

RESOLUTION NO. 26-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, AMENDING RESOLUTION NO. 26-24, ADOPTED APRIL 14, 2026, TO INCREASE THE AUTHORIZED CLEAN WATER STATE REVOLVING FUND (CWSRF) LOAN AMOUNT FROM \$7,420,000 TO \$8,904,000 FOR THE CONSTRUCTION OF THE COOPER CITY WASTEWATER TREATMENT PLANT NEW HEADWORKS FACILITY PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE LOAN AGREEMENT AND ANY NECESSARY AMENDMENTS; AUTHORIZING THE CITY MANAGER TO ACCEPT THE LOAN FUNDING AND TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 14, 2026, the City Commission of the City of Cooper City, Florida (the "City") adopted Resolution No. 26-24, authorizing the City Manager to pursue a Florida Department of Environmental Protection ("FDEP") Clean Water State Revolving Fund ("CWSRF") loan in the amount of \$7,420,000, based on the estimated construction cost at that time, for the Cooper City Wastewater Treatment Plant ("WWTP") New Headworks Facility Project (the "Project"); and

WHEREAS, on June 9, 2026, the City Commission adopted Resolution No. 26-30, formally adopting the City of Cooper City Wastewater Treatment Plant New Headworks Facility Plan, as required for participation in the FDEP State Revolving Fund ("SRF") Program, and designating the City Manager as the authorized representative for all purposes under the SRF Program; and

WHEREAS, on August 12, 2026, FDEP recommended the Project for the CWSRF Priority List, and submission of a CWSRF loan application is the next step in the FDEP process; and

WHEREAS, upon completion of the design phase, the post-design estimated total Project cost, including civil/site work, mechanical, electrical, permits, contingency, and construction

engineering and inspection, was set at \$8,904,000, which exceeds the originally authorized loan amount of \$7,420,000; and

WHEREAS, the Project is identified as a priority in the 2024 Cooper City Water and Wastewater Master Plan and will construct a dedicated headworks facility at the WWTP to increase system resilience, improve operational efficiency, and enhance the City's ability to manage storm-related inflow and infiltration; and

WHEREAS, the City was awarded a U.S. Environmental Protection Agency FY2026 Community Project Funding Grant of \$1,092,000 for the Project, which will be applied to potential increases in construction costs; and

WHEREAS, the loan is expected to bear a fixed interest rate of approximately three percent (3%), to be repaid over a twenty (20) year term from Utility Fund revenues, including water and sewer rates, fees, and charges, with no ad valorem revenues pledged, committed, or used to repay the loan; and

WHEREAS, the City Commission finds that amending Resolution No. 26-24 to align the authorized loan amount with the post-design cost estimate is necessary to ensure the City retains full access to CWSRF financing for the entire scope of the Project and is in the best interest of the health, safety, and welfare of the City and its residents.

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

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Amendment of Resolution No. 26-24. Resolution No. 26-24 is hereby amended to increase the authorized CWSRF loan amount for the Project from \$7,420,000 to \$8,904,000. Except as expressly amended herein, Resolution No. 26-24 remains in full force and effect.

Section 3. Authorization to Execute Loan Agreement. If the loan is awarded, the City Manager, as the City's authorized representative under the SRF Program, is authorized to execute the CWSRF loan agreement in an amount not to exceed \$8,904,000, together with any necessary amendments thereto, in a form approved by the City Attorney.

Section 4. Authorization to Accept Funding and Implement. The City Manager is authorized to accept the loan funding and to take any and all actions necessary to effectuate the intent of this Resolution and to implement the terms and conditions of the CWSRF Program.

Section 5. Source of Repayment. The loan shall be repaid from Utility Fund revenues, including water and sewer rates, fees, and charges. No ad valorem tax revenues shall be pledged, committed, or used to repay the loan.

Section 6. Conflicts. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 7. Severability. If any section, provision, or portion of this Resolution is held invalid or unenforceable, such holding shall not affect the remaining provisions, which shall continue in full force and effect.

Section 8. Effective Date. This Resolution shall take effect immediately upon its adoption.

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PASSED AND ADOPTED THIS 13th DAY OF OCTOBER, A.D., 2026.

JAMES CURRAN
Mayor

ATTEST:

TEDRA ALLEN, MMC
City Clerk

ROLL CALL

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

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney