

CHAPTER 2015-191

Committee Substitute for Committee Substitute for House Bill No. 899

An act relating to the North Collier Fire Control and Rescue District, Collier County; merging the Big Corkscrew Island Fire Control and Rescue District and the North Naples Fire Control and Rescue District to create an independent special district; providing legislative intent; providing for applicability of chapters 189 and 191, F.S.; providing a district charter; providing for preservation of existing powers; providing purposes; providing for service delivery areas; providing boundaries; providing for applicability of chapter 171, F.S.; providing for expansion of boundaries; providing district powers; providing for a district board; providing duties and powers of the board; providing for elections, salaries, and removal of the board members; providing an exception to general law; providing authority of the board; providing for quorum and voting; providing for district finances; providing for raising revenue; providing for taxation; providing a savings clause for the existing district authority to levy up to 1 mill in the North Naples Service Delivery Area and up to 3.75 mills in the Big Corkscrew Island Service Delivery Area; providing for district budget; providing for use of a cost allocation methodology; providing for separate taxing subunits; providing for non-ad valorem assessments, fees, and service charges; providing for bonds; providing for collection and disbursement of impact fees; providing for elections; providing for eminent domain powers; providing for the preservation of all contracts, obligations, rules, resolutions, and policies; preserving existing board and employees except as described in the district's endorsed merger plan; providing financial disclosure, meeting notices, reporting, public records maintenance, and planning requirements; providing a dissolution process; providing for exemption from taxation; providing for immunity from tort liability; providing for liberal construction; providing that the act shall take precedence over any conflicting law to the extent of such conflict; providing for the determination of millage; repealing chapters 99-450, 2000-395, and 2006-353, Laws of Florida; providing an effective date.

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

Section 1. This act constitutes the unified charter of the North Collier Fire Control and Rescue District, Collier County, which was created on January 1, 2015, through the voluntary merger of the Big Corkscrew Island Fire Control and Rescue District and the North Naples Fire Control and Rescue District approved at referendum by the electors of each district on November 4, 2014. It is the intent of the Legislature to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the Big Corkscrew Island Fire Control and Rescue District and the North Naples Fire Control and Rescue District by its several legislative enactments, including the authority to annually assess

and levy against the taxable property within the district and to conform the charter to chapter 191, Florida Statutes, the Independent Special Fire Control District Act, and other provisions of general law.

Section 2. All of the incorporated lands in Collier County described in section 3 of the charter shall be incorporated into the district under the name of the North Collier Fire Control and Rescue District. The district is an independent special fire control and rescue district in Collier County. It is organized and exists for all purposes and shall hold all powers set forth in this act and chapters 189 and 191, Florida Statutes. The charter may be amended only by special act of the Legislature.

Section 3. The charter for the North Collier Fire Control and Rescue District is created to read:

Section 1. Preamble.—

(1) This act establishes a charter for the North Collier Fire Control and Rescue District (“district”), an independent special district in Collier County that was created on January 1, 2015, through the voluntary merger of the Big Corkscrew Island Fire Control and Rescue District and the North Naples Fire Control and Rescue District, which was approved at referendum on November 4, 2014.

(2) This act supersedes and repeals all previous special acts relating to the Big Corkscrew Island Fire Control and Rescue District and the North Naples Fire Control and Rescue District and sets forth within this charter those matters, as applicable, which are covered by such previous special acts. Amendments to this charter may be made only by special act of the Legislature. This act shall be construed so as to preserve all powers previously granted to the district.

(3) The district is organized and exists for all purposes set forth in this act and chapter 191, Florida Statutes.

(4) There shall be a service delivery area within the district that corresponds to the boundaries of each of the independent special fire control and rescue districts, otherwise known as component independent special districts.

Section 2. District name.—

(1) The name of the district shall be the “North Collier Fire Control and Rescue District.”

(2) The district shall be an independent special district of the State of Florida and a body corporate and politic.

Section 3. Boundaries.—

(1) The lands to be incorporated within the North Collier Fire Control and Rescue District consist of the following described lands in Collier County:

(a) Big Corkscrew Island Service Delivery Area Range 27 East, Township 47 South; Range 28 East, Township 47 South; Range 27 East, except Sections 29, 30, 31, and 32, Township 48 South; Range 28 East, Township 48 South; Range 29 East, except Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, Township 48 South; Range 28 East, except Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, Township 49 South; Range 29 East, except Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, Township 49 South;

Hereinafter referred to as the “Big Corkscrew Island Service Delivery Area”

(b) North Naples Service Delivery Area Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36, Township 48 South, Range 25 East; Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, and 24, Township 49 South, Range 25 East; Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 29, 30, 31, and 32, Township 48 South, Range 26 East; Sections 5, 6, 7, 8, 18, and 19, Township 49 South, Range 26 East; but not including any lands presently within the corporate boundaries of the City of Naples.

