

City of Coral Gables City Commission Meeting
Agenda Item F-1
January 26, 2016
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Charles Knight, FPL Representative

Agenda Item F-1 [2:31:43 p.m.]

Status of ongoing mosquito remediation on the vacant FPL site, along with other outstanding FPL issues. (Sponsored by Commissioner Keon)

Mayor Cason: Let's do F-1 – mosquitos.

Commissioner Keon: Mr. Knight come join us. We continue to get complaints from residents in Kings Bay on the mosquitos, particularly those properties that backup to the Old Cutler power site. And you know, initially when the discussion started the assumption was that it was just all of the rain and it was just happened to be the time of year and it was, you know, there wasn't anything that was creating this significant increase in mosquitos and everything else, until we worked with the County and Commissioner Daniella Levine Cava's office, because that's her District that area, and its actually in Palmetto Bay, it's not in the City of Coral Gables, but it is right, it adjoins the City of Coral Gables. When they went onto the site, when the County went on to really look at it, they really determined that the problem was largely originating from the

FPL site there, and there was a lot of standing water and everything else. So the County has continued when we call them or whatever, they go in and treat the water and they treat the land or whatever else to reduce it, but you know, we have gotten some discussion from the County. Also that the County doesn't tend to go on private property to control a mosquito problem because the mosquito problem is whoever the owner of the private property is, which in your case is FPL. And we have asked what was being done and what remediation was being done to alleviate this issue, and I don't know that we've really gotten an answer.

Mayor Cason: We asked Mr. Knight, the new rep for FPL?

Commissioner Keon: Yes.

Mayor Cason: What he said?

Commissioner Keon: Ask him.

Mr. Knight. Honorable Mayor and Commissioners, thank you for the opportunity to address you today, Charles Knight, representing Florida Power and Light Company. Commissioner Keon's remarks are correct, and I have done a little bit of homework trying to better understand kind of the history and the situation at the former FPL/Cutler property; and my understanding is the County has been treating the mosquito situation on the property for many, many years. And there was a period of time within the last year or so, after the plant was decommissioned where the County Mosquito Control did not have access to the property and it was a situation that we quickly rectified as soon as we found out, and that could have been at least part of the reason why the complaints from the residents started in earnest within the last six to nine months. The good news is the County Mosquito Control has 24 hour-7 days a week access to the property now. They have all of the keys to the gate and the combination lock code, so they can get on that property at any time to treat. They don't have a specific schedule by which they treat for mosquitos. They treat on an as needed basis. Obviously, we've had quite a bit of rainfall in the region over the last three to four months and so that has to some degree kind of exacerbated the mosquito situation, but I speak with Mosquito Control quite frequently, if not every week then every couple of weeks, and just to make sure that they are able to treat effectively. In order to sort of re-inforce the mosquito spraying that the County has been performing, FPL is in the process of securing private mosquito control service to go out to the property and also perform targeted spraying activities. And the idea would be, we would continue to sort of go after the problem and do everything we can to improve the quality of life for the residents in the surrounding area. We got a set of proposals from various service providers late last month and early this month. Quite frankly, we weren't thrilled with what we got, so we went back to those vendors and asked for updated proposals. What we'd like to do is have some documentation, not

only that they have treated, but also what they found when they went out to the site and documented they also effectively treated any mosquito breeding situation that they may encounter. So not every provider was willing to provide sort of the documentation that we were asking for so that has slowed down kind of the procurement process by a small degree, but we are hopeful to get the updated proposals by the end of this week. We should be reviewing those proposals in the next couple of weeks and we should have someone secured, a private mosquito control service on board by no later than the end of February.

Commissioner Keon: No later than the end of February?

Mr. Knight: Yes ma'am.

Commissioner Lago: Can I ask you a quick question?

Mr. Knight: Yes Commissioner.

Commissioner Lago: I want to just go off of what Commissioner Keon was saying. Commissioner, I know you've had some interaction with several of the residents in the area. Has there been an uptick in reference to the mosquitos?- or that has it slowed down or is there currently any treatment being done right now or no?

Commissioner Keon: Well its only when they complain to us and I have Chelsea call...

Commissioner Lago: Somebody goes out there.

Commissioner Keon: Mosquito Control or we put them in touch with Commissioner...

Commissioner Lago: Suarez?

Commissioner Keon: No, it's Levine Cava's office, and then they will call. I think it's a public nuisance. I would like the City Attorney to address this as a public nuisance issue, and it's also a health issue at this point.

Mayor Cason: There are diseases.

Commissioner Keon: Yes. Mosquitos – we don't test what mosquitos are there or whatever and I don't know whatever, but mosquitos do spread a lot of diseases. There are all kinds of new mosquito issues coming about that are coming up from South America that when you have an area that you know is breeding mosquitos, you know, you can't just leave it, you can't just like,

Oh I know what a problem. You have to have a plan to deal with that, and not only is it a nuisance it's a health threat.

