



**Village of El Portal
City Commission Meeting
Date: 11.28.17
Meeting Start: 7:35 pm
Meeting End: 8:51 pm
Meeting Length: 01:15:49**

Mayor Cubillos: Good evening everybody. Today is Tuesday, November 28th. It is 7:35 PM. I do apologize for the delay. I'd like to call the meeting to order. At this time, if we could have a moment of silent meditation followed by the Pledge of Allegiance.

[silence]

All: I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Mayor Cubillos: Thank you. Madam Clerk, might please have roll call.

Clerk Jacobi: Roll call. Mayor Cubillos.

Mayor Cubillos: Here.

Clerk Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Here

Clerk Jacobi: Councilperson Mathis.

Councilperson Mathis: Present.

Clerk Jacobi: Councilperson Dreher is not here, Councilperson Roman is not here. Also present for the record: Yenise Jacobi, Village Clerk; Christie Alou, In-term Village Manager; Joseph Geller, Village Attorney; Irwin Williams, CFO; Ronnie Hufnagle, In-term Chief.

Mayor Cubillos: Excellent. Thank you so much, and at this time it might get a motion of approval of the agenda.

Councilperson Mathis: I move the approval.

Mayor Cubillos: A motion has been made by Councilperson Mathis, has been second by Vice Mayor Nickerson. All in favor signal by saying "aye."

All: Aye

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Mayor Cubillos: Any nays? Hearing none. Agenda passes. At this time, we're going to go to E1: Approval of the minutes of October 24th, 2017 as the council here has the opportunity to read the minutes that were e-mailed to us last week.

Vice Mayor Nickerson: Yes, madam mayor.

Councilperson Mathis: Do you want to move it together?

Mayor Cubillos: We'll do it separately.

Councilperson Mathis: Okay.

Mayor Cubillos: Is there a motion to move the minutes for October 24th?

Councilperson Mathis: I'll make a motion.

Mayor Cubillos: Motion has been made by Councilperson Mathis. Is there a second?

Vice Mayor Nickerson: Second.

Mayor Cubillos: Second by Vice Mayor Nickerson. All in favor, signal by saying "aye."

All: Aye.

Mayor Cubillos: Any opposed? Hearing none. The minutes for October 24th are passed, and then we post it on the website.

Mayor Cubillos: E2: Approval of the minutes for November 14th, that was last week. We did not have quorum, which is why we are meeting today to have a motion to approve the minutes of the opening and closing of the meeting?

Councilperson Mathis: Move through.

Mayor Cubillos: Motion has been made by Councilperson Mathis. Is there a second?

Vice Mayor Nickerson: Second.

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Mayor Cubillos: Second by Vice Mayor Nickerson. All in favor, signal by saying "aye."

All: Aye.

Mayor Cubillos: Any opposed? Hearing none. The minutes for November 14th, also, will be posted and are now passed. At this time, any acknowledgment of visitors and special presentations? We don't have any special presentations, but we do always have acknowledged our visitors, and that is all of you, the residents. Thank you so much for being here today. We also have Steve Elias and Jason from Penn Tony. At this time, I would like to open up to good and welfare. If anybody who would like to come up for good and welfare, make any comments. If not, we'll go right into the resolutions and the ordinances, and we have one another item.

[silence]

Kristin: Hi. Kristin McLean. 217 Northwest 86th Street. I'm just wondering on the status of the repair of the fence on the playground so that we can open the playground again for families and for other people who want to use it.

Mayor Cubillos: I know that's part of the manager's report. Do you want to go ahead and answer that now?

Manager: Good evening. The hurricane damaged a lot of the infrastructure in the village, and one of those losses was that fence in that playground. We didn't realize how bad the damage was and we didn't close it after the hurricane. But getting complaints and assessing the damage, we saw that we needed to close down the playground. I know you know that part. But what you don't know is that we are working with our FEMA consultant trying to get that work done as part of our reimbursement but that's taking a long time.

We've already started getting just bids. We're hoping to then later get the work done and then later hopefully we can get that reimbursement, but I have someone who gave me a quote today. I'm waiting for two others. I want to get the playground open as quickly as possible, so we're working on it.

Mayor Cubillos: Okay. Thank you. Thank you, Kristen. Anybody else's good and welfare? All right. Hearing none. The first agenda item we have is the Professional Service Agreement

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with our CFO, Irwin, for the non-profit assistance. But this time, his agreement was due up, and if the manager would like to chime in and agreement is attached.

[silence]

Mayor Cubillos: I don't know if the council has had the opportunity to review the agreement. If so, the CFO is here for any questions as well as the manager and the attorney, if there need be. It's a standard agreement that we've had with Irwin for the last couple of years. It's just standard operating procedure that we need to renew the agreement and it needs to be updated to comply with auditing.

Manager: My only addition to that, mayor, would be that this is something that we should do. All of our staff, being the contractors or independent contractors who work with us really need to ensure that they are contracted and that they are protected and they're all right. I found that the contract was standard and it protects us as well as Mr. Williams.

Mayor Cubillos: Okay. At this time, any comment from the council? Hearing none. I'm going to close the council meeting and open up for any public comments with regards to this agreement. If you have any questions with the agreement with the CFO that we've had, and we are going into again, this is the time to go ahead and ask us or the manager.

[silence]

Mayor Cubillos: Hearing none. I'm going to close public comments, open it up back to the council for a vote. Geller, would we need a [unintelligible 00:06:03] for December or the agreement be sufficient based on the way it's written?

Atty. Geller: The agreement itself could be improved, the only comment that I was going to have on it, mayor, before we do voting. It did provide that the venue would be in Broward County, and typically we want the venue in Miami-Dade County.

Mayor Cubillos: Okay. We will need to re-edit it to refer to State Miami-Dade County.

Atty. Geller: Yes, and Mr. Williams is in the [inaudible 00:06:25] just-

Mayor Cubillos: Okay.

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Atty. Geller: This is where we are.

Mayor Cubillos: Absolutely. It's just-- he put it there. That's where your home business is at. Okay. Is there a motion to approve the agreement with the edit of replacing Broward County with Miami-Dade County?

Councilperson Mathis: I move approval with the edit.

Mayor Cubillos: It's been moved by Councilperson Mathis. Is there a second?

Vice Mayor Nickerson: I second.

Mayor Cubillos: It's been second by Vice Mayor Nickerson. Any discussion before I ask for a vote?

[silence]

Mayor Cubillos: Alright, hearing none. Madam Clerk, might I get a vote please?

Clerk Jacobi: Councilperson Mathis.

Councilperson Mathis: Yes.

Clerk Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Yes.

Clerk Jacobi: Mayor Cubillos.

Mayor Cubillos: Yes.

Clerk Jacobi: Motion passes. Three to none.

Mayor Cubillos: At this time, we're going to go right into-- bear with us, we have several resolutions this evening. Some of them are standard operating procedures that we do in our

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local with the county. With that said, our first resolution is resolution 2017-33. It's the Inter-Local Agreement. Joe Geller, please read into the records.

Joseph Geller: Yes ma'am. Resolution 2017-33: Resolution to the village council of the village of El Portal, Florida. Proving inter-local agreement and authorizing the in-term village manager to execute and renew the Miami-Dade National Pollutant Discharge Elimination System, known as NPDES, were monitoring inter-local agreement permit number LFLS000003 for fiscal year 2018 through fiscal year 2022, providing for incorporation of recitals, providing for an effective date.

