



**Village of El Portal
Public Safety Committee Meeting
Date: 5.1.18
Meeting Start: 6:32 pm
Meeting End: 7:27 pm
Meeting Length: 00:53:55**

Cubillos: It's May day, Tuesday, May 1st and it's 6:32 PM. I'd like to go ahead and call the public safety committee meeting to order.

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.

Cubillos: Madam Clerk, may I please have a roll call?

Yenise Jacobi: Roll call, Mayor Cubillos?

Cubillos: Here.

Yenise: Councilperson Roman?

Roman: Here.

Yenise: Vice Mayor Nickerson?

Nickerson: Here.

Yenise: Also present for the record, Yenise Jacobi, village clerk, Christia Alou, village manager, Norman Powell, interim village attorney, and Interim Chief Hufnagel.

Cubillos: At this time, I'd like to get a motion of approval of the agenda.

Roman: May I?

Cubillos: Yes.

Roman: Mayor, I'd like to add just one item, it kind of just came up, so if I may. It's something that's been recurring. To have a discussion on the FDLE fingerprinting.

Cubillos: 6:35. G3 fingerprints. We get a motion of approval of the agenda with the addition of G3.

Nickerson: Motion to approve.

Cubillos: Motion has been made by Vice Mayor Nickerson, is there a second?

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Roman: Second.

Cubillos: Second by Councilperson Roman. All in favor signal by saying aye.

Council: Aye.

Cubillos: Any nays? Hearing none, the agenda for the public safety committee has passed. Our minutes for the March meeting has been deferred to the next public safety meeting. This time we're going to go right into Good and Welfare. Seeing as we have no one in the audience, we're going to right into the agenda. The tracker report, we're going to go through it. I want to thank the police officers, I want to thank the manager, and I want to thank Councilperson Roman and all the residents that came out for our village-wide cleanup. It's one of the nice events that we come out together and we clean up the city a little bit.

We may do things a little bit differently next year, but as a result, I think that the Horace Mann kids were great, the staff was good, we had a nice attendance even with residents this year. I want to thank everybody that came out to help. I had a follow-up meeting with the chief and manager with sort of little things that we can do a little better, so I'm looking forward to implementing that next year. It's something that we used to do every October, but now we do it on Earth month which is April. Does anybody have any questions with regards to the recent stats that we received? We got to update the status and just put IVC, interim village chief.

Are you still doing the stats or somebody else is doing? You're still doing? Okay. You got to update the status, so it's not Sergeant Hufnagel. Does the committee have any questions with regards to the stats that we received? I think it was last week.

Roman: No.

Nickerson: No.

Cubillos: There's definitely been an increase in activity?

Nickerson: It is, yes.

Cubillos: That's really good to see with regards to, not only the mileage but everybody else, everybody has a little bit of everything going on. That is always positive to see and it's on the website for the residents under police department if the residents want to see it. We're not doing

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foot patrol. I think that that was a question we had for the attorney last time, we're not doing foot patrol. This is your first public safety meeting you're attending?

Norman Powell: If I remember it was the previous attorney.

Cubillos: The former attorney or someone said to us that the police officers are not allowed to leave anything hanging on their doors. We're a small town so the police officers like to do a foot patrol or bike patrol, and then they would do check-ups on the residents' homes. The residents did not like it because if they were out of town for two days and forgot to inform the police department, there would be a hanging thing on their door for two days and then it would be an indication to anybody that wants to potentially break in to break in.

Then the second part of that was they found that it was infringing on their property rights or anything like that, so we stopped doing that because, we don't need an answer tonight, but we stopped doing that because the former attorney has said that it was potentially a violation or something. Maybe something we want to take a look at in the event that right now we're going to be heading into a rainy and hot weather, so I doubt they're going to be doing a lot of foot patrol, but maybe in the fall if they want to resume foot patrol and bike patrol, can they leave the door hangers? It was one of those things that a lot of residents liked it and then a lot didn't like it.

Does the committee and police seem so? If you could send an email maybe to us to remind us, and then I will forward it to the attorney as far as if something we want to resume in the fall.

Norman Powell: Excuse me, does the police department, when it does a safety check, leave a note that we were here to do a safety check?

Ronnie Hufnagel: Yes, that's what we're doing before. We would call the residents that we've been on patrol just to let them know that we were there and doing random checks because sometimes the mayor said that [inaudible 00:05:57] if they have windows probably open, the garage probably open. Yes, probably [inaudible 00:06:10], but then we were told that [inaudible 00:06:12].

Powell: Can't you leave it in the mailbox?

Ronnie: No

Powell: Why not?

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Ronnie: Inside the mailbox?

Nickerson: Yes.

Yenise: We're not allowed to do that.

Powell: I'm saying can you?

Ronnie: We were told we're not allowed to do that due to the fact that [inaudible 00:06:30].

Cubillos: I thought legally you cannot leave anything in somebody's mailbox?

Powell: All the vendors and all the [crosstalk].

Cubillos: They usually hang them on the gate.

