.

Mayor Cubillos: Can I just say something and please, Councilperson, and no disrespect to you, but I'm going to bringing this up at Planning and Zoning and I'm going to be bringing this up at the Council meeting. Committee meetings are committee meetings. If we're going to have every council member speak all the time then there's no point to a committee meeting. And I've said this before, and again it's not to pick on you, it's just because I've been noticing this a lot.

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I'm noticing that council members are not either realizing or taking note that there's six committees, and the Mayor appoints a member to a committee, council member, and it means that that is the committee you chair and you must be responsible for in it's totality. I'm finding that most council members, and again, I'm not just picking on you, it's not about you, it's about the little bit of everybody up here and again, I'm going to bring it up at P&Z, and I'm going to bring it up at the regular council meeting, because all the council members like to go into other committees, there is so much work to be done at public works, there is so much work to be done in code enforcement, there's so much work to be done in public affairs and there's so much work to be done at public safety and there's so much work to be done in admin and finance, and P&Z, but I really want the council members to really be focusing in on the committee. Why?

Because we're not, and there's a lot at public works and there's a lot at code enforcement and other committees that when I asked the manager and then I see emails coming around about wanting to know this about public safety or P&Z. There's six committees. If we all start doing that nothing gets done, and it's happening way too much right now which is why I'm saying if Councilperson Mathis was here we'll be doing the same thing. Then what's the purpose of going to Full Council? We really have to start being a little mindful because if we did have 25 residents here they are going to be like, "What's the point of a committee?" It's really important and although this is not nowhere near quasi

[unintelligible 00:20:00] which I don't know how to pronounce the term properly, but we have to be careful, we must treat this as a committee, we are not an advisory board, we are not Full Council, we are serving as members on a committee, and if there's a council member here and they want to speak as a resident, they need to go to the podium, but they cannot speak with their Councilperson hat on, because they're not on the committee.

They were taken away from our purpose of what we're supposed to do and we'll be here all night and I don't think that the residents want us here all night and that's not the role that we're supposed to be playing, so I think if council members are not on the committee, they need to go to the podium and speak from the podium, please, and we need to all start to follow that, and I'm not picking Councilperson Urbom, I'm going to mention this again at P&Z, and I'm going to mention this again at a Full Council next week.

Vice Mayor Nickerson: Yes, I was just going to say Councilperson Urbom if you want to go down to the podium and say your name and address for the record **[unintelligible 00:21:00]** if you give all of us up here on the council, also be a resident.

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Councilman Urbom: Do you have me on mic? I am Councilperson Urbom, reside at 460 [unintelligible 00:21:15] Street, first I was going to respond, sorry, Mr. Nickerson, that if it was appropriate, I would say something, but I intended to wait till Good and Welfare to making comments, and then early on as I got this position, [unintelligible 00:21:37] since I didn't want a council [unintelligible 00:21:39] just to sit on the dais, but then, of course, participate as a resident, so that's my intention this evening, but if it is appropriate now, I'll just make a couple of comments.

The first is that \$92,000 a year is at \$200 an hour for the benefit of all listening, is 40 hours per month working, so that would be seven hours for five day work week, so whatever audits we would have from the past were done, whatever audits might be done in the future that would be the measure, would say, "Okay, what's been accomplished in seven hours every five day work week, excluding weekends?" So that would be to say, essentially that we're asking Mr. Powell to give us one of his five-day workweek dedicated to the Village.

That does sound like a big ask for a part-time commitment, if he does have other things going, an entire day, to me, should be for the attorney reasonable to accomplish whatever we're asking him to do, understand there might be times where maybe it's not quite seven hours a week but other times we're leaning a little harder and it's close to 14 hours. That will come through in whatever audits and in the past but are obviously done in the future so I would say will be your answer as to whether or not we're getting our value out of Mr. Powell.

I don't have anything to say in terms of his performance, I wouldn't be able to speak to that and that's not my intention. Simply to say, in my mind, that's how I've got doing it so that's what I would be looking forward to make that decision, and then myself, I did actually get involved partially because of interim position, so in the land I come from being hospitality industry, an interim position is usually outrageously temporary, like outrageously temporary.

I have to get my learning curve to understand essentially in government what the timeline is and so, I would say it would be a benefit to help the residents understand why it would or would not even be an issue that the title itself is interim, not by itself. I believe causes a little bit of confusion and even worry among the residents in terms of how stable that we use it as a local government, so those are the only comments I have.

Vice Mayor Nickerson: Thank you very much appreciate it.

Councilman Urbom: [unintelligible 00:24:11]

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Vice Mayor Nickerson: Thank you very much, appreciate it. Before I speak does anybody else have a-- Madam Manager, do you have any more comments or questions at this particular point? I mean, I'm giving everybody a chance to talk before we close this out again also. Councilperson Roman, any comments or questions at this particular point in time? Mr. Attorney any comments or questions? Madam Manager, any comments or questions, and Madam Clerk? You know me, I always want to be consistent with everything that I do, I believe wholeheartedly make equality for everything and everybody, so this question goes to the manager, Madam Manager, you were interim for a while?

Village Manager Alou: Yes, I was.

Vice Mayor Nickerson: When you went from intern to permanent, the way we did it if I remember correctly, the way we did it was that we took it through committee to the Full Council and we voted on it, we didn't put it out for our period thing and we didn't do evaluations for you to see if you were-- okay, so we did it that way, all right, now I like to stay consistent and be equal towards everybody.

Village Manager Alou: If I may then.

Vice Mayor Nickerson: Yes.

Village Manager Alou: I was intern for six months, and then you made the decision.

Vice Mayor Nickerson: [unintelligible 00:25:40]

Mayor Cubillos: It's important to know, Christi and Yenise are employees, the CFO company and the attorney, their contractors, those are not employees, so they are in a roller time, if you really think about it they're contractors, contractors, we can, so always look at it that way. I think maybe making it interim initially probably wasn't the way to go, but we were also [unintelligible 00:26:11]

Vice Mayor Nickerson: Yes, for sure. How are you doing Councilperson? Do I have any motion, I can even motion myself, do I have a motion on that, somebody wants to put out?

Speaker 2: I'll motion to make attorneys are full time or permanent attorney.

Vice Mayor Nickerson: Do I have a second to that motion?

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Mayor Cubillos: We are making the motion to take it to Full Council?

Speaker 2: Correct.

Mayor Cubillos: It's got to go to Full Council no matter what decision we make, well, I'm going to make a second and then I'll have a discussion on it. I'll second and then make a discussion.

Vice Mayor Nickerson: All right, since we have a motion, I have a second by Madam Mayor, Madam Mayor [unintelligible 00:27:00]

Mayor Cubillos: The discussion I'm going to have, I think more importantly, we're ready to make a decision, I think it's important to take it Full Council, we could have somewhat of an idea of what way we're leaning, but to be open for that conversation, so that when it goes to the council, no matter what's decided, it doesn't have to come back to committee, so it's more important that we decide we're going to take this to Full Council, have that discussion, because I just said 10 minutes ago. How it's got to be treated as a committee and let the council have the opportunity to actually opine at the time, it's their time to say whatever they want as members of the council. Then whether it's do they agree to make it full time, whether they agree to go RFQ, so that we're open for that, does that make sense?