The foregoing description notwithstanding, the following area, commonly known as “Seagate”, “Park Shore Unit 2”, “Park Shore Unit 5”, “Naples Cay”, “Hole in the Wall” and “Moorings Park” shall be excluded from the district: That part of government lot one, Section 16, Township 49 South, Range 25 East, Collier County, Florida, described as follows: Commencing at the North quarter corner of Section 16, Township 49 South, Range 25 East, a 4 x 4 concrete monument with brass cap set by the county engineer, also being the northeast corner of government lot one and being the point of beginning: Thence run South 00 degrees 45 minutes 40 seconds east for 1327.70 feet to a concrete monument the southeast corner of the northeast quarter of the northwest quarter of Section 16 also being the southeast corner of government lot one, thence south 89 degrees 23 minutes 20 seconds west for 1650.75 feet to a concrete monument, thence north 00 degrees 36 minutes 40 seconds west for 70.00 feet to a concrete monument, thence north 07 degrees 42 minutes 20 seconds east for 153.60 feet to concrete monument set at the water line of a canal, thence north 64 degrees 11 minutes 00 seconds east for 130.27 feet to a concrete monument set at the water line of a canal, thence north 04 degrees 11 minutes 05 seconds east for 38.77 feet to the point of curve, thence along the arc of said curve having a radius of 1545 feet, a tangent of 176.03 feet, a delta angle of 13 degrees right for the arc distance of 350.57 feet to the point of curve of a reverse curve, thence along the arc of curve having a radius of 765.00 feet, a tangent of 286.02 feet, a delta angle of 41 degrees left for the arc distance of 560.33 feet to

the point of tangent, thence north 15 degrees 37 minutes 05 seconds west for 70.85 feet to a concrete monument set at the water line of a canal, thence north 15 degrees 57 minutes 05 seconds west for 98.80 feet to a concrete monument, thence north 89 degrees 28 minutes 40 seconds east along the North boundary of Section 16, also being the north line of government lot one, for 1776.65 feet to a concrete monument with brass cap, the north quarter corner of Section 16, also the northeast corner of government lot one and the point of beginning.

Commencing at the East $\frac{1}{4}$ of Section 21, Township 49 South, Range 25 East, Collier County, Florida; thence along the East and West $\frac{1}{4}$ line of said Section 21, South 89 degrees 26 minutes 20 seconds west 3665.68 feet to the southwest corner of Park Shore Unit No. 1 according to the plat thereof as recorded in Plat Book 8, pages 43 and 44, Collier County Public Records, Collier County, Florida, and the place of beginning of this description:

thence north 0 degrees 31 minutes 40 seconds west 1709.98 feet; thence north 7 degrees 46 minutes 00 seconds east 918.77 feet; thence north 541.25 feet; thence north 84 degrees 00 minutes 00 seconds west 570.17 feet; thence north 2 degrees 25 minutes 00 seconds west 97.35 feet; thence south 87 degrees 35 minutes 00 seconds west 110.00 feet; thence south 87 degrees 00 minutes 00 seconds west 1160 feet more or less to the Mean High Water Line of the Gulf of Mexico; thence along said Mean High Water Line, southerly 3275 feet more or less to the east and west $\frac{1}{4}$ line of said Section 21; thence along said east and west $\frac{1}{4}$ line of Section 21; north 89 degrees 28 minutes 20 seconds east 1540 feet more or less to the place of beginning: being a subdivision of part of the south $\frac{1}{3}$ of Section 16 and of part of the north $\frac{1}{2}$ of Section 21, Township 49 South, Range 25 East, Collier County, Florida.

Commencing at the northeast corner of government Lot 2 of Section 16, Township 49 South, Range 25 East, Collier County, Florida said corner being also the northeast corner of Lot 8 of Block 35 of Park Shore Unit No. 4 according to the plat thereof as recorded in Plat Book 10, pages 101, 102, and 103, Collier County Public Records, Collier County, Florida; thence along the north line of said government Lot 2, along the north line of said Park Shore Unit No. 4, and along the south line of Seagate Subdivision Unit No. 1 according to the plat thereof as recorded in Plat Book 3, Page 85, Collier County Public Records, Collier County, Florida, South 89 degrees 25 minutes 50 seconds west 1330.53 feet to the west line of said Park Shore Unit No. 4 and the place of beginning of the parcel herein described; thence along the west line of said Park Shore Unit No. 4 in the following described courses:

South 37 degrees 25 minutes 50 seconds west 250.89 feet, south 0 degrees 34 minutes 10 seconds east 225.44 feet, south 26 degrees 45 minutes 30 seconds east 632.19 feet and south 5 degrees 09 minutes 00 seconds east 580.72 feet to the northwest corner of Park Shore Unit No. 3 according to plat thereof as recorded in Plat Book 8, pages 59 and 60,

