

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DECLARING IT TO BE THE POLICY OF THE CITY TO ESTABLISH AND MAINTAIN NMB WATER AS A REGIONAL PROVIDER OF WATER AND SEWER SERVICES; EXPRESSING THE CITY'S INTENT TO CONSIDER REQUESTS FOR SERVICE AREA EXPANSIONS FROM PUBLIC OR PRIVATE UTILITIES; AUTHORIZING THE CITY MANAGER TO RECEIVE SUCH REQUESTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach owns and operates a water and sewer utility known as NMB Water, which provides high-quality utility services to a large and diverse customer base across multiple municipalities and unincorporated areas; and

WHEREAS, NMB Water has developed and maintained reliable water and sewer systems capable of supporting expanded service areas in accordance with industry standards and regulatory requirements; and

WHEREAS, the Mayor and City Commission of the City of North Miami Beach support a collaborative and fiscally responsible approach to evaluating potential service area expansions when such actions may reduce intergovernmental tensions, allow for strategic investment, and maintain the financial health of the utility; and

WHEREAS, the City seeks to ensure that any service expansion preserves NMB Water's long-term operational viability and safeguards its critical assets and production infrastructure;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, THAT:

Section 1. Recitals. The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Resolution; all exhibits attached hereto are made a specific part of this Resolution.

Section 2. Policy Declaration. It is hereby declared to be the policy of the City of North Miami Beach to consider and evaluate requests for the expansion of NMB Water and Sewer service area as a means to promote regional water utility cooperation, enhance public health and welfare, and ensure reliable service delivery throughout the region.

Section 3. Consideration of Requests for Service Area Expansion. Public or private utilities or other governmental entities may submit written requests to the City Manager for the expansion of NMB Water and Sewer service areas. Upon receipt of such a request, NMB staff, shall evaluate the request and recommend to the City Commission whether the proposed expansion is technically feasible, operationally sound, and in the best interest of the City and the

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utility's ratepayers.

Section 4. Evaluation Factors. In making determinations regarding service area expansion, NMB staff shall consider, at a minimum, the following factors:

1. Location and size of the proposed service area.
2. Type and intensity of existing and proposed development.
3. Proximity to and capacity of existing NMB Water infrastructure.
4. Construction costs and technical requirements for service connection.
5. A formal, independent report analyzing the long-term operational impacts, financial implications (including cost-benefit analysis and ratepayer impact), and customer service considerations associated with the proposed expansion.
6. Public health, safety, and environmental factors.

Section 5. Conditions of Service. Any agreement to provide water service outside the City's existing boundaries shall be subject to NMB Water's engineering standards, regulatory approvals, and applicable rate structures. All infrastructure proposed by the requesting party must meet the design and construction standards of NMB Water and shall be subject to review and approval by the utility.

Section 6. Implementation. The City Manager is hereby authorized to develop and publish administrative procedures to implement the provisions of this resolution and to engage with potential partners in good faith to explore opportunities for regional utility collaboration.

Section 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **15th day of April 2025**.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE CITY OF NORTH MIAMI BEACH ONLY:

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GREENSPOON MARDER LLP
CITY ATTORNEY

Sponsored by: Mayor & Commission

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