

1 A bill to be entitled

2 An act relating to Collier County; merging the East
3 Naples Fire Control and Rescue District and the Golden
4 Gate Fire Control and Rescue District to create a new
5 district; creating and establishing an independent
6 special fire control district to be known as the
7 Greater Naples Fire Rescue District; providing that
8 the district is an independent special district;
9 providing legislative intent; providing for
10 applicability of chapters 191 and 189, F.S., and other
11 general laws; providing a district charter; providing
12 boundaries; providing for a district board; providing
13 authority of the board; providing for staff; providing
14 duties and powers of the board; providing for
15 elections to the board; providing for salaries of
16 board members; providing for removal of board members;
17 providing a savings clause for the existing district
18 authority to levy up to 1.5 mills; providing for
19 bonds; providing for raising of revenue; providing for
20 taxation; providing findings; providing for impact
21 fees; providing for collection and disbursement of
22 such fees; providing for deposit of taxes,
23 assessments, and fees and authority to disburse funds;
24 providing for immunity from tort liability; providing
25 for liberal construction; providing for severability;
26 providing that this act shall take precedence over any

27 conflicting law to the extent of such conflict;
 28 providing for the determination of millage; repealing
 29 chapters 2000-392, 2012-231, 2004-433, and 2000-444,
 30 Laws of Florida, relating to the East Naples Fire
 31 Control and Rescue District and the Golden Gate Fire
 32 Control and Rescue District; transferring all assets
 33 and liabilities of the existing districts to the
 34 Greater Naples Fire Rescue District; requiring a
 35 referendum; providing an effective date.

36
 37 Be It Enacted by the Legislature of the State of Florida:
 38

39 Section 1. The East Naples Fire Control and Rescue
 40 District and the Golden Gate Fire Control and Rescue District
 41 are hereby merged to create the Greater Naples Fire Rescue
 42 District ("district").

43 Section 2. Corporate status.—All of the incorporated lands
 44 in Collier County, as described in section 2.01 of section 4,
 45 shall be incorporated into the district under the name of the
 46 Greater Naples Fire Rescue District. The district is an
 47 independent special fire control and rescue district in Collier
 48 County. The district is organized and exists for all purposes
 49 and shall hold all powers set forth in this act and chapters 189
 50 and 191, Florida Statutes. The district charter may be amended
 51 only by special act of the Legislature.

52 Section 3. The East Naples Fire Control and Rescue
 53 District and the Golden Gate Fire Control and Rescue District
 54 commission seats shall be redesignated as following upon merger:
 55

East Naples Fire Control
and Rescue District ("EN")
and Golden Gate Fire
Control and Rescue
District ("GG")

Greater Naples Fire
Rescue District ("ENGG")

EN Seat 1

ENGG Seat 6

EN Seat 2

ENGG Seat 1

EN Seat 3

ENGG Seat 2

EN Seat 4

ENGG Seat 3

EN Seat 5

ENGG Seat 7

GG Seat 1

ENGG Seat 4

GG Seat 2

ENGG Seat 5

GG Seat 3

ENGG Seat 8

65 Section 4. The charter for the Greater Naples Fire Rescue
 66 District is created to read:

67 ARTICLE I

68 NAME OF THE DISTRICT

69 Section 1.01 The name of the district shall be the Greater
 70 Naples Fire Rescue District ("district").

71 Section 1.02 The district shall be an independent special
 72 district of the State of Florida and a body corporate and
 73 politic.

74 ARTICLE II

75 BOUNDARIES OF THE DISTRICT

76 Section 2.01 The lands to be incorporated within the
 77 Greater Naples Fire Rescue District consist of the following
 78 described lands in Collier County:

79
 80 A. Township 48 South, Range 26 East, Sections 25, 26,
 81 27, 28, 33, 34, 35, 36. Township 48 South, Range 27
 82 East, Sections 29, 30, 31, 32. Township 49 South,
 83 Range 26 East, Sections 1, 2, 3, 4, 9, 10, 11, 12, 13,
 84 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28,
 85 33, 34, 35, 36. Township 49 South, Range 27 East,
 86 Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
 87 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26,
 88 27, 28, 29, 30, 31, 32, 33, 34, 35, 36. Township 49
 89 South, Range 28 East, Sections 4, 5, 6, 7, 8, 9, 16,
 90 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33. Township

91 50 South, Range 26 East, Sections 2, 3, 4, 9, 10, 11,
 92 14, 15, 16.