Powell: No, you see all the junk mail that you get or flyers. I'll look at it, but I know that a member of the other departments do that so that way they can communicate with the residents that they're actually patrolling and servicing their community.

Ronnie: Right, that was the main reason. That's why we started it just because of that and then it actually it meant for that form so that we can put it right on the door, but then [inaudible 00:07:05].

Powell: I'll take a look at that.

Cubillos: Yes, and I think that if it's something that the attorney says we can implement, the key thing is if residents let us know that they're going to be out of town, might not be a good idea to leave the door hanger because then it's going to sit there for four or five days, and I think that was another concern that they had.

Ronnie: Maybe we can check and say [inaudible 00:07:25].

Cubillos: Yes, that'll alleviate that.

Nickerson: Madam Chair.

Cubillos: Yes.

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Nickerson: Maybe there's something that we can do that is more technological.

Cubillos: Like an email?

Nickerson: Like an email or something like that so then the residents won't have it hanged on their door, and they won't be able to complain that people won't know we're home. Maybe the police can contact the residents through text or email or something like that if they're going out of town so that they can look wherever they are that night and say, "They came by our house and they said that everything is okay" or "They said there was a window broken." We give the reports straight to the people through technology.

Powell: The only thing is that once you collect the emails, that becomes a public record, so anybody can simply request all of the emails and use that for commercial purposes.

Nickerson: For mayoral focus.

Roman: That also becomes a little more labor intensive, right?

Nickerson: Yes.

Powell: I'll definitely look at both suggestions and maybe some kind of exception the municipality's communicating directly with its residents that wouldn't fall under some prohibition of leaving communications in the mailbox. Because I know that the village voice and those types [unintelligible 00:08:41] they leave them in the mailbox all the time.

Cubillos: The [unintelligible 00:08:45] is thrown on the floor.

Roman: Yes.

Ronnie: Yes, it's thrown on the floor.

Powell: Mine comes right in the mailbox.

Cubillos: Really?

Powell: Yes, sometime they stick because my bill box goes inside. I'll look at it.

Cubillos: The ESSAC committee it is not Officer Rojas, I believe it's Corporal Sharp, and IVC, and sometimes me. I believe we have the resident Crystal Caroline on it, right?

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Ronnie: Yes.

Cubillos: I missed the last ESSAC meeting but I had a long and really good meeting finally with the principal where we patched out a few things in the hopes for a better new year. It was his first year and he got hit with Irma like we all did because we still blame everything on Irma [laughs]. Anyway, a lot of great things came out of that meeting and he was really open to a lot of ideas for the new year and apologized for maybe his lack of communication throughout the year. He asked me at their June graduation for the 8th graders to be the speaker that night so I will be.

I told him that it's going to be really important for me in my next term to really work a little more with that school just to really bring them into the community a little more.

I think that they do work really hard in improving who they are and what they're doing. It's very possible that the school is going to end up to be a B, B as in boy, not D. I do believe that that says a lot about, not only what Principal Lawrence has done, but what Principal Maycotte did to set the way.

The one thing I can't keep getting into is to school and how we're going to bridge that gap with the community, and the kids and the residents to make them more part of who we are because they're right smack in the middle of our community. For the status, Corporal Sharp, IVF, and then Crystal Carol as well as myself. We have several of us in the event that if one of us can't make it, there's one of us there. Basically, ESSAC covers what they're doing, what community, how they're getting involved. That's the last time our chief went and talked about the cleanup and any events that come up that they are a part of or want to attend so that they're more in part of the community. I haven't seen the decoy car.

Ronnie: The police are working on now actually the pricing of the [inaudible 00:11:24].

Cubillos: I saw an email, do we have any cars for sale still?

Ronnie: I got [unintelligible 00:11:39] then they will sign it off with you.

Cubillos: I saw that email. Okay, good.

Ronnie: [inaudible 00:11:49]. Then under the vehicle the only thing that we would want to opt for [inaudible 00:11:57].

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Cubillos: So it's a little quicker. Okay, yay.

Ronnie: So the response is quick at no cost to us.

Cubillos: Like the golf cart and things like that. Just be sure that whatever is generated, whatever dollars is generated that it's properly allocated. Is one of the decoy cars going to be the new cars?

Ronnie: No.

Cubillos: That's going to be the old ones. We haven't seen the decoy car because-- ?

Ronnie: We were short of cars.

Cubillos: Short of cars, okay. Short of cars, shortage. We'll get there.

Ronnie: We have one there.

Cubillos: You can use one of the black ones, though.

Ronnie: We're going to use that one.

Cubillos: Yes, okay, I hope so because the black ones are here. Are we in apply for the usual grant that's due for July? Do we know with Robert?

Ronnie: I was talking with Robert yesterday if I could determine what time, so he will give me a definite answer.

Cubillos: Let us know via email, he usually does. He'll be here for the next meeting. I just received all the police evaluations, thank you. They're all been received. I have not looked at them, I was out of town but I did receive them all so I want to make sure it goes in the record that they were received. [chuckles] I heard that. If we can put that they're received. Madam Clerk, because I know all of these have been misplaced in your computer, I'm taking notes. Just make copies at the end of the night, okay?