City Attorney Leen: I would ask that when you go back to FPL, see if they can expedite it, because it is a public nuisance and the issue for us is, now I've been asked to look into, let's say for example you didn't fix it, I'm sure you will, but let's say you didn't, do we have any recourse that's what the Commissioner asked; and yes, we could easily go to court and seek an injunction, so that's one thing we could do; the second thing we could do is, now I'm looking at this idea of extraterritorial enforcement code enforcement, because here's the thing, even though it's not in the City, the mosquitos are coming into the City, so there is the nexus. So we may be able to cite it. I'm researching that, I'm still looking into that, but whatever the case may be, we certainly have the authority to enforce and protect our residents, but you know we would expect FPL to fix it and I know that you could expedite it, so I would ask that you do that.

Commissioner Lago: The reason why I mentioned that to Commissioner Keon was, because I think treatment is only one part of the issue. I think the bigger issue that I want to have FPL kind of, you may not have a plan of attack or action, but I think that you should contemplate one and that is the issue of the ponding effect when you have such significant rainfall. Do you have anybody in FPL's discretion that can go out there and if there are ponds or if there are any locations that have excess water that have been still and are not moving, that they can go out there and somehow someway get rid of that water or move that water or spread that water out? Some sort of way so that if you are able to get rid of the ponding water you are going to be able to effectively treat the mosquitos. I'm not a mosquito expert, but it just works, if you don't have ponding water you are not going to have to treat that many mosquitos anyway.

Commissioner Keon: But it is a sensitive area, probably about a third of that property is mangrove and wetlands.

Mr. Knight: That's correct.

Commissioner Keon: So there are mangroves, they are wetlands, it is low lying area, it is going – you know the conditions of the property, you all have operated it for a long time, you have a lot of people on it, so you are very aware of the characteristics of that property, and the fact that you can get standing water there very easily. We were talking – also the other condition is that the prevailing breeze for that area is a southeast wind. In the winter it's a little irregular, but for the most part of the year that is the prevailing breeze, and it's blowing right into Kings Bay. So there are a lot of conditions that we wouldn't expect FPL to change the wind currents (laughter), but we are going to give you a break on that one, OK, but we do expect that you could clean up the area so that you don't have ponding and you don't have – there are areas where they do

perimeter spraying or whatever, that's an automatic perimeter spraying for mosquitos. There are – FPL has some of the brightest scientists in our community working for them, this is a solvable issue, it's a matter of will. It's not a matter of there being solutions there and we have been talking about this for a very long time. It really is a public nuisance; it really is a health issue. It's a real problem and its private property. I mean if this were a home or some institution within our City, we would be all over you.

Mayor Cason: Let us know once you get your contract and what's going to happen, and how often you are going to do it so that we can tell the residents what you are doing, along with what the County is going to do.

Mr. Knight: Absolutely Mr. Mayor.

Commissioner Keon: I would like you to keep us informed, or the Manager, what do you think, what kind of a timeline should we be able to expect for the sake of our residents in our City?

City Manager Swanson-Rivenbark: First of all, thank you for staying all day long, we appreciate it. Looking at the calendar and recognizing that you'll have someone on board by the end of February, you have two options; one you can place it on the 23rd of February as an update, and for reasons that are perplexing to me, in March we -- perhaps it's a holiday, our first meeting in March isn't until the 15th.

Commissioner Keon: So why don't we do it in February.

City Manager Swanson-Rivenbark: So we can either put it on, depending on the will of the Commission, we can put as a placeholder the 23rd of February.

Commissioner Keon: Why don't we put it on the 23rd of February, because even if you should have the proposals before you, you should be able to contract with them, so that the work may not have started right then, because of the paperwork and the lifetime that you need to get all that in place, but you should know by then. Would you think you would know by then?

Mr. Knight: I expect we'll know by then. That's our target schedule at this point is to have a vendor selected by the end of February, so I should have some information to share.

Commissioner Keon: OK. So you could come back to us on the 23rd of February.

Mr. Knight: On the 23rd I should have good information by that date.

Commissioner Keon: Thank you.

Mayor Cason: Great. Thank you.

Commissioner Slesnick: Mr. Knight while you are still here. Thank you for being here all day on this issue.

Mr. Knight: Thank you Commissioner.

Commissioner Slesnick: There is still a lot of lights out on City streets and I know FPL is trying to replace them as fast as they can, but when you do replace them can you use the amber lights instead of the white, white lights?

Mr. Knight: Yes Commissioner. Generally speaking I think they use light-for-light replacement. I didn't realize they were using a different light to replace the existing lights that are....

Commissioner Slesnick: They are using the high efficient, "green" lightbulbs, but they are using the white white and not the amber, and so it differentiates when you are going down the street, especially like Granada, some are candlelight and some are blue lights; some are candlelight, some are blue.

Mr. Knight: Are you referring to the LED pilot program?