Vice Mayor Nickerson: For sure, thank you very much Madam Mayor. Before I go to roll call, any last questions or comments? We do have a motion to make the attorney permanent and to take it to Full Council before we do have that roll call, any last questions or comments, Madam Mayor?

Mayor Cubillos: Just to the attorney, so with the point that I made was her motion sufficient to carry that point?

City Attorney Powell: I think you'd want to file a friendly amendment which would be a motion to recommend to the to the full commission to I guess make the intern permanent, or in the alternative discussion on whether or not there should be a [unintelligible 00:28:20]

Mayor Cubillos: Okay, got it.

Vice Mayor Nickerson: All right, so the motion basically is to primarily make the interim permanent, but also leaving open any other discussions that may take place at the Full Council.

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Mayor Cubillos: Well yes, my objective is that this stuff becomes a yo-yo, that council says no, and then we go back to committee, we don't have time for that and that's where we tend to go back and forth on, so I'll make a friendly amendment that all of the committee, although the committee, although Councilperson Roman asked the committee and it was seconded to make a full-time focus on the discussion so that decision is made then, then so we can move forward.

Vice Mayor Nickerson: Perfect, thank you Madam Mayor. Councilperson Roman-

Mayor Cubillos: I need a second for the friendly amendment.

Councilwoman Roman: Second.

Mayor Cubillos: Seconded by Councilperson Roman.

Vice Mayor Nickerson: The friendly amendment has been motioned by Mayor Cubillos and a second by Councilperson Roman. With Councilperson Mathis here up here in the dais, if there's anything that you want to say, we were discussing earlier in step off the dais and say your name, and address for the record and make any comments or questions that you want to at this particular time, or any comments or questions [unintelligible 00:29:41] Mr. Attorney you have comments or questions?

City Attorney Powell: No.

Vice Mayor Nickerson: Okay, Madam Manager you have comments or questions?

Village Manager Alou: No, not at all.

Vice Mayor Nickerson: Madam Clerk you have comments or questions? Madam Clerk, may I please have a roll call on the motion.

City Clerk Jacobi: Roll call. Chairperson Nickerson?

Vice Mayor Nickerson: Yes.

City Clerk Jacobi: Vice-Chair Roman.

Councilwoman Roman: Yes.

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City Clerk Jacobi: Member Cubillos.

Mayor Cubillos: Yes.

Vice Mayor Nickerson: Thank you very Madam Clerk I appreciate it. We're going to go down to the tracking report. Prior in the past Councilperson Roman was the chair of Administration and Finance did a wonderful job, and her track report was much longer. I spoke to her, we have a committee meeting a few committee meetings ago and she was like, Vice Mayor Nickerson, her tracking report was different and it was.

what I told her at that particular time though was, we were up here in the dais during that meeting. What I said to her was her track report was wonderful and what I'm doing is that I decided to take a lot of things she had on her tracking report and I'm going to attack them in the agenda items so that they did. We attacked them; we get it done we get them out of the way. The tracking report I just everything on the tracking report that we're things that are just merely things to track.

Things that are permanent like different things with the attorney like tonight for example policies and procedures, different things like that have to be decided, there is actual decisions to be made they're going to be agenda item on the future agendas.

Councilwoman Roman: May I speak?

Vice Mayor Nickerson: Yes.

Councilwoman Roman: You mentioned consistency is important?

Vice Mayor Nickerson: Yes.

Councilwoman Roman: This was on my mind today as we were coming to our committee meetings. I have four things that are really important to me, and that's fairness. I agree with what you said, treating everyone equally, accountability, I believe that we all have jobs and that we should be held accountable, and consistency. We can't have accountability without consistency, and lastly, follow through.

To me, that's how I run my life, and that's how I run my business, and that's how I look at things here on the dais. I'm not seeing, I'm going to do some of what the Mayor mentioned, I

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do agree with the committee saying the committee because that's what it's supposed to be. I'm not seeing consistency within the committees and it's not just committees is just in general.

The way that I look at the body, who we are is that we're setting the tone for now-- Just we're not firemen, we're not just putting out fires, we're setting the tone of how we move forward in the future. We've come a long way; we've done a great job and I have to thank our manager Christi Alou for bringing us this far with a lot of **[unintelligible 00:33:09]**.

In addition to every single member on this Council, in addition to our fabulous Mayor who's been our support and our leader for this long. However, on the committee level, very little work gets done in my opinion. I feel we could be doing a lot more, and if every single chair changes a tracking report each time the chair changes we're never going to have the consistency.

I'm not saying this because I believe my tracking report from before was the best, but I'm saying this because there were some items on that tracking report that were very important, that if the recent tracking report is there if I am not confused and mistaken is because we want to make sure that we're on top of things that need to get done, same goes for public works.

Our former Councilperson Dreher had a very detailed tracking report. I can't tell you line by line everything that's needed but there's got to be some consistency for us to be able to move things forward on this council, continue to do the work that we're doing. Some of the things, for instance, that were removed were things that, as the Mayor said, there are two individuals here for the council that reports to the council and that is the manager and the clerk, those two positions.

Those two positions is very important that the council is really on top of what's happening that we're celebrating that they're doing well, that we're holding them accountable, and that we're able to have those discussions and review them annually, because it's their right to be told that they're doing a good job or not. Those items were removed and we're not consistent with that. If we the council are not consistent, how do we expect our staff to be consistent? I have to tell you that I've seen consistency from our staff in a lot of ways, but we need to get better. We need to get better at being figure, being consistent, holding accountability and follow through, and that's missing from the committees.

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Vice Mayor Nickerson: Thank you very much, Councilperson Roman. When you're saying that the clerk and the manager that we need to follow up on what they do annually. Are you saying that annually that they have to have evaluations?

Councilwoman Roman: We had discussed and this is the video exchange very much, I think only the chair assumption. We have discussed that we wanted to hold everyone accountable, even down to the police department. We've asked the police department to get evaluations, we've asked our manager to have evaluations.

We spent some time putting together a policy procedures, and those policies and procedures, me as the chair I worked on the administrative side of things because we can't just have policy and procedures for the entire Village staff except for the two people that pretty much do our work, which is the manager and our clerk, so we cannot leave those out, yes, they do need to be reviewed annually. I myself do not feel comfortable because with past experience in me individually.

If I don't feel comfortable meeting individually with everyone then I should be able to have a platform to address concerns, or to address achievements. With that comes if we are giving raises, we should have backup, we should be able to look at our budgets and the staffing and how they do, what we've written down, and if we are able to offer which we did to our clerk position, we offered a sufficient increase. If we're able to do that again next year with a budget on to the manager or anyone, there should be some backup.

Village Manager Alou: It was an oldie phase not insufficient.

Councilwoman Roman: There should be a backup. In general, we're held accountable. I'm walking my dog and someone's holding me accountable for why the grass is not being cut. We need to make sure that accountability is trickling down all the way, and I do believe that our manager does an excellent job at holding her team accountable. I just think that consistency needs to come here.

Vice Mayor Nickerson: I think that what you're saying is correct, but I'm not seeing it on the tracking report are you saying that that it's removed. The first thing that I said was that I took things off tracking report because I want to address those things on the agendas coming up Administration and Finance Committee meetings. I feel those things were really important, it would allow those things that were all great points to me, I've got the date a lot of those things had to have clarifications.