Yenise: Okay, thanks.

Cubillos: They were received April 2018. Police schedule, I'm trying to remember. Police schedule, we just received the, I don't know if the committee did, but today, I just received the,

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for the next four weeks, the police schedule. We didn't go into it in our meeting, we didn't have time, but on the new police schedule, we have Officer Riveron on there. I know that it's the will of the council and to have two police officers per every shift but it's tough. I think it's important that it gets noted, the chief, the manager, and myself attended a meeting about, wow, I think, what, three weeks ago. It was held by Superintendent Alberto Carvalho.

Then there's been a follow-up and the chief could've make it, so Officer Payne went. I think it's really important that we realize that we are heading into a time that's going to probably be a little tough for our department. I say that because Governor Scott has made a demand that all secondary schools, that includes middle and high school, must have a police officer on staff by the new academic school year. What that has done is that it has caused a frenzy to all of the departments in Miami-Dade County so now they're opening up their hiring of police officers. They're going, they're visiting, they're contacting current police officers on municipalities.

They're already going to the army bases throughout Miami-Dade County where they go for reserve duty to see who's interested. Cities like City of Miami, City Miami Gardens, City North Miami Beach, they pay for the police officer to go to the academy and they're sponsored. It's a pretty big appeal and attraction to a young kid as opposed to a young kid paying for himself which is what all of our police officers here have had to do. We may sponsor them as it relates to help them get the background done and whatever, psychological and get it signed off, but they have to pay for themselves, and if they go part-time, it takes much longer.

We have a possibility where if something like this happens, it's going to be hard for us to recruit and retain because we can't compete with the City of Miami, we can't compete with North Miami Beach, my gosh, we can't even compete with North Bay Village. It's tough. Right now, our chief is interim and that's a position that needs to be filled eventually because she was a sergeant, so it would have to be a new police officer. There could be new police officers that have been recently sworn in that are being tapped. We just have to really think as a committee.

We're not going to resolve the world tonight or resolve this issue, but it's a big concern that I have, and it's going to really impact cities such as El Portal and Biscayne Park, anybody small that really can't compete with the big departments. Keep that in mind. If you have more questions, you can definitely meet with the manager and the chief and learn a little more about that, but, again, that's what we got from that meeting and it's not going away. There's going to be meetings that happen every so often that the chief will have to attend and she'll have to give us a follow-up.

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I don't know if you want to give us a follow-up from when Officer Payne went, but that's pretty much the responsibility. What's happening also is that many municipalities that have money, like Jarrell also, the municipality has decided to take it upon themselves to just pay for the police officer to be at the school because, at the end of the day, the school is in your community. It's our responsibility to some extent. Anyway, so I don't want to be doom and gloom but really important, we got to keep it on a back burner and it needs to be an ongoing conversation as to what we are going to do in the event that we may lose an officer, we don't have anybody to replace him.

If that happens, then the police schedule is going to be really tight. We can't put the burden on our police officers to work double shifts, over-time. I think that aside from this meeting tonight, it needs to be a real conversation that we have. Again, we didn't get to cover that today because we had a lot in our agenda, but I am going to be meeting with, again, with the chief and manager to continue coming up, have a proactive plan in place.

Nickerson: Madam Mayor, if I may?

Cubillos: Yes.

Nickerson: I know in a couple of weeks we have the planning and zoning and Councilperson Roman reminded us that we had to get our priorities together that you asked for, for the planning and zoning. There were two things we had to get. The first one was the sanctuary, we have to go over, prepare our questions for that. The other thing was the planning and zoning to get our priorities together as far as that. As far as the legislative priorities that we did before, I think that if this is going to be a priority from the governor, maybe we can use this to push our lobbyist to get more money for our police department in different aspects because we don't have the funding that the larger police departments have.

Also because of the safety issue, we can maybe cloak this issue to, not only get money for that that we need because the school is in our community, but to also get money to help our overall police department. If maybe we can make a push for our lobbyist to push in that way.

Cubillos: What also was discussed at that meeting is there's going to be certain moneys allocated and it's going to be given to the school board and it's going to deviate up between the schools. Governor Scott has already done that, they have already, because of Parkland, they've already decided, I don't have the exact dollar amount, but I was going to say, I think it was nine million. Actually, nine billion. What's going to happen is that nine million is going to go

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to the school board and they have to deviate it to all the schools, but where you're at in the chain of getting that money is where we have to continually fight for.

One of the things I've asked the chief to do is to find out with Officer Rolle who we share him with Edison high school. The school board should definitely not do that anymore for the New Year. It should be either Officer Rolle is going to be at Horace Mann or officer Rolle is going to be at Edison, but Officer Rolle should no longer be split up. This is something that we can't let lay, we want to work on through the whole summer because school does end in four weeks. As far as lobbying and asking for it, I don't see how the governor is probably going to give out any more money based on what they have.

