

**ORDINANCE NO. 26-11**

**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 AMENDING SECTION 5.15, ENTITLED “REQUIREMENTS FOR REFERENDUM AND EXPENDITURE OF PUBLIC FUNDS;” PROVIDING FOR THE ISSUANCE OF MUNICIPAL BONDS OR THE BORROWING OF FUNDS IN ACCORDANCE WITH THE REQUIREMENTS OF 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 revisions to Section 5.15 of the City Charter related to the referendum requirements for the issuance of municipal bonds and the borrowing of funds by the City, 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 IV of the Town Charter, entitled "Administrative," shall be revised by amending Section 4.01, entitled "City Manager," 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 FOR REFERENDUM; ISSUANCE OF MUNICIPAL BONDS AND BORROWING OF FUNDS

**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 require a referendum for the issuance of municipal bonds or the borrowing of funds in accordance with the requirements of state law, rather than require a referendum each time the City seeks to borrow money, contract loans or issue bonds payable from ad valorem taxes and maturing more than twelve months after issue and only to finance or refinance capital projects?

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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.

**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.

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**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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**ORDINANCE NO. 26-11**

**EXHIBIT "A"**

**CHARTER AMENDMENT**

**Section 5.15. - Requirements for referendum and expenditure of public funds.**

(1) The City of Cooper City ~~may borrow money, contract loans and issue bonds payable from ad valorem taxes and maturing more than twelve months after issue only to finance or refinance capital projects authorized by law and only when approved by a vote of the electors of the city.~~ The city shall have full power and authority to issue municipal bonds or to borrow funds for municipal purposes to the extent authorized by and subject to the limitations provided in the Constitution of the State of Florida, the Municipal Home Rule Law, other applicable statutes and this charter.

(2) Unless included in the adopted budget for a particular fiscal year, no capital project shall exceed five percent (5%) of the city operating budget of the general fund, as adopted at the beginning of the most recent fiscal year, unless approved by a vote of the electors of the city at a referendum election. This restriction shall not apply to expenditures from the city's enterprise funds, emergency expenditures, or expenditures for projects that were previously approved by the electorate in a prior fiscal year. For purposes of this section, "emergency" shall be as defined in F.S. § 252.34, as may be amended from time to time.

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