

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO INITIATE AND NEGOTIATE THE TRANSFER OR ASSUMPTION OF SERVICE RESPONSIBILITY OF NMB WATER CUSTOMER TO THE MIAMI-DADE WATER AND SEWER DEPARTMENT, SUBJECT TO THE FAIR VALUATION AND COMPENSATION OF INFRASTRUCTURE ASSETS, POTENTIAL RECIPROCAL TRANSFER OF SERVICE ACCOUNTS, AND RETENTION OF WATER PRODUCTION FACILITIES BY NMB WATER; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, NMB Water currently provides potable water service to customer accounts within the City of Miami Gardens, Aventura, Sunny Isles, Golden Beach and Unincorporated Miami-Dade County as part of its broader regional service area; and

WHEREAS, the Mayor and City Commission of the City of North Miami Beach support a collaborative and fiscally responsible approach to evaluating potential transfers of service areas 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 transfer 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. Authorization to Initiate and Negotiate. The City Manager is hereby authorized to initiate discussions and negotiate in good faith with Miami-Dade County to explore opportunities for utility collaboration regarding the potential transfer or assumption of service responsibility for NMB Water and Sewer customer accounts.

Section 3. Consider of Transfer. Any proposed transfer shall be contingent upon:

1. A fair and independent valuation of all NMB Water infrastructure assets serving the affected accounts.
2. Compensation to the City of North Miami Beach based on the agreed-upon asset values.
3. Consideration of a reciprocal exchange of service areas or customer accounts where beneficial to the long-term interests of NMB Water and its ratepayers.

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4. The continued ownership and operational control of the NMB Water Plant and wellfields by the City of North Miami Beach.
5. Approval by the North Miami Beach City Commission through a formal agreement.
6. Engagement with and consideration of all affected institutional stakeholders, such as the relevant municipal governing body, departments, and regional partners, to ensure a transparent and equitable transition process.

Section 4. Reporting to the City Commission. The City Manager shall provide regular updates to the Mayor and City Commission regarding the status of negotiations and bring forward any proposed agreement for formal review and approval.

Section 5. 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 6. 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:

GREENSPOON MARDER LLP
CITY ATTORNEY

Sponsored by: Mayor & Commission

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