94 Hereinafter referred to as the "Golden Gate Division;"

96 and also,

98 B. Beginning at the northeast corner of the Northwest
 99 quarter of Section 27, Township 49 South, Range 25
 100 East, thence along the north line of said Section 27,
 101 east 45 feet to the east right-of-way line of C-851
 102 (also known as Goodlette-Frank Road), (which right-of-
 103 way line lies 45 feet east of, measured at right
 104 angles to, and parallel with the north and south
 105 quarter section line of said Section 27), to the north
 106 line of Lot 11, Naples Improvement Company's Little
 107 Farms, Plat Book 2, Page 2; thence east to the east
 108 section line of Section 27, Township 49 South, Range
 109 25 East; then north along the east line of said
 110 Section 27 to the northeast corner of said Section 27;
 111 said point also being the southeast corner of Section
 112 23 Township 49 South, Range 25 East thence east along
 113 the north line of Section 26, Township 49 South, Range
 114 25 East to a point 990.0 feet west of the west right-
 115 of-way line of Airport-Pulling Road; thence south
 116 01°30'00" East, 1320.0 feet; thence north 89°25'40"

117 East, 660.0 feet; thence north 01°30'00" West, 1320.0
 118 feet to the north line of said Section 26; thence east
 119 along said north line of Section 26 to the west right-
 120 of-way line of Airport-Pulling Road; to the south line
 121 of said Section 26 (said right-of-way line lying 50
 122 feet west of the southeast corner of said Section 26);
 123 thence westerly along said south line to the southwest
 124 corner of said Section 26; thence northerly along the
 125 west line of said Section 26; to the southerly right-
 126 of-way line of Golden Gate Parkway (100 feet wide);
 127 thence easterly along said southerly right-of-way line
 128 to a point lying 1220.00 feet west of the west line of
 129 said Airport-Pulling Road; thence northerly parallel
 130 with said west right-of-way line to the northerly
 131 right-of-way line of said Golden Gate Parkway; thence
 132 westerly along the north right-of-way of Golden Gate
 133 Parkway to a point 620 feet east and 235.46 feet south
 134 of the northwest corner of Lot 8, Naples Improvement
 135 Company's Little Farms; thence north 235.46 feet to
 136 the north line of Lot 8; thence west along said north
 137 line 620 feet to the northwest corner of said Lot 8;
 138 thence southerly to that angle point in said east
 139 right-of-way line which lies on a line 400.00 feet
 140 northerly of (measured at right angles to) and
 141 parallel with the north line of Section 34, Township
 142 49 South, Range 25 East; thence continuing along said

143 east right-of-way to the north line of Gordon River
144 Homes Subdivision; thence east along the north line of
145 Lots 50, 49, and 48 to a point 22.5 feet east of the
146 northwest corner of Lot 48; thence south parallel to
147 the west line of Lot 48 to the south line of Lot 48;
148 thence west along the south line of Lots 48, 49, and
149 50 to the east right-of-way line of Goodlette-Frank
150 Road; thence continuing along said east right-of-way
151 line, which line lies 100.00 feet east of, measured at
152 right angles to, and parallel with the north and south
153 quarter section line of said Section 34; thence
154 continuing along said east right-of-way line to a
155 point on the north line of the southwest quarter of
156 the northeast quarter of Section 34, Township 49
157 South, Range 25 East; thence continue on said right of
158 way line 460.0 feet; thence north 89°41'30" East
159 494.99 feet; thence south 0°34'06" East 615.88 feet to
160 a point of curvature; thence southwesterly 343.97 feet
161 along the arc of a tangential circular curve, concave
162 to the northwest have a radius of 243.97 feet and
163 subtended by a chord which bears south 44°33'25" West
164 345.84 feet; thence south 89°41'30" West 250.0 feet to
165 the easterly right of way line of Goodlette-Frank
166 Road; thence south along said right-of-way line to a
167 point 48.41 feet south of the north line of the south
168 half of Section 34, Township 49 South, Range 25 East;

169 thence north 89°56'59" East 249.79 feet; thence
 170 northeasterly 173.98 feet along the arc of a circular
 171 curve concave to the northwest having a radius of
 172 293.97 feet and being subtended by a chord which bears
 173 north 72°59'41" East 171.46 feet; thence south
 174 89°47'31" East 808.79 feet; thence north 89°55'05"
 175 East 993.64 feet to a point on that bulkhead line as
 176 shown on Plate recorded in Bulkhead Line Plan Book 1,
 177 Page 25 Collier County Public Records, Collier County,
 178 Florida; thence run the following courses along the
 179 said Bulkhead line, 47.27 feet along the arc of a non-
 180 tangential circular curve concave to the west, having
 181 a radius of 32.68 feet and subtended by a chord having
 182 a bearing of south 14°08'50" East and a length of
 183 43.26 feet to a point of tangency; south 27°17'25"
 184 West for 202.44 feet to a point of curvature; 296.89
 185 feet along the arc of a curve concave to the
 186 southeast, having a radius of 679.46 feet and
 187 subtended by a chord having a bearing of south
 188 14°46'21" West and a length of 294.54 feet to a point
 189 of reverse curvature; 157.10 feet along the arc of a
 190 curve concave to the northwest, having a radius of
 191 541.70 feet, and subtended by a chord having a bearing
 192 of south 10°33'47" West and a length of 156.55 feet to
 193 a point of reverse curvature; 307.67 feet along the
 194 arc of a curve concave to the northeast; having a

