



## CITY COMMISSION ORDINANCE/RESOLUTION

**TITLE:** Resolution 25-45 (Parks and Recreation)

**DATE:** July 22, 2025

**DESCRIPTION:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE ORIGINAL AGREEMENT BETWEEN THE CITY OF COOPER CITY, BROWARD COUNTY, AND THE MONTERRA COMMUNITY DEVELOPMENT DISTRICT FOR MAINTENANCE OF PINES ISLAND ROAD FROM STIRLING ROAD SOUTH TO SHERIDAN STREET; ATTACHED HERETO AS EXHIBIT “A” AND INCORPORATED HEREIN; AUTHORIZING AND DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**CITY MANAGER RECOMMENDATION:**

The City Manager recommends approving Resolution 25-45 and authorizing the execution of the first amendment to the original agreement between the City of Cooper City, Broward County, and the Monterra Community Development District (“CDD”).

**BACKGROUND OF ITEM:**

The City of Cooper City and the Monterra Community Development District (CDD) approved and executed the Original Agreement in 2007, with Broward County approving the agreement or about March 10, 2009. The Original Agreement was recorded on August 18, 2009, in Book 46461, Page 1689 of the Official Records of Broward County.

For several years, the City and the CDD have worked collaboratively to amend the median landscaping plan in a way that meets the City’s adopted codes but also brought a plan that was financially sustainable for the CDD to maintain. Under the terms of the Original Agreement, the City is obligated to maintain the Pine Island Road median if the Monterra CDD fails to do so. Historically, the Monterra CDD attempted to maintain the landscape at the Pine Island median, but the conditions of the landscape beds have deteriorated over the years and have caused many of the trees and landscaping species to have died.

As a result of these maintenance issues, the City brought the Monterra CDD before the Special Magistrate, where the CDD was found to be at fault for failing to maintain the landscape medians on Pine Island Road. This prompted both parties to pursue a long-term solution to address compliance concerns and ongoing maintenance challenges.

**ANALYSIS:**

To develop a landscape plan that meets both the aesthetics and maintenance objectives, the Monterra CDD engaged Miller Legg, a professional landscape architecture and engineering firm, to create a revised median landscaping plan for Pine Island Road between Stirling Road and Sheridan Street, as outlined in Attachment “ Exhibit A.”

The new plan aligns with the City’s Landscape Master Plan, reduces long term maintenance costs, improves roadway safety by minimizing sight obstructions and potential hazards, and enhances the overall appearance of one of the City’s major corridors.

City staff, the City Arborist and the CDD have collaborated extensively throughout this process, holding several meetings to ensure that the revised plan meets City codes, comply with applicable legal requirements, and provides an aesthetically pleasing and sustainable median landscape design.

Part of evaluating the agreement with the Monterra CDD, was looking at the enforceability that the City per the agreement. The City its authority to address situation if the CDD fails to comply with the maintenance requirements outlined in the amended agreement. The City may:

- Issue written notice of breach to the CDD, providing a 30-day period to cure the deficiency to the satisfaction of the City Manager.
- Assume direct responsibility for landscape maintenance, irrigation repairs and vegetation replacement if the CDD fails to cure the breach.
- Recover all cost incurred by the City in maintaining the medians, with payment due from the CDD within 30 days of invoicing.
- Optionally enter into a separate maintenance agreement with the CDD to take over these responsibilities either in whole or in part, creating a more streamlined and cost-effective approach to the maintenance of the median.

**STRATEGIC PLAN:**

This item supports the 2022-2027 Commission Strategic Plan, specifically advancing:

**Priority 4, Citywide Revitalization-** Revitalize and invest in enhancing physical appearance of targeted areas including the City’s major arteries and monument signs:

- **Objective 1:** Full Compliance with city codes
- **Objective 2:** Landscaping is rejuvenated and/or restored to original site development plans

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

If the City Commission chooses not to approve the resolution and the First Amendment to the agreement, the City, Broward County and the Monterra CDD will continue to operate under the terms of the Original Agreement approved in 2007. This means the existing median landscaping

plan, which does not reflect the City's standards outlined in the newly adopted Landscape Master Plan, design standards, or applicable codes will remain in effect. As a result, the City may face increased maintenance costs in the event the CDD defaults on the agreement, reduced aesthetic value along Pine Island Road and continue to have the compliance challenges we face today. Lastly, not adopting this amendment will limit the City's progress towards achieving the goals of the Strategic Plan to revitalize the and enhance the City's major corridors.

**ATTACHMENTS:**

1. Resolution 25-45
2. First Amendment to Agreement