Collier County Public Records, Collier County, Florida; thence along the west line of said Park Shore Unit No. 3, South 5 degrees 09 minutes 00 seconds east 1879.04 feet to the north line of Park Shore Unit No. 2 according to the plat thereof as recorded in Plat Book 8, pages 54 and 55, Collier County Public Records, Collier County, Florida; thence along the northerly line of said Park Shore Unit No. 2, in the following described courses: north 84 degrees 00 minutes 00 seconds west 433.28 feet, north 2 degrees 25 minutes 00 seconds west 97.35 feet, south 87 degrees 35 minutes 00 seconds west 110.00 feet, and south 87 degrees 00 minutes 00 seconds west 1160 feet more or less to the Mean High Water Line of the Gulf of Mexico; thence along said Mean High Water Line, northerly 3350 feet more or less to a point on the westerly extension of the south line of said Seagate Subdivision which south line bears south 89 degrees 25 minutes 50 seconds west and passes through the place of beginning; thence along said south line and the westerly extension thereof, north 89 degrees 25 minutes 50 seconds east 1450 feet more or less to the place of beginning; being a part of the west ½ Section 16, Township 49 South, Range 25 East, Collier County, Florida, containing 118 acres more or less.

Commencing at the northwest corner of the northwest ¼ of the northeast ¼ of section 16, Township 49 South, Range 25 East; thence North 89 degrees 24 minutes 40 seconds East, 1650.75 feet along the north line of Parkshore Unit 4 and Unit 5 to the place of beginning; thence North 89 Degrees 24 minutes 40 seconds East along said north line of Parkshore Unit 5, 740.98 feet; thence North 4 degrees 40 minutes 20 seconds West, 125.32 feet; thence North 89 degrees 24 minutes 40 seconds East, 4.73 feet; thence North 4 degrees 40 minutes 20 seconds West, 350.89 feet; thence North 89 degrees 24 minutes 40 seconds East, 197.19 feet to a concrete monument on the coastal construction line; thence west to the mean high water line of the Gulf of Mexico; thence northerly along said mean high water line to the North line of Section 16, Township 49 South, Range 25 East; thence East along the north line of said Section 16 to the northwest corner of Seagate Subdivision; thence southerly along the west line of said Seagate Subdivision to the place of beginning less the following described lands:

Parcel 2 in O.R. Book 14, Page 195 and 196; that parcel conveyed to Jane Homer Lee as described in O.R. Book 34, Page 301 and 302; that parcel conveyed to Seagate, Inc., as described in O.R. Book 182, Page 248 and 249. Subject to existing easements and rights of ingress and egress.

A parcel of land described as all of Lots 23 through 32 of Naples Improvement Company's Little Farms according to the Plat thereof and recorded in Plat Book 2 Page 2 Collier County Public Records, Collier County, Florida and the Westerly 198.00 feet of the Southwest quarter of the Northwest quarter of Section 23 Township 49 South Range 25 East and all of parcels "C" and "D" as recorded in O.R. Book 3537 page 4108 through 4113, less and except the right of way for Goodlette Road and less and except parcels "A" and "B" as recorded in O.R. Book 3537 page

4102 through 4107, Collier County Public Records, Collier County, Florida; said parcel being more particularly described as follows:

Commencing at the Northeast Corner of Section 22, Township 49 South Range 25 East Collier County, Florida;
thence South 01 degrees 04 minutes 01 seconds East along the East line of the Northeast quarter of said Section 22 a distance of 666.42 feet to the Northeast corner of Lot 32 of said Naples Improvement Company's Little Farms and the Point of Beginning of the parcel herein being described;
thence South 89 degrees 24 minutes 38 seconds West along the North line of said Lot 32 a distance of 2591.92 feet to an intersection with the Easterly Right-of-Way line of the aforementioned Goodlette Frank Road;
thence South 00 degrees 57 minutes 59 seconds East along said Easterly Right-of-Way line a distance of 3311.14 feet to an intersection with the Southerly line of the aforementioned Lot 23;
thence North 89 degrees 51 minutes 56 seconds East along said Southerly Line A distance of 2597.74 feet to the Southeast corner of said Lot 23;
thence North 01 degree 04 minutes 22 seconds West along the Easterly line of the aforementioned Lots 23 through 26 a distance of 1205.47 feet;
thence leaving said line North 36 degrees 04 minutes 54 seconds East along the boundary of parcel "D" as recorded in O.R. Book 3537 pages 4108 through 4113, Collier County Public Records, Collier County, Florida, a distance of 137.45 feet;
thence continuing along said boundary North 38 degrees 45 minutes 50 seconds East a distance of 21.60 feet;
thence leaving said line North 88 degrees 54 minutes 01 seconds East a distance of 35.74 feet;
thence North 35 degrees 32 minutes 50 seconds East along the boundary of parcel "B" as recorded in O.R. Book 3537 pages 4102 through 4107, Collier County Public Records, Collier County, Florida, a distance of 35.89 feet;
thence continuing along said boundary North 32 degrees 01 minutes 31 seconds East a distance of 25.39 feet;
thence continuing along said boundary North 24 degrees 05 minutes 47 seconds East a distance of 46.76 feet;
thence continuing along said boundary North 27 degrees 00 minutes 26 seconds East, a distance of 21.88 feet;
thence leaving said boundary North 01 degrees 03 minutes 02 seconds West along the Easterly boundary of the Westerly 198.00 feet of the Southwest quarter of the Northwest quarter of Section 23 Township 49 South Range 25 East Collier County, Florida, a distance of 121.79 feet;
thence leaving said line North 13 degrees 42 minutes 35 seconds East along the boundary of parcel "C" as recorded in the O.R. Book 3537 pages 4108 through 4113, Collier County Public Records, Collier County, Florida, a distance of 32.39 feet;
thence continuing along said boundary of parcel "C" for the following 20 courses;

thence North 26 degrees 08 minutes 47 seconds East a distance of 43.29 feet;
thence North 51 degrees 45 minutes 44 seconds East a distance of 49.62 feet;
thence North 24 degrees 49 minutes 56 seconds East a distance of 48.02 feet;
thence North 07 degrees 46 minutes 47 seconds East a distance of 21.12 feet;
thence North 18 degrees 07 minutes 01 seconds West a distance of 35.65 feet;
thence North 59 degrees 17 minutes 51 seconds West a distance of 11.23 feet;
thence North 13 degrees 55 minutes 41 seconds West a distance of 23.82 feet;
thence North 12 degrees 53 minutes 05 seconds East a distance of 39.20 feet;
thence North 23 degrees 26 minutes 05 seconds West a distance of 11.48 feet;
thence North 46 degrees 31 minutes 46 seconds West a distance of 9.64 feet;
thence North 21 degrees 12 minutes 44 seconds West a distance of 81.61 feet;
thence North 11 degrees 17 minutes 34 seconds West a distance of 41.72 feet;
thence North 00 degrees 16 minutes 46 seconds West a distance of 52.13 feet;
thence North 10 degrees 22 minutes 33 seconds East a distance of 35.20 feet;
thence North 10 degrees 15 minutes 09 seconds West a distance of 31.07 feet;
thence North 12 degrees 45 minutes 32 seconds East a distance of 27.21 feet;
thence North 03 degrees 05 minutes 53 seconds East a distance of 25.26 feet;
thence North 33 degrees 51 minutes 45 seconds West a distance of 21.85 feet;
thence North 12 degrees 19 minutes 53 seconds West a distance of 136.08 feet;
thence North 07 degrees 10 minutes 32 seconds West a distance of 15.60 feet;
thence leaving said boundary of parcel "C" North 01 degrees 03 minutes 02 seconds West along the Easterly boundary of the Westerly 198.00 feet of the Southwest quarter of the Northwest quarter of Section 23 Township 49 South Range 25 East Collier County, Florida, a distance of 92.29 feet;
thence North 53 degrees 25 minutes 20 seconds West along the boundary of parcel "A" as recorded in the O.R. Book 3537 pages 4102 through 4107 Collier County Public Records, Collier County, Florida, a distance of 33.78 feet;

thence continuing along said boundary of parcel "A" for the following 18 courses;
thence North 54 degrees 24 minutes 44 seconds West a distance of 30.62 feet;
thence North 31 degrees 33 minutes 28 seconds West a distance of 58.27 feet;
thence North 04 degrees 11 minutes 51 seconds East a distance of 11.28 feet;
thence North 47 degrees 04 minutes 38 seconds East a distance of 9.16 feet;
thence North 47 degrees 30 minutes 05 seconds East a distance of 34.95 feet;
thence North 58 degrees 17 minutes 59 seconds West a distance of 18.87 feet;
thence North 89 degrees 41 minutes 10 seconds West a distance of 10.73 feet;
thence North 32 degrees 14 minutes 57 seconds West a distance of 8.80 feet;
thence North 04 degrees 43 minutes 32 seconds West a distance of 9.48 feet;
thence North 20 degrees 23 minutes 21 seconds West a distance of 41.72 feet;
thence North 51 degrees 04 minutes 36 seconds West a distance of 32.24 feet;
thence North 68 degrees 43 minutes 18 seconds West a distance of 15.23 feet;
thence North 72 degrees 40 minutes 24 seconds West a distance of 21.96 feet;
thence North 63 degrees 49 minutes 18 seconds West a distance of 18.83 feet;
thence North 31 degrees 13 minutes 48 seconds West a distance of 21.70 feet;
thence North 07 degrees 59 minutes 10 seconds West a distance of 9.96 feet;
thence North 20 degrees 35 minutes 44 seconds West a distance of 29.93 feet;
thence South 88 degrees 47 minutes 48 seconds West a distance of 34.14 feet;
thence leaving said boundary of parcel "A" North 01 degrees 04 minutes 01 seconds West along the Easterly line of the aforesaid plat and along the Easterly line of Lots 31 and 32 a distance of 666.42 feet to the point of beginning of the parcel herein described; containing 204.19 acres of land more or less;

