

RESOLUTION NO. R2026--

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, FORMALLY CENSURING MAYOR MICHAEL JOSEPH; MAKING LEGISLATIVE FINDINGS PURSUANT TO THE CITY CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of North Miami Beach operates under a Commission-Manager form of government pursuant to its Charter; and

WHEREAS, Section 2-79 of the City Charter vests administrative authority in the City Manager and prohibits elected officials from interfering with administrative services except through the City Manager; and

WHEREAS, Sections 3-4.1 and 3-4.12 of the City Charter and related procurement provisions require compliance with competitive procurement procedures and prohibit unauthorized purchases; and

WHEREAS, On January 20, 2026, the City Commission authorized an independent investigation into allegations of administrative interference, procurement irregularities, and potential Charter violations; and

WHEREAS, On February 16, 2026, ALGO Law Firm, LLP issued an Interim Investigative Report documenting sworn interviews, documentary evidence, and official records identifying credible allegations of conduct that, if substantiated, may constitute violations of the City Charter, procurement policies, and applicable ethics laws ; and

WHEREAS, The Interim Report references allegations including, but not limited to:

- Direct communications with vendors outside the administrative chain of command;**
- Structuring of procurements near threshold limits;**
- Engagement of vendors and lobbyists outside established competitive processes;**
- Alleged attempts to influence or alter official interview recordings;**
- Travel and P-card expenditures inconsistent with City policy; and**
- Allegations of intimidation or retaliatory conduct toward City staff;**

WHEREAS, The Interim Report concludes that the cumulative effect of these alleged practices places the City at substantial legal, financial, and ethical risk ; and

WHEREAS, The Mayor has been provided notice of this Resolution and afforded an opportunity to address the Commission prior to adoption; and

WHEREAS, The Commission has an independent obligation to safeguard public trust and to refer credible allegations of potential legal violations to appropriate oversight authorities for independent review;

RESOLUTION NO. R2026

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

Section 1. Legislative Findings.

The foregoing recitals are adopted as legislative findings. The Commission finds that the Interim Investigative Report presents credible allegations that warrant both institutional corrective action and independent review by external authorities.

Section 2. Formal Censure.

The City Commission hereby formally censures Mayor Michael Joseph for conduct alleged in the February 16, 2026 Interim Investigative Report that, if substantiated, constitutes:

- Improper interference with administrative authority under Charter § 2-79;
- Potential circumvention of procurement safeguards under Charter §§ 3-4.1 and 3-4.12;
- Conduct inconsistent with principles of transparency and public accountability; and
- Actions exposing the City to substantial legal and reputational risk.

This censure constitutes a formal legislative expression of disapproval and is not a judicial finding of guilt.

Section 3. Referral.

The Commission previously voted by Resolution no R2026-XX to refer the interim investigative report and related records to the Office of the Miami Dade State Attorney and to the Florida Commission on Ethics. That referral is not a finding of criminal or ethical violation but is made in furtherance of the City's obligation to ensure independent review by appropriate authorities.

Section 4. Preservation of Records.

The City Manager is directed to implement and maintain a litigation hold preserving all electronic communications, procurement records, travel documentation, and related materials pending completion of external reviews.

Section 5. Completion of Investigation and Audit.

The independent investigation shall be completed, and the City Manager is authorized to engage forensic procurement audit services to review vendor selection, lobbying expenditures, travel reimbursements, and P-card usage.

Section 6. No Removal from Office.

Nothing herein shall be construed as removal from office, which may occur only pursuant to lawful mechanisms including recall, suspension upon formal charges, or other processes provided by law.

Section 7. Severability.

If any section of this Resolution is determined invalid, the remaining provisions shall remain in full force and effect.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **26th day of March 2026**.

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: _____
CITY ATTORNEYS

Sponsored by: Commissioner Lynn Su