

**RESOLUTION NO. 25-74**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE PROJECT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF COOPER CITY AND ENERGY SYSTEMS GROUP, LLC, ATTACHED HERETO AS EXHIBIT “A,” IN ACCORDANCE WITH SECTION 2-258(i) OF THE CITY’S CODE OF ORDINANCES; AUTHORIZING AND DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on or about June 17, 2022, the City of Cooper City (the “City”) and Energy Systems Group, LLC (“ESG”) entered into a project development agreement pursuant to RFQ 2021-1-UTL (the “Original Agreement”); and

**WHEREAS**, the Original Agreement was terminated by the City; however, during its performance of the Original Agreement, ESG conducted and completed a preliminary analysis of energy savings opportunities for the City; and

**WHEREAS**, the City did not tender any payment to ESG for services rendered under the Original Agreement; and

**WHEREAS**, the City’s professional staff continues to be interested in energy efficiency initiatives, and recommends reengaging ESG under a new performance development agreement and allowing ESG to continue with their efforts to provide the City with energy savings opportunities; and

**WHEREAS**, given ESG’s prior involvement with the City, ESG is uniquely situated to provide the City with a timely analysis and recommendations for energy savings opportunities; and

**WHEREAS**, the City’s professional staff recommends waiving further competitive procurement and reengaging ESG in accordance with Sec. 2-258(i) of the City’s Code of Ordinances; and

**WHEREAS**, the City Commission finds that engaging ESG pursuant to 2-258(i) of the City’s Code of Ordinances, waiving further competitive procurement, and entering into a new project development agreement with ESG 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, THAT:**

**Section 1.** The foregoing “WHEREAS” clause is hereby ratified and confirmed as being true and correct and is hereby made a specific part of this Resolution. All exhibits attached hereto are incorporated herein and made a part hereof.

**Section 2.** The City Commission of the City of Cooper City, Florida hereby approves and authorizes the execution of the Project Development Agreement between the City and Energy Systems Group, LLC, attached hereto as Exhibit “A,” in accordance with Section 2-258(i) of the City’s Code of Ordinances. The appropriate city officials are authorized and directed to take any and all action necessary to effectuate the intent of this resolution.

**Section 3.** All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

**Section 4.** 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 5.** This Resolution shall become effective immediately upon its passage and

adoption.

**PASSED AND ADOPTED** this 10<sup>th</sup> day of March, 2026.

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JAMES CURRAN  
Mayor

ATTEST:

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TEDRA ALLEN  
City Clerk

APPROVED AS TO LEGAL FORM:

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JACOB G. HOROWITZ  
City Attorney

**ROLL CALL**

Mayor Curran \_\_\_\_\_  
Commissioner Shrouder \_\_\_\_\_  
Commissioner Katzman \_\_\_\_\_  
Commissioner Mallozzi \_\_\_\_\_  
Commissioner Smith \_\_\_\_\_