

By Representative Goodlette

1 A bill to be entitled
2 An act relating to Collier Mosquito Control
3 District, an independent special tax district
4 in Collier County, Florida; ratifying and
5 confirming the creation of Collier Mosquito
6 Control District pursuant to chapter 390, F.S.
7 (1949), as an independent mosquito control
8 district; providing for codification of special
9 laws regarding special districts pursuant to s.
10 189.429, F.S.; providing legislative intent;
11 providing for applicability of chapters 388 and
12 189, F.S., and other general laws; providing a
13 district charter; providing for amended
14 district boundaries on October 1, 2001;
15 providing for liability and group insurance;
16 providing for repeal of prior special acts
17 related to Collier Mosquito Control District;
18 providing an effective date.

19

20 Be It Enacted by the Legislature of the State of Florida:

21

22 Section 1. Upon this act becoming law, the creation of
23 Collier Mosquito Control District, formerly Naples Mosquito
24 Control District, as an independent special district pursuant
25 to chapter 390, Florida Statutes, 1949, shall be ratified and
26 confirmed. It is further the intent of the Legislature in
27 enacting this law to provide a single, codified, comprehensive
28 special act charter for the District in accordance with
29 section 189.429, Florida Statutes. The District shall operate
30 as an independent special district pursuant to this special
31 act and the provisions of chapter 388, Florida Statutes, as it

1 may be amended from time to time, and all other general laws
2 applicable to independent special districts. It is the intent
3 of this act to preserve all existing District authority as it
4 may be modified pursuant to the provisions of chapter 388,
5 Florida Statutes, this act, and applicable general law.

6 Section 2. Chapters 63-1234, 70-640, 71-591, and
7 76-351, Laws of Florida, are codified, reenacted, amended, and
8 repealed as herein provided.

9 Section 3. The charter for the Collier County Mosquito
10 Control District is re-created and reenacted to read:

11 Section 1. Minimum charter requirements.--In
12 accordance with section 189.404(3), Florida Statutes, the
13 following subsections shall comprise the minimum required
14 charter provisions for Collier Mosquito Control District:

15 (a) The District is organized and exists for all
16 purposes set forth in this act and chapter 388, Florida
17 Statutes, as they may be amended from time to time.

18 (b) The powers, functions, and duties of the District
19 regarding ad valorem taxation, non-ad valorem assessments,
20 bond issuance, other revenue-raising capabilities, budget
21 preparation and approval, liens, foreclosure of liens, use of
22 tax deeds and tax certificates, and contractual agreements
23 shall be as set forth in chapters 170, 189, 197, 200, and 388,
24 Florida Statutes, this act, or any other applicable general or
25 special law, as they may be amended from time to time.

26 (c) The District was created by the petition process
27 formerly contained in chapter 390, Florida Statutes, 1949.

28 (d) The District's charter may be amended only by
29 special act of the Legislature, unless otherwise provided by
30 chapter 189, Florida Statutes, or chapter 388, Florida
31 Statutes, as amended from time to time.

1 (e) In accordance with section 388.101(2), Florida
2 Statutes, the District is governed by a five-member board. The
3 membership and organization of the board shall be as set forth
4 in this act and chapter 388, Florida Statutes, as they may be
5 amended from time to time.

6 (f) Board members may be paid a salary in accordance
7 with this act and chapter 388, Florida Statutes, as they may
8 be amended from time to time.

9 (g) The administrative duties of the Board of
10 Commissioners shall be as set forth in this act and chapter
11 388, Florida Statutes, as they may be amended from time to
12 time.

13 (h) Requirements for financial disclosure, meeting
14 notices, reporting, public records maintenance, and per diem
15 expenses for officers and employees shall be as set forth in
16 chapters 112, 189, 286, and 388, Florida Statutes, as they may
17 be amended from time to time.

18 (i) The procedures and requirements governing the
19 issuance of bonds, notes, and other evidence of indebtedness
20 by the District shall be as set forth in chapters 189 and 388,
21 Florida Statutes, and applicable general laws, as they may be
22 amended from time to time.

23 (j) The procedures for conducting District elections
24 and for qualification of electors shall be pursuant to
25 chapters 189 and 388, Florida Statutes, and applicable general
26 laws, as they may be amended from time to time.

27 (k) The District may be financed by any method
28 established in this act, chapter 189, Florida Statutes, or
29 chapter 388, Florida Statutes, or any applicable general laws,
30 as they may be amended from time to time.