When lobbying, they don't really give out money for retention, they may give up money if you need a new building for the police officers or something like that, but they don't really give out. Hey listen, it's something that we all have to put our heads together. I wanted to put it out there. As you all are like the wheels are spinning, we're thinking about it and try to have a proactive plan throughout the summer as we collectively meet throughout the council meetings. Again, we asked Ronnie today to also think about it, so when we reconvene hopefully we have an idea or a game plan of what we can come up with creatively for our officers to keep them here.

That's why I got into the police schedule because we may have some loop or some emptiness.

Roman: May I just comment on the schedule for a minute. I had a conversation with the manager in regards to the police schedule last week, I believe it was or the week before. Just because I noticed that there were vacations and off times. I wanted to bring it to the committee and just mention it. I know we're tight already with the number of officers that we have, but I asked if we can take a closer look at our coverage and how we approve the time off, and get some flexibility so that we're not so lean. I think there was a particular week where that happened, I can't remember the details.

Ronnie: That was Officer Bracken that he ended up [unintelligible 00:02:54].

Roman: We had a discussion and I will leave it up to you ladies to get creative and how to resolve that, but that was just something I wanted to bring to the committee because it is something that when I look at the schedule, that's also what I look at, is ensure we have coverage.

Yenise: Council Roman, you are responsible for this.

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Speaker 1: You guys don't mind if I could go and [inaudible 00:23:31].

Cubillos: Okay. Yes, I covered that also with the manager and the chief with regards to if we're a little scarce with police officers and how we allocate vacation and stuff, we're going to have to be a little brutal until we get to figure things out. I asked them today to come up with something proactive and let's talk about it. That conversation happened today so I don't think they have any answer for me. The conversation was two hours ago, [laughs] so I don't think they have the answer for me, and if they do, wow, I will be impressed, but I think we're all on the same page and we just have to all work together and figure it out.

Hey, listen, let me tell you something, I have no problem putting the uniform on. Okay, let's go to the next one.

Roman: No problem.

Cubillos: [laughs] No problem putting the new uniform on.

[laughter]

Roman: I've seen you in one.

[laughter]

Cubillos: You have our support, I think you all know that. We just have to figure out what we're going to do because it's going to affect all of us, so we just have to be creative, conservative, and impactful at the same time. New police vehicles, they're all functioning, we're good, we can delete that we're good. Rear, front, and body cameras, we already received, we can delete in our number 10. CCTV cameras [laughs]. Yes, that's going to be a priority, but I'm going to wait until I go to admin and finance where things are going to come up, so we're just going to leave that aside for right now, CCTV cameras.

We'll talk about Armin in admin and finance. Number 14, we have the police officers are sworn in at the main meeting. If you would like to get Officer Riveron, since he's now on full time, if you want him to get sworn in at the May council meeting, that'll be great.

Ronnie: That'll be the 2nd, yes.

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Cubillos: Because he was sworn as part-time but now he's going to be full time. We're not going to cover the police officer bonus just yet. Citizens crime watch, I know that Officer Paul Battaglia has been really active on that. We just have to get a date that he wants to have a town hall. I think the date that he chose was May 12th which is my town hall also, we couldn't do it, so we just have to come up with another date.

Ronnie: Actually, we're going to be going over there tomorrow, we have a crime watch meeting tomorrow and they're going to give a presentation. We're going to see if the individual can come here when we can do the crime watch. If you can come here and do a presentation also reference to rain.

Cubillos: Where to put citizens in those citizen crime watch cars. I also want to applaud Officer Battaglia and all of his social media work that he has been doing. I think it's really, really, really-- He's consistent which is really good. Labor management committee, we meet whenever we need to as it relates to the hiring and it's usually myself, the manager, a PBA rep, and as well as the chief. The last time we met was when we interviewed Officer Riveron as a consideration. We generally meet when there's a need. It might be probably a good time to have a meeting to discuss what we could be approaching soon and see what we need to or what we can do.

Because I think we need to definitely jump in the boat and ride in on that.

Ronnie: Officer Riveron, just to clarify, he is going to be officially with us on the 5th because he had to give two weeks notice to his job, but he's still an FTO face, so he'll be working with Corporal Sharp in the midnight hours doing his FTO training. Then once he completes that, then he'll be out on the field by himself.

Cubillos: 450 hours, right?

Ronnie: Correct.

Cubillos: For future funds, we haven't used them, right?

Ronnie: No.

Cubillos: Okay, we haven't used them yet. We still have, what is it, 26,000 or 13,000 in there?

Ronnie: It's 25.

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Cubillos: Okay.

Yenise: 25,800.

Ronnie: 25,800.

Cubillos: Has Gabriella given us back a follow-up on the manual?

Yenise: No.

Cubillos: No? Okay. Hey, hands down, she was so helpful to the town hall, so I'll cut her some slack, but if we can definitely have it- her case is creeping upon us. [laughs] We want to be sure that we are as proactive as possible with the hurricane season, so I'm going to delete this. I'm going to put DPO. All right, that completes the tracking report. Let's go to the retirement policy. Our attorney presented for us to consider an order. Would this be an ordinance or is this just going to be a--?