Mayor Cubillos: Great. Thank you so much. Manager, would you like to give us a little background on the resolutions that we're passing today? I know that's not the first time that we're passing it, and then I will open up any public comments.

Manager: It's just an inter-local agreement that will continue the work that we do with the water monitoring. Dade County monitors the runoff and pollutant discharges that are eliminated and I think it's a good thing that they do monitor that for the villager, continue to do that so that we can address needs related to water and sanitation and those types of things.

Mayor Cubillos: Any questions for the manager from the council?

Councilperson Mathis: Does this also contribute to the cleanup of the canal as well?

Manager: No, this is just testing and monitoring of the water quality itself.

Councilperson Mathis: Okay.

Mayor Cubillos: Any other questions? Okay, hearing none. I'm going to close the council and open up for any public comments with regards to this inter-local agreement with the county.

[silence]

Mayor Cubillos: Hearing none. I'm going to close public comments and open it up back to the council. Is there a motion to approve the resolution 2017-33?

Councilperson Mathis: I move through.

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Mayor Cubillos: Motion has been made by Councilperson Mathis. Is there a second?

Vice Mayor Nickerson: Second.

Mayor Cubillos: Second by Vice Mayor Nickerson. Madam Clerk, might I please get a roll call?

Clerk Jacobi: Roll Call. Councilperson Mathis.

Councilperson Mathis: Yes.

Clerk Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Yes.

Clerk Jacobi: Mayor Cubillos.

Mayor Cubillos: Yes.

Clerk Jacobi: Motion passes. Three to none.

[silence]

Mayor Cubillos: Next, we have resolution 2017-34. It's the final budget amendment for 2016-2017.

Atty. Geller: Resolution number 2017-34. Resolution of the mayor and village council of the village of El Portal, Florida of Miami-Dade County, Florida. Approving transfers from certain budgeted line items providing for incorporation of recitals and providing for an effective date, and the items are summarized on Exhibit A.

Mayor Cubillos: Okay. At this time, I'm going to go ahead and ask Irwin to come up to the podium and give us a breakdown, and just for clarity while he's doing that to the residents. Doing a budget amendment is one that we do every year. We try to always stay within budget but unfortunately, things like Irma come in or a manager leaves and we have to pay out or somebody from the police department retires and we have to pay out benefits or so on and so

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forth. With that said, our amendment is probably a little greater than normally would it be given those factors, and Irwin will walk us through it. Thank you.

Irwin Williams: The net result of the budget amendment will result in a decrease in the village's general fund reserve balance by \$294,451. It would also result in a decrease in the Parks and Rec fund balance by \$43,516. In the general fund, the increases are as follows and expenditures-- I'm not going to read through every line down, this going to give you a summary of the major items within each group.

The first was the departure of the previous village manager. We had a payout to him when he departed, which included salaries, vacation pay, health insurance and other benefits. That came close to \$50,000 that obviously was not budgeted for. We had an excess, we had to pay to the lobbyists of \$9,300. There was excess paid that had to be changed for the budget for my services for \$16,000, but that was for when I first came back, that was for the catch-up work for the fiscal year in the 2015 where the audit had not yet been issued, and we had a lot of work to get that caught up.

In planning and zoning, there was never a salary budgeted for that department, so we had to budget for salaries and benefits for the planning and zoning department. In public affairs, we had to increase it by \$15,000, however, that \$15,000 was offset by other revenues. The revenue side of the budget amendment you'll see, so it's really a wash between the revenues and the expenditures.

Law enforcement, the major change to the budget for the law enforcement was the purchase of the five vehicles that we had. You'll see that in the totals that are on this section that there was an adjustment of the capital acquisition budget of \$72,000. The cars actually came in at \$119,00 total, but we had some previous amounts that were budgeted there, so we only have to change it by \$73,000.

Public works, we had to increase the budget for contractual services for \$49,900 and that was because of hurricane Irma and the cleanup that, obviously, we could not have anticipated in budget for the beginning of the year. We are also able to decrease some expenditures during the year in law enforcement, executive salaries for the departed police chief of \$10,635, and there are some other salary adjustments we have-- lower salaries, regular salaries of \$32,000,

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but that was offset by higher part-time salaries. We just augmented the regular salaries with the part-time.

In public works, contractual social garbage solid waste had been over-budgeted by \$21,000, and repairs and maintenance to the village hall for \$20,000 that our budget for that did not take place, we removed those from the budget. For revenues, we increased the budget for ad valorem by \$16,000 and miscellaneous revenues for \$24,000. Again, the \$24,000 is the offset to the expenditure we saw on the other side of the public affairs.

Decrease of the following budgeted revenue line items were for building permits which were over budgeted at the beginning of the year by \$20,000 and other permits, the non building permits, for \$20,000. At the beginning of the year, we had also budgeted-- we were going to sell four or five of the older police cars and that didn't happen by the end of the year, so we also reduced those revenues by \$10,000.

At the beginning of the year, we had anticipated proceeds from the capital lease of \$46,000, but since we went ahead and we purchased the cars, that budgeted revenue line item could be removed because it's no longer applicable. In Parks and Rec, we increased the capital expenditures for the landscaping approvals for \$31,000 and construction costs and landscaping services for \$4,000 and for Sherwood Forest, \$3,400.

Now, I want to point out one thing. Of the \$294,000 that we're decreasing our general fund by, all except above \$30,000 were from non normal expenditures. In other words, if the village manager had not left, if we didn't have hurricane Irma, and we had not purchased the cars, the loss of the general fund would have been under \$30,000. Because of these extraordinary expenditures, that resulted in the \$294,000 reduction in the reserve.

Clerk Jacobi: Any questions for Irwin?

Mayor Cubillos: The police cars, although an expense, would be also an investment, as far as we take a look at the other side.

Irwin: It's an investment and we also over five year saved about \$17,000 of interest by purchasing the cars overall.

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Mayor Cubillos: Any questions for our CFO? Councilperson Mathis? No? Hearing none. Okay, I'm going to close it up for public comments. Thank you so much, Irwin. I'm going to close this portion of the meeting in this resolution. This time, if any residents would like to come up and ask us or Irwin any questions with regards to the amendment to the budget for last fiscal year 2016-2017.

[silence]

Kristin: Kristin McLean, 217 Northwest 86th street. I noticed on the expenses, there was a \$72,000 and change for sick pay for the police department, and I'm just wondering what that - if it was offset by the other side-- and just what that was?

Irwin: We had two officers who had been with us for years that retired. We had Officer Adlet that retired, and we also had the chief that retired. Because of that we have to pay out their sick pay at the end of the year.

Mayor Cubillos: Thank you Kristin. Any other questions for Irwin? Hearing none. I'm going to close the public comments, open it up back to the council. At this time, is there a motion to approve the resolution 2017-34?

Councilperson Mathis: Motion to approve.

Mayor Cubillos: Motion's been made by councilperson Mathis. Is there a second?

Vice Mayor Nickerson: Second.

Mayor Cubillos: It's been second by Vice Mayor Nickerson. Any discussion before I ask for roll call? Hearing none. Madam Clerk, might I please get a roll call?

Clerk Jacobi: Councilperson Mathis.

Councilperson Mathis: Yes.

Clerk Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Yes.

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Clerk Jacobi: Mayor Cubillos.

Mayor Cubillos: Yes.

Clerk Jacobi: Motion passes. Three to none.