195 radius of 278.30 feet, and subtended by a chord having
196 a bearing of south 12°47'59" East and a length of
197 292.24 feet to a point of reverse curvature; 135.31
198 feet along the arc of a curve concave to the southwest
199 having a radius of 100.00 feet and subtended by a
200 chord having a bearing of south 05°42'27" East and a
201 length of 125.21 feet to a point of tangency; thence
202 South 33 degrees, 03 minutes, 21" West for 295.10
203 feet; and South 33°27'51" West 1.93 feet to the north
204 line of the River Park East Subdivision which is also
205 the north line of the south half of the southeast
206 quarter of Section 34, Township 49 South, Range 25
207 East; thence along the north line of the south half of
208 the southeast quarter of said Section 34, easterly to
209 the west line of Section 35, Township 49 South, Range
210 25 East; thence along the west line of said Section
211 35, northerly 1320 feet more or less to the northwest
212 corner of the south half of said Section 35; thence
213 along the north line of the south half of said Section
214 35, easterly to the west right-of-way line of State
215 Road No. 31 (Airport Road), which right-of-way lies
216 50.0 feet west of, measured at right angles to, and
217 parallel with the east line of said Section 35; thence
218 along said right-of-way line of State Road No. 31,
219 south 00°13'57" West 1800 feet more or less to a point
220 on said west right-of-way line, which lies north

221 00°13'57" East 848.02 feet and south 89°46'03" West
 222 50.00 feet from the southeast corner of said Section
 223 35; thence continuing along said west right-of-way
 224 line southerly 325.02 feet along the arc of a
 225 tangential circular curve concave to the east, radius
 226 2914.93 feet, subtended by a chord which bears south
 227 2°57'43" East 324.87 feet; thence continuing along
 228 said west right-of-way line, tangentially south
 229 6°09'22 second east 3.13 feet, thence southerly along
 230 a curve concave to the southwest, having a central
 231 angle of 6°23'18" and a radius of 1860.08 feet, a
 232 distance of 207.34 feet; thence south 0°13'57" West
 233 313.03 feet more or less to a point on the north line
 234 of and 20 feet west of the northeast corner of Section
 235 2, Township 50 South, Range 25 East; thence
 236 southeasterly, 300.7 feet more or less to a point on
 237 the east line of said Section 2 which point lies 300.0
 238 feet south of the northeast corner of said Section 2;
 239 thence along the east line of the north half of said
 240 Section 2, southerly to the southeast corner of the
 241 north half of said Section 2; thence along the south
 242 line of the north half of said Section 2; westerly to
 243 the northeast corner of the southeast quarter of
 244 Section 3, Township 50 South, Range 25 East; thence
 245 southerly along the east line of the southeast corner
 246 of said Section 3 for a distance of 2013.98 feet;

247 thence North 89°37'20" East 662.04 feet; thence South
248 00°17'20" East 119.26 feet; thence South 89°27'40"
249 West 322.00 feet; thence South 00 degrees, 17'20" East
250 10.00 feet; thence South 89°27'40" West 68.00 feet;
251 thence South 00°17'20" East 361.00 feet; thence North
252 89°27'40" East 68.00 feet; thence South 00°17'20" East
253 140.00 feet; thence South 89°27'40" West 221.81 feet;
254 thence North 01°05'56" West 6.99 feet; thence westerly
255 along the arc of a non-tangential circular curve
256 concave to the north having a radius of 370.00 feet
257 through a central angle of 18°34'13"and being
258 subtended by a chord which bears North 81°50'17" West
259 119.40 feet for a distance of 119.92 feet to a point
260 on the east line of said Section 3; thence southerly
261 along the east line of Section 3, and along the east
262 lines of Sections 10, 15, 22, and 27, all in Township
263 50 South, Range 25 East, to the southeast corner of
264 said Section 27, Township 50 South, Range 25 East;
265 thence westerly along the south line of said Section
266 27, Township 50 South, Range 25 East, and along the
267 western prolongation of said south line to a point
268 1,000 feet west of the mean low water line of the Gulf
269 of Mexico; thence southeasterly along said shoreline
270 to the south line of Section 3, Township 51 South,
271 Range 25 East, thence easterly along the south line of
272 said Section 3, Section 2, Section 1, Township 51

