

RESOLUTION NO. 2023-R-85

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH MIAMI, FLORIDA,
AUTHORIZING THE CITY ATTORNEY TO TAKE ALL
LEGAL ACTION NECESSARY, INCLUDING INITIATING
ANY AND ALL LITIGATION, IN LAW OR IN EQUITY, TO
COLLECT OUTSTANDING BALANCES ON THE PAST
DUE UTILITY ACCOUNTS LISTED ON EXHIBIT "A";
PROVIDING FOR AN EFFECTIVE DATE AND ALL
OTHER PURPOSES.**

WHEREAS, the City of North Miami ("City") has 10,168 delinquent water sewer, and stormwater accounts in the amount of \$13,160,932 remaining unpaid; and

WHEREAS, it is imperative that the City take action to recover these outstanding debts as part of City Administration's mission to stabilize the City's finances; and

WHEREAS, the City has identified several multi-family utility accounts, as specified in Exhibit "A", with substantial past due balances owed to the City which it has prioritized for collections proceedings; and

WHEREAS, Section 19-56 of the Code of Ordinances provides that the City may discontinue water service to delinquent accounts; and

WHEREAS, in addition to this remedy, City Administration is requesting authorization to pursue litigation for past due balances owed to the City for water and sewer services; and

WHEREAS, it is recommended that the Mayor and City Council authorize the City Attorney to initiate litigation, up to and including foreclosure, to recover past due balances from the accounts listed on Exhibit "A"; and

WHEREAS, the Mayor and City Council, after being fully advised, have determined that it is in the best interest of the City and its residents to proceed to litigation against the recommended parcels of property.

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

Section 1. Authorization of the City Attorney. The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Attorney to initiate litigation for recovery of past due water and sewer utility accounts listed on Exhibit "A".

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 23rd day of May, 2023.



ALIX DESULME, Ed.D.
MAYOR

ATTEST :



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ATTORNEY

Moved by: Charles

Seconded by: Desulme

Vote:

Mayor Alix Desulme, Ed.D.	<u>X</u> (Yes) _____ (No) _____
Vice-Mayor Mary Estimé-Irvin	<u>X</u> (Yes) _____ (No) _____
Councilman Scott Galvin	<u>X</u> (Yes) _____ (No) _____
Councilwoman Kassandra Timothe, MPA	<u>X</u> (Yes) _____ (No) _____
Councilman Pierre Frantz Charles	<u>X</u> (Yes) _____ (No) _____