

RESOLUTION NO. 26-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING A TEMPLATE TRAFFIC ENFORCEMENT AGREEMENT PURSUANT TO SECTION 316.006, F.S. ATTACHED AS EXHIBIT "A;" AUTHORIZING THE CITY MANAGER TO EXECUTE TRAFFIC ENFORCEMENT AGREEMENTS WITH QUALIFYING HOMEOWNERS' ASSOCIATIONS, CONDOMINIUM ASSOCIATIONS, PROPERTY OWNERS' ASSOCIATIONS, AND OTHER PRIVATE COMMUNITIES LOCATED WITHIN THE CITY IN SUBSTANTIALLY THE SAME FORM; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 316.006, Florida Statutes, authorizes municipalities to exercise traffic control jurisdiction over private roads and streets, under certain conditions, upon entering into an appropriate agreement with the owner or controlling entity of such roads; and

WHEREAS, the City Commission finds that numerous private communities within the City desire municipal traffic enforcement services in order to promote the safety and welfare of residents and visitors; and

WHEREAS, the City Commission finds that establishing a standard Traffic Enforcement Agreement will promote consistency, administrative efficiency, and uniform enforcement of applicable traffic laws on eligible private roads within the City; and

WHEREAS, the Broward Sheriff's Office has approved the form Traffic Enforcement Agreement, attached hereto as Exhibit "A;" and

WHEREAS, the City Commission finds that individual agreements executed in substantially the approved form are administrative in nature and that delegating authority to the City Manager to approve and execute such agreements, subject to review and approval as to legal form by the City Attorney, will improve efficiency while preserving compliance with applicable law; and

WHEREAS, the City Commission finds that approval of this a template Traffic Enforcement Agreement and delegating authority to the City Manager to execute such agreements is in the best interests of the citizens and residents of the City.

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

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein as legislative findings.

Section 2. Approval of Form Agreement. The City Commission hereby approves the form Traffic Enforcement Agreement attached hereto as Exhibit "A" and incorporated herein by reference. The approved form may include such non-substantive, administrative, or technical modifications as may be approved by the City Attorney.

Section 3. Delegation of Authority. The City Manager is hereby authorized to review, approve, execute, and administer Traffic Enforcement Agreements with homeowners' associations, condominium associations, property owners' associations, community development districts, or other entities that own or control private roads within the City, provided that:

- (a) the agreement is in substantially the same form as the agreement approved by this Resolution;
- (b) the private roads satisfy the requirements of Section 316.006, Florida Statutes, and any other applicable provisions of state law;
- (c) the City Attorney approves each agreement as to legal form; and
- (d) the execution of the agreement does not materially increase the City's financial obligations beyond those contemplated by the approved form agreement unless separately approved by the City Commission.

Section 4. Implementation. The City Manager and City staff are authorized to take all actions necessary to implement the provisions of this Resolution and the approved Traffic Enforcement Agreements.

Section 5. Conflicts. All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 6. 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 7. Effective Date. This Resolution shall become effective upon its passage and adoption by the City Commission.

PASSED AND ADOPTED this ____ day of _____, 2026.

JAMES CURRAN
Mayor

ATTEST:

TEDRA ALLEN
City Clerk

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ, CITY ATTORNEY

ROLL CALL

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