273 South; thence along the south corner of said Section
 274 5; thence north along the east line of Section 5,
 275 Township 51 South, Range 26 East; thence continue on
 276 the north line of Section 25, 26 and part of Section
 277 27, Township 49 South, Range 25 East to the point of
 278 beginning and also,

279
 280 C. All those lands in Collier County described as:
 281 Sections 21, 22, 23, 26, 27, 28, 33, 34 and 35,
 282 Township 50 South, Range 26 East; Section 2, 3, 4, 9,
 283 10, 11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 35
 284 and 36, Township 51 South, Range 26 East; Sections 1,
 285 2, 3 and those portions of Sections 10, 11, 12, and
 286 13, Township 52 South, Range 26 East, that lie North
 287 of the Marco River; those portions of Sections 5, 6, 7
 288 and 18, Township 52 South, Range 27 East, that lie
 289 West and North of State Road 92; and Sections 7, 8,
 290 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30 and 31,
 291 Township 51 South, Range 27 East, and those portions
 292 of Sections 32 and 33, Township 51 South, Range 27
 293 East, that lie west and North of State Road 92,

294
 295 D. Less and except the North 1/2 of Section 2 of
 296 Township 50 South, Range 25 East and the South 1/2 of
 297 Section 35 of Township 49 South, Range 25 East.
 298

299 E. Less and except approximately 21.99 acres, more or
 300 less: A portion of Lots 7 through 9 of Naples
 301 Improvement Company's Little Farms as recorded in Plat
 302 Book 2 at page 2 of the Public Records of Collier
 303 County, Florida, being more particularly described as
 304 follows:

305
 306 Commence at the intersection of the East right-of-way
 307 of Goodlette-Frank Road (C.R. 851) and the South
 308 right-of-way of Golden Gate Parkway; thence run along
 309 said South right-of-way for the following four (4)
 310 courses:

311
 312 (1) Thence run North 44°42'45" East, for a distance
 313 of 35.36 feet;

314
 315 (2) Thence run North 89°42'45" East, for a distance
 316 of 122.57 feet;

317
 318 (3) Thence run North 80°12'12" East, for a distance
 319 of 159.63 feet;

320
 321 (4) To a point on a circular curve concave northwest,
 322 whose radius point bears North 11°26'26" West, a
 323 distance of 813.94 feet therefrom; thence run
 324 Northeasterly along the arc of said curve to the left,

325 having a radius of 813.94 feet, through a central
326 angle of 22°36"33", subtended by a chord of 319.10
327 feet at a bearing of North 67°15'18" East, for an arc
328 length of 321.18 feet to the intersection of the South
329 right-of-way of said Golden Gate Parkway and the West
330 line of the East 338.24 feet of the West 958.34 feet
331 of Lot 7 of Naples Improvements Company's Little Farms
332 Subdivision as recorded in Plat Book 2 at page 2 of
333 the Public Records of Collier County, Florida, also
334 being the point of beginning of the parcel of land
335 herein described; thence run South 00°16'32" East,
336 along the West line of the East 338.24 feet of the
337 West 958.34 feet of said Lot 7, for a distance of
338 302.90 feet to a point on the South line of said Lot
339 7; thence run along said South line for the following
340 two (2) courses:

341
342 (1) Thence run North 89°41'51" East, for a distance
343 of 338.41 feet;

344
345 (2) Thence run North 89°50'24" East, for
346 approximately 850 feet to a point on the mean high
347 water line of the west bank of Gordon River, said
348 point herein called Point "A". thence return to the
349 aforementioned point of beginning, thence run along

350 the south right-of-way of said Golden Gate Parkway for
351 the following four (4) courses:

352
353 (1) Beginning at a point on a circular curve concave
354 northwest, whose radius point bears North 34002'58"
355 West a distance of 813.94 feet therefrom; thence run
356 Northeasterly along the arc of said curve to the left,
357 having a radius of 813.94 feet, through a central
358 angle of 05009'09", subtended by a chord of 73.17 feet
359 at a bearing of North 53°22'27" East, for an arc
360 length of 73.20 feet to the end of said curve;

361
362 (2) Thence run North 50°47'53" East, for a distance
363 of 459.55 feet

364
365 (3) To the beginning of a tangential circular curve
366 concave south; thence run Easterly along the arc of
367 said curve to the right, having a radius of 713.94
368 feet; through a central angle of 38°52'20"; subtended
369 by a chord of 475.13 feet at a bearing of North
370 70014'03" East, for an arc length of 484.37 feet to
371 the end of said curve;

372
373 (4) Thence run North 89°40'13" East, for
374 approximately 724 feet to a point on the mean high
375 water line of the west bank of Gordon River; thence

376 meander Southwesterly along the mean high water line
 377 for approximately 900 feet to the aforementioned Point
 378 "A" and the point of ending.