Mayor Cubillos: Next, we have resolution 2017-35: Reimbursement Agreement with the State Attorney's Office.

Atty. Geller: Resolution 2017-35 where resolution of the village council, the village of El Portal, Florida, to authorize the village manager to enter into an agreement with the Office of the State Attorney for the 11th Judicial Circuit of Florida. For prosecution and certain violations, the village of El Portal code of ordinances and provide reimbursements of costs to the State of Florida, providing for incorporation of recitals, providing for an effective date.

Mayor Cubillos: Thank you, Attorney Geller. Ms. Manager, would you like to give us a synopsis of this resolution?

Manager: Again, there are times when village of El Portal needs to prosecute certain crimes and the State Attorney's Office would do that. We are just renewing our contract, our inter-local agreement with the 11th Judicial Circuit to continue to do that work.

Mayor Cubillos: All right. Thank you. Does the council have any questions for the manager? Hearing none. I'm going to close the council and then open up for any public comments with regards to this resolution for the manager, attorney, or any of the council members. All right, hearing none. I'm going to close public comments and open it up back to the council. Is there a resolution for 2017-35-- is there a motion? Excuse me.

Councilperson Mathis: I move through.

Mayor Cubillos: Motion has been made by Councilperson Mathis. Is there a second?

Vice mayor Nickerson: Second.

Mayor Cubillos: Second by Vice Mayor Nickerson. Any discussions before I ask for roll call? Hearing none. Madam Clerk, might I please get a roll call?

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Clerk Jacobi: Roll call. Councilperson Mathis.

Councilperson Mathis: Yes.

Clerk Jacobi Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Yes.

Clerk Jacobi: Mayor Cubillos.

Mayor Cubillos: Yes.

Clerk Jacobi: Motion passes. Three to none.

Mayor Cubillos: All right. We got resolution number four. Resolution number 2017-36.

Atty. Geller: Resolution number 2017-36, the resolution of the village council of the village of El Portal, Florida, proving the inter-local agreement and authorizing In-term village manager to execute and renew the Miami-Dade Municipal Parking Fines Reimbursement Program Agreement, providing for incorporation of recitals, providing for an effective date.

Mayor Cubillos: All right, great. Thank you. Miss manager, would you like to give us a little synopsis of this one too, please?

Manager: Okay. This one is, again, a contract with Miami-Dade County for Parking Fine Reimbursements. Again, because of the size of our village, our Miami-Dade County does some work for us related to Parking Fines Reimbursement Program. We are continuing that program in getting those reimbursements to them.

[silence]

Mayor Cubillos: Is there any questions for the manager? You should really take a look at this when we actually start hiring parking spots on Northeast 2nd Avenue. Okay. At this time, I'm going to close the council and open up for public comments. Irwin, you have a comment?

Irwin: No.

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Mayor Cubillos: Any comments from the residents on this resolution with the county? Okay, hearing none. I'm going to close public comments and I'm going to open it up back to the council. Is there a motion to approve resolution 2017-36?

Councilperson Mathis: I moved through.

Mayor Cubillos: Motion's been made by Councilperson Mathis. Is there a second?

Vice Mayor Nickerson: Second.

Mayor Cubillos: Second by Vice Mayor Nickerson. Any discussion before I ask for a roll call? Hearing none. Madam Clerk, might I please get a roll call.

Clerk Jacobi: Councilperson Mathis.

Councilperson Mathis: Yes.

Clerk Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Yes.

Clerk Jacobi: Mayor Cubillos.

Mayor Cubillos: Yes.

Clerk Jacobi: Motion passes. Three to none.

Mayor Cubillos: Okay. Next resolution, 2017-37, police laptops.

Atty. Geller: Resolution 2017-37, a resolution of the village council of El Portal, Florida authorizing the village manager to purchase six HP Probook 650 G3 Laptops, One Dell Optiplex 47 for 5500 all-in-one computer, three Dell Optiplex 3050 desktop computers, and three ASUS 21.5 LED LCD monitors from CompleteCare IT in the amount of \$9,906, and installation in the amount of \$800, providing for incorporation of recitals, providing for an effective date.

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Mayor Cubillos: Miss Manager, I want you to give us a background on this because there's surely some questions here.

Manager: Yes. These are the computers that the Village of El Portal Police Department needs to get into compliance with the Florida Department of Law Enforcement. We were out of compliance for some time, so we're coming into compliance, and those computers that we had are outdated and were not able to be encrypted, so we have to replace them with newer computers. They're to be encrypted, and that's why we have to spend this kind of money and need the installation at the amount of \$800.

Mayor Cubillos: Just for the record, there's three quotes that were received. Right?

Manager: Yes. Absolutely, we had quotes.

Mayor Cubillos: When they were in the middle of the road. Does the council have any questions for the manager? Any questions? Hearing none, I'm going to close up the council meeting, open it up for any public comments with regards to resolution 2017-37, the purchase of the future police laptops. Hearing none, I'm going to close public comments, open it up back to the council, at this time, do I have a motion for resolution 2017-37.

Vice Mayor Nickerson: Motion for resolution.

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

Councilperson Mathis: I second.

Mayor Cubillos: Second by Councilperson Mathis. Any discussions before I request roll call? Hearing none. Madam Clerk, might I get a roll call please.

Mayor Cubillos: Any question?

Councilperson Mathis: One question.

Mayor Cubillos: Okay.

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Councilperson Mathis: With these laptops, are they going to be able to complete their reports when they're out on the road, they don't have to come back?

Manager: For that, I'm not sure. Do you have any idea about that, Acting Chief Hufnagle? [inaudible 00:24:25] I would just know that the systems that were necessary to be in compliance are taken care of with this but in terms of that, maybe she can answer.

Chief Hufnagle: Good evening. The report itself, we have to buy license for them, so they would still not all the officers like the part-time officers will not going to be able to do their work, they would still have to come in, and because this internet-based, we don't want to assign them the Wi-Fi to them, only the full-timers.

Mayor Cubillos: Will the full-timers have the ability to be able to do the report?

Chief Hufnagle: If we go ahead and buy more license, yes, then we will all be able to--

Councilperson Mathis: We have to buy more--

Police Officer: License, yes.

Mayor Cubillos: By license, you mean?

Police Officer: To be able to install into all the computers, to all the laptops.

Mayor Cubillos: Is that what we just did today?

Clerk Jacobi: Yes

Mayor Cubillos: Okay.

[crosstalk]

Clerk Jacobi: No, it's different.

Mayor Cubillos: It's probably a little different. Okay. Do we know the cost? How many out of the six would have full capability?

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Police Officer: We have one-- two? It would actually only be three. Of that, of the laptops, because you have to include the desktops.

Mayor Cubillos: The other desktops too.

Police Officer: Right, the desktops.

Mayor Cubillos: I think councilperson Mathis' question was to ensure that if all six laptops, if they're full-timers, if they're taking them out, they have the ability to conduct everything while they're out?

Police Officer: We could if we buy more license.

Mayor Cubillos: What's the cost of the license?

Police Officer: I would have to get a quote.

Mayor Cubillos: We didn't know? Okay. Would you like them to find out the cost of license and get back to you?

Police Officer: That was not a requirement to be able to be in compliance.

Councilperson Mathis: These are just to be compliant with [unintelligible 00:25:57]

Police Officer: Yes, because we have to be able to get them encrypt and the laptops and desktops that we have now are so outdated that we were not able to.

