

ORDINANCE NO. 26-13

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 REPEALING SECTION 5.13, ENTITLED “REQUIREMENTS FOR PUBLIC BIDDING,” SECTION 5.14, ENTITLED “COMMISSION ACTION PUBLIC BIDDING,” AND SECTION 5.16, ENTITLED “EXPENDITURE FOR PROFESSIONAL SERVICES;” DELETING THE PROCUREMENT PROVISIONS FROM THE CITY CHARTER AND REQUIRING THE CITY COMMISSION TO ADOPT, BY ORDINANCE, A PROCUREMENT CODE FOR THE CITY OF COOPER CITY; PROVIDING FOR CONSISTENCY WITH 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 repealing Section 5.13, Section 5.14 and Section 5.16 of the City Charter related to public and competitive bidding, as detailed in this ordinance; and

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

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 V of the Town Charter, entitled "Financial Procedures," shall be revised by repealing Section 5.13, entitled "Requirements for Public Bidding," Section 5.14, entitled "Commission Action Public Bidding," and Section 5.16, entitled "Expenditure for Professional Services," 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:

REQUIREMENTS RELATED TO PURCHASE OF GOODS AND SERVICES

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 remove the provisions of the City

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Charter related to purchases of goods and services and to require the City Commission to establish, by ordinance, a procurement code which ensures the fair and competitive purchase of goods and services by the City in accordance with the requirements of state law?

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 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.

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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 _____ day of _____, 2026.

PASSED AND FINAL ADOPTION on Second Reading this __ day of _____, 2026.

JAMES CURRAN
Mayor

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 5.13. - Requirements for public bidding.

The city commission shall adopt an ordinance establishing a Procurement Code which ensures the fair and competitive purchase of goods and services by the city.

~~All purchases on behalf of the city, including, but not limited to, supplies, capital equipment, non capital equipment, rental of space, repairs, improvements, and construction of capital improvements, other than printing of ballots and legal advertising, involving dollar values in excess of \$20,000.00 shall be procured through competitive bidding. Published notice covering each such intended procurement shall appear on a publicly accessible website authorized by general law or in at least one daily newspaper of general circulation within the city once at least ten days prior to the bid opening date. Each invitation for bid shall contain an acceptance clause granting the city a minimum of 30 days for bid acceptance, during which time the tendered bid shall remain valid. In the event of a declared emergency, the city commission may waive the requirements as to competitive bidding and advertisement. The city commission shall have the option to waive the requirements as to competitive bidding and advertising if purchase can be made from a State or Broward County Contract, or contracts involving any governmental agency within the State of Florida.~~

~~**Section 5.14. - Commission action public bidding.**~~

~~When public competitive bidding is required, the commission shall award the contract to the lowest fully responsive and responsible bidder, provided however that the commission shall have the right to reject all bids received; and contract for the supplies and services as delineated by the terms of the Invitation for Bid. The commission may require such bidder to provide a legally binding faithful performance bond.~~

~~The necessary documentation shall be approved by the city attorney prior to the execution of such documents.~~

~~**Section 5.16. - Expenditure for professional services.**~~

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~~Contracts for the services of professionals, including but not limited to architects, engineers and attorneys, may, with the approval of the commission, be entered into without public competitive bidding. Qualifications, work history, and other relevant data shall be reviewed before entering into such contracts.~~

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