Together with parcels "A" and "B" as recorded in O.R. Book 3537 pages 4102 through 4108, Collier County Public Records, Collier County, Florida and being more particularly described as follows:

All that part of the West 198 feet of the Southwest ¼ of the Northwest ¼ of Section 23, Township 49 South, Range 25 East, Collier County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of the Southwest ¼ of the Northwest ¼ of said Section 23; thence North 88 degrees 47 minutes 48 seconds East along the quarter section line a distance of 34.14 feet to an intersection with the Easterly top of bank of Gordon River Drainage Ditch, said intersection being the point of beginning of the parcel herein described;

thence continue along said quarter section line North 88 degrees 47 minutes 48 seconds East 163.86 feet to an intersection with the Easterly line of said West 198 feet;

thence South 01 degrees 03 minutes 02 seconds East along said Easterly line a distance of 273.03 feet to an intersection with said Easterly top of bank of said drainage ditch;

thence leaving said Easterly line along said Easterly top of bank of said ditch on the following (15) described courses:

thence North 53 degrees 25 minutes 20 seconds West 33.78 feet;

thence North 31 degrees 33 minutes 28 seconds West 53.27 feet;

thence North 04 degrees 11 minutes 51 seconds East 11.28 feet;

thence North 47 degrees 24 minutes 49 seconds East 44.09 feet;

thence North 58 degrees 17 minutes 59 seconds West 18.87 feet;

thence South 89 degrees 41 minutes 10 seconds West 10.73 feet;

thence North 32 degrees 14 minutes 57 seconds West 8.80 feet;

thence North 04 degrees 43 minutes 32 seconds West 9.48 feet;

thence North 20 degrees 23 minutes 31 seconds West 41.72 feet;

thence North 51 degrees 04 minutes 36 seconds West 32.24 feet;

thence North 71 degrees 03 minutes 18 seconds West 37.17 feet;

thence North 63 degrees 49 minutes 18 seconds West 18.83 feet;

thence North 31 degrees 13 minutes 48 seconds West 21.70 feet;

thence North 07 degrees 59 minutes 10 seconds West 9.96 feet;

thence North 20 degrees 35 minutes 44 seconds West 29.93 feet to the point of beginning of the parcel herein described; containing 0.46 acres of land more or less.

All that part of the West 198 feet of the Southwest ¼ of the Northwest ¼ of Section 23, Township 49 South, Range 25 East, Collier County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of the Southwest ¼ of the Northwest ¼ of said Section 23; thence South 01 degrees 03 minutes 02 seconds East along the Westerly line of said Southwest ¼ of said Northwest ¼ a distance of 133.83 feet to an intersection with the Southerly line of said Southwest ¼ of said Northwest ¼; thence North 83 degrees 54 minutes 01 seconds East along Southerly line a distance of 132.59 feet to an intersection with the Easterly top of bank of Gordon River Drainage Ditch, said intersection being the point of beginning of the parcel herein being described;

thence continue along said Southerly line of said Southwest $\frac{1}{4}$ of said Northwest $\frac{1}{4}$ North 88 degrees 54 minutes 01 seconds East 65.41 feet to an intersection with the Easterly line of said West 198 feet;
thence North 01 degrees 03 minutes 02 seconds West along said Easterly line a distance of 111.67 feet to an intersection with said Easterly top of bank of said drainage ditch;
thence leaving said Easterly line along said Easterly top of bank of said ditch on the following (4) described courses:
thence South 27 degrees 00 minutes 26 seconds West 21.88 feet;
thence South 24 degrees 05 minutes 47 seconds West 46.76 feet;
thence South 32 degrees 01 minutes 31 seconds West 25.39 feet;
thence South 35 degrees 32 minutes 50 seconds West 35.89 feet to the point of beginning of the parcel herein described; containing 3,319 square feet (.0762 acres) of land more or less.

