

City of Coral Gables City Commission Meeting
Agenda Item G-13
June 28, 2022
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Michael Mena

Commissioner Rhonda Anderson

Commissioner Jorge Fors, Jr.

Commissioner Kirk Menendez

City Staff

City Manager, Peter Iglesias

City Attorney, Miriam Ramos

City Clerk, Billy Urquia

Deputy City Attorney, Cristina Suarez

Assistant City Attorney, Naomi Levi-Garcia

Public Speaker(s)

Agenda Item G-13

A Resolution of the City Commission approving a peafowl mitigation policy and directing City staff to transmit said policy to the Miami-Dade Board of County Commissioners for approval pursuant to the Code of Miami-Dade County, Chapter 5 “Animals and Fowl”, Section 5-16 “Taking of peafowl prohibited; municipal opt out.” (Sponsored by Mayor Lago)

Mayor Lago: G-13.

Deputy City Attorney Suarez: G-13 is a Resolution of the City Commission approving a peafowl mitigation policy and directing City staff to transmit said policy to the Miami-Dade Board of County Commissioners for approval pursuant to the Code of Miami-Dade County, Chapter 5 “Animals and Fowl”, Section 5-16 “Taking of peafowl prohibited; municipal opt out.”

Mayor Lago: Ms. Garcia, welcome back.

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Assistant City Attorney Levi-Garcia: So, thank you for sponsoring this resolution, Mayor. Essentially, this just settles the city's peafowl mitigation plan. We need to transmit the plan to the BCC for approval before it can take effect. Essentially, it allows private property owners to hire professionals to humanly remove peafowl from their private property and it empowers the city to do the same for public property and for the rights-of-way. It also establishes a \$5,000 budget on an annual basis that will be administered by Code Enforcement for those humane removals. Previously the County Code basically tied the hands of municipalities; municipalities couldn't do anything or individuals for that matter, couldn't do anything regarding peafowl. You couldn't take them, touch them, remove them, so basically all you could do was shew them off of your property. There was an amendment to the County Code in February that allowed for a municipal opt-out, so we are trying to exercise our authority under that opt-out, but it does require BCC approval. I've been told we are going to be the first city to submit a resolution. Commissioner Regalado will be sponsoring it for us.

Mayor Lago: Perfect. I appreciate it. I just want to put certain things on the record, and I want your opinion on this and the Manager, along with my colleagues. I think that we should draft a letter of support that this comes before the BCC, basically requesting that neighboring communities, especially the ones that live across from the other side of LeJeune, that they aid us in this effort, because I know that this is a very tough topic. You have 50 percent that love the peafowl and 50 percent that are not happy to see this invasive species that's not native basically in our backyards scratching cars, significant amount of fecal matter, the noise is 5:30, 6 in the morning, clamoring on people's roofs; and while this may seem like a minor issue, but for certain people in this community it's a major issue, and this Commission knows that because we receive several e-mails just this week on that front. So, on the area of LeJeune and the Chinese Village, they are everywhere. Now you are starting to see them at University of Miami, you are starting to see at Sunset. So, we have to do something. But we just can't pick up the slack for our neighboring communities that they just cross over LeJeune, and it becomes our problem. We need to tackle this problem seriously and I understand that people do not want to see these animals destroyed, that's fine, like the pythons or the iguanas, but we need to find a resolution. Another community's problem cannot just become our problem and then throw up our hands and say there is nothing we can do. So, I'm asking to see your opinion and the Manager, talk to Martha, maybe she can help us with this. Draft a simple letter from the Commission saying, we've got to do this together. We need to address this issue. They have no natural predators, none. So, when a peacock or a peafowl has a clutch of babies, you are talking about 10, 15 eggs. The reproduction rate is significant, and before you know it, you are going to have the same situation you have with iguanas, which are eating all the eggs of all the migratory birds and the pythons that are wreaking havoc in the Everglades. We've got to address this issue. Either we take it front and center or we just throw up our hands and I won't fight this anymore and we move onto the next issue.

Commissioner Menendez: When I worked in the City Attorney's office and City Manager's office in the City of Miami, going back from this date 15-20 years, there was already a problem in the Grove area, but nothing was done, and you can see the damage to cars and homes and roofs when those numbers increase beyond anything comprehensible. We can't allow that to get to that point. Coral Gables will be insurmountable numbers, we'll be outnumbered. So, I completely support what the Mayor is saying. We have to do something and not only the property damage, the e-mails,

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the residents have reached out to us. Some of them can't even enjoy their own backyards with their kids, because the peacocks sometimes are larger than their own kids and they can be aggressive, and I guess it's their talons and everything else, we don't want to put our residents in that situation. So hopefully we can team up, like the Mayor said, we can find a humane way to address the issue, but we need to protect our residents, so hopefully we can find a solution.

Commissioner Anderson: I'll move it.

Commissioner Menendez: I'll second.

Commissioner Menendez: Yes

Commissioner Anderson: Yes

Mayor Lago: Yes

(Vote: 3-0)

(Commissioner Fors: Absent)

(Vice Mayor Mena: Absent)

Assistant City Attorney Levi-Garcia: And just to answer your recommendation, Mayor, through the Manager, I can definitely work on a letter, send it to our neighboring cities, encourage them to take action, kind of unifying in the effort.

Mayor Lago: And if I may, I'll leave it up to Martha and to Chelsea. Obviously, we want to be as one...our colleagues in other cities to do the right thing, and we want to be as sensitive as possible. I know people have an affinity and affection for animals. I do. But we also need to at one point make a decision. Inaction has resulted in – Inaction in Coconut Grove, let's be honest with ourselves, in Coconut Grove and those areas has resulted in an explosion of these birds, and again, we are getting e-mails, letters from residents telling us that it's a problem and I'm tired of saying that I don't have a solution to that problem. So, we need to find a bird sanctuary, we need to release thousands of these in that bird sanctuary. I'm not saying that this is going to be like Thanksgiving where you need to cook certain parts of this country, not this country, excuse me, on the planet, they actually eat these types of birds, they say it actually tastes good. I'm not embarking on that, I'm not eating iguana or snake, but my point is, we need to find a solution.

Commissioner Menendez: And unlike metal roofs and whatever other issues we're talking about been around for a while, this is one we can't sit on.

Mayor Lago: Yes.

City Manager Iglesias: Unfortunately, I think the county is not acting appropriately, in my opinion, because invasive species always work out the wrong way and just a little bit to the west of us, we have Everglades National Park, incredibly beautiful, sensitive area, that's already being infiltrated by the python issue, and all these things will move west and soon we may destroy our own park and it's very sad.

Mayor Lago: We've got to come to terms with it, got to come to terms and act, act, not stay in the middle which at the end of the day, that inaction just continues to make the problem even worse. So, thank you Naomi. Did we take a motion on this already?

Commissioner Menendez: Did we vote?

Mayor Lago: Yes.