

**City of Coral Gables City Commission Meeting  
Agenda Item G-7  
July 11, 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  
Assistant City Manager, Peter Iglesias  
City Attorney, Craig E. Leen  
Deputy City Attorney, Miriam Ramos  
Assistant City Attorney, Stephanie Throckmorton  
City Clerk, Walter J. Foeman  
Deputy City Clerk, Billy Urquia**

**Public Speaker(s)**

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Agenda Item G-7 [2:15:07 p.m.]

A Resolution of the City Commission of the City of Coral Gables, Florida, requesting that Miami-Dade County amend its Code Section 5-16 to recognize Municipal Authority to regulate peafowl.  
(Sponsored by Commissioner Lago)

Mayor Valdes-Fauli: We've got Mr. Peafowl.

Commissioner Lago: Oh, very brief. In reference to peafowl, I don't remember exactly, but I think that we've been discussing this for about a year, a year and a half. This is the third time that I've put it on the agenda. Just so you're aware, I'm going to be putting together a -- Mr. Mena, you're back.

Commissioner Mena: I missed you.

Commissioner Lago: I know. I missed you, too. So, I'm going to be putting together a memo, which I'll be sending out. And, I hope that all of you join in in this memo and we make it an archive, so that we can start reviewing it on a meeting by meeting basis in reference to critical items that each one of us may view as important. This is a critical item for me, in reference...

Commissioner Quesada: Didn't we have this...

Commissioner Lago: We did. I had it under the previous City Manager and...

Commissioner Quesada: But, we all had it. At the beginning of every meeting...

Commissioner Lago: Yes.

Commissioner Quesada: We'd get like an...

Commissioner Lago: But, I'm going to...

Commissioner Quesada: Excel spreadsheet printout. Do you remember that, Pat?

Commissioner Lago: What I'm going to do is...

Mayor Valdes-Fauli: A spreadsheet on peafowl?

Commissioner Quesada: Yes.

Commissioner Lago: What I'm going to do is I'm going to put together a memo, and I want you to take that memo and add any items that you so deem important, and we're -- I just want to -- basically, for me, it's to keep my mind in the right place and hold myself accountable. Why am I bringing that up? Peafowl, a year and a half. This discussion has been going on for some time and now it has exploded. As you noticed, there's a series of discussions in the County, at the City of Miami. There's peafowl everywhere in Coconut Grove, and we're seeing it more and more in Coral Gables, as a result of them crossing Le Jeune. It's an easy cross. So, I think we need to find some sort of answer. But the answer here, in my opinion, is a little bit difficult to get to because we need to have willing partners, because the City of Coral Gables cannot, become responsible for all the peafowl that are migrating into the city and then handling another municipality's responsibilities. I don't think the County has addressed the issue or the City of Miami. But, I just wanted to give you my two cents that we need to either engage the County, engage the City of Miami to really attack this problem through some mechanism or another.

Assistant City Attorney Throckmorton: And Commissioner, the City Attorney and I met with Commissioner Suarez's staff and the Director of Animal Services to discuss this issue last month or in May. And, they're also looking at this issue. And, the ordinance in the County that addresses peafowl and protects peafowl has only been in place since 2008, so that's why you've sort of seen the increase in the most recent years because until then, they weren't as protected as they are. So, that section of the County Code, Section 5-16 that addresses peafowl in the County, we discussed with Commissioner Suarez's staff and with Animal Services that perhaps a path to addressing peafowl would be letting municipalities take control over the peafowl in their municipality. So, as a first step here in addressing these discussions with the County, we've proposed this resolution with Commissioner Lago to urge the County to let municipalities -- to formalize that municipalities have authority to regulate peafowl within their jurisdictions. I think

the City Attorney and I, in our discussions with them, think that the City already has some authority to regulate peafowl within the city bounds.

City Attorney Leen: I believe more than some. I believe the City has the authority. You know, we have control over local matters. The issue is, here, again, we want to work with the County. We don't want to get into a dispute with the County unnecessarily, so we've asked the County to amend their ordinance to be able to allow the City to regulate peafowl. We don't think we need that allowance, but we'd rather have it. In addition to that, we would need to carve out -- if we're going to do this, we have our own Code that we do -- that we should comply with. We're not bound to our Zoning Code, but in my opinion, we should comply with that. In doing that, we would carve out peafowl from the bird sanctuary. Already, pigeons are -- there's a provision...

Assistant City Attorney Throckmorton: There's a separate ordinance on pigeons. And in fact, the feeding and taking care of peafowl is already addressed in our Zoning Code.

Commissioner Lago: But, this is...

