

City of Coral Gables City Commission Meeting
Agenda Item I-2
November 15, 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
Assistant City Attorney, Cristina Suarez

Public Speaker(s)

Agenda Items I-2 [3:41:38 p.m.]

Update regarding bats at the property located at 803 Alhambra Circle.

Mayor Cason: Let's do bats, I-2, let's get batty.

City Attorney Leen: Thank you Mr. Mayor. Item I-2 was discussed, I believe at the prior Commission Meeting. It's an update regarding bats at the property located at 803 Alhambra Circle. These involve bonneted bats, which are protected species under Federal Law, here in the attic at 803 Alhambra Circle. 803 Alhambra is a local and historic landmark and its deteriorating and there is a property owner, and the Commission at the last meeting wanted to know the status of that property; and the status had been that the City had been working with the Fish and Wildlife Service for a while to try to get this addressed, but in the City's view the Fish and Wildlife Service was going slower than we would have liked.

City Manager Swanson-Rivenbark: Well actually they had cautioned us because of mating season and we were honoring their concern.

City Attorney Leen: Thank you Madam City Manager. Not only were they going a little slower than we would like, they had raised the issue of the bats mating and that once the bats started mating again, we might have to wait another year.

Mayor Cason: We have to get them on a noise ordinance.

[Laughter]

Commissioner Keon: They are very maters [Laughter].

City Attorney Leen: Here's what we did. The Mayor wrote a letter to Congresswoman Ros Lehtinen, the City Manager wrote a letter to the Fish and Wildlife Service, I wrote an e-mail, attached e-mail to both letters to the U.S. Attorney. We also met with the Service on site, both City staff and attorneys from my office, and I believe Cristina actually went into the building. Did you go in Cristina?

Assistant City Attorney Suarez: I didn't go into the building, but I was on site and observed the emergence of the bats.

City Attorney Leen: So she can answer any questions you have about it.

Vice Mayor Quesada: Did you catch one for us?

City Attorney Leen: We are not allowed to touch them.

Vice Mayor Quesada: You didn't catch one for us?

Commissioner Lago: I was there; I went into the building – beautiful, beautiful house, beautiful.

Commissioner Keon: Were they mating?

[Laughter]

Vice Mayor Quesada: Get your mind out of the gutter Commissioner.

Commissioner Lago: That's more of a question for the Vice Mayor or Mayor. Beautiful house.

Vice Mayor Quesada: I don't know how I should take that comment.

City Attorney Leen: The Fish and Wildlife Service has informed us now that they want to go forward, so they've given us three options. It's really basically one option, which is that, Cristina can you come back up? Can you just explain what we are looking at? They responded positively to what we have done.

Assistant City Manager Suarez: The issue is that they are not sure if there are any pups in the roost and so what they've told us the three options they laid out is, based on what they currently know the bonneted bats are at least likely to have pups in the roost in January and February. So the first option they suggested is delaying construction of the roof until January to exclude the bats at that time and then proceed with the renovations.

City Attorney Leen: We did not do that one. What's number two?

Assistant City Manager Suarez: Number two is to capture the bats, evaluate them for reproductive status, if no reproduction is found proceed with exclusion, if pups are suspected of being present delay exclusion removal until January or option three is, if during capture determined to be reproductive, proceed with the roof removal repair in a staged manner to preserve the area around the roost as the last step.

City Attorney Leen: So it seems to be based on the Commission's and the City Manager's direction, we wanted to move forward so we did two and three. So basically, they are going to start right away, well that's what we've told them.

Assistant City Manager Suarez: We have a call with them on Thursday.

City Attorney Leen: The Fish and Wildlife Service that we'd like to go forward, that if there are pups then they should do all the work they can and preserve that little area and then move them out when they can.

Commissioner Keon: So they are going to come in, the Fish and Wildlife people are coming in to move the bats?

Assistant City Manager Suarez: We have a call with them on Thursday to kind of go over these steps in more detail and more of a timeline to see what the other steps are involved in this process to actually figure out how that would work.

Mayor Cason: So if they are still amorous we can give them privacy, little privacy booth, and then continue on with the work.

Commissioner Keon: Nursing mothers.

Assistant City Manager Suarez: I think the issue is if there are pups they want to make sure that they save those pups that are there.

City Attorney Leen: I will tell you. I'll just like to say one thing because it struck me. I mentioned this to Justice Canterro actually, because he happened to be meeting with me on another matter when we were doing this e-mail, and he told me he was very impressed and so did Neil McAlilly who you met today, they both were very impressed that the City of Coral Gables would get involved in a case like this on behalf of a property owner and also to protect a historic structure and that we would take such a – they had said that they had never heard of a City doing that, so I just wanted you to know that, and it's obviously having a great effect.

Mayor Cason: Well we always go to “bat” for property owners.

[Laughter]

Mayor Cason: Alright, are we finished with I-2?- are we finished with I-2 now?

City Attorney Leen: Yes.

Mayor Cason: Alright – thank you. So we now know what we are doing.

[End: 3:46:33 p.m.]