

**City of Coral Gables City Commission Meeting**  
**Agenda Item F-6**  
**September 26, 2017**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Raul Valdes-Fauli**  
**Vice Mayor Pat Keon**  
**Commissioner Vince Lago**  
**Commissioner Frank Quesada**  
**Commissioner Michael Mena**

**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, Stephanie Throckmorton**

**Public Speaker(s)**

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Agenda Item F-6 [10:18:15 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 10 of the City of Coral Gables Code entitled “Animals,” by creating Section 10-4 entitled “Peafowl,” providing for severability; repealer provision, codification, enforceability, and providing for an effective date. (Sponsored by Commissioner Lago)

Mayor Valdes-Fauli: We’ll go onto F-6, animals – we have our peafowl Commissioner here, Ordinance on First Reading.

City Attorney Leen: So, it’s an Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 10 of the City of Coral Gables Code entitled “Animals,” by creating Section 10-4 entitled “Peafowl,” providing for severability; repealer provision, codification, enforceability, and providing for an effective date. This item is sponsored by Commissioner

Lago; it's a public hearing item. I'll ask the Assistant City Attorney to present it and then turn it over to Commissioner Lago.

Assistant City Attorney Throckmorton: As you all know, a few months ago you passed a resolution urging the County to formally recognize the City's ability to control peacocks in the City. This is our Code provision that just clarifies and formalizes that the City and County are exempt from any conflicting code provisions and that we have the authority to take any remedial action appropriate to address these non-native species in our backyards. Any questions?

Commissioner Lago: I think it's a pretty simple discussion. As we all know, I have done a little bit of research on peafowl; I think you mentioned they are non-native. We have an invasion of non-native species that we are dealing with here in South Florida, either from the reefs to peafowl, the Everglades with pythons. Again, this is an issue and I see them every single day, before you never used to see them in Coral Gables, now they've migrated across LeJeune from Coconut Grove from our great neighbors and I've had discussions with Commissioner Russell in regards to this issue. They are everywhere and it's not us, it's not a bird that has one or two offspring, they have 10-12 offspring. They are a danger to children, they are aggressive, and they are extremely loud. Their fecal matter destroys paint on cars, they get on cars, they scratch cars, and I think we've all received certain e-mails this week. I haven't received one e-mail against this ordinance; I received people telling us to support this ordinance. But, I just wanted to have a discussion with you. I'm not saying we are going to go out there and eradicate the peafowl, I'm just trying to find a way to control them, because when you have an invasive species like this, they take the place of a species that is indigenous, not only to Coral Gables, but to South Florida. So, I think we need to take a stand here or find a way to control the species.

Vice Mayor Keon: So how do we do that?

Commissioner Lago: We are having a discussion.

Vice Mayor Keon: I thought it was the nest; somebody told me that you can actually it allows for either to remove a nest or to effect the nest.

Assistant City Attorney Throckmorton: There is a County Code provision that broadly protects the nests, no trapping, harming...

Commissioner Lago: It's a bird sanctuary City.

Assistant City Attorney Throckmorton: Yes – and we have bird sanctuary provision ourselves. So, this Code provision allows the City to address peafowl separately from our other bird

protection provisions, so it allows the City to address – it doesn't spell out how the City will do that, it just makes clear that the City and the County can address.

Vice Mayor Keon: So how are we going to do that?

Commissioner Lago: The options are you can trap them and take them to a sanctuary; you can either disturb their nests.

Vice Mayor Keon: Well are there sanctuaries for peafowl?

Commissioner Lago: I think that's what the County and the City are trying to address right now.

Assistant City Attorney Throckmorton: Yes. We've had some discussions with the County Animal Services, it's a bit complicated there, some rules since they are an invasive species you can't simply relocate them to another open area.

Vice Mayor Keon: Right, you can't relocate them because they are invasive.

Commissioner Lago: But you've got to find a farm, you've got to find someone. This is the first step in allowing us to take a future step in addressing this concern. Now maybe my colleagues disagree, maybe my colleagues say, I love peacocks then we'll keep them.

Vice Mayor Keon: Can someone remove a nest, I mean if you find a nest with eggs?

Assistant City Attorney Throckmorton: This allows the City and the County, not necessarily residents, but the City and the County to address the issue within the City.

Vice Mayor Keon: OK. If someone identifies a nest in the City who do they call and what do they do?- because if they can't do it then there has to be some process in place within the City for someone to go out or the County for someone to go out and remove that nest.

Commissioner Lago: There isn't really protocols right now in place, because they've been kind of -- they've had this discussion at the City and at the County, but they haven't taken the necessary measures to address it, even though there are a lot of people now, before everybody loved peacocks – they are great, they are beautiful, but now we've become overrun with the amount of peacocks.

Commissioner Quesada: Obviously, the way this is written, it's written in such a broad and discretionary manner that if we pass it, I mean we will still control what we want to do with them, deal with them base it as it comes up.

Commissioner Lago: I just don't want to pass it; I want to empower staff to deal with the County, I think they were talking to Commissioner Suarez.

Assistant City Attorney Throckmorton: We were discussing it with Commissioner Suarez and with Animal Control Services there and they themselves don't have procedures in place for addressing that, so if a County resident calls and says there is nests given the protection that they currently have, there are no procedures, Animal Services doesn't deal with peacocks at this point.

City Manager Swanson-Rivenbark: Sir this is First Reading, excellent questions; and so, before Second Reading comes forward we'll have an implementation plan.

Mayor Valdes-Fauli: Very good. Do I hear a motion?

Commissioner Lago: So moved.

City Attorney Leen: It's a public hearing item sir.

Mayor Valdes-Fauli: What?

City Attorney Leen: It's a public hearing item.

Mayor Valdes-Fauli: Oh, it's a public hearing, any member of the public that wishes to speak? - No – second?

Commissioner Mena: Second.

Mayor Valdes-Fauli: Will you call the role please.

Commissioner Quesada: Yes

Vice Mayor Keon: Yes

Commissioner Lago: Yes

Commissioner Mena: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

[End: 10:23:52 a.m.]