

Meeting Date: December 12, 2017



Agenda Item #: 7A

CITY COUNCIL AGENDA ITEM

Contact Information:

Contact Name: Gloria Thomas *GT*

Dept. Director:

Contact Number: 386 775-5403

City Manager: Dale Arrington *D Arrington*

Type of Item:

<input type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Ordinance First Reading	<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Council Approval	<input type="checkbox"/>	Ordinance Second Reading	<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	Discussion & Action	<input type="checkbox"/>	Presentation	<input type="checkbox"/>	Workshop

SUBJECT: Resolution No. 886-17 – Urge Parques Reunidos Servicios Centrales, S.A, owner and operator of Miami Seaquarium to Retire Lolita to Endangered Orca Whale to the Pacific Northwest.

BACKGROUND:

Pursuant to the request of the Mayor and City Council, the above-referenced Resolution is submitted for consideration by the City Council at the December 12, 2017 Council Meeting.

COUNCIL DISTRICT:

City Wide

RECOMMENDATIONS:

To adopt Resolution No. 886-17.

ATTACHMENTS:

Resolution No. 886-17

FINANCIAL IMPACT:

None

STRATEGIC PLAN:

N/A

RESOLUTION NO. 886-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, URGING PARQUES REUNIDOS SERVICIOS CENTRALES, S.A., THE OWNER AND OPERATOR OF MIAMI SEAQUARIUM TO RETIRE LOLITA, THE ENDANGERED ORCA WHALE, FROM HER SMALL TANK AT MIAMI SEAQUARIUM, AND MOVE HER TO A SEA PEN IN THE PACIFIC NORTHWEST AS SOON AS POSSIBLE; AND DIRECT THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO FERNANDO EIROA, PRESIDENT AND CEO OF PARQUES REUNIDOS SERVICIOS CENTRALES, S.A. EXPRESSING OUR CONCERN FOR THE FUTURE HEALTH, SAFETY, AND WELFARE OF THE ENDANGERED ORCA LOLITA.

WHEREAS, killer whales, also known as orca whales, are traditionally important to the Lummi Nation, a Native American tribe in western Washington State; and

WHEREAS, the orca whale, "Lolita," was captured from Penn Cove, Puget Sound, Washington on August 8, 1970 and sold to the Miami Seaquarium for \$20,000. In 2014, Miami Seaquarium was sold to Palace Entertainment, a subsidiary of Parques Reunidos Servicios Centrales, S.A.; and

WHEREAS, Lolita is now 20 feet in length, weighs 8,000 pounds, and has lived for over four decades in a concrete tank measuring only 80 feet across at its widest point – just four times her body length – and only 20 feet in depth at its deepest point; and

WHEREAS, during Hurricane Irma, Lolita was exposed to potential hurricane-force winds. If Hurricane Irma had traveled along a forecasted path along the eastern Florida coast, the resulting damage could have led to Lolita's injury; and

WHEREAS, Parques Reuindos Servicios Centrales, S.A., should work with a group of experienced experts to transport, rehabilitate, and retire Lolita safely to Eastsound, Orcas Island in Washington State for rehabilitation in a sea pen in her natural environment; and

WHEREAS, on August 1, 2017, the Lummi Nation passed the following motion regarding Lolita, also known as *Tokitae*: "The Lummi Nation honors our connection to the Killer Whater (*qw'e lf' ol me chen*) as a culturally significant species and supports the work of the Lummi Nation's Sovereignty and Treaty Protection Office in its efforts to bring the Killer Whale *Tokitae* home to her family as soon as possible"; and

WHEREAS, the future health, safety, and welfare of the endangered orca Lolita is a matter of great concern to the City of Orange City and to all who care about our endangered species and their humane treatment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA that the City Council of the City of Orange City hereby urge Parques Reunidos Servicios Centrales, S.A. to retire Lolita, the endangered orca whale, from her small tank at Miami Seaquarium and move her to a sea pen in the Pacific Northwest as soon as possible; and direct the City Clerk to transmit a copy of this resolution to Fernando Eiroa, President and CEO of Parques Reunidos Servicios Centrales, S.A.

PASSED and ADOPTED this _____ day of _____, 2017.

ROLL CALL VOTE AS FOLLOWS (Resolution No. 886-17-YR):

_____	Jim Mahoney	Anthony Pupello	_____
_____	Bill O'Connor	Evelyn Robinson	_____
_____	Jeff Allebach	O. William Crippen, Vice Mayor	_____
_____	Gary A. Blair, Mayor		

ATTEST:

AUTHENTICATED:

Gloria J. Thomas, CMC, City Clerk

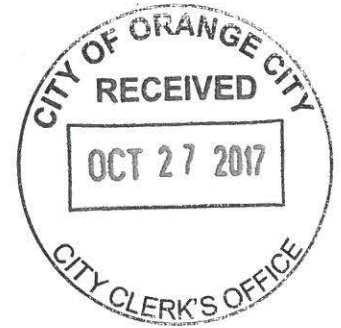
Gary A. Blair, Mayor

Approved as to form and legal sufficiency:

William E. Reischmann, Jr., City Attorney



PHILIP LEVINE
MAYOR



October 23, 2017

The Honorable Mayor Gary A. Blair
City of Orange City
205 E. Graves Avenue
Orange City, FL 32763

Dear Mayor Blair,

For the past forty-seven years, the endangered orca whale Lolita, measuring 20 feet in length and weighing 8,000 pounds, has been confined to a substandard tank at Miami Seaquarium, measuring only 80 feet in length at its widest point, and 20 feet in depth at its deepest point. The tank appears to violate the plain language of the federal Animal Welfare Act's minimum size requirement, and a recent report by the U.S. Department of Agriculture's Office of the Inspector General concluded that Lolita's tank "may not meet all space requirements defined by the agency's [Animal Welfare Act] regulations." During Hurricane Irma, the orca's tank was left both uncovered and exposed to hurricane-force winds and potential structural collapse.

It is now clear that the Miami Seaquarium is both an inhumane and unsafe place for Lolita.

On October 18, 2017, Miami Beach passed the attached Resolution urging Palace Entertainment, a subsidiary of Parques Reunidos Servicios Centrales, the owner and operator of Miami Seaquarium, to retire Lolita from her small tank at the Miami Seaquarium, and move her to a sea pen in the Pacific Northwest as soon as possible.

Mayors and council members from cities and counties across the state of Florida are coming together to request the return of Lolita to her home and family. I urge Orange City to adopt a similar resolution and letter to Fernando Eiroa, President and CEO of Parques Reunidos Servicios Centrales, S.A., expressing your concern for the future health, safety, and welfare of the endangered orca Lolita.

CITY OF MIAMI BEACH

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PHILIP LEVINE
MAYOR

Parques Reunidos Servicios Centrales should work with a group of experienced experts to transport, rehabilitate, and retire Lolita safely to her home in Eastsound, Orcas Island in Washington State in a sea pen in her natural environment.

Mahatma Gandhi once said, "The greatness of a nation and its moral progress can be judged by the way its animals are treated."

The future health, safety, and welfare of the endangered orca Lolita is a matter of great concern to the City of Miami Beach and to all who care about our endangered species and their humane treatment. Please join the City of Miami Beach in making it clear that our communities in Florida will not stand for Lolita's continued stay in a tiny concrete tank, and set an example for other marine parks around the world to follow. Lolita has entertained generations of visitors in Florida. Now, it is time to retire Lolita to a natural and healthier habitat in the Pacific Northwest.

Sincerely,

Mayor Philip Levine,
City of Miami Beach
Attachment: City of Miami Beach Resolution & Letter