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There's a lot of things that, and so now that you're bringing it up we'll just come out and we'll just talk about it slightly. There's a lot of things that we see in these emails and stuff to where people went back and forth because there's a lack of communication and understanding from different individuals. Before, its on the tracking report, I said, you know what I'm going to do? I'm going to make it clear for all of us so that in the future we're not seeing these emails go back and forth to where somebody is thinking that somebody should be doing something, and somebody else doesn't agree with somebody else doing something a certain way. So let's do this let's bring all of these things on the agenda on the Administration and Finance Committee, so that then were all clear on exactly what everybody's job role is. On exactly what everybody's procedure should be. Then once we are clear, then we could run a tracking report later. Then so in the future, if somebody ever comes up in an email, or somebody says something to somebody else and it's taking the wrong way, everybody can do their email and say, "Well, we discussed that. I don't know where the confusion is because Councilperson Nickerson went through these different policies and procedures and job expectations and job roles. We made it clear for everybody ought to know." Councilperson Roman, all I am asking you is to, don't take it personally, to get off the tracking report. It's actually a good thing that you're off the tracking report because it makes us address it more clear, when its in that line item and it's there and we come down and achieve whatever it is and we address it right there. It's not all. When you say consistency, it's not like I changed everything that you did, and I just trashed it. It is not even that. Actually, I'm moving the priority up and making it more important.

Councilwoman Roman: I think we changed the decision chair over the [inaudible 00:41:29] how long is it going to take for us to get them on the agenda? [inaudible 00:41:42] Again, I'm not just saying this particularly is just because of what the Mayor mentioned before. This has been on my mind, we're discussing the tracking report. You brought it up so you opened up the gates for me.

Now, God forbid, something happened to one of us, let's say it's me, and my public affairs tracking report it's not updated. Then someone else is going to have to work on it, to try, it's not impossible, they can do it. They're just going to have to work a lot harder. When in reality that is not needed. Let's say now that person is you. Everything is removed from your tracking report. Now, we're starting over. That's what I mean, that's just because statistic type of thing. It's about not having to start over. I'm not saying my way is right. Is that we need to find a way to find consistency and be able to hold each other accountable, so that we can also hold ourselves accountable. If we don't have systems in place, at our last meeting, I believe the Mayor spoke about infrastructure. Infrastructure comes in many different ways. If we're not

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starting the infrastructure, throughout our admin and finance and how do our-- We started that, we started that process. The manager has done an excellent job at continuing that process. Now, we can't drop the ball as Council. We need to continue, so that our infrastructure is here. That if I decide not to run next year in 2020, it'll be so much easier for whoever comes in next, and so forth. We have to have some type of plan so that we're planning for the future and not just putting out fires. That's my point.

Vice Mayor Nickerson: That's a great point. To answer your question about why it hasn't been brought up. Thanks to making the videos for always, going out and doing the job, the Village and traveling and making our Village a better place. The last meeting, it was myself and the Mayor. Last committee meeting, it was myself and the Mayor, you unfortunately were sick. The committee meeting before that, I believe Mayor Cubillos was traveling doing the Village's work, so it was myself and you. In order to discuss these important things, I want all three of us to be here so they could have two meetings right away. We don't meet every month. That starts to go to your first point about why hasn't it been brought up. Because I've been discussing with the manager for months, because like I said, we're doing the budget workshops kind of like acquire the high type of chair, like co-chair, because she takes care of a lot of administration and finance on a daily basis. I've been discussing with her for months, having these things on.

Then we'll get to the meeting before the meeting. The Friday before the meeting, when the clerk is finalizing the stuff, and they'll be like, "So and so got a challenge. This is that." I'm like, "You know what, let me hold it off for now. Let's just hold it off for now until we all be on this." The attorney was one of the first things that I've discussed with the manager a long time ago. I feel this just wasn't fair he was just constantly interim. The clerk is also going to be coming up. This is the first thing. Like I said, instead of having the attorney on the tracking report, I put it on the agenda. Second of all, you've also mentioned, just to have the consistency, like I said before, prior is not that I trash all of your things. What it is, is that I just pulled them off the agenda of the tracking report to make sure everybody's on the same page. Then I will put a lot of things back on the tracking report once we have pure clarification.

Speaker: [inaudible 00:46:28]

Vice Mayor Nickerson: I want to address all your comments **[unintelligible 00:46:33]** comments or questions.

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Mayor Cubillos: A couple of things. There is a planning and zoning makeup meeting on Thursday that I put together because two members were out, there was no quorum. With that said, there was no meeting. There was a lot of important items on the agenda so I rescheduled. If they're very important items on the agenda, you need to reschedule the meeting. Remember it's a committee meeting. If there's two members in the committee, there's a quorum, you guys can still meet. I look at the meeting, I look at the videos, if I don't see it on, I'll reach out to **[unintelligible 00:47:13]** When is it going to be available? If there are two members, no matter how important it is, if it's important then you still have to have a meeting and bring it up. Because there's only two meetings left for this year, 2019 and then we're in a whole new year, and you don't know if you're going to be the chair or not. I'll really be honest, I don't know what items Councilperson Roman is talking about. The reason I don't know what items she's talking about is because I asked every chair to get me their tracking report. The reason tracking reports are important, because it allows the residents to know what we're tracking. Lots of residents know what we're doing. Whether we get to it or we don't get to it, or if we do get to it, but it provides a grid to look at it as far as what we're doing.

If there are important items on your mind that needs to be discussed, you call for a special committee, I did for Thursday. The majority are available, they're going to be here. Because there's a lot of items that are going to impact our Village that need to be addressed. I'm not going to wait for September to have that meeting so that's when we meet next. I was in a meeting today with the manager and with the Plusurbia team. In fact, it feels like I've been in a meeting every single day with the manager and the Plusurbia team and the attorney every single day and that's okay, because that's our job. I took an oath to do a job. There's something I told the manager and I told Plusurbia today. If we don't get what we're doing right now right. I don't know how we're going to be doing it in the next year or two. Let me tell you why. I told the Plusurbia team, "She doesn't have sufficient team right now to do everything that's coming up right now. If we don't do the things right from the beginning, how are we going to sustain that?" It's all part of resiliency, it's all part of it.

We have a development happening here, a development happening here, a development happening here, but where's the inner office communication where code enforcement and the building clerk knows what's happening. Juan does a great job says, "My staff recommendation, we passed it." We've passed or whatever it is, it's passed they're suggesting. Then it goes into the hands of the capped government, it goes into the hands of this. I still like to say that, if we don't hold accountability to us, to them, to everybody, it could be six to eight months and we're going to be sitting here and there may be money that's going to come in and we're going to

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have to hire 3 to 40 employees, it's going to happen. If we can't iron out what we all have to do, it's really important because what I saw today at the meeting, what's going to be coming before planning and zoning on Thursday and in the future. It is amazing stuff but what worries me is that I don't think we're internally ready because we all need to just be a little better trained, a little bit aware and a little bit accountable. We all have to. There's too much going on. Every single one of us has a lot to do, and in an effort to be able to better help one another, we have to know what we're all doing. That goes for all of us. It goes for the clerk, to the attorney, to the council, to the Mayor, to the manager, to court enforcement, to police.

