

VILLAGE HALL
500 NE 87TH ST
EL PORTAL, FL 33138
David A Rosemond
VILLAGE MANAGER



MAYOR CLAUDIA V. CUBILLOS
VICE MAYOR OMARR C. NICKERSON
COUNCILPERSON HAROLD E. MATHIS, JR.
COUNCILPERSON WERNER E. DREHER
COUNCILPERSON VIMARI ROMAN

Regular Village Council Meeting
Tuesday, January 24, 2017
Minutes
7:00 PM

Statement of Decorum

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

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

A. CALL TO ORDER: Mayor Cubillos, presiding, called the meeting for January 24, 2017 to order at 7:06pm.

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

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

Present: Mayor Cubillos, Vice Mayor Nickerson, Councilperson Harold Mathis (Late), Councilperson Roman, Councilperson Dreher, David A. Rosemond (Not voting), Village Manager, Chief Eugene Morales (Not voting), and Yenise Jacobi, Village Clerk (Not voting) Irwin Williams, CFO, Steven Werry, in representation of Village Attorney (Not Voting)

D. APPROVAL OF AGENDA: Mayor Cubillos asked for a motion to approve the agenda with additions to be added I3. Comprehensive Plan Amendments **Motion:** A motion to approve the agenda **Action:** Approve, **Moved by** Councilperson Roman, **Seconded by** Councilperson Dreher. The motion passed by voice vote.

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

E1. Minutes for November 15, 2016 Regular Council Meeting— **Motion:** A motion to approve the minutes with corrections **Action:** Approve, **Moved by** Councilperson Dreher **Seconded by** Councilperson Roman. The motion passed by voice vote.

E2. Minutes for December 20 2016 Regular Council Meeting **Motion:** A motion to approve the minutes with corrections **Action:** Approve, **Moved by** Councilperson Roman, **Seconded by** Councilperson Dreher. The motion passed by voice vote.

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F. ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:

F1. Swearing-in of two police officers (Joel Newman & Jose Benitez)

F1a. Mayor Cubillos acknowledged Charles Scott From U.S. Rep. Frederica S. Wilson office thank you for being here, I also like to recognize Regina Vangates-Gibson from Commissioner Edmonson's office. In addition recognize our planning board from Plusurbia, Megan & Juan.

F1b. Mayor Cubillos stated as moving forward each new police officer whether they were full time or part time be recognized by full council. We are excited we are starting this for the new year of 2017. Thanked the Chief for putting it together. We will begin by swearing in Joel Newman since his family is all here, followed by Jose Benitez.

F1c. Chief Morales stated that Mr. Newman was a police officer part time with El Portal Previously. He was sworn in by Chief Morales. Congratulations!

F1d. Chief Morales stated that Jose Benitez, owns his own business and self-sponsored himself through the whole academy. He will donate his full time hours to successfully complete his training. He was sworn in by Chief Morales. Congratulations!

Note: Mayor Cubillos wished Officer Gutiérrez a Happy Birthday!

G. GOOD AND WELFARE: None noted.

H. AGENDA ITEM:

H1. Reading of the Ordinance Comprehensive Plan was added, by Mayor Cubillos it was publicly noted 2017-01/Ordinance.

Note: Mayor Cubillos asked attorney Steven Werry to read the Ordinance into the record.

I. RESOLUTIONS/ORDINANCES:

II. ORDINANCE NO. 2017-02

**First Reading
FORM BASED CODE**

AN ORDINANCE OF THE VILLAGE OF EL PORTAL, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 24 IN ORDER TO ADOPT A FORM-BASED CODE; ADOPTING A NEW ZONING MAP; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS, REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Note: Read into the record by attorney Steven Werry

Motion: A motion to pass 1st reading Form Based Code **Action:** **Passed Moved** by Councilperson Mathis, Jr. **Seconded** by Councilperson Roman

Vote: (Summary: Yes=5, No = 0).