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1 (l) Pursuant to section 388.221, Florida Statutes, as
2 it may be amended from time to time, the District's authority
3 to levy upon all of the personal and real taxable property in
4 the District a special tax during each year as maintenance tax
5 is preserved.

6 (m) The method for collecting non-ad valorem
7 assessments, fees, service charges, or state matching funds
8 shall be as set forth in chapters 170, 197, and 388, Florida
9 Statutes, as they may be amended from time to time.

10 (n) The District's planning requirements shall be as
11 set forth in chapters 189 and 388, Florida Statutes, as they
12 may be amended from time to time.

13 (o) The District's geographic boundary limitations
14 shall be as follows and may be amended pursuant to section
15 388.211, Florida Statutes, as amended from time to time:

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17 Beginning where the north line to Township 48S
18 Range 25E extended westerly intersects the
19 western boundary of the State of Florida in the
20 waters of the Gulf of Mexico; thence easterly
21 along said Township line to the northeast
22 corner of Section 5, Township 48S Range 25E;
23 thence southerly along the easterly Section
24 line of 5 to the southeast corner of Section 5
25 Township 48S Range 25E, also known as the
26 northwest corner of Section 9, Township 48S
27 Range 25E; thence easterly along the north
28 lines of Sections 9, 10, 11 and 12 to the
29 northeast corner of Section 12, Township 48S
30 Range 25E, also known as the northwest corner
31 of Section 7, Township 48S Range 26E; continue

1 easterly along the north lines of Sections 7,
2 8, 9, 10, 11 and 12 to the northeast corner of
3 Section 12, Township 48S Range 26E, also known
4 as the northwest corner of Section 7, Township
5 48S Range 27E; continue easterly along the
6 north lines of Sections 7, 8, 9, 10 and 11 to
7 the northeast corner of Section 11, Township
8 48S Range 27E, thence continue easterly along
9 the north line of Section 12 to the northeast
10 corner of Golden Gate Estates Unit 59 (as
11 Recorded in Plat Book 7 Page 61); thence
12 southerly along the east line of said Unit 59
13 to the southeast corner of said Unit 59; thence
14 westerly along the south line of said Unit 59
15 to the intersection of the east line of Section
16 11, Township 48S Range 27E; thence southerly
17 along the east section line to the southeast
18 corner of Section 11, Township 48S Range 27E,
19 also known as the northeast corner of Section
20 14, Township 48S Range 27E; thence southerly
21 along the east lines of Sections 14 and 23 to
22 the intersection of the north line of Golden
23 Gate Estates Unit 24 (as Recorded in Plat Book
24 7 Page 11); thence easterly along the north
25 line of said Unit 24 to the northeast corner of
26 said Unit 24; thence southerly along the east
27 line of said Unit 24 to the southeast corner of
28 said Unit 24, also known as the northeast
29 corner of Golden Gate Estates Unit 17 (as
30 Recorded in Plat Book 7 Page 5) continue
31 southerly along the east line of said Unit 17

1 to the southeast corner of said Unit 17, also
2 known as northeast corner of Golden Gate
3 Estates Unit 49 (as Recorded in Plat Book 5
4 Page 80); continue southerly along the east
5 line of said Unit 49 to the southeast corner of
6 said Unit 49, also known as the northeast
7 corner of Golden Gate Estates Unit 48 (as
8 Recorded in Plat Book 5 Page 78); continue
9 southerly along east line of said Unit 48 to
10 the southeast corner of said Unit 48 and the
11 intersection of the north line of Section 14,
12 Township 49S Range 27E; thence easterly along
13 the north line of Section 14 to the northeast
14 corner of Section 14, Township 49S Range 27E;
15 thence southerly along the east lines of
16 Sections 14, 23, 26 and 35 to the southeast
17 corner of Section 35, Township 49S Range 27E;
18 thence westerly along the south lines of
19 Sections 35, 34, 33, 32 and 31 to the southwest
20 corner Section 31, Township 49S Range 27E, also
21 known as the southeast corner Section 36,
22 Township 49S Range 26E; thence westerly along
23 the south line of Section 36 to the southwest
24 corner of Section 36, Township 49S Range 26E,
25 also known as the northeast corner of Section
26 2, Township 50S Range 26E; thence southerly
27 along the east lines of Sections 2, 11, 14, 23,
28 26 and 35 to the southeast corner of Section
29 35, Township 50S Range 26E, also known as the
30 northeast corner of Section 2, Township 51S
31 Range 26E; thence southerly along the east line