All of us, I'm telling you, there's a lot coming through that is going to be amazing for all of us. Every single one of us up here is going to be great, but if we can't do the little things right, how are we going to do the big things? Then, my other comment is if we can do the little things right, the big things will naturally happen, but we got to get some stuff ironed out, it's just too important, and every position on this dais is important. That's why we're sitting up here. There's a reason why we're on this dais.

Some of us are lucky, some of us are appointed, and you're appointed because we believe in you. We believe that you all are going to carry out exactly what we do. I don't believe anybody is not doing it, but my only thing is that there's a lot coming down the pipeline. It's great stuff but we all need to be better in tuned and use our current resources and have something to go on because none of us are going to be here forever. I don't see that as far as the proper continuity for the better. Who's here.

Vice Mayor Nickerson: As far as updating the tracking report, this is the tracking report that I want. I went through every item so it's updated. Now, it's not updated to everybody else's appreciation. I'm sorry, it makes somebody else, the Chair of the committee but I went through it so this is updated. This is my updated tracking report so I did update it a long time ago, so it's updated. Second besides that, is that, if we're talking about continuity by having the same tracking report for every Committee Chair and that's the only way we have continuity, well then, why don't we just have permanent tracking reports. If that's the case, we should just-- because if we say--

Mayor Cubillos: With all due respect, nothing is permanent because it's a breathing document. Tracking means you're tracking a report and when they're done-- And it gets done by going on the agenda. For example, if we want to build a peacock in the middle on 87th Street, that's what we're tracking the Public Works. By the time it becomes an agenda item is no longer on

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the tracking report. Projects are tracked until completion, and then you could just put completion.

Vice Mayor Nickerson: That's why I said, the one person I've said was everything that she had on the tracking report that I'm bringing to the agenda.

Councilwoman Roman: But it's not another tracking report now. That's what the Mayor just said. You keep things in the tracking report until they're completed. Once they're completed, then you take them off the tracking report.

Vice Mayor Nickerson: What you're saying is that the Forfeiture Fund Resolution and extension of line of credit, we can talk the line of credit. That's been for since the hurricane. My manager, is that correct? I could have had a line of credit on the tracking report for a year but I'm just putting it on the agenda item. I don't see what was lost in there.

Councilwoman Roman: May I say something?

Vice Mayor Nickerson: Yes, of course.

Mayor Cubillos: It should have been on the tracking report. You want to know why? Because aside from waiting til the last minute, it does require an ordinance, and we would have remembered that 90 days ago.

Vice Mayor Nickerson: Well, like I said--

Mayor Cubillos: That may have also made a difference. It could have been a Team Council Meeting, the July Council Meeting as opposed to July and August. Having tracked it would have allowed us the opportunity to remember because hey, guess what, we do a lot. We do a lot. We all remembered that we were wrong and we're all pleasantly reminded that it was an ordinance. If we've been tracking that, we would have asked the manager probably 120 days ago.

Again, it's nobody's mistake. It's no one's mistake. All I'm saying is that we do a lot. That is all I'm saying. There's a lot of balls in the air right now and every ball is important. Then besides the balls you have in the air, it's the Coyote, I've got Telemundo like five times calling me and calling the Chief, and another ball in the air. Everything is important but there are some things are a little more important. They're just is.

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The tracking report is not to punish anyone. I'm going to be honest to you, I don't even know. I don't have it with me, I'm looking at what the old tracking report. I don't even have it in front of me. I'm looking up on the email right now and I'm looking at yours, but I'm just saying I only brought up a tracking report 60 days ago or 90. I think it was before the most recent election. It was because I realized that on the website, there was no area for any resident to go and say, "Hey, I want to go to Publics Works and I want to pull the tracking report."

Because you know what really irks me is when I hear residents say we don't do anything, because we do a lot. They maybe will not say that if the tracking reports were on our website. I wanted the tracking report on the website so we can track on what we're all doing because we do a lot and we have to manage a lot, and there's always balls up in the air.

Vice Mayor Nickerson: I honestly understand. I'll respectfully agree to disagree. If everything that eventually will get voted on is on a tracking report, I can start to do that, but you're not talking about three pages-long tracking reports, four pages-long track reports. If everything in Administration and Finance, which Administration and Finance is a hefty committee. Everything that can possibly be voted on in Administration and Finance, you first got a tracking report, I'll do that. We'll see next Administration and Finance Committee meeting how a tracking report looks. [unintelligible 00:56:32]

Councilwoman Roman: The tracking report is not only for the Chair and it's not only for the Committee, it's also for the staff. It should be a document that we could all pull up whenever we want and see and keep. It's like, if you go to any company, companies do budgets and they do action plans for the year. There are expenses that are attached to that, just like our tracking report, and that's what our tracking report is, your action items.

That's why there's a status, so status, if its annual, it's annual. It should be there because we need to remember that it's annual. If it's something that it's pending, it's active, that's why there's a status. Otherwise, why even have the status if everything that's going to be kept on here is an annual item, then it should be the annual tracking report. Again, it's not an attack to you, Chair, it would to whoever. It's in general. It seems like this is, first, it would open up the door by speaking about the tracking report and how different it is, but it's also where this conversation can take place.

It doesn't really fit into any other committee and it's something that should take placed not only in unemployment. It has to take place in-- We have to have a better handle on working on possibly putting together a format for our events so that anybody could just have that format

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and know the checklist, exactly who the vendors are, what we need, when we need it, and it's so much easier. It's saving time for our staff, it's saving time for the Committee Chair, it's saving time for everything and we'll go pre-planned.

That's the whole purpose. I see it. I recommended that we start sending our emails, utilizing a third party so that we have tracking, so that we know exactly how many emails are bouncing, how many emails are opened. We need to utilize the systems that are available, the technologies that are available so that when we're ready to open new development and when we're ready to hire 40 people, they're ready.

All those systems are in place, or should we wait until it happens and then we're going to be continuing putting out fires. That's not what we are. We're not firemen. There's no reason why we should be, and it's frustrating. It shouldn't be frustrating. We're serving. We're doing this as volunteers. This should be a job that we enjoy and that we see progress. When you don't see progress, it's frustrating. You can't serve when you're frustrated, and we all love the Village. We're all here because there's something that we wanted and we thought we could do. Creating this infrastructure is not only about the admin or finance committee, it's about all the committees and it's about how we run moving forward. That's where I said, you mentioned consistency prior when you were talking about the attorney and how he handled the manager. I absolutely agree with you. You mentioned fairness. As soon as you used the word fair and consistent, those are two words I was thinking about before coming to this meeting.

Actually I was thinking about my four words and so because you mentioned two of those words, that was my cue that this is a conversation that needs to take place because I've been wanting to have this conversation for months but I didn't think it was a conversation that should be had until we had a full council. Although the full council's not in the committee when it comes to the full council, we're meeting with the full council, we're all there and we can all get on the same page on how we're moving forward.

It's definitely needed. It's not an attack to you, chair, it isn't an attack to anybody. I can say I forget things. If I don't look at my tracking report, I need a checklist. We all need checklists. We all got a lot going on.

Vice Mayor Nickerson: Thank you very much, councilor Roman. As I stated before, there were things that are going back on the tracking report, but first, they need to be addressed and clarified as agenda items directly. That's the first thing. They are going back on the tracking report but first I want to clarify and maybe [unintelligible 01:01:40] that record. Now, others

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might think that that procedure, the way I'm doing it is not the proper procedure or whatever it is but that's my way of addressing the items then once they're addressed and clarified I have to go back on to tracking report. That's my way.