379
 380 F. Less and except approximately 112.82 acres, more
 381 or less: All of East Naples Industrial Park, according
 382 to the plat thereof recorded in Plat Book 10, Pages
 383 114 and 115, of the Public Records of Collier County,
 384 Florida; all of East Naples Industrial Park Replat No.
 385 1, according to the Plat thereof recorded in Plat Book
 386 17, Pages 38 and 39, of the Public Records of Collier
 387 County, Florida; and the Northerly 200 feet of the
 388 Southerly 510 feet of the Easterly 250 feet of the
 389 Northeast 1/4 of Section 35, Township 49 South, Range
 390 25 East, Collier County, Florida, less and excepting
 391 the Easterly 50 feet thereof.

392
 393 G. Less and except approximately 6.17 acres, more or
 394 less: All that part of Lots 12, 13, and 14, Naples
 395 Improvement Company's Little Farms, as recorded in
 396 Plat Book 2, Page 2 of the Public Records of Collier
 397 County, Florida, being more particularly described as
 398 follows:

399
 400 Commencing at the Southwest corner of Lot 12, thence
 401 along the South line of said Lot 12, North 89°26'51"

402 East 20.00 feet to the East right-of-way line of
 403 Goodlette-Frank Road; thence along the East right-of-
 404 way line North 00039'49" East 10.00 feet to the Point
 405 of Beginning of the herein described parcel; thence
 406 continue along said East right-of-way North 00039'49"
 407 West 580.00 feet; thence leaving said East right-of-
 408 way North 89°20'11" East 260.12 feet; thence North
 409 59°31'13" East, 153.66 feet; thence South 30028'42"
 410 East, 119.01 feet; thence South 00033'09" East, 554.02
 411 feet to a line lying 10 feet North of and parallel
 412 with said South line of Lot 12; thence along the said
 413 parallel line South 89°26'51" West, 451.54 feet to the
 414 point of beginning of the herein described parcel.

415
 416 Bearings are based on the said East line Goodlette-
 417 Frank Road being North 00°33'49" East.

418
 419 H. Less and except approximately 12.77 acres, more or
 420 less: The West one-half (W 1/2) of the Northwest one-
 421 quarter (NW 1/4) of the Northwest one-quarter (NW 1/4)
 422 of Section 11, Township 50 South, Range 25 East, lying
 423 South of State Road 90 (Tamiami Trail, U.S. 41), in
 424 Collier County, Florida, except the South 264 feet,
 425 and All that part of the South 264 feet of the
 426 Southwest one-quarter (SW 1/4) of the Northwest one-
 427 quarter (NW 1/4) of the Northwest one-quarter (NW 1/4)

428 of Section 11, Township 50 South, Range 25 East, in
 429 Collier County, Florida, lying north of the north line
 430 of Walker's Subdivision as delineated on a Plat of
 431 record in plat book 1, at page 36, of the Public
 432 Records of Collier County, Florida.

433
 434 TOGETHER WITH:

435
 436 Lots 1 to 8, inclusive, COL-LEE-CO TERRACE, according
 437 to plat in Plat Book 1, Page 32, Public Records of
 438 Collier County, Florida.

439
 440 LESS AND EXCEPT

441
 442 Those parcels described in Official Records Book 1969,
 443 Page 977, and Official Records Book 2119, Page 1344
 444 both of the Public Records of Collier County, Florida.

445
 446 I. Less and except approximately 6.16 acres, more or
 447 less: Being a part of Estuary at Grey Oaks Roadway,
 448 Clubhouse and Maintenance Facility Tract, Plat Book
 449 36, pages 9-16, Estuary at Grey Oaks Tract B, Plat
 450 Book 37, pages 13-18 and part of Section 26, Township
 451 49 South, Range 25 East, Collier County, Florida.