Powell: A policy.

Cubillos: It will just be a policy?

Powell: Yes.

Cubillos: Okay. Does the committee know how this came to be?

Roman: No.

Cubillos: Okay. This came to be because David Atlid retired, and David Atlid I believe misplaced or lost his badge, something like that.

Roman: Wallet.

Ronnie: He lost his wallet.

Cubillos: Wallet is all. He's been calling the manager and asking for a replacement, and since we didn't have a policy in place, the chief said no, and then he called Councilperson Mathis. Councilperson Mathis has reached out to the attorney and the attorney and the Councilperson Mathis said, "Why don't we consider a policy of if you retire from a place where you've been 25 or 30 years, you probably deserve a badge." My only thing that I'm going to recommend, I

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have not really read it entirely, but, again, if you put a service of 25, 30 years, I believe he earned it, but shortly after he was given a no, he really was unkind to our current chief on social media.

My recommendation is if we go through with this, it's something that we're going to do and something that's going to go to full council, I'm okay with it, but there needs to be a written apology. Because when you're police officers in today's world, you shouldn't do that on social media, it's unbecoming of an officer. That's my only two cents on this.

Ronnie: Just to make a correction there, it was before he decided to blast me on social media before he even lost the wallet. It was after he had--

Speaker 1: [inaudible 00:29:56].

Ronnie: Right, only because he ended up showing up at the police department. Me and Christia were having a conversation and I just happened to mention that he was here dealing with Owen. I don't know how it came about, he was told that he was not allowed to come in unless he was escorted with a police officer. He came on a day that it was a holiday and myself and officer Barrow here, and that was it. It was just mentioned to the village manager and I guess she addressed it too with the CSO and I guess the CSO decided to tell David Atlid and he decided to bash me all over social media.

Cubillos: Again, like I said, I don't know if it was before or after, but my whole point is, again, I don't have a problem with the policy. I believe that if you put 25, 30 years in, you earn a badge, I understand that, but there needs to be a written apology because when you're police officers, there has got to be a level of respect.

Ronnie: Absolutely and he needs to do that.

Cubillos: Anyway, any questions to the attorney on this policy?

Powell: Madam Chair?

Cubillos: Yes

Powell: There's two areas on the left purposely blank where the committee has to make recommendations as to what will qualify you for the badge. I purposely left them blank because I don't know what that term will be. If you're a sworn police officer, we have to, or I should

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say the committee has to make a recommendation as to how many years you be considered retired and the same thing for a civilian police retirement.

Roman: Is that another policy we already have?

Powell: Not that I know of. In addition, if I may complete the thought--

Cubillos: When do they go on the drop?

Ronnie: We can retire at 25 or 30.

Powell: Right.

Cubillos: We do retire at 25 or 30.

Ronnie: As far as the law, we can do either 25 or 30.

Roman: Are we saying that the 25, 30 have to be here at the village of El Portal.

Cubillos: No, I think it's combined.

Ronnie: It's combined.

Cubillos: It's combined.

Roman: This policy, are we making it combined or is it just for El Portal?

Cubillos: I would assume that although it's not on there, its a combined. Whether you worked at Biscayne Park, and you worked at Miami Shores, but you're retiring at El Portal, you get a retirement badge for El Portal. Or if you retire at Biscayne Park or whatever they do, right? That's what I'm understanding.

Powell: With the way it's written, it's with this particular department, so if you all want to recommend that I amend this. It just read that if you served 25 years as a sworn police officer, period, it doesn't matter whether it's here or with the other department, you'd be entitled to as if your retirement is here. I can make it read that.

Cubillos: 25, 30 years, you tell us, but they would have to be retired. You can't have like dual badge or retired badge and a current, they would have to be retired.

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Ronnie: Correct, and what he's asking for is not the actual badge. I'm not sure if he lost the badge, but he's asking is for an ID card which he left with his own ID card but that's the one he lost.

Powell: You'd get both under the policy. You'd get the retirement badge and then also an identification card.

Cubillos: 25 years. The military is 20 years that you'll be eligible for retirement.

Ronnie: It'll be 25.

Roman: I'm fine with 25.

Cubillos: You're fine with 25.

Powell: 25 years regardless of whether it was with this department or combined with other departments.

Cubillos: Yes, if they do the last 5, 10 years when they retire and they were in good compliance and good reviews.

Ronnie: That needs to be written.

Powell: That's when I was saying two different things.

Cubillos: Good standards is what I meant.

Powell: A total of 25 years, but there has to be a minimum for here because the badge is going to be issued from here, so I was saying a total of 25 years with a minimum of 5, 10, 7 here?

Cubillos: The person sponsoring the policy is recommending 10.

Powell: Okay, so total 25, 10 of service with the department?

Cubillos: Is that a long time?

Ronnie: No, that's fine. 10 is good.

Cubillos: 10? Yes, 10.

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Ronnie: That's a decent time.