All that part of Section 15, Township 49 South, Range 25 East, and being a part of Lots 37 through 49 of Naples Improvement Company's Little Farms, according to the Plat thereof as recorded in Plat Book 2, page 2, Collier County Public Records, Collier County, Florida and being more particularly described as follows: commencing at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 15, Township 49 South, Range 25 East; thence along the North line of said Section 15, North 89 degrees 55 minutes 30 seconds East 45.00 feet; thence 45 Easterly of and parallel with the North/South $\frac{1}{4}$ Section line of said Section 15, South 0 degrees 00 minutes 29 seconds East 50.00 feet to the South line of a Road Right-of-Way as recorded in O.R. Book 156, page 66 and 67, Collier County Public Records, Collier County, Florida; thence along the East line of a Road Right-of-Way as recorded in O.R. Book 41, page 592 and 593 and O.R. Book 41, page 531 and 532, Collier County Public Records, Collier County, Florida; South 0 degrees 00 minutes 29 seconds East 810.00 feet to the POINT OF BEGINNING of the Parcel herein described;
thence Easterly and Northeasterly 723.15 feet along the arc of a non-tangential circular curve concave to the Northwest, having a radius of 1100.00 feet and being subtended by a chord which bears North 71 degrees 09 minutes 31 seconds East 710.20 feet to a Point of Reverse Curvature;
thence Northeasterly 287.16 feet along the arc of a circular curve concave to the Southeast, having a radius of 546.28 feet and being subtended by a chord which bears North 67 degrees 23 minutes 06 seconds East 283.86 feet to the lands described in O.R. 228, pages 789 thru 798 inclusive and O.R. 645, pages 241 thru 246 inclusive, Collier County Public Records, Collier County, Florida;
thence along said lands the following courses:
thence South 4 degrees 37 minutes 26 seconds West 198.19 feet;
thence South 4 degrees 22 minutes 19 seconds East 467.18 feet;
thence South 8 degrees 26 minutes 00 seconds East 418.40 feet;
thence South 33 degrees 31 minutes 22 seconds East 570.24 feet;
thence South 44 degrees 56 minutes 05 seconds West 82.02 feet;
thence South 60 degrees 26 minutes 33 seconds West 100.60 feet;

thence South 71 degrees 15 minutes 21 seconds West 269.34 feet;
thence South 54 degrees 31 minutes 14 seconds West 74.33 feet;
thence South 0 degrees 00 minutes 40 seconds East 336.35 feet;
thence South 0 degrees 39 minutes 20 seconds East 1211.22 feet;
thence South 5 degrees 13 minutes 24 seconds East 461.74 feet;
thence South 16 degrees 25 minutes 03 seconds East 198.14 feet;
thence leaving said lands South 89 degrees 43 minutes 00 seconds West
980.54 feet to the East line of a Road Right-of-Way as recorded in O.R.
Book 167, page 522 and 523, Collier County Public Records, Collier
County, Florida;
thence along said East Right-of-Way line and the East line of a Road
Right-of-Way as Recorded in O.R. Book 41, page 531 and 532, Collier
County Public Records, Collier County, Florida, North 0 degrees 00
minutes 29 seconds West 3653.72 feet to the Point of Beginning of the
Parcel herein described;
containing 82.946 acres of land more or less.

Hereinafter referred to as the “North Naples Service Delivery Area”

(2) Chapter 171, Florida Statutes, applies to all annexations by a
municipality within the district’s boundaries.

(3) Additional lands shall be included in the district only upon amend-
ment of subsection (1). Subsection (1) may be amended only by special act,
and such amendment shall only become effective upon approval of the
inclusion of such additional lands in the district by a majority of the qualified
electors residing in the area proposed to be included voting in a special
election called for such purpose.

Section 4. Powers of the district.—

(1) The district is authorized to establish, equip, operate, and maintain a
fire department and rescue squad within the district and may buy, lease, sell,
exchange, or otherwise acquire and dispose of firefighting and rescue
equipment and other property, real, personal, or mixed, that it may from
time to time deem necessary to prevent and extinguish fires or provide rescue
services. This shall include, but is not limited to, the authority to hire and fire
necessary firefighters and other personnel; to provide water, water supply,
water stations, and other necessary buildings; to accept gifts or donations of
equipment or money for the use of the district; to provide fire hydrants or
other types of water supply, buildings for housing fire equipment and
personnel, training facilities for fire and rescue, and other buildings deemed
necessary by the district board to provide adequate protection from
unwanted fire and to carry out rescue operations; and to do all things
necessary to provide adequate water supply, fire prevention, and proper fire
protection for the district. Recognizing that the dramatically increasing
housing costs in Collier County may have a detrimental impact on the ability
to hire and retain personnel needed for the provision of fire protection
services to district residents, the district is authorized also to provide

housing or housing assistance for its employed personnel, with use of such funds being deemed to be in the public interest. In addition, the district is authorized to extend its services beyond the district boundaries, provided it is in cooperation with another governmental entity, whether federal, state, county, municipal, or special district.

(2) The district is authorized to provide a paid staff to carry out its responsibilities. Such staff shall serve at the pleasure of the district board.

(3) The district may establish and maintain emergency medical and rescue response services consistent with s. 191.008(1), Florida Statutes, chapter 401, Florida Statutes, and any certificate of public convenience and necessity or its equivalent issued thereunder.

(4) In addition to any other power to borrow money as may be provided by this charter or by general law, the district may borrow sufficient funds to provide for 3 months' operating expenses, with such loan to be repaid from anticipated revenues.