452

453 All that part of Estuary at Grey Oaks Roadway,
 454 Clubhouse and Maintenance Facility Tracts according to
 455 the plat thereof as recorded in Plat Book 36, pages 9-
 456 16, Estuary at Grey Oaks Tract B according to the plat
 457 thereof as recorded in Plat Book 37, pages 13-18,
 458 Public Records of Collier County, Florida, and part of
 459 Section 26, Township 49 South, Range 25 East, Collier
 460 County, Florida being more particularly described as
 461 follows:

462
 463 Commencing at the northwest corner of Tract M of said
 464 Estuary at Grey Oaks Roadway, Clubhouse and
 465 Maintenance Facility Tracts;

466
 467 Thence along the west line of said Tract M South
 468 00°East 613.48 feet to the Point of Beginning of the
 469 parcel herein described;

470
 471 Thence continue South 00°20'09" East 406.67 feet;
 472 Thence North 89°24'29" West 660.00 feet;

473
 474 Thence North 00°20'09" West 406.66 feet to a point on
 475 the boundary of Golf Course Tract 1 of said Estuary at
 476 Grey Oaks Tract B;

477

478 Thence along said boundary South 89024'33" East 660.00
 479 feet to the Point of Beginning of the parcel herein
 480 described;

481
 482 Bearings are based on the west line of said Tract M
 483 being South 00020'09" East.

484
 485 Hereinafter referred to as the "East Naples Division."

486
 487 Section 2.02 If the annexation authorized by HB 949, 2014
 488 Regular Session, is approved at referendum, the East Naples
 489 Division shall also include the following described lands in
 490 Collier County:

491
 492 All that land located within Sections 19, 20, 21, 22,
 493 27, 28, 29, 30, 31, 32, 33 and 34 of Township 51
 494 South, Range 26 East, and those portions of Sections
 495 4, 5 and 6 of Township 52 South, Range 26 East, which
 496 lie north of the Marco River, Collier County, Florida.
 497 Bearings are based on the west line of said Tract M
 498 being South 00°20'09" East.

499
 500 Section 2.03 Chapter 171, Florida Statutes, shall apply to
 501 all annexations by a municipality within the district's
 502 boundaries.

503 ARTICLE III

POWERS OF THE DISTRICT

504
505 Section 3.01 The district shall have the authority and
506 responsibility for and on behalf of the people residing,
507 visiting, or passing through the district to establish, equip,
508 operate, and maintain a fire department and rescue service,
509 including, but not limited to, providing fire hydrants or other
510 types of water supply, buildings for housing fire equipment and
511 personnel, training facilities for fire and rescue, and other
512 buildings deemed necessary by the district board to provide
513 adequate protection from unwanted fire and to carry out rescue
514 operations. In addition, the district shall have the authority
515 to extend its services beyond the district boundaries, provided
516 it is in cooperation with another governmental entity, whether
517 federal, state, county, or municipal.

518 Section 3.02 The district shall have the authority to
519 provide a paid staff to carry out its responsibilities. This
520 staff shall serve at the pleasure of the district board.

521 Section 3.03 The district shall have all powers and duties
522 granted by this charter and chapters 189 and 191, Florida
523 Statutes.

ARTICLE IVGOVERNING BOARD

524
525
526 Section 4.01 The business and affairs of the district
527 shall be conducted and administered by a board of fire
528 commissioners elected pursuant to chapter 191, Florida Statutes,
529 by the electors of the district in a nonpartisan election held

530 at the time and in the manner prescribed for holding general
531 elections in s. 189.405(2)(a), Florida Statutes. Except as
532 expressly provided in this charter, each member of the board
533 shall be elected for a term of 4 years and shall serve until his
534 or her successor assumes office.

535 Section 4.02 The office of each board member is designated
536 as a seat on the board, distinguished from each of the other
537 seats by a numeral. Each candidate must designate, at the time
538 he or she qualifies, the seat on the board for which he or she
539 is qualifying. The name of each candidate who qualifies shall be
540 included on the ballot in a way that clearly indicates the seat
541 for which he or she is a candidate. The candidate for each seat
542 who receives the most votes shall be elected to the board. The
543 cost of such elections shall be paid from funds of the district.
544 The board of commissioners shall initially be composed of eight
545 members. The commissioners holding seats 2, 5, 6, and 7 shall
546 have initial terms that expire in November 2016. Commissioners
547 for seats 6 and 7 shall subsequently be elected to 2-year terms
548 that expire in November 2018. The commissioners holding seats 1,
549 3, 4, and 8 shall have initial terms that expire in November
550 2018. Seats 6, 7, and 8 shall be eliminated in November 2018.
551 The foregoing provisions establish, after the November 2018
552 election, a board having five commissioners with 4-year
553 staggered terms. Seats 1 and 2 shall be elected as at-large
554 seats for the East Naples Division. Seats 4 and 5 shall be
555 elected as at-large seats for the Golden Gate Division. Seat 3

556 shall be elected as an at-large seat for the district as a
557 whole.