Other committee chairs do it their way. I'm getting the sense that people are saying that I've just Xed everything out of the tracking report and it was just going to stay like that. This is the third time I'm saying that it wasn't going to stay like that. This is the third time I'm saying that. I just have a different way of getting there as a person. Second of all, what you just mentioned is another example because you were saying how, for example, you made the comment or suggestion that we should have a third party control our servers for our computer and stuff like that so if things go down and that would be something you would put on the tracking report of whatever community that would be.

This is the thing, if I was running it, I would say, "Okay, I have this idea to where I think that just for reasons of hacking or whatever it is that we should have a third party that all of our mail goes through." What I will do is put it on the agenda because what I would want to do is bring it up here and say, "Well, attorney, being a government entity can we have a private corporation have access to all of our government emails?" Because this is the prime corporation seeing all of the stuff that we're talking about in government. Is that even legal?

I would come with the agenda as the agenda item to talk about it first. Then if we agree and the attorney says, "Oh yes, you know what? You're correct there because dah, dah, dah, dah and there's this ordinance that's embedded and there's this historical law that says dah, dah, dah, dah. We can have it or we can't have it." I say, "Okay, we can't have it? Good. We're all good. Okay, let's put it on the tracking report next time."

You guys want everything on tracking report first. I want to discuss them first as agenda items and then everybody together decides what goes on the tracking report. That's the only difference. I don't understand what is the problem with that. Another thing, Mayor Cubillos, my wonderful mayor who I love so much, she's looking at the last tracking reports from before. She's looking at tracking reports that look like this they're not your tracking report. The tracking report she's looking at is not your tracking report because when I want to go to find a tracking report, I had to get it from you because- was it even submitted to the clerk?

Councilwoman Roman: It was.

Mayor Cubillos: No, it was not submitted.

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Councilwoman Roman: It was, I can forward you the emails if you like.

Vice Mayor Nickerson: I went to take a tracking report that I didn't know. I'm not like a mean person or a bad person. I was like, "Man, I can't find the tracking report. When I went to the clerk, I was like, "Can we get the council person Roman's tracking report?" She was like, "There's no tracking report." I was like, "Well, she said had a long going." She was like, "Well, she didn't submit it to me."

Councilwoman Roman: She gave it to you on the dias and there's a recording of that because I also asked the manager and it was given on the dias. I asked her was she giving you because you cannot be passing on notes on the dias.

Vice Mayor Nickerson: That happened on the dias. Then I went and I said, "Man, these are all great." I said what I'm going to do is just like the example I gave with the computer company, I said I'm going to attach these as agenda items and then we're going to all come to a conclusion about what's on tracking reports.

Mayor Cubillos: If I may. It looks we're going in circles. Let's not go in circles anymore. Why don't we as the committee, take a look at what's on the tracking report and choose what should go on a tracking report because you're right, it should be a choice that we make and it shouldn't be the chair. It should be the committee. The committee should choose what goes in the tracking report and what we need to track. I agree with you. I think that should be an exercise

Vice Mayor Nickerson: I have no problem with that. We're saying from now on going forward that every time that we put tracking report then it should be from the entire committee. In the future, it shouldn't be the chair updating the tracking report to send to the clerk as the mayor requested. It should be the entire committee deciding the tracking report, no longer the chair.

Mayor Cubillos: The chair would oversee. That's what a chair does but because we are a committee and we have to agree on things. We agree. That's what we do. We discuss things, we agree, we move them forward to the full council. How about we agree on a committee tracking report at the committee level that we know what we're tracking because it's not the chair that's responsible for the committee. It's the entire committee that's responsible for the committee because otherwise, the committee would be one person. The committee is not one person.

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That way we all choose what goes on the tracking report, we all agree at the beginning of whatever when the committees are brought in and now we have an action plan and we have things that we can follow through on. We can be consistent and we can have accountability. We'll have all of that if we all agree on what should be tracked at the very beginning.

Speaker 2: I have absolutely no problem with that. I just would want to say for the record, all my years sitting up here, the tracking report was never an issue until now. It was never an issue until now. I don't know what dynamic or denominator has changed to make that an issue. It has never been an issue until now. The chair, when they became the chair of the committee, always took care of the tracking report. The rest of the committee was like, "Okay, this is what the chair wants to go through," it was never a problem.

I stood up here and said that all the stuff that you want you to have your tracking report, I wasn't getting rid of, I was just going to go through the agenda items first and discuss them just like I gave the example about the computer company. Until now, the tracking report in all these years has never been an issue like this.

Mayor Cubillos: I want to say something to hope that we can move forward. A couple of months ago I asked for the tracking report to be used as a resource. I don't know if this is what this conversation is done. I've just did a glance through all my emails and I'm looking for tracking reports because what I realized is that the tracking report is not being used as a resource.

Every time we get there was a different one, it was an old one. I put the onus on the, on the committee chairs before you got elected and asked, "Hey you all update it, send it to the clerk and she's going to send it to me and I to look at it, I want it to go on the website." Why did I suggest that? I suggested because when I'm out there and I hear the residents say that we don't do anything or why haven't you done this or why are you looking into this? That's what the tracking-- It's like a project worksheet.

It just lays out what we're working on or what we could be getting to or what's in the pipeline. It may not have ever been done like this Vice Mayor Nickerson but I also believe it's because we've never been this busy and we've never had such a public opinion from the residents of the council and of what we do. In an effort to be that much more transparent and that much more efficient, I was hoping it was that we could all have that. If you serve on the chair and you want something as a priority and the committee has discussed it- I got to tell you something I don't even know what I'm looking at yours and I'm looking at the one that I found and it's

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different. Because you said you want everybody's opinion, in an effort to move from this meeting, because we have two more still pending, let's take a look at what Councilperson Roman is asking about.

Let's take a look at what you are looking at and then come up with one that's agreeable based on you being the chair based on this being the committee. I don't think it's really that far-fetched. I don't think that, but when you're the chair of a committee and you have goals, and again, I don't know what's on there because what you have here looks different than what I had in there. [crosstalk]

The chair's only the chair for six meetings and sometimes you don't get to achieve your goals but it's your responsibility as the chair to achieve the goals. You've got to achieve them within the timeframe. I don't know what your tracking sheet looks like. I don't know what yours looks like. Send it to the clerk so we can get it. Then if you want to call for a special meeting, a special admin and finance meeting, because this is really important for the totality.

We don't get to see each other that often. I want to spend it talking about a tracking report. Although the tracking report is important if we use it as a good resource, but it's got to be used as a resource for us to help us. Let me tell you something. We have a project worksheet that we looked at with the manager on Irma project. I think after that project worksheet. You can call it a tracking report because if we didn't have that we wouldn't be tracking our projects.

I'd like to view that the tracking report is similar to that because it should be because as you all have noticed, there is a lot in every committee and as I mentioned before, Councilperson Mathis got here, the chair of the committee, you need to start managing your committee a little more and not worry about what's happening in another committee because there's a lot in every committee to worry about.

To be honest, I'm unable to speak that way and even that much more clearly because I don't have a tracking report. I have the one for today but take a look at that, if it's something that you want to call a meeting on, we still have a lot more of your tracking report. We have received our finance gentleman. I don't know if he's still here, which this is admin and finance. We should get to the finances. That has to be determined so we're not going back and forth because at the end of the day, I'd like to believe that we all have one thing in common and we want to move forward the village the best way possible. There's got to be continuity. There's got to be tracking of what we do.