Powell: If I may, part of the research in this it also would afford the retired officer to be able to, as long as he kept his certification with firearm use, you would not have to then go and get a separate concealed weapons permit under the federal regulations. I think that's why he's asking for this if I'm not wrong.

Ronnie: Correct, he wants to be able to carry a concealed weapon. He can still do it on his own without having a police ID.

Roman: I don't know if I like that.

Powell: It's just part of the process.

Roman: Is it?

Powell: Yes.

Roman: I still don't know if I like that.

Powell: It's part of the law.

Roman: Just to clarify, he can still go without a police ID and get his concealed weapon?

Nickerson: Absolutely, but this would albeit the need to do that under the federal regulations as long as he kept his certifications up.

Cubillos: What else on this proposed policy do we need to take a look?

Powell: The second category, Madam Chair, the civilian employee. One category is for sworn police officers and the other category is for civilians who work in the police departments.

Cubillos: It doesn't really apply to us except the manager because we don't have a civilian. We don't have a dispatcher if we had a dispatcher.

Powell: We don't have it right now.

Roman: It could in the future.

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Powell: I guess we can tweak it when it becomes necessary, but it's up to you as well.

Roman: Why not right now?

Cubillos: We might as well do it all together, right? Serve of minimum of years as a civilian service. 10? That's fine.

Powell: You want the same thing 25 and 10?

Cubillos: Yes, that's fine, but 25 with the village of El Portal?

Powell: No, 25 in total.

Cubillos: Overall.

Powell: It will merit the same as a sworn police officer.

Cubillos: What is this going to cost us? It's not going to cost us anything, right? Except we got to issue the badge.

Powell: Yes and the model of the badge.

Cubillos: Okay. Anything else on this proposed policy?

Roman: No

Cubillos: Okay. Any questions for the attorney? If it's the will of the committee to move forward, then I'll just go in the May agenda. Any questions to the attorney, anything else

you want to add?

Powell: No, the last thing, I think I mentioned in an email that I believe I sent to the manager when it comes to Mathis is that is maybe something that we just also incorporate in the collective bargain agreement so that it's consistent with there when we do the reopener.

Roman: When we do the reopener.

Cubillos: Any other questions for the attorney or the manager or our interim chief? Okay. When and if this goes to full council, we don't need to do a reverse for it, correct? No, okay.

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There's no money involved. Is there a motion to reprove the proposed policy to go into the new amber for the police officers on a retirement badge?

Roman: One motion

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

Nickerson: Roman.

Cubillos: [laughs] Sorry, motion has been made by Councilperson Roman, is there a second?

Nickerson: I second

Cubillos: Second by Vice Mayor Nickerson. Any further discussions before I ask for roll call?

Nickerson: No, Madam Mayor.

Cubillos: Hearing none, Madam Clerk.

Yenise: Councilperson Roman.

Roman: Yes.

Yenise: Vice Mayor Nickerson.

Nickerson: Yes.

Yenise: Mayor Cubillos.

Cubillos: Yes.

Yenise: Motion passes through.

Cubillos: The next item we have is item three that was added by Councilperson Roman.

Roman: The reason that I'm adding this--

Cubillos: I know I've got some access here.

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Roman: The reason that I'm adding this to the agenda is because at the council meeting, I was under the impression we brought that up briefly that all the fingerprints were done for the current employees. I have got some conflicting information where I think the last employee that has not had her fingerprint done or have not been received by the village is the clerk. Our due date was March 30th, this has been an ongoing topic for the village since November 3rd. We had said that all of the employees including the council needed to get this done. Still, we have not received the village works fingerprints.

Cubillos: All of the council with the exception of Councilperson Dreher who has opted--

Roman: Who opted hip to hip. However, that's not an option we agreed as a committee and as a council. That is not an option for the employees and we are moving forward with all of our employees getting fingerprinted prior to getting hired. Everyone that was here and also employees that have retired that are no longer here, had to get those fingerprints done. I personally would like to make a motion for this to be taken care of and received by the next council meeting. Otherwise, I would say that the clerk could no longer be employed here.

Cubillos: Have you had them done yet?

Yenise: Yes.

Cubillos: When?

Yenise: April 17th.

Cubillos: April 17th. What department?

Yenise: Bar Harbor.

Cubillos: We wouldn't have the results yet?

Ronnie: We have them.[inaudible 00:40:53]

Cubillos: You've got to talk in the microphone.

Ronnie: The insurance, they took a little bit longer only because we grouped them and then they send everybody in, but it only took maybe two weeks of that, but then Paul Gables, they send them within the same or the next day. I don't know about Bar Harbor, I've never dealt

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with them, I don't know what the procedures are. It's live scan prints, I don't know what the holdup is. I just found out about it today that she had gone to Bar Harbor.

Cubillos: Have you called them to follow up? You.