558 Section 4.03 In accordance with chapter 191, Florida
559 Statutes, each member of the board must be a qualified elector
560 at the time he or she qualifies and continually throughout his
561 or her term.

562 Section 4.04 Each elected member shall assume office 10
563 days after the member's election. Within 60 days after the newly
564 elected members have taken office, the board shall meet and
565 elect from its membership a chair, vice chair, secretary, and
566 treasurer or secretary-treasurer.

567 Section 4.05 In accordance with s. 191.005, Florida
568 Statutes, members of the board may each be paid, from the funds
569 of the district, a salary or honorarium for his or her services
570 in an amount not to exceed \$500 per month for each member. In
571 addition, members may be reimbursed for travel and per diem
572 expenses as provided in s. 112.061, Florida Statutes.

573 Section 4.06 If a vacancy occurs on the board due to the
574 resignation, death, or removal of a board member or the failure
575 of anyone to qualify for a board seat, the remaining members may
576 appoint a qualified person to fill the seat until the next
577 general election, at which time an election shall be held to
578 fill the vacancy for the remaining term, if any. The board shall
579 remove any member who has three consecutive, unexcused absences
580 from regularly scheduled meetings. The board shall adopt
581 policies by resolution defining excused and unexcused absences.

582 Section 4.07 The procedures for conducting district
 583 elections or referenda and for qualification of electors shall
 584 be pursuant to chapters 189 and 191, Florida Statutes.

585 Section 4.08 The board shall have those administrative
 586 duties set forth in this charter and chapters 189 and 191,
 587 Florida Statutes.

588 Section 4.09 The board is authorized to adopt rules and
 589 regulations for the prevention of fire and for fire control in
 590 the district, which rules and regulations shall have the same
 591 force and effect as law 10 days after copies thereof executed by
 592 the chair and secretary of the board have been posted in at
 593 least three public places.

594 Section 4.10 A quorum of the board shall be a majority of
 595 its members. In order to take official action, an affirmative
 596 vote of a majority of those voting members present shall be
 597 required.

598 Section 4.11 It shall be considered a conflict of interest
 599 and unlawful for board members to enter into any type of
 600 agreement with the district which will bring about personal,
 601 monetary, or other gain, or to individually interfere with the
 602 day-to-day operations of the district staff.

603 ARTICLE V

604 FINANCES

605 Section 5.01 The powers, functions, and duties of the
 606 district regarding ad valorem taxation, bond issuance, other
 607 revenue-raising capabilities, budget preparation and approval,

608 liens and foreclosure of liens, use of tax deeds and tax
609 certificates as appropriate for non-ad valorem assessments, and
610 contractual agreements, and the methods for financing the
611 district and for collecting non-ad valorem assessments, fees, or
612 service charges, shall be as set forth in this charter, in
613 chapters 170, 189, 191, and 197, Florida Statutes, and in any
614 applicable general or special law.

615 Section 5.02 The district shall levy and collect ad
616 valorem taxes in accordance with s. 191.009, Florida Statutes,
617 and chapter 200, Florida Statutes. The taxes levied and assessed
618 by the district shall be a lien upon the land so assessed along
619 with the county taxes assessed against such land until such
620 assessments and taxes have been paid, and if the taxes levied by
621 the district become delinquent, such taxes shall be considered a
622 part of the county tax subject to the same penalties, charges,
623 fees, and remedies for enforcement and collection and shall be
624 enforced and collected as provided by general law for the
625 collection of such taxes. The district shall have the authority
626 to levy a millage rate up to 1.5. This charter does not prevent
627 the district from levying a millage rate as provided for in s.
628 191.009, Florida Statutes, which has been approved by
629 referendum.

630 Section 5.03 The board shall annually prepare, consider,
631 and adopt a district budget pursuant to the applicable
632 requirements of chapters 189 and 191, Florida Statutes. The
633 fiscal year shall be from October 1 through September 30. The

634 budget shall state the purpose for which the money is required
 635 and the amount necessary to be raised by taxation within the
 636 district. Such budget and proposed millage rate shall be
 637 noticed, heard, and adopted in accordance with chapters 189,
 638 192, and 200, Florida Statutes.

639 Section 5.04 All warrants for the payment of labor,
 640 equipment, materials, and other allowable expenses incurred by
 641 the district board in carrying out the provisions of this
 642 charter shall be payable on accounts and vouchers approved by
 643 the district board.

644 Section 5.05 The methods for assessing and collecting non-
 645 ad valorem assessments, fees, or service charges shall be as set
 646 forth in this charter, chapter 170, Florida Statutes, chapter
 647 189, Florida Statutes, chapter 191, Florida Statutes, or chapter
 648 197, Florida Statutes.