(5) The district is authorized to inspect and investigate all property for fire hazards. The district board, by resolution duly adopted, may assess fees for fire inspection and maintenance and replacement of hydrants in an amount reasonably related to the cost thereof and may adopt provisions creating a lien or providing for civil enforcement of such assessments.

(6) The district is authorized to adopt rules and regulations for the prevention of fire and for fire control in the district, which shall have the same force and effect as law 10 days after copies thereof executed by the chair and secretary of the board have been posted in at least three places.

(7) The district shall have all powers and duties granted by this charter and chapters 189 and 191, Florida Statutes.

Section 5. Governing board.—

(1) The business and affairs of the district shall be conducted and administered by a board of fire commissioners elected pursuant to chapter 191, Florida Statutes, by the electors of the district in a nonpartisan election held at the time and in the manner prescribed for holding general elections in s. 189.04, Florida Statutes. Except as expressly provided in this charter, each member of the board shall be elected for a term of 4 years and shall serve until his or her successor assumes office.

(2)(a) The office of each board member is designated as a seat on the board, distinguished from each of the other seats by a numeral. Each candidate must designate, at the time he or she qualifies, the seat on the board for which he or she is qualifying. The name of each candidate who qualifies shall be included on the ballot in a way that clearly indicates the seat for which he or she is a candidate. The candidate for each seat who receives the most votes shall be elected to the board. The cost of such elections shall be paid from funds of the district.

(b) As of January 1, 2015, the effective date of the merger, the district is governed by an eight-member board of fire commissioners, which consists of the boards of fire commissioners of the Big Corkscrew Island Fire Control and Rescue District and the North Naples Fire Control and Rescue District. The eight commissioners shall serve until the governing body members elected at the next general election take office.

(c) In the 2016 general election, the board of fire commissioners shall be reduced to five members. Seat 1 shall be elected from the Big Corkscrew Island Service Delivery Area, with each candidate for such seat being required to be a qualified elector residing in the Big Corkscrew Island Service Delivery Area and being elected from only those electors of that service delivery area. Seat 3 shall be elected from the North Naples Service Delivery Area, with each candidate for such seat being required to be a qualified elector residing in the North Naples Service Delivery Area and being elected from only those electors of that service delivery area. Seats 2, 4, and 5 shall be elected as at-large seats for the merged district as a whole. The commissioners holding seats 1, 3, and 5 shall have initial terms that expire in November 2020. Commissioners holding seats 2 and 4 shall have initial terms that expire in November 2018.

(d) In the 2020 general election, seats 1 and 3 shall be elected as at-large seats for the district as a whole, and the requirements to reside within and be elected from the specified service delivery area as provided for in paragraph (c) are eliminated.

(3) In accordance with chapter 191, Florida Statutes, each member of the board must be a qualified elector at the time he or she qualifies and continually throughout his or her term.

(4) Each elected member shall assume office 10 days after the member's election. Within 60 days after the newly elected members have taken office, the board shall meet and elect from its membership a chair, vice chair, secretary, and treasurer. The positions of secretary and treasurer may be held by one member.

(5) In accordance with s. 191.005, Florida Statutes, each member of the board may be paid, from the funds of the district, a salary or honorarium for his or her services in an amount not to exceed \$500 per month. If applicable, the secretary-treasurer may be paid an additional sum for his or her services so long as the total compensation does not exceed \$500 per month. In addition, members may be reimbursed for travel and per diem expenses as provided in s. 112.061, Florida Statutes.

(6) If a vacancy occurs on the board due to the resignation, death, or removal of a board member or the failure of anyone to qualify for a board seat, the remaining members may appoint a qualified person to fill the seat until the next general election, at which time an election shall be held to fill the vacancy for the remaining term, if any. The board shall remove any member who has three consecutive, unexcused absences from regularly scheduled

meetings. The board shall adopt policies by resolution defining excused and unexcused absences.

(7) The procedures for conducting district elections or referenda and for qualification of electors shall be pursuant to chapters 189 and 191, Florida Statutes.

(8) The board shall have those administrative duties set forth in this charter and chapters 189 and 191, Florida Statutes.

(9) A quorum of the board shall be a majority of its members. In order to take official action, an affirmative vote of a majority of those voting members present shall be required.

Section 6. Finances.—

(1) The district shall hold all powers, functions, and duties set forth in chapters 189 and 191, Florida Statutes, regarding ad valorem taxation, bond issuance, other revenue raising capabilities, budget preparation and approval, liens and foreclosure of liens, use of tax deeds and tax certificates as appropriate for non-ad valorem assessments, and contractual agreements. The district may be financed by any method established in this charter, chapter 189 or chapter 191, Florida Statutes, or any other applicable general or special law.