Mayor Cubillos: So it's six laptops and one desktop. Three desktops-- excuse me, three. Okay, got it. Any other questions? Did I open up a public comment already?

Councilperson Mathis: You did.

Mayor Cubillos: Okay. Any discussions before I get a roll call? Madam Clerk, roll call please.

Clerk Jacobi: Roll call. Councilperson Mathis.

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Councilperson Mathis: Yes.

Clerk Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Yes.

Clerk Jacobi: Mayor Cubillos.

Mayor Cubillos: Yes.

Clerk Jacobi: Motion passes. Three to none.

Mayor Cubillos: Can you close the door Eli? [unintelligible 00:26:35]. At this time, we have an ordinance. First reading of ordinance 2017-03 Compensation for Councilperson. Attorney Geller?

Atty. Geller: Ordinance number 2017-03. An ordinance to the village of El Portal, Florida providing for compensation for councilperson, providing for incorporation of recitals running for severability, providing for a fewer, providing for community modification, providing for an effective date.

Mayor Cubillos: Thank you so much. At this time, we have an ordinance. This is the first reading that will have to go into two different readings. At this past budget, the council had requested an increase from \$3,000 to \$4,500 the year. I think, initially, it was \$6,000 and then we've moved it down to \$4,500 and I don't know if you want to elaborate anymore on this ordinance. If not, I'll open it up to public comments. At this time, I'm going to the close council meeting and open it up to public comments.

[silence]

Mayor Cubillos: Hearing none, I'm going to close public comments, open it up back to the council. At this time, is there a motion to approve ordinance 2017-03?

Councilperson Mathis: Motion to approve.

Mayor Cubillos: Motion's been made by Councilperson Mathis. Is there a second?

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Vice Mayor Nickerson: Second.

Mayor Cubillos: Second by Vice Mayor Nickerson. Just to be clear, the second reading will be properly duly noted. Any further discussion before I ask for roll call? Madam Clerk, may I have roll call please?

Clerk Jacobi: Councilperson Mathis.

Councilperson Mathis: Yes.

Clerk Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Yes.

Clerk: Mayor Cubillos.

Mayor Cubillos: Yes.

Clerk Jacobi: Motion passes. Three to none.

Mayor Cubillos: Well, thank you. Those are all the resolutions and the ordinances we have in our agenda. Thank you for being so patient for this. At this time, we're going to go right into the mayor, manager and committee and attorney reports. At this time, I'll start off with me. I want to welcome, I believe, one of our lobbyist who just walked in. Eli, welcome to Miami. Nice to see you here. Real quick, I wanted to just-- we're wrapping up the year, we have a couple of reminders. We also have-- is that Captain Carol? I'm losing my sight. Hi. Thank you for coming.

At this time, a couple of reminders. Starting January, we are going into a new committee meeting night, at one of our last council meetings, we had agreed to have more sort of transparency and consistency as it relates to committee meetings. There are Mondays, Tuesdays, Wednesdays and it got a little sort of confusing at times for the residents, so we have agreed that Tuesdays will be what we called government night in the Village of El Portal. Starting in January, the first and the third Tuesdays are going to be committee meetings with of course the exception of January because it's a holiday, so it'll be the second week.

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We'll have three committee meetings, public works, planning and zoning, admin and finance, will generally be the first Tuesday, then the third Tuesday will be public affairs, public safety, code enforcement. Along with that, in an effort to have a better calendar, the second Tuesday in July will be always our budget workshop, so it's no guess, everybody always knows, the residents know, the council knows, that the second July of every year will be our annual budget workshop. I just want to put a reminder, the clerk does have it in a memo. It will be put out the first last couple of weeks in December.

Next, I want to touch in a little bit and I'm sure the manager might elaborate a little bit. A couple of weeks ago, we, the manager and I, were in Tallahassee. We're there to ask what we are asking this year. We're continuing our septic and sewerage design for Northeast, Second Avenue, along with septic to sewer on the west side which is a phase one that we're doing right now. Then the other asked that we have is a continuation of the El Jardín Project. Last appropriation year, last legislative session, we were awarded half a million but the original asked for El Jardin was more of the scope of four million. So, we're coming back and asking for the continuation for that stormwater project.

The bills for that, just for you all who want to know, is we have the House Bill 2925, which is Septic to Sewer and we have a House Bill 3231 which is El Jardin El Portal Stormwater.

Next on, that I like to touch on, is the nature trail. Yes. We have not forgotten about that. We are still doing that. Irma, I blamed everything on Irma. Irma delayed our reading that was supposed to happen in September. The attorney and I and Robert Rona who's been our project manager on this, has reviewed the last revision of the contract. The attorney has blessed it as it relates to anything that could be potentially litigious for the village.

There's one thing with the fence that we're still going to take a look at before we bring it to the full council. Hopefully, we're moving forward. One of the great things that I think the manager will touch on is Rob Rowano, who's been working on this. We've sort of going to bring a steer him in so that he can also be working along with the Septic to Sewer Project. Just because this might be delayed now that we're starting Septic to Sewer. Just an effort to all to be on the same page. I'm sure she'll elaborate a little bit more on that.

The next is we have our 80th anniversary. It's something that we've been talking about. I'm going to blame Irma again. Irma delayed our planning a little bit. We were supposed to be

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engulfed in planning in September, but we were engulfed in debris in September. But we're still doing it. It's December 9th. It's from 6:30 to 9:00. As you can see, we've started. We have painted [unintelligible 00:32:36] a little bit. We have a former resident, his name is Peter Lobello. He is going to be the creative designer. He's going to be the one that's going to come in and transform our City Hall into a village hall and so in 1930s.

We're really happy to announce, we do have some generous sponsors. Disaster Program and Operations who's our FEMA consultant. They've been a generous sponsor this year. Cap [unintelligible 00:33:03] is a sponsor. Pannoni is a sponsor Plus Serbia is a sponsor. Danny Reyes from Antique Design and Ball is a sponsor. Alberni Caballero of Fierman, our auditing firm. They're a sponsor. Our lobbyists just walked in. Eli Ortelius is sponsoring the bar. We cannot do without the sponsorships so thank you, thank you, thank you, thank you. We are going to be giving out a Lifetime Achievement Award to a resident. We're not going to mention names. Really come out, really enjoy the evening.

After a meeting today that we have, we try to meet with the manager, the clerk, and we can't meet with the council, obviously, because that was Joe Gallo. That would not be good. We had discussed a fee of \$25 per person. It was more for proceeds to start a foundation. Something that we've been wanting to do in behalf of Libby Bowen. But, after discussions today with the manager and the clerk, I was going to bring it up to the council to see me, we decided we're not going to charge our residents. Our residents should come at no cost. But, any guests that do not live in the village, they can pay the donation of \$25 which is going to go towards a foundation. It would be tested up. Excuse me? Oh, yes.

One of the things that the clerk said that we thought was very good is that, "To be free, you must RSVP ahead of time." That way, it really gives us a count, minutes, we have generous heavy orders, generous open bar. But, we still need to have a count to be realistic. We're really excited about that. Really more so, we also did that because we're really excited about the sponsorships that we got. There's really going to be able to take us through this fantastic event.

We really, really, really hope to see as many of you here. You're going to enjoy yourselves. I believe we are all going to be here. If you have any questions, please do not hesitate to call any of us up here. It is on Eventbrite. It's not on Nextdoor yet, but it will be it's on Facebook. You can call the office but you can RSVP through Eventbrite or on Facebook. There's an event that may as well our 80th-anniversary celebration.