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Vice Mayor Nickerson: I appreciate it. I got the idea. Like I said, I was just going to approach the agenda items first, we just have different ways of doing it, apparently, my way was not the correct way. We do it all and out in the tracking report regardless. Council Person Roman, anything you would like to say? Madam Mayor? About the tracking report?

Mayor Cubillos: No. If you guys want to just send them to the clerk and let's take a look at it so I know what you're talking about and I know what you're talking about and we get it done. Get it done because guess what? Whatever's on the tracking report will probably going to hear from the residents.

Vice Mayor Nickerson: Whatever's on the tracking report is the agenda item anyway as long as I'm chair of this committee. Mr. Attorney, Madam Manager. Anything about tracking the report? Madam Clerk, anything about tracking report?

City Clerk Jacobi: I'd like to say for the record because all five of you are here and I know that we're only addressing what's going on here, that I feel attacked. I feel that I've been harassed and I feel that I'm working in a hostile environment due to that Councilperson Roman. She's talking about accountability. Every day she's holding me accountable. Every meeting she's looking for mistakes that I made and this is a lot. She's praising the attorney. She's praising the manager, never ones she's thanked me when I've helped her and it's too much. It's really a lot.

She's talking about accountability. She holds me accountable all the time for any minimal mistakes. You've all seen it. Sometimes she only forwards two people, sometimes she forwards three, whatever she desires. It's just upset. It's to the point where my coworkers come up to me and they're like, Yenise, really? It's sad. Again, this is not the only time. I've said it before when she was holding me accountable for a fingerprint that it wasn't even my fault. It's been more than once.

If she wants to come out and say something and it's with me just go ahead and say it. Like I said before, if she wants me to put me up, put me up. It doesn't matter. It just has to stop. I respect her but she has no respect for me. This is not a business. This is government.

Vice Mayor Nickerson: Thank you very much, Madam Clerk. Council Person [inaudible 01:14:37], do you have anything? I just want to state for everybody watching and then I'm going to go on to our individuals from our community who are in the audience. I just want to say for everybody watching, this is what needs to be addressed because there's two ways in

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life to be handled. You can handle things too where everybody just pretends like something is a certain way and then you can address things straight up. Like I said, for all, everything I want to bring on the agenda, I want to bring, for example, like what we just heard. The clerk may be right, the clerk may be wrong.

The things she's talking about are the things that are being done in the job place, the place of employment. What needs to happen is maybe she's miscommunicating things with Councilperson Roman. Maybe they have miscommunication. Where do we decide that? Administration and finance committee. Why? Because the Clerk is an employee of the village and where would that be decided at? The administration and finance committee. That's the reason why I didn't stop her from talking right now because that needs to be addressed here.

I have all of these things job or procedure, job requirements, all of these things that I have, and that's tracking report items, but as agenda items first, then tracking report items so that these things get taken care of and everybody's on the same page going forward. This is a perfect example of why I do things the way I do them even though other people might disagree.

Clarity along with fairness, accountability, consistency, and follow-through. [laughs] We're going to go out to our audience right now. Say your name and address for the record and you can talk about anything dealing with the tracking report.

Speaker 4: [inaudible 01:16:54]. In fairness, I don't think that the vice mayor was being treated fairly when he clearly has an agenda set that he wants to move forward the way he wants to move forward and people were coming down on him. I did the same thing. **[unintelligible 01:17:12]** It's crazy. There was stuff on there that said it was completed and it's still sitting there. I did the same things you did. The chair can run their committee the way they want to run it. If you set yours that way, you do it.

The committee members, if they want to put something on the agenda, they can do it. If they want that to be their tracking baby, that's their tracking baby. It's a democracy. Just like when a new administration come in, they look at what someone else had and say, "You know what? We're not doing, I'm not doing that." It's change. It happens. If you put something on there just near and dear to you, whether it be in administration and finance or public works, stay on it, focus, move forward with it.

Same with you, the mayor does it. She's on every community and she makes sure that we all know that this needs to be taken care of. We need to be fair to each other. We all work with

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each other. If it falls apart up here, we're not doing anything back there. All of us have to work together. If somebody changes something, go with it. Change is good. You grow. It's a good thing.

We really do need to stop bashing each other because there's a lot of little- and I do it too. There's a lot of little nicks at each other. We need to stop it. I'm going to throw you under the bus, Roman. The ordinances that you talked about, we need to know is it an ordinance. We should have been hearing it from him. Accountability, everybody, all of us. Maybe some of the stuff that you had on your tracking report, he didn't think it was the highest stake he wanted so he put it down in order regarding the high low. Mine has totally changed. There were so many things I wanted. I was on top of this I'm like, just merge it.

One big thing and just get it done. [unintelligible 01:19:19] did have a lot of detailed information on them. It also had minutes too. It was page after page after page, streamlined.

Vice Mayor Nickerson: Anybody else from the audience with anything about tracking report? Hearing none. Anybody up here in the council that you've asked about a tracking report, Madam Mayor?

Mayor Cubillos: No, I'm going to be addressing a lot of this at the council meeting in my report, there's a lot of things that the committees that I believe are all not being done properly because there's work which is not being done. I will address all points in my report. Thank you, Madam Mayor. Councilperson Roman, any last thoughts here at all? Questions, comments? Mr. Arttone?

City Attorney Powell: No.

Speaker 1: Madam Manager?

Village Manager Alou: No.

Vice Mayor Nickerson: Madam Clerk?

City Clerk Jacobi: No.

Vice Mayor Nickerson: All right, so we're going to the tracking report. The first thing that we had a budget workshop. Thank you very much, everybody, for the question workshop.

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Mayor Cubillos: May I just make one recommendation?

Vice Mayor Nickerson: Yes.

Mayor Cubillos: You have there on details instead of the date and number to be consistent. It's the second Tuesday in July.

Vice Mayor Nickerson: Okay. Alright.

Mayor Cubillos: So that the residents don'ts, it's the second Tuesday of July for sure.

Vice Mayor Nickerson: Appreciate it. Thank you, Madam Mayor. I appreciate that we had that the budget workshop and everybody who was there. Budget season ladies and gentlemen watching out there. The first budget hearing will be September 10th. The second and final budget hearing will be September 25th. Make sure that everybody out there on the dias, that you guys did your ethics training, we should have done guys, they have a record of that also. Also, remember that- because a lot of people forget to do those last two hours.

Everybody does the four hours and a lot of people- because I remember when I went to this training, I was there for the four hours and everybody walks out and then I stayed there and the guy, "There's like four of you guys left for the last two hours. They don't know they're supposed to have these two hours also. Make sure that you guys, [crosstalk] Everybody just runs out after the four hours. Make sure you guys have your full six hours and when you get your certificates and stuff, make sure you give it to the clerk because the clerk needs to file that.

Do we have any, first of all, is there any questions or comments about the first budget hearing or the second budget hearing or the ethics training? **[inaudible 01:21:51]** Mayor Cubillos, do you want to say anything about

Mayor Cubillos: No, I have an email in my queue, that I started today, but Manager Mathias is probably email-happy today after our meeting. The one email that I have in my queue right now is, we need to really have a meeting with them just to really decide now that our budget is, we decided what our priorities are. I think the manager has contacted most in regards to some of the recommendations that she's going to be making even more.

