

RESOLUTION NO. 2023-R-160

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPOINTING THE FERRARO LAW FIRM, P.A., AS OUTSIDE COUNSEL TO REPRESENT THE CITY OF NORTH MIAMI IN CONNECTION WITH THE PER- AND POLYFLUOROALKYL SUBSTANCES (“PFAS”) LITIGATION; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A RETAINER AGREEMENT WITH THE FERRARO LAW FIRM, P.A.; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, it is recommended that the City of North Miami (“City”) engage in litigation to recover costs and other damages associated with the discovery of per- and polyfluoroalkyl substances (“PFAS”) in Miami-Dade County; and

WHEREAS, the City Attorney has evaluated the viability of legal claims against PFAS manufacturers, distributors, and other culpable parties and has identified the Ferraro Law Firm, P.A. to serve as outside counsel for possible litigation related to recovering costs and other damages associated with the existence of PFAS in the City of North Miami and on a contingency fee basis with no cost to the City if the City does not prevail in litigation; and

WHEREAS, the Mayor and City Council have weighed the considerations and desires to appoint the Ferraro Law Firm, P.A., as Outside counsel to represent the City in connection with civil litigation to be promptly filed to pursue all available legal and equitable remedies in connection with the harm incurred by the City as a result of the unlawful, wrongful, deceptive, and fraudulent practices of PFAS manufacturers, which representation shall last through resolution of the lawsuit including through any and all appellate proceedings.

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


Section 1. **Appointment.** The Mayor and City Council of the City of North Miami, Florida, hereby appoint the Ferraro Law Firm, P.A. as Outside counsel to represent the City of North Miami in connection with civil litigation and to pursue all available legal and equitable

remedies in connection with the harm incurred by the City as a result of the unlawful, wrongful, deceptive, and fraudulent practices of PFAS manufacturers.


Section 2. **Authority of City Manager and City Attorney.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager and City Attorney to negotiate and execute an agreement between the City of North Miami and Ferraro Law Firm, P.A. for the retention of legal services.

Section 3. **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 26th day of September, 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: Galvin

Seconded by: Charles

Vote:

Mayor Alix Desulme, Ed.D.

X (Yes) _____ (No)

Vice-Mayor Mary Estimé-Irvin

X (Yes) _____ (No)

Councilman Scott Galvin

X (Yes) _____ (No)

Councilwoman Kassandra Timothe, MPA

X (Yes) _____ (No)

Councilman Pierre Frantz Charles, M.Ed.

X (Yes) _____ (No)