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The last thing is, we did have a turkey drive this year. It was a little different. What we did this year, I was in Tallahassee and Councilperson Mathis, he always has done the turkey drive with me was also at a town for a funeral with his grandmother. Vice Mayor Nickerson was out of town. We're all out of town the same three days. So, what we did with the 40 turkeys that were given to us, we donated them to Horsemen. Horsemen Principal had given us a list of the children that live within the area and some of them live in El Portal. We gave it to the Horseman. It was a community partnership that we did a little differently this year.

Our police officers went to go pick them up. It came back in and Horsemen got in there. They were really, really thankful for that. We had food truck night last month, along with the women's clubs that are doing game night. That's always a fun night. I want to remind you that our food truck night in December is still December 15th. We're going to have Santa Claus arriving. We're going to have Christmas carolers. We're going to have three fantastic food trucks. We're going to light the Christmas tree like we did last year.

So, please, please come out. That's December 15, from 5:30 to 8:30. I believe from an email that I got, I think that Christmas carolers are going to be December 20th or December 17th. December 17, that's a Sunday. Be on the look-out for that on Nextdoor and as well as on Facebook.

[background conversation]

Female Speaker: You know when the drink's coming?

Mayor: Oh, I don't have the Trains, the food -- No. You have to check on Google for that. I haven't googled it. Let me see. What else. I'm sure I might think of something else but that's, for now, concludes my report. Miss manager, you're next.

Manager: Thank you, mayor. Okay. Good evening, everyone. The staff and I have been extremely busy with the planning and the execution of various El Portal activities such as the Halloween block party which was amazing on October 31st. Planning of the Village of El Portal's 80th Anniversary Celebration. We're also working on meeting deadlines that were extended by the state and the county for filings and reports related to funding and compliance. As the mayor stated this, Villages' 80th Anniversary Celebration promises to be spectacular.

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If anyone knows Peter Lobello, then you know just how fabulous he can make things look on a very tight budget. So, we are working with him. You can even see now that the piano looks a lot better. Tomorrow it will be tuned.

[laughter]

That just a glimpse a little sneak peek at what's in store for you. If you will come to our event on December 9th, 6:30 to 9:00 p.m. And, again RSVP so that we will know that you will be there. You will see our VIPs should be treated very well. Moving on, I want you to know a little bit about just Irma updates. Mayor Cubillo's and I and our contractor or our consultant of DPNO participated in an exploratory meeting via telephone with FEMA Program Delivery Manager Joshua Roberts and Miss Kimberly Flank. They actually came here to Miami to meet with us to go over some things to discuss the damage inventory.

That's where we went around the entire village and pointed out infrastructure issues and, of course, we have exceeded the expectation in terms of the debris removal and our tree recovery. But now, we're moving on to the next phase which is the infrastructure. You'll be seeing more of that coming up very soon. But, we are scheduling more site inspections and developing a program to delivery plan so those things are moving forward. The Police Department, Village Attorney Joe Geller and I are still in negotiations with PVA for New Police Contract. Our next meeting is coming up before the end of the year.

Acting Chief Hufnagle hosted a Hurricane Irma Police Response Recognition dinner and ribbon ceremony at the village hall in November 8th. It was very well attended, and I think that the officers really appreciated that recognition. They work really hard-

[00:40:00] [AUDIO CUT] , so I'm happy that we were able to do that for them. If you see them please notice some new bar within across their -- I think that's the right side, that's their MO and within the same were presented with. We are trying to address the rush of break-ins, burglaries, car break-ins, and by doing that we have started the process for hiring another full-time police officer. That will be coming, in fact, I'm conducting interviews tomorrow so that we can identify a good candidate, and activate that full-time officer to assist us as we address those issues.

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As you noticed it's holiday season, and we seem to be getting hit every other day. Hopefully, we can address that with an increase in police presence as well as another full-time officer. The Code Enforcement Officer and I have been successful in identifying and cleaning up a lot of the dirty yards at the village. We have since gotten more calls and emails from other residents identifying yards that they find to be in need of help. We are looking at those as well, and we'll be developing an action plan.

On November 4th, Council member [unintelligible 00:41:24] and the Code Enforcement Officer, Carlos Garcia hosted a Code Enforcement and Recycling Workshop that was very informative. We helped to get some information about that up on the website, so you will understand more about recycling needs and things that you can do to stay in compliance with Code Enforcement.

Again, we did go to Tallahassee and visited with our legislators. We had some very productive meetings. Again, we're moving forward on our septic to sewer projects in the El Jardin Storm Warner improvement projects. We have identified a project manager who already is under contract with the village to do other project management work that he has worked well with us on other projects, and we're looking forward to moving forward with these two programs. And two projects, I'm sorry, with Khanoni and other village staff.

Well that's it. We're continuing to track those legislative items, and we'll keep you posted. I enjoy saying the legislative process, so that's something I will keep you informed about it as well as I see that. And last, but not least we're going to continue to try to address the issues within the village hall. The building itself, you see things are brighter because we got new LED lights, but they're shining light on the fact that we've got to do a lot more work. We're working on it. That concludes my report.

[laughter]

Mayor Cubillos: Thank you, thank you. I wanted to just add to that. One of the things the manager said was that when FEMA came here and we identified infrastructure damages, that's when the fence got closed. At that point we didn't have a choice. We kept it open because we were trying to accommodate our residents, but when they got here our hands were tied at that point. That's one thing she left out, and I felt like that was really important to point out.

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Along with potholes, there's a lot. We see a few more potholes. They're exasperated from litter to the Irma, so we have a choice right now to just get a contractor and send the money, or could go a little longer which we already know government is a little long, but takes a little longer with the potential getting reimbursed by that. I think that one of the things that the manager agreed and then said, "Hey, we're going to take the top lieutenants out and just get that done a little quicker." Just to accommodate because we understand the weather, it's the holidays and we are very family-driven. With that said, thank you. Vice Mayor Nickerson.

Vice Mayor Nickerson: Thank you very much Madam Mayor. How's everybody doing? Always good to see everybody today. Well, we're a complete village so we all share everything [laughs]. Many of the things that I had to report appear at the very top. The first thing was the – I was going to talk about the Code Compliance Workshop. Obviously, they keep talking about that point, by Councilperson [unintelligible 00:44:30] Roman, that was a very brave good event, very educational.

Madam Mayor already hit on the [unintelligible 00:44:39] reforming. She already hit on the food truck night. The next one which is the December 15th here at the village hall from 5:30 to 8:30 every month. One thing that I don't know that we didn't bring up yet, I did want to thank the Mayor for the Halloween block party.

Mayor Cubillos: Thank you.

Vice Mayor Nickerson: I have that up here also. I want to thank her for that. That was a great night. I got out there around 7:10. On Halloween, I usually go around to the hospitals and give out candy to the children who they can't leave the hospitals. I've been doing that for about five, six years, two different hospitals. So I did that. I got done around 6:30 or something like that. By the time I walked into the house and I looked it was like 7:15.

I was a little bit late, but for everything I saw, it was always waived, it was packed. It was super packed. Even when I walked past in front of Calisco's House. Even though I walked past, I saw – The first person I saw was Knowle because he's so tall and he was standing in the orange jumpsuit or whatever. But then I didn't even see you. I was like, it was so many cheers, I was like, "Wow, it's so packed."

