

RESOLUTION NO. 21-48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, RESCINDING RESOLUTION NO. 21-35, ADOPTED AUGUST 24, 2021; APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A WATER & SEWER DEVELOPER'S AGREEMENT WITH 5973 S.W. LLC FOR THE PROPERTY LOCATED AT 12701 STIRLING ROAD LOT 1, SOUTHWEST RANCHES, FLORIDA, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 24, 2021, the City Commission adopted Resolution No. 21-35, thereby approving a Water & Sewer Developer's Agreement (the "Agreement") for the property located at 12701 Stirling Road, Lot 1, Southwest Ranches, Florida; and

WHEREAS, the Agreement included a contribution in aid of construction payment to the City of \$3,837.00 for a 5/8" meter; and

WHEREAS, the applicant has requested that the City replace the 5/8" meter with a 1" meter and enter into a new agreement for a 1" meter service; and

WHEREAS, the City Commission seeks to rescind its approval of the Agreement pursuant to Resolution No. 21-35 and enter into a new agreement including a 1" meter, attached hereto as Exhibit "A."

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1: **Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed. All exhibits attached hereto and incorporated herein and made a part hereof.

Section 2: That Resolution No. 21-35, dated August 24, 2021, is hereby rescinded.

Section 3: That the Mayor and City Clerk be and hereby are authorized to execute the Water & Sewer Developer's Agreement between the City and 5973 S.W. LLC for the property

located at 12701 Stirling Road Lot 1, Southwest Ranches, Florida, a copy of which is attached hereto as Exhibit "A" and made a part hereof by this reference.

Section 4. Conflicts. All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 5. Severability. 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. Effective Date. This Resolution shall become effective upon its passage and adoption by the City Commission.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2021.

GREG ROSS
Mayor

ATTEST:

KATHRYN SIMS, CMC
City Clerk

ROLL CALL

Mayor Ross _____
Commissioner Green _____
Commissioner Meltzer _____
Commissioner Pulcini _____
Commissioner Shrouder _____

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney