

RESOLUTION NO. 26-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, PURSUANT TO SECTION 2-202 OF THE CITY'S CODE OF ORDINANCES, ESTABLISHING PROPERTY DISPOSAL CRITERIA FOR THE DISPOSAL OF REAL PROPERTY OWNED BY THE CITY, ATTACHED HERETO AS EXHIBIT "A;" PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Sec. 2-202 of the City's Code of Ordinances provides for the sale of property in the City's possession, including "real property," which is defined to mean "land and buildings or structures affixed to lands, owned by the City;" and

WHEREAS, Sec. 2-202 of the City Code further defines "surplus real property" to mean "real property that is no longer needed for City purposes, as determined by the City Commission;" and

WHEREAS, the City Code provides for the disposal of surplus real property pursuant to the property disposal criteria established by resolution of the City Commission; and

WHEREAS, the City Commission seeks to ensure that there is a transparent, orderly, and competitive process for the disposal of real property owned by the City; and

WHEREAS, the City Commission of Cooper City finds that adopting real property disposal criteria, attached hereto as Exhibit "A," is in the best interests of the City's citizens and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA AS FOLLOWS:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution. All exhibits attached hereto are incorporated herein and expressly made a part of this Resolution.

Section 2: The City Commission of the City of Cooper City, in accordance with Sec. 2-202(d) of the City's Code of Ordinances, adopts and establishes the real property disposal criteria attached hereto as Exhibit "A" and incorporated herein; and

Section 3. The City Commission hereby authorizes and directs the appropriate City officials to take any and all action necessary to effectuate the intent of this resolution.

Section 4: All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 5: If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 6: This Resolution shall become effective immediately upon its passage and adoption.

THE REST OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.

PASSED AND ADOPTED this _____ day of _____, 2025.

JAMES CURRAN
Mayor

ATTEST:

TEDRA ALLEN
City Clerk

APPROVED AS TO LEGAL FORM:

OFFICE OF THE CITY ATTORNEY

ROLL CALL

Mayor Curran	_____
Commissioner Katzman	_____
Commissioner Mallozzi	_____
Commissioner Shrouder	_____
Commissioner Smith	_____

EXHIBIT "A"

Real Property Disposal Criteria

1. Purpose and Authority

These Real Property Disposal Criteria (“Criteria”) are established pursuant to Sec. 2-202(d) of the City’s Code of Ordinances to establish a transparent, orderly, and competitive process for the disposition of surplus real property owned by the City.

2. Declaration of Surplus Property

No real property shall be disposed of unless and until the City Commission, by resolution, determines that the property is surplus real property, as defined by Sec. 2-202 of the City Code, as may be amended from time to time.

3. Approved Methods of Disposal

Once declared surplus by the City Commission, real property may be disposed of using one (1) or more of the following methods, as determined by the City Manager to be in the best interest of the City:

- a. Sealed Competitive Bids - Disposal through a publicly advertised invitation to submit sealed bids, with award to the highest responsive and responsible bidder, subject to City Commission approval.
- b. Request for Proposals (RFP) - Disposal through a competitive solicitation evaluating proposals based on criteria established in the RFP, which may include purchase price, proposed use, development qualifications, public benefit, and consistency with City plans or policies.
- c. Other Competitive or Negotiated Disposition Process - Disposal through another competitive or negotiated process approved by the City Commission, including but not limited to negotiated sales, exchanges, or public-private partnerships, where such method is determined to better advance the City’s interests than sealed bids or an RFP.

The City Commission retains the right to reject any or all bids or proposals, to waive irregularities, and to re-solicit or terminate a disposition process at any time prior to final approval, subject to the terms and conditions of any pending purchase and sale agreement.

4. Public Notice

Reasonable public notice shall be provided prior to disposition of surplus real property, which may include advertisement on the City’s website, publication in a newspaper of general circulation, or other methods deemed appropriate by the City Manager or City Commission.

5. Consideration of Value and Public Interest

In disposing of surplus real property, the City may consider:

- a. Fair market value and financial return to the City;
- b. Long-term economic, redevelopment, or community benefits;
- c. Compatibility with surrounding land uses and adopted City plans;
- d. Any restrictions, covenants, or conditions to be placed on the conveyance;
- e. The overall public interest of the City and its residents.

The City Commission is not required to accept the highest monetary offer if it determines that another proposal better serves the City's public purpose.

6. Appraisals and Due Diligence

The City shall obtain at least one (1) appraisal, market analysis, or other due diligence prior to disposition.

7. Final Approval and Conveyance

All sale or other dispositions of surplus real property shall require final approval by the City Commission. Conveyance shall be by appropriate legal instrument approved by the City Attorney.