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I saw the manager Angel, walking around with a -- I saw Kevin put some mats there. I saw Kevin put the mats and I saw all the village crazy colleagues. But that was a great event, how many blocks far. I just want to thank you for that. That's pretty much when it comes to, it was a lot of fun. It certainly was a great event you've been doing for a lot of years, and we all appreciate that at the village.

All the work you put into that completely, a lot of work to make that happen. I didn't want to say those since all of those things on public affairs were already talked about. I didn't want to point out there are some things you guys know that I like to, and I want to make this very, very brief just to point out two things that are national or international. I just want to say that this month is Pancreatic Cancer Awareness month. That would be November.

I just wanted to point out that anybody who doesn't know your pancreas is very important because it aids in your digestion. And when you do have that type of cancer, it's rare. It could be a very, very painful cancer, because everybody eats all the time. So something that aids in your digestion, when it starts to become hurt, it really affects you on a daily basis. Even though that's a rare cancer it's a very important cancer.

I just want to close by saying for those of you who have loved ones in the First Armed Forces, November 28th, today, back in 1775 was the beginning of the US Navy was established by the Second Congressional Congress. For all of my women out there, you know I'm a feminist, from heart to heart. November 28th in 1893, women got the chance to vote in a national election for the first time that would be in New Zealand.

For all of my people who like law enforcement, law and order, November 28th in 1933, the grand jury delivered the first indictment against Bonnie and Clyde for murder. And for my last one for those who like entertainment, November 28th, 1974, unfortunately it would be John Lennon's last concert appearance and that was in the Elton John concert in Madison Square Garden in New York. Thank you very much, Madam Mayor.

Mayor Cubillos: [laughs] Thank you, thank you. I want to add real quick to the Halloween block party, because there's no way that one person could have made that happen. I was definitely a love of a lot of people. I want to thank the clerk. I want to thank the manager. I want to thank the woman's club, and I want to thank Space Farm. I want to thank Courtney and Ken who are there every single year.

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I want to thank Terry Sanchez who buys 600 cupcakes every single year since we've been doing this. I want to thank some residents that came out, and Miss Rodney who donated candy. This is just a love of labor. It takes a lot of people to make this happen because there was a lot of work. I want to thank every single person that was involved. Thank you.

Vice Mayor Nickerson: Very good.

Mayor Cubillos: We don't have a Public Works – Councilperson Jay is not here. We do have our next Public Works meeting in January. I can touch in briefly. I won't get into it too much, but we had a kick-off meeting yesterday with septic to sewer. It was a nine-hour meeting. We had [unintelligible 00:49:34] from Serbia. We had Pennoni there. We had Robert Roner there. We had the attorney over a conference call.

We had the manager and I was there, and it was really -- a gentleman here, Jason and Steve -- It was really just anything and everything you can imagine as it relates to how this is going to really come to life, and all the moving pieces, and the amount of hands involved in the process. Thank you for the time. You forgot to buy us lunch, next time it's okay.

But other than that it was a productive meeting. We all walked out realized that we have a lot to do. We hope we'll have some answers by December 1st with regards to being able to move some more pieces forward. I'm sure that Councilperson Jay when he comes back in December we'll give a further update, and then in January as well. But I wanted to point that out just for the nine-hour meeting, but thank you that was a very good informative meeting.

At this time we have public safety. The manager touched on a lot of what I wanted to touch on. Touched on, I think the one thing that wasn't mentioned was the new police cars have these lights. I don't know if you've been sleeping at night and you see these lights. I personally think it's fantastic. They are going around and they drive with the lights on low. I see them often. If you see that don't be alarmed, that's a new thing that we're really trying to do.

As the manager said we really are not taking lightly the recent spike in car entries. Clearly what we are working on we're not going to be saying in the public, because we want to keep some things. Do know that it's a conversation that we're taking seriously with regards, so I'm excited that we'll be bringing on a new full-time police officer on duty, whether it's we bring

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more part-timers on board and all that. There's a lot of pieces there that we're hoping to really be able to improve.

I love the Irma pin, I think you have it on right there. That was also a really nice touch that we did after Irma. We talked about how we can reward the police officers, and we felt like if it's close to the heart they're going to remember because that whole event took heart. I thought that was really important. Do you want to add anything before I wrap up for public safety?

Manager: Yes, since we're discussing the outburst of burglaries, it's been the burglaries to the vehicles, all I ask is if the villagers can please -- majority of our burglaries are happening because residents are leaving their cars unlocked. If you can please keep them locked, and keep away any valuables that you have in the vehicles because it ends up being kids.

We've had three vehicles that were stolen, three vehicles were recovered, and three individuals were arrested. They are from 18, 19, 20 to 21. They know it's the holidays. They're going to go around checking out the vehicles, and if they do see something of value they will break the window to try to get to it. That's all I ask for. Just to help us too.

Mayor Cubillos: Okay. Anything else? All right. That concludes public safety right now. Next we have court enforcement. As our manager said, I truly believe that court enforcement was fantastic. It steered me away from wanting to recycle because there was a lot of work, and we felt a lot of things that we're doing we're probably doing wrong. There's a video of it.

There was a video I saw Councilperson Robert put the video up in Facebook, which should probably go up on maybe the website, but I know that we walked out and she mentioned that she was going to do hopefully another one closer to ball pickup next year. Also as a reminder we have one more ball pickup this year. The ball pickup is at the end of December.

I know it's thrown off a few residents because of Irma. Our original ball pickup at September got moved to the end of October. Some residents are a little confused, but yes we have one more ball pickup this year and it's at the end of the year in December. Watch out for the website. Please go on the website. We really try to do as much as we can to put everything in one centralized place. Alpatavillage.com have most of what you need, if not call anyone of us.

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That concludes court enforcement. Planning and zoning; part of the discussion yesterday with septic to sewer, we had our planners there from Serbia. A lot of things that we're going to talk about, are we going to extend sidewalks, a bachelor plan for streets, [unintelligible 00:54:31], we talked a lot about that as well ripping up the roads and what that's all really going to look like.

That will be more into planning and zoning and public works as we move into the new year, as we start committees. One of the things that I want to mention, because only Christian is here, it's something that I've been talking to another resident and I'm going to reach out to you is, the little river what we want to do for it next year, I've been looking at doing a regional compact initiative that's more effective than just one town alone. I'll reach out to you.

I'll reach out to Ian as I know he's one that losing the river we talked about it often, so that's sort of moving into 2018 a little bit, but I wanted to touch on is that anything out of the memoirs report. That's hopefully going to be a regional compact initiative, and it should perhaps help us with the cleanliness and the debris, and keeping up with our sea seven canals. Admin and finance; next is Councilperson Mathis.

Councilperson Mathis: There's nothing to report at this moment on administration and finance, but however I am putting at a conference that I'd like to attend, and I will discuss that with the village managers, and that concludes my report.

Mayor Cubillos: Right. Great. Thank you. Attorney Gellar, you're next.

Gellar: I agree with the hour, nothing to report.

Mayor Cubillos: Okay. Unfinished business, general order we have none. We have none. New business? We have none. This time good and welfare. Is there anybody who would like to come up and-

Marilyn Brooks: My name is Marilyn Brooks, 400 North East 90 Street. I'm here to speak to the folks that we elect to protect and to take care of us, but it doesn't seem like that's going on. As a villager and a tax payer, I've lived in the village for 33 going on 34 years. I have paid my taxes every year. I have the one for this year. I must be a villager. I'm a villager.