Commissioner Slesnick: No, no, no, just all over the City. There are different sections where lights are being replaced not in the pilot areas, where you are using the white white lights.

Mr. Knight: OK. Let me look into that. I didn't realize that they were being different calven temperature lights being installed in different areas that were different from the ones that existed previously. So, I'll certainly work with our street light team and make sure that we replace the same type of light. I would hope that same light is still available, but maybe it's a situation where we can't get the specific type of fixture that we did before.

Commissioner Slesnick: Several years ago I could see that you didn't have them, but now almost everybody has the amber lighting; and there are a large number of street lights that are out around Coral Gables.

Mr. Knight: Yes. We have been working on that. Unfortunately, the weather the last couple of weeks has been very difficult. Weekend before last we had severe weather on the west coast of

Florida, we had tornadoes in the Sarasota area. We had a lot of outages all the way down to Naples, along the I-75 corridor...

Mayor Cason: All the way around Alhambra Circle.

Mr. Knight: That's right and the Mayor experienced an outage as well, so he can appreciate our situation.

Mayor Cason: Thank you for the follow up.

Mr. Knight: Oh, you are welcome sir. That has unfortunately has the implication that when we have outages, in many cases the street light crews will be reassigned to work those outages, and so it does tend to slow down our streetlight restoration in those instances, but we are hopeful that the rest of the winter will bring better weather and we will be able to get those streetlights restored as quickly and safely as possible.

Commissioner Slesnick: And we appreciate you being a resident of Coral Gables, I'm proud of that; and also that you are President Elect of the Junior Orange Bowl Committee.

Mr. Knight: Yes. My term will start March 1st for Junior Orange Bowl.

Commissioner Slesnick: So congratulations.

Mr. Knight: Thank you.

Mayor Cason: Thanks for being here.

Commissioner Keon: And we have a mosquito flow.

Mr. Knight: [Laughter] Thank you Commissioner.

City Manager Swanson-Rivenbark: And Charles just to be very clear, I don't believe that it is the County's responsibility to address your mosquito problem. I think that they have done it because of the number of complaints, but it's highly unusual for the County to have the burden of watching over private property, so we place this as a February 23rd placeholder for the update, but I can tell by the tenor of our Commission that they are getting more and more frustrated. So we would really need them to come up with an active solution with help on site before the 23rd. So we are asking for that to be accelerated.

Commissioner Keon: Right. Thank you. I've asked the City Attorney to craft an Emergency Ordinance to be placed on the agenda on that day to address, if we don't have an answer. So I know that you have very good people and I know that you have – you make a lot of money, so I know that you have both the means and the ability to address this issue. We are looking for the will.

Mayor Cason: We are looking for the action rather than the southeast wind.

Commissioner Keon: Otherwise we are going to hold you responsible for the winds (laughter).

Commissioner Lago: I have a feeling FPL is going to come through.

Mayor Cason: Yes.

Mr. Knight: We are committed to doing the right thing for the community, I can promise you that.

Commissioner Keon: Thank you.

Commissioner Lago: I'm requesting other meetings; I'm requesting that you have personal meetings with each Commissioner, along with your other staff to come in and really brief us on everything from LED lighting to mosquitos. I know that's forthcoming, so I look forward to it in the next month or so to get those meetings individually before we have our eventual plan to have a public meeting here, and the reason why I'm asking for individual meetings with each Commissioner is because, again, we can't talk amongst each other due to the Sunshine, and I want you to brief us and get an understanding of, for example, I'll give you a clear example. Commissioner Keon happens to speak to a lot of residents in regards to mosquitos. I haven't received one phone call on mosquitos, but I will tell you what I've received a lot of phone calls about, is about lighting, about LED lighting, about outages, about – I'm not going to talk about that now. So what I want is to make sure that you meet and your staff meet with every Commissioner next month and you listen to them and they may have a litany of items that I haven't heard about, and we can consolidate all of that and then prepare a public discussion, because I like to have these public discussions, they are important. As you can tell by the Town Hall meeting that I'm having on Thursday, as you can tell by Commissioner Slesnick impending Town Hall meeting on February 18th, correct?- February 18th. So let's plan for that, maybe we can do it in March, if everyone's schedule is allowed.

Mr. Knight: FPL is available and willing to have those dialogues with the Commission, individually as you suggest. We are ready to have those discussions.

Commissioner Lago: Do me a favor. Speak to your staff, schedule time with the City Manager and Chelsea and the Mayor's Assistant, Evelyn, and let's plan for something in February, where you can meet with every Commissioner, along with your staff, bring everyone and we can have a one hour discussion on all these issues. OK.

Mayor Cason: Thank you.

Mr. Knight: Thank you very much.

Commissioner Lago: Thank you sir. I appreciate your time. Thank you for being here all day, I really appreciate it.

Commissioner Keon: Thank you very much.

Mr. Knight: Thank you.

[End: 2:51:20 p.m.]