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Now that we know what we have and what we're going to go with, it's a time to meet with the lobbyists to determine what our priorities are going to be, as it relates to whether it's water, whether it's the historical land or second disorders. Second disorder as we all know is incredibly vague. It's that time to have that meeting with them and that's my next email in the queue, to have that conversation. Definitely, early August.

Vice Mayor Nickerson: Thank you very much, Madam Mayor. We appreciate all the work you do.

Mayor Cubillos: I want to make note, the state of the village is the fourth Tuesday in August? I try to keep everything uniform. I'll remember it, it's the fourth Tuesday, August, it has been since 2015. I may be having it here as I generally have or I'm going to have it at the Horseman Auditorium. I'm working in both places. I haven't completely made a decision. I'll be working with the manager, with the chief, with **[unintelligible 01:23:19]** and my own points to make sure that everything is on there as far as what we've been able to achieve this past year.

Vice Mayor Nickerson: Thank you very much. Again, like I was saying on thank you for all the work you do for us and Tallahassee and all over the nation. [crosstalk] Appreciate you very much for all of that. Councilperson Roman, is there anything that you want to say about the lobby? Is there any questions or comments?

Councilwoman Roman: No.

Vice Mayor Nickerson: Mr. Attorney?

City Attorney Powell: No.

Vice Mayor Nickerson: Madam Manager?

Speaker 2: No.

Speaker 1: No?

Village Manager Alou: I have a few things here about the lobbyist but I can say that based on the budget workshop, I did take avid notes or copies to with our CFO team and give them your suggestions and discussion. Either to them, so I already talked to them. I haven't spoken to each of the members of the council just yet. Absolutely, **[unintelligible 01:24:14]** ahead where

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we discussed it was a tight week but I will be communicating with Councilors [inaudible 01:24:18] they questioned or wanted answers. I'll be getting that information to you. .

Vice Mayor Nickerson: Thank you very much. Madam Clerk, any comments? Thank you. We're going to move right in now. My brother, you are up. It is your time to shine. We're going to the monthly review of the financials. We have a sheet in front, does everybody have a sheet?

Speaker 5: Good Evening Council members, chair, Roger Harvey, CFO, with [unintelligible 01:25:00] Williams. You have before you the budget to actual report as presented through May 31st. You can see if you look at the revenue side, we have certain ISI, annual budget, 4.1 million. When you look at where we are to date, tracking based on 66.58% you can see those items where we are above. Please know that franchise fees and utility fees are tracked back. We're usually a couple of months behind and the other places we've noted the obligated funds at that time for the creamer project and then some additional revenue that came in based on the sale of the Josh Charger and the Equity Fund.

On the expenditure side. Again, we have highlighted any expensive items that are over where we should be at that point in time which will be 66.58% as it relates to the administration of finance. It is overdue to legal fees expenditure looking at the planning and zoning department that overture, as a result of cost recoveries money paid to the [unintelligible 01:26:16] and then moving down to public affairs. That budget, although a small budget is over just by a little bit, we know that due to the cost of public affairs events. We know that there we are now under the police budget was already prior months. It had been flagged previously for their vacation and sick payout for [unintelligible 01:26:42]. This is the report you should have before you. If the chair will allow, I will be happy to entertain any questions through the chair that you may have.

Vice Mayor Nickerson: Yes thank you. Before I get to Madam Mayor-- Madam Mayor, go ahead. I say like [crosstalk].

Mayor Cubillos: I have a couple of questions. Planning and zoning are over. Now cost recovery means that we are supposed to bill the client back. Where- and that goes on the invoice that I specifically circle in and I pointed out to the manager, what are we doing to collect that money and what we're collecting it, where is it in the revenue because cost recovery means money that was paying the [unintelligible 01:27:28] but it also is highlighted in the invoice to ensure that we're billing the client for that money and there should be a revenue, a line item to offset that expense.

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Mr. Harvey: There is, I'm going to note it for you [inaudible 01:27:40].

Speaker 6: I'm sorry, [unintelligible 01:27:48] I'm just about the cost recovery. We do have an outstanding bill of the development for that cost recovery for almost \$8,000 for [unintelligible 01:28:00]. It just hasn't been paid.

Mayor Cubillos: There are other bills that I have seen that are coming that I sign cheques for and I circled cost recovery. Could be 1,000, it could be 500 but all that adds up to why it's- I still want to know the way or because my next question is going to be similar to that. Where is that indicated? It should offset that expense.

Mr. Harvey: It should, but I will follow up with your question later. The revenue, we'll be reporting above the line, so it'll come in there and it extends in another line. It'll net in total-

Mayor Cubillos: I want to know where in the revenue it states that- I see miscellaneous police, I see miscellaneous events and I see miscellaneous other, so I just want to know, I know what police means and they know what event means, but I know I want to know what other is. I know what [unintelligible 01:28:52] reimbursement is.

I just want it to be clear as far as exactly where it's going because my next question, which is going to tie directly into it is where does it go when we receive donations for events? Right now an event is so is zero, and I have to tell you as someone who's received checks, money has been donated for events. It's showing that we budgeted 11,000 but it's showing the year to date zero. It's going to be my assumption that other, which is 16,000, are you telling me that the combination of public affairs and planning and zoning?

[silence]

Mayor Cubillos: You may not have the answer this evening but I really need that answer.

Mr. Harvey: I will get you that answer?

Speaker 5: Just to piggyback because that was my concern. My concern is that public affairs should not be over. There's been pretty much the 5KK for itself. This report shouldn't look the way it looks.

Mr. Harvey: I will get the details for it but that was an accident.

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Mayor Cubillos: I have a question and I apologize, this might be an Owen question for CO but that 19- and I may have asked it and if I did and you answered I apologize. I don't remember it, so in the annual budget, it says 1,946,500, it's one million nine hundred and forty-six thousand. Was that what Owen assumed we were going to get obligated based on the percentages? Was that an assumption that he made? Then the 1,592 is that as the end of May that was obligated? Because we know that that amount has changed now?

Mr. Harvey: Yes. What you say on both ends is correct.

Mayor Cubillos: 1.9 is what Owen calculated? He calculated all and that's better for us?

Mr. Harvey: That's correct, yes. The obligation is higher now today than it what was at the time. It's [unintelligible 01:31:19]

Vice Mayor Nickerman: I just wanted to say-- [unintelligible 01:31:23] Good to see you. I want to say that when myself and the manager have met with you in the past, there were certain things that we requested as pigging and moving around. There's one respect is that we don't see that happening yet at this point in time. Also, Councilperson Roman, she's long requested for months for different line items for the donations that come in. She's said that numerous times, it's locked in mind and different things like that.

Councilperson Roman, these were frustrating a little while ago. [laughs] With me she did but this is frustrating in itself. I would just like to say we're having another little meeting I think.

Mr. Harvey: You can't address [unintelligible 01:32:39]

Vice Mayor Nickerman: Yes just to go back oversee stuff and that all. [crosstalk] Yes, of course

Mr. Harvey: I'll take a comment from you so I think that it is good when folks deal in a straightforward manner, so we will get you the answers. I was made aware Councilperson Roman today of your detail just today. I am sorry that that had been flowing out there but I will get you an answer and the detail on that. We have picked up our volume of being on-site, so we're working through some things.

