

**ORDINANCE NO. 26-11**

**AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF COOPER CITY AT ARTICLE V, ENTITLED “FINANCIAL PROCEDURES;” AND IN PARTICULAR AMENDING SECTION 5.15, ENTITLED “REQUIREMENTS FOR REFERENDUM AND EXPENDITURE OF PUBLIC FUNDS;” PROVIDING FOR THE ISSUANCE OF MUNICIPAL BONDS OR THE BORROWING OF FUNDS IN ACCORDANCE WITH THE REQUIREMENTS OF STATE LAW; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF COOPER CITY, ON THE NOVEMBER 3, 2026 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW;; PROVIDING FOR THE ADVERTISING OF THE REFERENDUM ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 166, Florida Statutes, as amended, provides for a methodology of Charter amendments supplementary to and not in conflict with the Charter of the City of Cooper City, Florida; and

**WHEREAS**, Chapter 166, Florida Statutes, as amended, provides that such an amendment may be submitted to a referendum vote by the City Commission of the City of Cooper City, Florida, in an ordinance format; and

**WHEREAS**, the City’s Charter Review Board convened pursuant to Section 7.02 of the City Charter and has recommended revisions to Section 5.15 of the City Charter related to the referendum requirements for the issuance of municipal bonds and the borrowing of funds by the City, as detailed in this ordinance; and

**WHEREAS**, the City Commission has held a public hearing in accordance with Florida law; and

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**WHEREAS**, the City Commission deems the proposed amendment to the City Charter, as detailed herein, to be in the best interests of the citizens and residents of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**Section 2.** Article IV of the City Charter, entitled "Administrative," shall be revised by amending Section 4.01, entitled "City Manager," of the Charter of the City of Cooper City, as set forth in Exhibit "A," attached hereto and incorporated herein.

**Section 3.** The Ballot Title shall be as follows:  
  
DEFERRING CITY BOND AND BORROWING REFERENDUM REQUIREMENTS TO FLORIDA LAW

**Section 4.** At the General Municipal Election on November 3, 2026, the following question shall be placed on the ballot for consideration by the qualified electors of the City of Cooper City, Florida, and shall read as follows:

Shall the Cooper City Charter be amended to eliminate its separate referendum requirement for City borrowing and bond issuance, recognizing that Florida law already establishes when voter approval is required for such financial activities?

This proposed Charter amendment will have no financial impact to the City.

YES  NO

**Section 5. Advertisement.** The City Clerk of the City of Cooper City is hereby authorized and directed to advertise the referendum election contemplated herein all in accordance

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with the Code of Ordinances of the City of Cooper City, Florida, as well as the State of Florida Election Code.

**Section 6.**     **Codification.** It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

**Section 7.**     **Severability.** If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

**Section 8.**     **Conflicts.** All Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**Section 9.**     **Effective Date.** This Ordinance shall take effect immediately upon its adoption.

**PASSED AND ADOPTED on First Reading this 10<sup>th</sup> day of March, 2026.**

**PASSED AND FINAL ADOPTION on Second Reading this 24<sup>th</sup> day of March, 2026.**

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JAMES CURRAN  
Mayor

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ATTEST:

\_\_\_\_\_  
TEDRA ALLEN  
City Clerk

**ROLL CALL**

Mayor Curran \_\_\_\_\_  
Commissioner Shrouder \_\_\_\_\_  
Commissioner Katzman \_\_\_\_\_  
Commissioner Mallozzi \_\_\_\_\_  
Commissioner Smith \_\_\_\_\_

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
JACOB G. HOROWITZ  
City Attorney

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**EXHIBIT "A"**

**CHARTER AMENDMENT**

**Section 5.15. - Requirements for referendum and expenditure of public funds.**

(1) The City of Cooper City ~~may borrow money, contract loans and issue bonds payable from ad valorem taxes and maturing more than twelve months after issue only to finance or refinance capital projects authorized by law and only when approved by a vote of the electors of the city.~~ The city shall have full power and authority to issue municipal bonds or to borrow funds for municipal purposes to the extent authorized by and subject to the limitations provided in the Constitution of the State of Florida, the Municipal Home Rule Law, other applicable statutes and this charter.

(2) Unless included in the adopted budget for a particular fiscal year, no capital project shall exceed five percent (5%) of the city operating budget of the general fund, as adopted at the beginning of the most recent fiscal year, unless approved by a vote of the electors of the city at a referendum election. This restriction shall not apply to expenditures from the city's enterprise funds, emergency expenditures, or expenditures for projects that were previously approved by the electorate in a prior fiscal year. For purposes of this section, "emergency" shall be as defined in F.S. § 252.34, as may be amended from time to time.

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# BUSINESS IMPACT ESTIMATE

3/24/2026 Meeting Date

**Ordinance Title: Ordinance 26-11**

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If any of the following exceptions to the Business Impact Estimate requirements apply, check the applicable box and leave the remainder of the form blank.

- The ordinance is required for compliance with federal or state law or regulation;
- The ordinance relates to the issuance or refinancing of debt;
- The ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the City;
- The ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
  - b. Sections 190.005 and 190.046, regarding community development districts;
  - c. Section 553.73, relating to the Florida Building Code; or

d. Section 633.202, relating to the Florida Fire Prevention Code.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):
2. Estimate the direct economic impact of the proposed ordinance on private, for-profit businesses in the City: \$
3. Estimate of direct compliance costs: \$
4. Any new charge or fee imposed by the proposed ordinance: \$
5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs. \$
6. Estimate of the number of businesses impacted by the proposed ordinance:

7. Additional Information: \_\_\_\_\_  
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