Ronnie: No, I didn't even know that was an issue actually because I spoke, I told the manager today, I spoke to Councilperson Dreher and he had told me that after you leave, we were in compliance so I thought, "Okay, my fingerprints must have come back because we're in compliance." Then when she made me aware, "Your fingerprints have not come back," that Councilperson Roman has kept insisting that my fingerprints, fingerprints, fingerprints, that what's going on with my fingerprints, I was like, "I told you I did in such a date." I have no control of when they come back or what happens from there forward, it's out of my control.

I did tell her where I was. If I'm requested from my job something, I don't think it's my position to follow up. I did my part and I said what department and I said where. It's not like I'm hiding anything, it's just I don't see why the persistence is with me especially.

Roman: Because you were the only employee that still does not have her fingerprints or that we have not received them.

Yenise: I can prove that I did my fingerprints. It's just the way that I'm being questioned.

Cubillos: Do you have a receipt, do you have a tracking?

Yenise: Yes, I did tell them I have a tracking number.

Cubillos: Did you give it to--

Yenise: No, because I didn't know that was a problem.

Cubillos: Until?

Yenise: Until today.

Roman: There was an email that went out to the clerk asking whether or not this was done.

Yenise: At the last council meeting, I said that I did do my fingerprints.

Roman: You know what, that email was not responded to.

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Cubillos: Have you given to the chief your receipt?

Yenise: No, because I didn't know it was a problem till today.

Cubillos: Okay, so do you have a copy of the receipt or tracking or whatever? I don't know what they gave you.

Yenise: Yes, I can give it to her later tomorrow when I come back to work.

Cubillos: Can you give it to her, what's today? Today is Tuesday, can you give it to her tomorrow?

Yenise: Yes, but you know what, if she made a motion, she can go ahead. I don't have a problem, I have nothing to hide. It just feels like it's personally on me like it has been for the past. Other people have done it and I don't see anybody being questioned, I'm always being questioned by her. It's so true, no, it is.

Cubillos: I'm not going to bring everything in, we're only going to talk about this issue and I think the only reason that the focus is left here is because it's the only one that's missing. I don't think we're talking about anything else, it's the only one that's missing. Once we get the results, we'll all be good to go.

Yenise: She just said that if I have not done tomorrow, if she doesn't receive them by a certain time, and I said I did them, then I could be fired. That's what I heard.

Roman: If we don't receive, but not as [crosstalk].

Yenise: Something that's not in my control.

Cubillos: Attorney, what we're going to do is we need to receive them tomorrow, we need to give the tracking number to our interim chief so that I get it tomorrow because if you haven't. then you just got to find out, it should not take that long. Fingerprint live scan comes back in 48 hours or 24 to 48 hours. I don't know if you gave them, if they didn't know where they were going to, you have to give them the right number-

Yenise: No, I gave them the right number because I printed. Yes, I printed.

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Cubillos: - and OCA number. Okay, so if they have that, then it should automatically- did Tallahassee received them and bypass you? Can you find that out? I don't think that would happen. We have an admin and finance committee meeting and in literally a week or two. Two weeks. It can't take two weeks to have this completely all resolved. If the fingerprints are done, sometimes maybe the ORI or the OCA number if you're off by one number your fingerprints can be a limbo, it's very possible. Because once you give the ORI or the OCA number to the department that you're getting your fingerprints, it automatically goes into a system. Then that system goes to the requiring agency that's asking.

I know that's how it goes, even that's how it goes for my school. Automatically it gets uploaded into a program that you have to have a username and password. Maybe it's a limbo because maybe there's a wrong ORI, I have no idea. Anything is possible, but if there is a tracking number, Ronnie, if you have the time tomorrow, if you can assign a police officer to look into that tomorrow to find out where the tracking.

Ronnie: I'll do that right now.

Cubillos: Okay, and then as soon as you have it solidified, we don't have to wait for the admin and finance, you just email the committee.

Nickerson: Madam Chair, if I may?

Cubillos: Yes.

Nickerson: Just in case, I'm not sure what's going on, I'm not sure if, like you said, the number could be wrong or whatever it is. If she has a tracking number, just in case by chance if she maybe, because she wasn't expecting to have this come back, that the tracking number might not be somewhere where she thought, she might need a couple of days maybe to find it or something like that, maybe she left it in her car because you're not thinking about having her hold on to something to bring it up. You might have placed it somewhere to where it might just not be a priority, might not be there available, so can we give her maybe till Friday?

Cubillos: Yes, I was saying the admin and finance meeting is two weeks.

Nickerson: I'm saying instead of tomorrow or maybe a week from now to present it just in case she placed it somewhere and she just might not right now know exactly where that tracking number paper is. I don't want anybody to go home and then say, "The tracking number was weeks ago and I thought I left it here." She gets home tonight and it's not there and she's

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like, "Man, I promised I was going to present this by tomorrow and I can't find it tonight." You know what I mean? Because she might need a day or two.

Ronnie: I'm sorry can you email that to me, I don't really need it physically. I'm going to be in a meeting tomorrow and I think as long as you email it to me, then I can reach out to the department and find out what the protocol is with their process. Seeing what maybe, like what the mayor said, maybe one number was off.