Councilperson Dreher Yes

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Councilperson Roman	Yes
Councilperson Mathis, Jr.	Yes
Councilperson Nickerson	Yes
Mayor Cubillos	Yes

Note: Juan Mullart from Plusurbia stated numerous presentations have been made on the form based code and comp plan we have made modifications on them based on your recommendation both ordinances.

**I2. ORDINANCE NO. 2016-08 Second Reading
CONVERSION THERAPY**

AN ORDINANCE OF THE VILLAGE OF EL PORTAL, FLORIDA, TO CREATE A NEW CHAPTER IN THE VILLAGE OF EL PORTAL CODE OF ORDINANCES TO PROHIBIT WITHIN THE GEOGRAPHIC BOUNDARIES OF THE VILLAGE OF EL PORTAL THE USE OF SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS WITH MINORS, INCLUDING REPARATIVE AND CONVERSION THERAPY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE

Note: Read into the record by attorney Steven Werry

Motion: A motion to pass 2nd Reading of Conversion Therapy with amendment Action: **Passed**
Moved by Councilperson Mathis, Jr. **Seconded by** Councilperson Dreher

Vote: (Summary: Yes=5, No = 0).

Councilperson Dreher	Yes
Councilperson Roman	Yes
Councilperson Mathis, Jr.	Yes
Councilperson Nickerson	Yes
Mayor Cubillos	Yes

Councilperson Roman asked that hereby why be replaced with research finds. In section 1.

Councilperson Mathis maker of the motion has accepted the change and Councilperson Dreher seconds the motion.

Mayor Cubillos opens it for public discussion:

Merlin Brooks- 400 NE 90 Street- Ms. Brooks asked why does it have to be something that needs to be voted on? Why does it have to be law? Is it more for being accepted for who they are.

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Councilperson Mathis JR. explained in response that this is more for the protection of the gay and lesbian community.

**I3. ORDINANCE NO. 2017-01 First Reading
Comprehensive Plan Amendment**

AN ORDINANCE OF THE VILLAGE OF EL PORTAL, FLORIDA, AMENDING THE FUTURE LAND USE MAP, THE FUTURE LAND USE ELEMENT, THE COASTAL MANAGEMENT ELEMENT, AND THE RECREATION AND OPEN SPACE ELEMENT OF THE COMPREHENSIVE PLAN AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Note: Read into the record by attorney Steven Werry

Motion: A motion to pass 1st reading Form Based Code **Action:** **Passed Moved** by Councilperson Mathis, Jr. **Seconded** by Councilperson Roman

Vote: (Summary: Yes 5, No = 0).

Councilperson Dreher	Yes
Councilperson Roman	Yes
Councilperson Mathis, Jr.	Yes
Councilperson Nickerson	Yes
Mayor Cubillos	Yes

Note: Mayor Cubillos thanked Juan from Plusurbia for making it possible.

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

J1. Village Mayor Reports

- Education compact
- Nature Trail
- Mayor’s Task Force (street by street to identify issues and then forward to committees) February 7th will be doing another drive.
- Pick Up & Drop off Horace Mann School (Police Presence)

J2. Village Manager Reports – Manager David Rosemond

- CFO Financials
- Village Hall Building needs updates (will have proposals) Kitchen, IT
- Strategic Capital
- Strategic Meeting/Robert Rules
- Audit 2015-16

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Note: Councilperson Dreher asked Village Manager for an update of tree trimming report.

Note: Mayor Cubillos questioned and asked that Code Enforcement needs to be identified better in moving forward, at the end it needs to be properly managed.

- Chief Morales stated that something is wrong because she worked mainly 25-27 hours a week.
- Irwin will check on the hours for Code Enforcement and have it ready by next council meeting