City Attorney Leen: Yes.

Commissioner Lago: A very similar situation to...

City Attorney Leen: So, we would carve them out.

Commissioner Lago: Lionfish. Commissioner Quesada can address that. To lionfish and also boa constrictors.

Assistant City Attorney Throckmorton: It's an invasive species.

Commissioner Lago: You know, it's an invasive species that are taking over -- that are basically taking over and then destroying --, because they have no known predators. But, besides the fact that we can somehow, some way figure out a way to -- I hate to use the word eradicate the species, but if we don't get buy-in from our neighbors, there's going to be -- we're just going to be doing some other municipality's work, because they keep traveling over to Le Jeune.

Assistant City Attorney Throckmorton: Sure. And, that's sort of our discussion with the County was that to allow municipalities that power and the County could address them in their own way as well. It is very complicated. The part of the Florida Administrative Code says since they are an invasive species, you can't relocate them to an open area. They have to be relocated to a closed-off, fenced in area. They're very difficult to tag and neuter, unlike, say, feral cats. So, there are a lot of complications with peafowl. But, we've been working with the County. You had discussions with them. And, this is just the first step where we're asking them to formalize the municipality's authority to regulate peafowl. So, this is the first resolution and, you know, we would love to hear the Commission's suggestions on how to deal with peafowl. And, the City Animal Services is currently who's responsible for them, so...

Vice Mayor Keon: I have no clue how you would regulate pea -- I mean, how -- what do you do with them?

Assistant City Attorney Throckmorton: They're mentioned in our discussions with Animal Services, for instance, with, I think, they said with Muscovy ducks, nests are not protected. So, if you find a nest of ducks, you can get rid of them. You cannot do that with peafowl. Currently, under the County ordinance purports that they're protected. So, you could look at things like that. You could look at things -- humanely euthanizing was suggested by Animal Services, like with raccoons or other pests. So, those were the suggestions from Animal Services. It's not a pleasant topic to discuss...

Commissioner Lago: It's a...

Assistant City Attorney Throckmorton: But they are a danger. They can...

Vice Mayor Keon: They are.

Commissioner Lago: They are a danger.

Assistant City Attorney Throckmorton: Communicable diseases, property damage...

Commissioner Lago: And they have no...

Assistant City Attorney Throckmorton: Noise.

Commissioner Lago: They have no known predators. And before you know it, they breed. They're everywhere. They're everywhere.

Mayor Valdes-Fauli: In medieval art, they were the symbol of immortality.

Commissioner Lago: Why don't we bring them to your house?

Mayor Valdes-Fauli: Huh?

Commissioner Lago: Why don't we bring them to your house? You live next to the golf course.

Mayor Valdes-Fauli: I love it. Sure. And we'll have -- instead of arroz con pollo, arroz con peafowl.

(LAUGHTER)

Vice Mayor Keon: Or you could have scrambled...

Commissioner Lago: Listen, I...

Vice Mayor Keon: Peafowl eggs.

Commissioner Lago: Does the Commission have any comments, because I'm...

Mayor Valdes-Fauli: No, I agree with you. And I think that we should express our concerns.

Commissioner Lago: I'm grateful for your efforts in the County. Let's try to keep pushing forward on this issue. Maybe we can meet with Commissioner Russell. I'd love to be at that meeting. Commissioner Russell, maybe we can get Commissioner Suarez, who represents 37<sup>th</sup> Avenue, and we can have maybe a sunshine meeting to discuss, you know, attacking this, both municipalities together with the County, so we can find some sort of resolution. Because, I had heard a rumor that they were thinking about putting them in that island off of Key Biscayne, where the water treatment facility...

Commissioner Quesada: For real?

Mayor Valdes-Fauli: Virginia Key?

Commissioner Lago: Around that area. That's what I've heard, that someone was talking about that. But, that's not going to be a resolution either. So...

Vice Mayor Keon: Do they swim?

Assistant City Attorney Throckmorton: They're difficult to catch, too, apparently.

Commissioner Lago: Yes.

Assistant City Attorney Throckmorton: So...

Mayor Valdes-Fauli: Alright. It is a resolution. Would you make a motion?

Commissioner Lago: I'll make a motion.

Mayor Valdes-Fauli: Second?

Commissioner Quesada: Second.

Mayor Valdes-Fauli: Will you call the roll, please?

Vice Mayor Keon: Yes.

Commissioner Lago: Yes.

Commissioner Mena: Yes.

Commissioner Quesada: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)

Assistant City Attorney Throckmorton: Thank you.

Mayor Valdes-Fauli: Thank you.

[End: 2:22:26 p.m.]