Nickerson: I just don't want by tomorrow if she can't find it or she's not able to email to you by tomorrow, then by tomorrow afternoon, we're sitting here and we're starting to complain that she hasn't given it to us. I'm just, I'm just asking if we can give her more time that's all.

Ronnie: That's up to you guys, she can email it to me her response.

Nickerson: To the committee, I'm asking the committee.

Ronnie: She could always call Bar Harbor and I'm sure they can provide that

Roman: Obviously, it's a policy, anywhere else employees, the clerk is at the will of the council, it's the council's responsibility to hold both the village manager and the clerk accountable as the employees of the village and our employees, and we've been waiting since November 3rd of 2017.

Nickerson: Let me just say this though. First of all, like I said, I'm asking you guys for her to give her more time because, let's say, if she has misplaced it, let's say she can't go back to Bar Harbor, she can't go back tonight after the meeting.

Cubillos: Vice Mayor Nickerson, two things. We have three meetings left, what I recommend that I'll go back on, we meet in two weeks in admin and finance. I think two weeks if we have that answer in two weeks, I think we're going to be fine. We meet literally in two weeks, so we just kindly ask you, we might not stay on top, you may not email you and call you, but just work together please and just get back to us with an answer. If you get it before the two weeks, great just email the manager and the committee.

Nickerson: Okay, I was under the impression that we said tomorrow.

Cubillos: No, I said the admin and finance committee.

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Nickerson: Okay, two weeks that's perfect.

Roman: Tomorrow is just to try to get the number, but it's two weeks.

Nickerson: Okay, that's all right. That was the confusion. Thank you very much.

Cubillos: All right, so we're all on the same page, we're good, so you guys are going to work together to get that to us?

Yenise: All right.

Cubillos: Thank you. Good and welfare. The microphones are working?

Lilliana Pickle: Liliana Pickle 181 Northwest 87th Street. Good to see you guys, hi. Is this only required for the employees, the fingerprinting, or the council members as well, and the mayor?

Cubillos: It was required by everybody to include the council, to the include clerk, to include the manager, to include vendors that have access to go back to meet with the manager. How this transpired was because we had an audit, I don't even remember when, it was during Irma, and when the auditors came here, now, they have seen our setup before, but with FDLE and anything government or everything changes. When they came here, they saw our setup and our police department as you've seen because you've come here, almost anybody can just walk right through. There's a couple of computers in there that have sensitive information.

Lilliana: At the police department?

Cubillos: Yes.

Lilliana: You can't go in.

Cubillos: When you go to the front desk, we walk in, we go all the way through.

Lilliana: In the front desk here?

Cubillos: Yes, and then you walk all the way in through to the manager.

Lilliana: Okay, not through the police department because you can't walk.

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Cubillos: No, but we all work here, we're like, "I need to back there and meet with the manager." Then they came out with a written report saying, this was just one of a few things, anyone who has access to the police department must get finger printed.

Lilliana: You guys all like this?

Cubillos: Yes.

Lilliana: Okay, and Councilperson Nickerson came clear?

Cubillos: Councilperson Nickerson's came out--

Nickerson: It came out clear.

Lilliana: I'm just wondering because there were some news that, I don't know. I'm just questioning.

Cubillos: They look for felony charges, they look for theft. I don't want to speak, you can say, but I'm assuming that that's what they look for. Or they look a fraud.

Lilliana: I do background checks, I work in a financial industry. Every time I apply for a job.

Cubillos: Yes, me too. I'm used to doing them every five years. What happens is if something has come back, they will not be able to just freely- they can't have keys, they can still be in office. They just can't have keys and they can just go back there whenever they want, they have to be escorted by a police officer.

Lilliana: Got you.

Cubillos: That's what happens.

Nickerson: Madam Mayor, if I may.

Cubillos: Yes.

Nickerson: We also have, for example, Councilperson Dreher didn't get his done. He didn't want to get his done. He has the hip to hip option.

Lillian: What does that mean?

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Nickerson: Hip to hip would mean that so since Councilperson Dreher didn't want to get his done, when he comes back, if he has to go back and pass through the police department, a police can just walk next to him.

Lillian: Got you, he can be escorted. Got you, okay.

Nickerson: You have either way. It's not that it was required for all of us to get it done, which all of us got them done, but you also had that option that he chose that options, so you go that option also.

Lillian: Got it, okay.

Cubillos: If anything came back not really good, we were asked, recommended that they may need to be let go or something.

Lillian: It was recommended by FDLE?

Cubillos: Yes.

Lillian: Got you.

Cubillos: Florida Department Law Enforcement.

Lillian: Got it. Okay, cool. Thank you, guys.

Cubillos: Anybody else in Good and Welfare? Ms. Brooks, welcome back. Good. Anybody else? Okay, hearing none, can I get a motion to adjourn the public safety committee meeting?

Roman: Motion

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

Nickerson: Second.

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

Council: Aye

Cubillos: The public safety meeting concludes a 7:27 PM.

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[00:53:55] [END OF AUDIO]

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