J3. Committee Chair Remarks –

a. Public Affairs

Chairperson Omarr Nickerson

- Miami Dade Leagues –Feb 2nd
- Robert Rules-Feb 11th - 5 Priorities
- David Adlet retired thank you for your service
- Martin Luther King Breakfast was a great event
- Family Food Truck Night 3rd Thursday of the Month, February 17
- 2nd Anniversary of The Little Library –Bring a book-Take a book!
- Art Fair-February 3rd & February 4th (Logo Unveiling)
- Annual Armed Forces 5K it is on May 20th

b. Public Works

Chairperson Werner Dreher

- Tree City USA
- Arbor Day March 11th
- Sewer Plan
- Internship Program
- Railroad Tracks All Aboard Florida to come up with a way to communicate to residents

c. Public Safety

Chairperson Claudia V. Cubillos

- Operation clean up its twice a year April/Oct
- Crime Stats printed out for Committee Meeting
- Foot Patrol more than one officer
- Reduction of Speed (Speed Trailer)
- Copy of police schedule
- Cops Grants
- New officers swear-in at meetings
- Stop signs NW 86th Street & 2nd Avenue
- Status of police units
- Body Cameras
- Chief retirement –No decision should be made without Council input
- David Adlet retirement who will be doing Code Enforcement
- Police Officer Holiday Bonus

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- Citizen's Crime Watch

d. Code Enforcement Committee

Chairperson Vimari Roman

- Home of the month
- Identifying homes in need
- Bus Ordinances
- Code Enforcement workshops
- Meeting with Juan from Plusurbia
- David Adlet retirement/Code Enforcement

e. Planning & Zoning

Chairperson Claudia V. Cubillos

- Fees Outdated for Permits (Juan) Plusurbia

f. Administration & Finance

Chairperson Harold Mathis, Jr.

- Solidifying budget workshop
- Evaluations

J3. Village Attorney Reports - Attorney Steven Werry

The Village is well advised to give a consideration to looking at its development procedures. To adopt the Comprehensive Amendment, streamlining and consistency. Procedures that are strong.

K. UNFINISHED BUSINESS AND GENERAL ORDERS:

None noted.

L. NEW BUSINESS:

L1. LOGO Selection

Mayor Cubillos –stated in December we spoke regarding to updated the seal of El Portal and in order to be bias we asked the PR Firm to receive the entries and they are here with the ones who have qualified there are 18 to be reviewed today and select the next seal of El Portal. The winner of the contest will be recognized and will have our help and support to further advancement in the design field.

Lior stated thank you for the opportunity to work with El Portal, the contest itself it is a way for the community to be more involved. The copies I provided is only numbers so you won't know the name you are voting for.

- LOGO VOTE TOP 3

Councilperson Dreher voted – 9,7 & 12

Councilperson Mathis, Jr voted-9,3 & 7

Councilperson Roman-9,7,&11

Councilperson Nickerson-9,3 & 14

Mayor Cubillos, 9,16,4

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Motion: A motion to vote #9 to be selected the next seal winner **Action:** **Passed Moved by** Councilperson Mathis, Jr. **Seconded by** Councilperson Dreher

Vote: (Summary: Yes 5, No = 0).

Councilperson Dreher	Yes
Councilperson Roman	Yes
Councilperson Mathis, Jr.	Yes
Councilperson Nickerson	Yes
Mayor Cubillos	Yes

Note: Charles Scott from Congresswoman Frederica Wilson stated he wanted to give and update on Congress woman, she has a huge and overwhelming support for the community she has been assigned to the transportation, also need to bring you up to speed with something else Railroad will be heavily affected in this community of El Portal. Railway track from Dade to Jupiter. There will be 16 trips from Miami to Orlando daily taking over 400 passengers.

M. GOOD AND WELFARE:

Merlin Brooks-400 NE 90th street- Ms. Brooks wishes everyone a Happy New Year, I have a comment and concerned has the Village ever considered changing the time of the meetings, we need more residents to come and I am concerned what goes on when you don't see me I am either out of town or sick. Thank you Mayor for taking the concern regarding the Palm Tree I planted years ago.

Harold Mathis- 420 NE 90 Street – Mathis brought up that temporarily closing the street it is a hazard everyone cuts to 90th street to go to Publix. We will be bringing this petition forward.

N. ADJOURNMENT: Councilperson Mathis, motioned that the Regular Village Council meeting for January 24, 2017 be adjourned. Councilperson Roman seconded the motion. The motion carried unanimously. The meeting was adjourned at 9:21pm.

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