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I must say that I'm not getting what I expect. I have a problem with one of your council persons, Harold Mathis, and I have been trying to resolve it. We had a meeting with the manager on October 23rd in which we tried to resolve it. First it was a tree hanging over my residence that I needed to have it trimmed away so that I could take care of my roof.

Village manager thought she wanted to be an interim, and she called a meeting with Harold Mathis and myself. At this time I had already paid \$80 for someone to trim that tree because they refused to do so. I brought pictures of everything. I gave it to the manager and she looked at it.

She then, after I spoke and told her my reason for being here, she asked Harold if would he pay the \$80 that I had to pay to trim the tree. He looked at me and he said, "I would pay \$40." As a villager, as an elder and as a person that wants peace, not a rich person I agreed that he pay the \$40 and leave the \$40 to me.

However, I gave some conditions. I said providing -- because as we speak the tree is still growing -- provided you're going to take care of that tree in the future. He agreed. I brought up the gutter around his home, that for years the water's been coming over to my residence.

However, after Irma it got a soaking. I'm still trying to salvage a tree of mine because we don't have soil over here. We have sea sand, and it's very soft. Irma, we got a soaking and here it's been raining quite often I mean, pouring. I spoke to him that same night. I said, "You need to take care of the gutters," because if you would look at your paper the gutters are placed facing my yard.

The houses are not that far apart like over on the west side. They are very close. I said, "You need to take care of these gutters, because you have them facing my property and the water's coming over to my side." Therefore my yard is taking their water because I refused to let my water go to the other neighbors' house because it's not right.

I said, "All you need to do-- I know I didn't have to say this, but I said it anyway, "All you need to do is go to Home Depot, get an elbow, and put on the tape gutter so that the water could go to your property." The manager is right there. He agreed. But instead of doing so, he went home, and on your third paper, you will see they placed something to make sure that the water would come over to my side.

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Now, I'm here. I spoke to the manager, I spoke to the Mayor, and I'm hoping that you all could have taken care of this. The Mayor, last week, a week before and I spoke to her, she said, "Give me a chance. The manager and myself, we're going to Tallahassee, when we come back, I'll take care of it." I didn't hear from her, I text her.

I'm here tonight to find out, why am I being abused by you all? Why is it you all are not doing what you need to do? The Court Enforcement Officer is afraid to touch it. Because like you said, they just got rid of the manager, they could get rid of me. And he's right. The police don't want to touch it. Nobody wants to touch it because of who he is. He came there the other night saying he wants me arrested. I wish he did, or I wish the police did, because then by now maybe it would have been solved.

Now I'm here to speak to you all, finally, this is my final, that this issue be taken care of because I intend to proceed. I am a villager, I pay taxes here, and I expect you all to take care of this. Thank you.

Harold Mathis: Harold Mathis, 420 Northeast 90th Street. What Ms. Brooks failed to explain to you and show you pictures of is her water going into my property. Now, this is a 20-year issue. I've lived next to Ms. Brook for 20 years. We've lived next to Ms. Brook for 20 years, and if it's not one thing, it's another. I placated Ms. Brooks since the day we moved in. We've had--

James Roberts: Spent over 20 years.

Harold: Those gutters have been on the house before we moved there. The lights around my house, we turned off the lights on that side because Ms. Brooks complained. I had a trash compost, Ms. Brooks complained. When Ms. Brooks is not complaining about me, she's complaining about the other neighbor. It's a back and forth. Yes, I did. She didn't tell you that she came onto my property and moved the elbows that we had in place. If you're going to tell the story, tell the whole story.

Brooks: I did.

Harold: No, you did not.

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Brooks: I did.

Harold: No, you did not.

James Roberts: You left out a pretty inves-

Brooks: You can see the picture in there. I have a picture to show, and I don't--

Mayor Cubillos: That's not your property?

Brooks: Yesterday--

Male Speaker: Madam Mayor, if I may?

Brooks: Yesterday, I did have my gutters fixed so that the water could run over their place now.

Male Speaker: Ms. Brooks, what is it that you want to happen? The issue is that you want an elbow on the gutter, so elbow on the gutter, and what else do you want to happen?

Brooks: That's what I need.

Male Speaker: It's just the elbow on the gutter.

Brooks: Elbows on the gutter so that their water could go to their property--

Male Speaker: So we have one issue, elbow on the gutter. And that's it?

Brooks: The manager is here. Did I say anything else?

Mayor Cubillos: That's all.

Male Speaker: Okay. All right. I think we're good, James.

James: James Roberts, 420 Northeast, 90th Street. That's not going to happen. The way the gutters are, the way they're going to stay. Period. Because it's never going to end. This has

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been a 20-year issue with Ms. Brooks. If we want to have them put the elbows as per her request, next month it'll be something else, and something else, and something else. It never ends.

Male Speaker: I understand.

James: So I'm not going to go out of my way and placate to Ms.-

Male Speaker: Let me just say this. What if, just what if, because right now, she's openly telling myself, everybody up here, all of us in here that the issue is the elbow on the gutter. Okay? If we--

James: You're missing the point. Excuse me, you're missing a major point. Currently, the way the gutters are constructed, they're already three feet on our property. The water, it has to travel over three feet to enter her property to begin with. So I'm not going to put an elbow directing the water to my house when it's already three feet on my property. From the point of where it ends, there's a three-foot gap. I'm not going to turn the water and direct the water back into my house.

Brooks: The Court Enforcement Officer has been there. Get the reports from him.

James: I don't think so.

Male Speaker: I understand what you're saying. I'm not saying that she's right and you're wrong or anything like that. This is not going to be solved tonight. This is the only thing that I would say, to think about it.

James: I'll think about it.

Male Speaker: The only thing she says she has the problems with is the elbow on the gutter. If we can fix the elbow on the gutter and--

James: You don't understand. This has been going on way before you've been here.

Male Speaker: Yes.

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James Roberts: Okay? If I went ahead and did fix this, like I told you before, it will be something else. It will never--

Male Speaker: Yes. But--

James: It is okay because it's coming from your part.

Male Speaker: But let me just say this, Council Person Mathis-- [crosstalk]

James: And the tree is not coming down either.

Brooks: I already trimmed it.

James: If you want to continue to trim it, go ahead.

Male Speaker: But if we fix the elbow on the gutter and she comes back with the tree, on deaf ears. If she comes back with anything else, on deaf ears. You understand what I'm saying? Because she said the one thing that is the problem is the elbow.

Harold: If you look at the picture--

Male Speaker: Yes, I see it.

Harold: -there's an elbow already. There's an elbow already. Ms. Brooks went on to my property and touched, moved those elbows.

James: She trespassed and hurled in the way she wanted.

Harold: And she lied to the police when they confronted her about it and then she admitted it.

Brooks: I never lied to the police.

Harold: You told them--

Brooks: I admit what happened and I told them I got the--

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Harold: You said you did it with a stick.

Brooks: -I'm ready to [unintelligible 01:06:50]. That probably didn't fix it, and we've had incredible [unintelligible 01:06:55] added. The attitude he heard that's the way they act.

Vice Mayor Nickerson: So, Councilperson Mathis, if we're here--

Harold: Don't talk to me as the Councilperson. I'm a resident and a taxpayer, too.

