



City of North Port

RESOLUTION NO. 2017-R-41

A RESOLUTION OF THE CITY OF NORTH PORT, FLORIDA, URGING PARQUES REUNIDOS SERVICIOS CENTRALES, S.A., THE OWNER AND OPERATOR OF MIAMI SEAQUARIUM, TO RETIRE LOLITA, THE ENDANGERED ORCA WHALE, AS SOON AS POSSIBLE FROM HER SMALL TANK AT THE MIAMI SEAQUARIUM, AND TO WORK WITH A GROUP OF EXPERIENCED EXPERTS TO TRANSPORT, REHABILITATE, AND RETIRE LOLITA SAFELY TO EASTSOUND, ORCAS ISLAND, IN WASHINGTON STATE, TO LIVE OUT THE REST OF HER LIFE IN A SEA PEN LOCATED IN HER NATURAL ENVIRONMENT; INCORPORATING RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, on August 8, 1970, the orca whale, “Lolita,” was captured from Penn Cove, Puget Sound, Washington State, and then sold to the Miami Seaquarium for \$20,000, and relocated to the Seaquarium’s facility in Miami, Florida; and

WHEREAS, in 2014, the Miami Seaquarium was sold to Palace Entertainment, a subsidiary of Parques Reunido Servicios Centrales, S.A.; and

WHEREAS, Lolita measures 20 feet in length, weighs 8,000 pounds, and has lived the last four decades of her life 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 potentially exposed to hurricane-force winds; and

WHEREAS, if Hurricane Irma had traveled the forecasted path along the eastern Florida coast, the resulting damage may have led to injury or death to Lolita; and

WHEREAS, Parques Reunidos 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, to live out the rest of her life in a sea pen located in her natural environment; and

WHEREAS, on August 1, 2017, the Lummi Indian Nation passed the following motion regarding Lolita, also known as Tokitae: “The Lummi Nation honors our connection to the killer whale 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 whale Lolita is a matter of great concern to the City of North Port and to all who care about our endangered species and their humane treatment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:

SECTION 1 – INCORPORATION OF RECITALS

The above recitals are hereby ratified and confirmed as being true and correct and are incorporated herein by reference.

SECTION 2 – RESOLUTION

The City Commission of the City of North Port, Florida, urges Parques Reunidos Servicios Centrales, S.A., to retire the endangered orca whale Lolita, from her small tank at the Miami Seaquarium, and to work with a group of experienced experts to transport and rehabilitate Lolita safely to Eastsound, Orcas Island, in Washington State, to live out the rest of her life in a sea pen located in her natural environment.

SECTION 3 – CONFLICTS

In the event of any conflict between the provisions of this Resolution and any other Resolution or portions thereof, the provisions of this Resolution shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY

If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

SECTION 5 – EFFECTIVE DATE

This Resolution shall take effect immediately after adoption by the City Commission of the City of North Port, Florida.

PASSED and DULY ADOPTED by the City Commission of the City of North Port this _____ day of _____, 2017.

CITY OF NORTH PORT, FLORIDA

VANESSA CARUSONE
MAYOR

ATTEST:

PATSY C. ADKINS, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

AMBER L. SLAYTON
CITY ATTORNEY