

RESOLUTION NO. 2025-XX

RESOLUTION DIRECTING THE CITY OF NORTH MIAMI BEACH WATER DEPARTMENT TO DISCONTINUE ADDING FLUORIDE TO THE CITY'S WATER SUPPLY AS EXPEDITIOUSLY AS POSSIBLE BUT NOT LATER THAN 30 DAYS; AND DIRECTING THE CITY MANAGER OR CITY MANAGER'S DESIGNEE TO ADVISE CUSTOMERS OF THE CITY OF NORTH MIAMI BEACH WATER DEPARTMENT THAT FLUORIDE IS BEING REMOVED FROM THE CITY'S DRINKING WATER THROUGH: (1) INCLUSION OF A MESSAGE ON WATER BILLS FOR TWO BILLING CYCLES, (2) PLACEMENT OF A MESSAGE ON THE CITY OF NORTH MIAMI BEACH'S WATER DEPARTMENT WEBSITE, AND (3) IF CONTRACTUALLY REQUIRED, SENDING NOTICE TO THE CITY'S WHOLESALE CUSTOMERS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach Water Department ("NMB Water") provides drinking water to its retail and wholesale customers; and

WHEREAS, raw water has a natural fluoride level of approximately 0.2 parts per million ("ppm"); and

WHEREAS, the practice of adding additional fluoride to water, known as community water fluoridation, dates back to 1945, prior to the mass market availability of dental hygiene products containing fluoride, such as toothpaste and mouthwash; and

WHEREAS, in 1956, the world's first fluoride toothpaste, Crest, began to be sold to the public in the United States; and

WHEREAS, in 2015, EPA lowered its recommended level for fluoride in drinking water to 0.7 ppm; and

WHEREAS, on its website, the American Dental Association ("ADA") "endorses the fluoridation of community water supplies as safe, effective and necessary in preventing tooth decay" and "advocates for the fluoridation of public water supplies as an effective way to prevent tooth decay and promote oral health"; and

WHEREAS, the ADA recommends community water fluoridation at a level of 0.7 ppm; and

WHEREAS, on its website, the American Academy of Pediatrics (“AAP”) “continues to recommend children use age-appropriate amounts of fluoride toothpaste and drink optimally fluoridated water to protect their teeth; and

WHEREAS, The City of North Miami Beach spends approximately \$55,540 per year on the fluorosilicic acid that is used in the fluoridation process for the City’s water supply; and

WHEREAS, The City of North Miami Beach spends approximately \$40,000.00 per year on maintenance and repair costs for the fluoride injections system at the City’s plants; and

WHEREAS, Rule 62-555.325(2)(e) of the Florida Administrative Code requires that “[a]t each drinking water treatment plant with fluoridation facilities, the supplier of water shall provide appropriate safety or protective equipment”; and

WHEREAS, some residents and citizens in the City as well as other parts of the world have expressed concerns about the safety of adding fluoride to the water supply; and

WHEREAS, in September 2024, a judge sitting in the United States District Court for the Northern District of California issued a Findings of Fact and Conclusions of Law in Food & Water Watch, Inc. v. United States Environmental Protection Agency, Case No. 17-cv-02162-EMC, that held that the plaintiffs in the case had proven by a preponderance of the evidence that water fluoridation at the level of 0.7 ppm presents “an unreasonable risk of injury to health or the environment, without consideration of costs or other non-risk factors” and ordered EPA to initiate a rulemaking under the Amended Toxic Substances Control Act regarding regulation of fluoride in drinking water; and

WHEREAS, on November 22, 2024, State of Florida Surgeon General Dr. Joseph A. Ladapo (the “Florida Surgeon General”) released a document entitled “Guidance for Community Water Fluoridation” (the “Guidance”), which cites to several studies that have been conducted in the United States, Mexico and Canada involving fluoride exposure to vulnerable populations; and

WHEREAS, the Florida Surgeon General has recommended that, due to the purported neuropsychiatric risk associated with fluoride exposure and the wide availability of alternative sources of fluoride for dental health, water systems not fluoridate their community water supplies; and

WHEREAS, pursuant to section 381.026, Florida Statutes, the Florida Patient’s Bill of Rights and Responsibilities, prior to receiving medical treatment, an individual must be provided with the right to informed consent, a risk/benefit analysis and the right to refuse medical treatment; and

WHEREAS, to the extent there is concern that, if fluoride is removed from the drinking water in the City, certain residents may not have access to other forms of fluoridated dental products and may, therefore, suffer from tooth decay and other dental health problems, the following no-cost and low-cost dental health services are available to residents through the County of Miami Dade programs: Seals on Wheels Dental Program, Community Smiles, Jessie Trice Community Health System, and Community Health of South Florida, Inc; and

WHEREAS, in the last year and a half, a number of Florida cities and counties have voted to discontinue adding fluoride to their water supplies; and

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

Section 1. The City Commission approves the foregoing recitals, which are incorporated herein by reference.

Section 2. This City Commission directs the City of North Miami Beach Water Department to discontinue adding fluoride to the City's water supply as expeditiously as possible but not later than 30 days.

Section 3. This City Commission directs the City Manager or City Manager's designee to advise customers of the City of North Miami Beach Water Department that fluoride is being removed from the City's drinking water by: (1) including a message on or with water bills for two billing cycles, (2) placing a message on the City of North Miami Beach's Water Department's website, and (3) if contractually required, sending notice to the City's wholesale customers.

Section 4. This resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this ____ 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

By: _____
JOSEPH S. GELLER
CITY ATTORNEYS