We have been requested to make changes in the detail and the reports so we will do that. I have stressed to the manager and so I'm learning we prioritize things based on what we think or we

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use our professional judgment. For example, the line of prey we did some work there which had a due date. The [unintelligible 01:33:37] we've been doing some work in that area which has a due date. Our goal is never to be disrespectful or not [unintelligible 01:33:44] but as best as we can we try to prioritize. If you let us know this is super-priority we will bump it up. We have given our own discretion but I will take everything you say, request and give an answer back to you. Thank you [inaudible 01:33:59].

Councilwoman Roman: Thank you, your honor. Regarding the priorities, I totally understand those. It's important that we're perceptive with numbers that, for instance, you have highlighting public affairs and you are mentioning it and also the planning and zoning as being over. Now we're on the record saying that we're over on these items when we know already- you know that there's been money that came in that needs to be-- I ask that for future we just take a look at that. I know you just said that we brought up that just recently.

Mr. Harvey: Let me just say this and t's frustrating for me and I'm a degreed accountant. Some of it is, you report the revenue here and you report the expense there, so in a silo it looks off but the net and what I will talk to Erwin about is, is it a way we're getting the flag and discussing the net because that's really the essence of what you all are saying.

I'll translate some of that to try and find a way to give you the essence of what you want even if the report is off but I can elaborate on the side.

Vice Mayor Nickerson: I want to take for the record that I appreciate you coming in because essentially we had Erwin who would be here at all times. He had to represent for so long and do exactly the ins and outs and the back and forth of it. He, unfortunately, does not make it to our meeting anymore and therefore, Mr. Harvey has you here. I know just coming in and trying to play catch up and him being in another country most of the time. That's a separate conversation.

Mr. Harvey: But we will get there.

Mayor Cubillos: I just have a question, how long have you been here [unintelligible 01:36:03]?

Mr. Harvey: We started I want to say mid-April.

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Vice Mayor Nickerson: Before we go to the next thing which is the audit, we'll just get a quick view on the audit. For the financials of- Madam Mayor, do you have any response [inaudible 01:36:27]?

Mayor Cubillos: No. If we're frustrated, I know you've only been here for four months, but I've been here for 10 years and a lot of these I'm asking for I've asked for a few years now. It's really important that it gets done because after a while excuses are exactly that. More importantly and you said it, let's not focus on the departments that over at the end of the day.

We may end the year without an amendment or we may end under. I think those are the things that if we prepper the conversation in that matter it may be taken a little differently as well. We're going to end the year most likely under-budget and that's an achievement that we haven't had in a few years.

I think that's something that we really duly note and that takes a lot of credit to the administration and to the council. When you take a look at where we are fiscally if it's supposed to be 66% and we're trending at 65. We're trending to end well so just important to end and start on that note.

Mr. Harvey: Thank you, Madam Mayor.

Speaker 6: I just want to state that on the record. I know Mr. Harvey stated that he's prioritized semi-retirement of [unintelligible 01:37:34] and then put this team in place to fill in where he wasn't available. It's been a daunting task for both sides. We did have the audit which this year for some reason deeper dig than anything you could imagine and we're still finalizing it. We're just now getting to the point where we're almost finished and complete.

Here's before I know that this is taking place in a matter of a month or two months. We're setting well past that and I know that it did take [unintelligible 01:38:11]. Again we're trying to get certain things done. We're learning and certainly, we'll never have to go through that use of our resources and focus and keep on top of our budget the next time around in this or whenever this is taking place thereafter. It's lessons learned about this audit.

Vice Mayor Nickerson: Thank you, Madam Manager. Councilperson Roman, any last questions or comment about the financials? Mr. Attorney? We're going to move right down to the audit. The manager already said some things about the audit. Mr. Harvey, if you just want to say a couple of things to give us a quick status update.

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**Village of El Portal
Admin and Finance Meeting
Date: 7/16/19
Meeting Start: 6:33 PM
Meeting End: 8:15 PM
Meeting Length: 01:42:41**

Mr. Harvey: I actually thank you for that. The audit team that brought on by the firm, they came in a couple of months ago and started performing work. We have gotten the final draft say, about a week and a half ago. I've been working with the manager to respond to their final comments. We've updated the AFR which is a document that had to be poked into the state by 10:30. We had that done. We're looking to perform the exit conference with auditors sometime this week or early next week, make any final changes they have.

Just today I submitted to them responses back to their comments and some additional documents that we are hopeful the manager and I will quail some of their additional document requests. In the next week or so we fully expect to have the 2018 audit finalized in total.

Vice Mayor Nickerson: Thank you very much. I don't have any questions about the audit. Madam Mayor, do you have any question?

Mayor Cubillos: [inaudible 01:40:09] time.

Vice Mayor Nickerson: That is what I was thinking also. Councilperson Roman, do you have any question or comments about the audit?

Councilwoman Roman: No.

Vice Mayor Nickerson: Mr. Attorney?

City Attorney Powell: No questions.

Vice Mayor Nickerson Madam Manager?

Manager Alua: No.

Vice Mayor Nickerson: Thank you very much. Madam Clerk, any questions or comments?

City Clerk Jacobi: [inaudible 01:40:30].

Vice Mayor Nickerson: Thank you very much, thank guys for going over all that, before I move into the good and welfare anything that was on the agenda of the tracking report or anything else, last but not least, does anybody have anything to say anything that was on the agenda of tracking report? Madam Mayor.

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Mayor Cubillos: No, all good.

Vice Mayor Nickerson: Councilperson Roman?

Councilwoman Roman: No.

Vice Mayor Nickerson: Madam Manager?

Manager Aluo: No.

Vice Mayor Nickerson: Mr. Attorney?

City Attorney Powell: No, sir.

Vice Mayor Nickerson: Madam Clerk?

City Clerk Jacobi: No.

Vice Mayor Nickerson: Thank you very much everybody, I'm about to go to good and welfare. I just want to say record and just for the record that what everybody saw earlier with myself and Councilperson Roman, it's a wonderful thing because this how government works. This is where we have to discuss the differences or disagreement that we may have. I have always said that when it comes to the village of El Portal, that we all want is for the best for El Portal. We all want El Portal to shine the brightest of lights.

Myself and Councilperson Roman we want to carry the best place possible, we just sometimes have different ideas on just how to get there, that doesn't mean we are not going to the same direction, that's what this is all about. Then we discuss it and we still get along, we love each other but we just still have different ideas and sometimes different directions on how to get there but, we discussed it and majority rules and we come to decisions and we'll get there eventually, that's the beauty of the United States, the constitution and the forefathers. [laughs] and that's how it is.

Good and welfare, anybody from the audience that wants to come up and say anything about anything at all at this particular? Point you can. say your name and address for the record. Hearing and see none, do I have a motion to adjourn?

Councilwoman Roman: I make a motion to adjourn.

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Vice Mayor Nickerson: do I have a second?

Manager Aluo: I'll second.

Vice Mayor Nickerson: All the people say aye.

All: Aye.

Vice Mayor Nickerson: The administration and finance meeting for the village El Portal for Tuesday, July 16th is adjourned at 8:15 PM.

[01:42:41] [END OF AUDIO]

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