Vice Mayor Nickerson: Mr. Mathis, if we're here and we're at a bypass when it comes to the elbow that on the gutter. Where do you envision it going from this point in your--

Harold: Envision what going from where?

Vice Mayor Nickerson:-in your opinion, if we're at a crossroads with the elbow on the gutter?

Harold: What more do you want me to do? My house, I have a sidewalk going around the whole property. There is about two, three inches from the end of the sidewalk to her actual property. The runoff, which is an act of God, goes into that little channel. I'm envisioning Ms. Brooks looking out the window when we had this downpour, and this is where she's coming up with the water is flooding her.

Vice Mayor Nickerson: Ms. Brooks, Mr. Mathis has shown us a picture of the elbow and it looks like the elbow--

Harold: No, that's hers. That's her elbow going into-

Vice Mayor Nickerson: - into your property?

Harold: -onto my sidewalk.

Vice Mayor Nickerson: Can you unlock this one?

Mayor Cubillos: A couple of things. I'm going to allow this to go on a few more minutes, but I want to reiterate a couple of things. We have to remember good and welfare is not a time to

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debate. Good and welfare is to state to your concern. I've met with Ms. Brooks. After I've met with Miss Brooks, I spoke to the manager. The manager met with Councilperson Mathis.

I do believe that this needs to be addressed by two residents, by two neighbors. It's nothing unfortunately that we can do to enforce anything unless there's a true violation. Therefore, I really ask you two to please, the three – sorry, to resolve this as best you can. If this was any other two neighbors, I don't know if we'd really be--

Harold: No, for the record--

Mayor Cubillos: I say that to say that it's really important that we respect good and welfare for what it is. I don't know if anybody else has anything that they like to add. I don't want to have that debate. I do encourage you all to reach out to the manager, reach out to the attorney. And please, more importantly, it's the holidays, try to see if you can figure it out. I understand Ms. Brooks intensely, and I understand Harold and Jim very well, but--

Harold: It's not fair

Mayor Cubillos: I do encourage you all that we talk to the manager, we talk to the attorney and please, more importantly, it's the holidays, try to see if you can figure it out. I understand Ms. Brooks intensely and I understand Harold and Jim very well but--

Harold: It's not fair. Ms. Brooks, if it's not one neighbor, it's another neighbor and it's to the point where the neighbors are really getting upset because if it's not me, it's Steven Todd. If it's not Steven Todd, it's Felix Guzman. If it's not Felix then it comes back to me. It's just an endless cycle--

Ms. Brooks: You're a liar. [crosstalk]

Mayor Cubillos: Ms. Brooks, let's have order please we can't do that. Go to the podium, Okay.

Harold: I can have affidavits from the neighbors.

Mayor Cubillos: Okay. Thank you for letting us know again. I know that the manager and I have done all that we can to the point that we can sort of come in on the properties and then we can do that. So again, I'm just going to reiterate the Good and Welfare is to please cite

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concerns not to debate. I kindly ask you guys to please try to address this as neighbors. Come to the attorney or come to the manager if you cannot seek any type of resolution.

Ms. Brooks: I did. We did. And the manager said she thought that it was taken care of because we spoke as adults. And she said when she came in the weekend and heard what had happened she was shocked because as we spoke as three adults and it was taken care of according to us. Okay. The cord enforcement officer has been there. And he has taken pictures. He saw it before, before they put the stuff on there he's seen it after. And he has mentioned, it's so petty. It's such a small issue. But Ms. Brooks is a woman. She lives there alone. She's old. So we're going to take advantage of her." No, you don't.

Harold: That is so far from the truth and uncharacteristic of you [crosstalk]

Mayor Cubillos: Okay. Anybody else for Good and Welfare? This would be a time to come up. [sneezes] Excuse me about that. Sorry about that. Yes.

Maribel: Hi. I'm Maribel Fruitstone, 157 Northwest 88 Street, the west side--

Harold: [laughs] [crosstalk]

Maribel: I am a runner. I started running in the morning and I wanted to know with the FEMA, there are lights out like street lights, if that's being addressed along with taking care of everything else because there are some areas that the street lights are out and it's dark. So, if I'm running at like five in the morning, it's a concern when there's one police officer that's on patrol. So, I didn't know if there was a way of contacting you all and letting you know or if you are already aware of these street lights.

Mayor Cubillos: Absolutely. If you see a light out-- the police officers have a report that they fill-up, but always email the manager.

Maribel: Yes.

Mayor Cubillos: Absolutely. If there's a light out, email her and she'll take care of it.

Maribel: Yes. Because it's just my area--[crosstalk] I didn't know if some of them had already been identified but if not I guess you could just crosscheck it.

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City Manager Alou: No, but if it's still out, I get the message but this is an appeal issue, not a FEMA issue. But do send me whatever you get because sometimes they're fixed and then they go back out that has happened a few times so let me know.

Maribel: Is there something in particular or can I just describe like where it is, in front of the resident house, there's like little plaques [crosstalk]

Harold: Those numbers on the pole, told us exactly that.

Maribel: It's like a silver-- [crosstalk] Okay. All right.

Mayor Cubillos: In the cross section--

City Manager Alou: We are going to report it to FPL, I'm thinking-- [crosstalk]

Maribel: Right. I know but it is just to take care of that and if we take care of that, they are more illuminated that could also deter the crime that's going to start happening in the village. Okay. Thank you.

Mayor Cubillos: Thank you. Anybody else Good and Welfare, come up, state your name and address for the record.

Lynette: Good evening everyone.

Mayor Cubillos: Good evening.

Lynette: My name is Lynette Percelay. I'm at 451 Northeast 88 Street. I get a little nervous when I get in front of people. I can say everything behind closed doors or whatever.

Harold: You're good. You're good.

Lynette: Number one is that I'm here because I want to have an extension on the second Saturday of each month for next year 2018 in legacy of Daisy Black for our Democratic Women meetings that we have. And I'm just asking for a request from you all and--

Mayor Cubillos: We did it last year correct? So, you're just continuing?

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Lynette: Continuation.

Mayor Cubillos: I'm fine with that.

Lynette: Okay. [crosstalk] And the second thing I have to say is--

Mayor Cubillos: Except this second Saturday because it's December 9th. Starting in January. [laughs]

Lynette: 2018.

Mayor Cubillos: No, but I saw you guys were still on a thing. You're not having a meeting that day, right? [laughs]

Lynette: No. But the second thing is that it's from-- I'm piggyback on these two about the flooding thing or whatever. My thing is that it sounds to me like both of them have been there for a long time, 120 years and 132 years whatever. Seems like they're not going anywhere either one of them. And which is wonderful. And my thing is that we have to learn how to be neighborly. All both of you all, not to one of you all, because you never know, life is very very short. And we all will go back and say if something happened to that one person or the other person you say, if I would have, should have or what I could have done differently. So I'm just saying we all should just get along, because there's enough crises going on in this world. I just want everybody to get along. We've got to love one another. That's all I ask.

Mayor Cubillos: Thank you.

Lynette: All right?

Mayor Cubillos: Thank you very much.

City Manager Alou You did good. Yay.

Harold: You did perfect. [laughs]

Mayor Cubillos: Anybody else in Good and Welfare? Okay. Hearing on. Do you have a motion for adjournment?

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Harold: I second.

Mayor Cubillos: The November 28 council meeting has adjourned at 8:51 PM.

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