1 of Section 2 to the southeast corner of Section
2 2, Township 51S Range 26E, also known as the
3 northwest corner of Section 12, Township 51S
4 Range 26E; thence easterly along the north line
5 of Section 12 to the northeast corner of
6 Section 12, Township 51S Range 26E, also known
7 as the northwest corner of Section 7, Township
8 51S Range 27E; continue easterly along the
9 north lines of Sections 7 and 8 to the
10 northeast corner of Section 8, Township 51S
11 Range 27E; thence southerly along the east
12 lines of Sections 8, 17, 20, 29 and 32 to the
13 southeast corner of Section 32, Township 51S
14 Range 27E; thence westerly along the south line
15 of Section 32 to the intersection of the
16 westerly right of way of State Road 92; thence
17 southwesterly along the westerly right of way
18 State Road 92 through Section 5 and 8 to the
19 intersection of west line Section 8, Township
20 52S Range 27E; thence southerly along west
21 lines of Sections 8 and 17 to the southwest
22 corner of Section 17, Township 52S Range 27E
23 also known as the southeast corner of Section
24 18, Township 52S Range 26E; thence westerly
25 along the south line of Section 18 to the
26 intersection of Goodland; thence southerly and
27 westerly along the southerly boundary of
28 Goodland, to the intersection with the east
29 line of Section 24 Township 52S Range 26E;
30 thence southerly along the east line of Section
31 24 to the southeast corner of Section 24,

1 Township 52S Range 26E; thence westerly along
2 the south lines of Section 24, 23, 22, 21, 20
3 and 19 to where that line extended intersects
4 the western boundary of the State of Florida in
5 the waters of the Gulf of Mexico; thence
6 northwesterly along the waters of the Gulf of
7 Mexico, to the Point of Beginning;

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9 LESS AND EXCEPT the publicly owned, tax exempt
10 property within the boundaries of Rookery Bay
11 National Estuarine Research Reserve and
12 Corkscrew Regional Ecosystem Watershed as they
13 may be amended from time to time.

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15 Section 2. Liability insurance.--In addition to all
16 other powers granted it by law, the Collier Mosquito Control
17 District, acting by and through its duly qualified board of
18 commissioners, shall have the power to purchase and pay for
19 liability insurance as a legitimate public expenditure
20 without, however, waiving its right to defend any action filed
21 against it on the grounds of sovereign immunity should it so
22 choose to exercise such right.

23 Section 3. Group insurance.--

24 (1) Collier Mosquito Control District shall be and is
25 hereby authorized, empowered, and permitted to provide for
26 life, health, accident, hospitalization, or annuity insurance
27 or all of any kinds of such insurance for the employees
28 thereof upon a group insurance plan, and to that end enter
29 into agreement with insurance companies to provide such
30 insurance. The Collier Mosquito Control District shall be
31 authorized to contribute to the cost of any such insurance.

1 (2) The election to exercise such authority shall be
2 evidenced by resolution duly recorded in the official minutes
3 adopted by the board of the Collier Mosquito Control District.

4 (3) Upon the request in writing of any employee, the
5 public officials of the Collier Mosquito Control District are
6 hereby authorized and empowered to deduct from the wages of
7 such employee periodically the amount of the premium which
8 such employee has agreed to pay for such insurance and to pay
9 or remit same directly to the insurance company issuing such
10 group insurance.

11 (4) The participation in such group insurance by any
12 employee shall be entirely voluntary at all times. Any
13 employee may upon any payday withdraw or retire from such
14 group insurance plan upon giving his or her employer written
15 notice thereof and directing the discontinuance of deductions
16 from wages in payment of such premiums.

17 Section 4. Chapters 63-1234, 70-640, 71-591, and
18 76-351, Laws of Florida, are repealed.

19 Section 5. The provisions of this act shall be
20 liberally construed in order to effectively carry out the
21 purposes of this act in the interest of the public health,
22 welfare, and safety of the citizens served by the district.

23 Section 6. It is declared to be the intent of the
24 Legislature that if any section, subsection, sentence, clause,
25 phrase, or portion of this act is for any reason held invalid
26 or unconstitutional by any court of competent jurisdiction,
27 such portion shall be deemed a separate, distinct, and
28 independent provision, and such holding shall not affect the
29 validity of the remaining portions hereof.

30 Section 7. This act shall take effect October 1, 2001.
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