649 Section 5.06 Impact fees.-

650 (1) The district shall have the authority to charge and
 651 collect impact fees for capital improvements on new construction
 652 within the district as prescribed in chapter 191, Florida
 653 Statutes, or any other applicable general law.

654 (2) The district shall comply with the requirements in ss.
 655 163.31801 and 191.009(4), Florida Statutes, in its collection
 656 and use of impact fees. New facilities and equipment shall be as
 657 provided for in s. 191.009(4), Florida Statutes.

658 (3) The district is authorized to enter into agreements
 659 regarding the collection of impact fees.

660 ARTICLE VI

661 MISCELLANEOUS

662 Section 6.01 Requirements for financial disclosure,
 663 meeting notices, reporting, public records maintenance, and per
 664 diem expenses for officers and employees shall be as set forth
 665 in this charter and chapters 112, 119, 189, 191, and 286,
 666 Florida Statutes.

667 Section 5. Immunity from tort liability.-

668 (1) The district and its officers, agents, and employees
 669 shall have the same immunity from tort liability as other
 670 agencies and subdivisions of the state. The provisions of
 671 chapter 768, Florida Statutes, shall apply to all claims
 672 asserted against the district.

673 (2) The district commissioners and all officers, agents,
 674 and employees of the district shall have the same immunity and
 675 exemption from personal liability as is provided by chapter 768,
 676 Florida Statutes.

677 (3) In accordance with chapter 768, Florida Statutes, the
 678 district shall defend all claims against the district
 679 commissioners and officers, agents, and employees of the
 680 district which arise within the scope of employment or purposes
 681 of the district and shall pay all judgments against such
 682 persons, except where such persons acted in bad faith or with
 683 malicious purpose or in a manner exhibiting wanton and willful
 684 disregard of human rights, safety, or property.

685 Section 6. Miscellaneous.-

686 (1) The district shall exist until the Legislature
687 approves a special act providing for its dissolution, and such
688 special act is contingent upon approval by the electors of the
689 district.

690 (2) The district's property and assets are exempt from
691 taxation pursuant to s. 191.007, Florida Statutes.

692 (3) All contracts and obligations existing on the date of
693 enactment of this act shall remain in full force and effect, and
694 this act shall in no way affect the validity of such contracts
695 or obligations.

696 Section 7. Liberal construction.—The provisions of this
697 act shall be liberally construed in order to effectively carry
698 out the purposes of this act in the interest of the public
699 health, welfare, and safety of the citizens served by the
700 district.

701 Section 8. Severability.—It is declared to be the intent
702 of the Legislature that if any section, subsection, sentence,
703 clause, phrase, or portion of this act is for any reason held
704 invalid or unconstitutional by a court of competent
705 jurisdiction, such portion shall be deemed a separate, distinct,
706 and independent provision, and such holding shall not affect the
707 validity of the remaining portions hereof.

708 Section 9. Conflict.—In the event of a conflict of any
709 provision of this act with the provisions of any other act, the
710 provisions of this act shall control to the extent of such
711 conflict.

712 Section 10. Determination of millage.—The district shall
713 maintain the authority to levy a millage rate up to 1.5 mills
714 that was previously approved by referendum in each independent
715 special district as required by the State Constitution and
716 chapter 191, Florida Statutes. The maximum millage rate approved
717 within each independent special district may not increase absent
718 a subsequent referendum. The district is authorized to continue
719 or conclude procedures under chapter 200, Florida Statutes, on
720 behalf of the component independent special districts.

721 Section 11. Referendum.—At the special referendum election
722 called pursuant to this act, the ballot question shall be
723 substantially as follows:

724
725 Shall the East Naples Fire Control and Rescue District
726 and the Golden Gate Fire Control and Rescue District
727 be merged to create a new district known as the
728 Greater Naples Fire Rescue District, for the purpose
729 of providing fire protection and prevention services
730 to the district, with such district retaining the
731 authority to levy no more than the current rate of 1.5
732 mills of ad valorem taxation on property located
733 within the district?

734
735 Section 12. Chapters 2000-392, 2012-231, 2004-433, and
736 2000-444, Laws of Florida, are repealed.

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737 Section 13. All assets and liabilities of the East Naples
738 Fire Control and Rescue District and the Golden Gate Fire
739 Control and Rescue District are transferred to the Greater
740 Naples Fire Rescue District.

741 Section 14. This act shall take effect only upon its
742 approval by a majority vote of those qualified electors in the
743 area described in section 2.01 of section 4 voting in a
744 referendum to be held in conjunction with the next general,
745 special, or other election to be held in Collier County, except
746 that this section and section 11 shall take effect upon this act
747 becoming a law.