(2)(a) The district shall levy and collect ad valorem taxes in accordance with s. 191.009, Florida Statutes, and chapter 200, Florida Statutes. The taxes levied and assessed by the district shall be a lien upon the land so assessed along with the county taxes assessed against such land until such assessments and taxes have been paid, and if the taxes levied by the district become delinquent, such taxes shall be considered a part of the county tax subject to the same penalties, charges, fees, and remedies for enforcement and collection and shall be enforced and collected as provided by general law for the collection of such taxes.

(b) Each service delivery area shall be a separate taxing unit. The district is authorized to levy a millage rate up to 1 mill in the North Naples Service Delivery Area and up to 3.75 mills in the Big Corkscrew Island Service Delivery Area, subject to section 7.

(3)(a) The board shall annually prepare, consider, and adopt a district budget pursuant to the applicable requirements of chapters 189 and 191, Florida Statutes. The fiscal year shall be from October 1 through September 30. The budget shall state the purpose for which the money is required and the amount necessary to be raised by taxation within the district. Such budget and proposed millage rate shall be noticed, heard, and adopted in accordance with chapters 189, 192, and 200, Florida Statutes.

(b) The budget of the district shall be comprised of separate budgets of the Big Corkscrew Island Service Delivery Area and the North Naples Service Delivery Area until such time as there is one millage rate levied

districtwide and the taxing subunits have been eliminated. Until such time, a cost allocation methodology shall be used and there shall be separate budgets and cash reserves for each service delivery area. The budgets will be administered and reported, and the financial reporting will continue individually as required by s. 189.074, Florida Statutes, as separate subunits until there is one millage rate levied districtwide and the taxing subunits have been eliminated.

(4) The district is authorized to continue or conclude procedures under chapter 200, Florida Statutes, on behalf of the Big Corkscrew Island Service Delivery Area and the North Naples Service Delivery Area. The district shall make the calculations required by chapter 200, Florida Statutes, for each service delivery area separately.

(5) All warrants for the payment of labor, equipment, materials, and other allowable expenses incurred by the district board in carrying out this charter shall be payable on accounts and vouchers approved by the district board.

(6) The methods for assessing and collecting non-ad valorem assessments, fees, or service charges shall be as set forth in this charter and chapter 170, chapter 189, chapter 191, or chapter 197, Florida Statutes.

(7) The district shall have the power to issue general obligation bonds, assessment bonds, bond anticipation notes, notes, or certificates or other evidences of indebtedness ("bonds") pledging the full faith, credit, and taxing power of the district for capital projects consistent with the purposes of the district in accordance with s. 191.012, Florida Statutes, and other applicable general law.

(8)(a) The district is authorized to charge and collect impact fees for capital improvements on new construction within the district as prescribed in chapter 191, Florida Statutes, or any other applicable general law.

(b) The district shall comply with ss. 163.31801 and 191.009(4), Florida Statutes, in its collection and use of impact fees. New facilities and equipment shall be as provided for in s. 191.009(4), Florida Statutes.

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

Section 7. Elections.—

(1) When a referendum or special election is required under this charter, the district shall reimburse the county for the costs of such election.

(2) The procedures for conducting any district elections or referenda required and the qualifications of an elector of the district shall be as set forth in chapters 189 and 191, Florida Statutes.

Section 8. Eminent domain.—The district is authorized to exercise the power of eminent domain, pursuant to chapters 73, 74, and 191, Florida Statutes, over any property located within the district, except municipal, county, state, and federal property, for the purpose of acquiring property for the location of fire stations. The location and construction of fire stations shall comply with applicable Collier County ordinances.

Section 9. Miscellaneous.—

(1) All contracts, obligations, rules, resolutions, or policies of any nature existing on effective date of this charter shall remain in full force and effect, and this act shall in no way affect the validity of such contracts, obligations, rules, resolutions, or policies.

(2) This act does not affect the terms of office of the present district board, except as provided for in section 5, nor does it affect the terms and conditions of employment of any employee of the district except for the elimination of chief officer positions as identified in the endorsed merger plan that was approved by the Boards of Fire Commissioners of the North Naples Fire Control and Rescue District and the Big Corkscrew Island Fire Control and Rescue District on August 14, 2014.

(3) Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and planning shall be as set forth in chapters 189, 191, and 286, Florida Statutes.

(4) The district shall exist until the Legislature approves a special act providing for its dissolution, and such special act is contingent upon approval at referendum by the electors of the district.

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

(6)(a) The district and its officers, agents, and employees shall have the same immunity from tort liability as other agencies and subdivisions of the state. Chapter 768, Florida Statutes, applies to all claims asserted against the district.

(b) The district commissioners and all officers, agents, and employees of the district shall have the same immunity and exemption from personal liability as provided in chapter 768, Florida Statutes.

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

Section 4. Liberal construction.—This act shall be liberally construed in order to effectively carry out the purposes of this act in the interest of the public health, welfare, and safety of the citizens served by the district.

Section 5. Conflict.—In the event of a conflict of any provision of this act with the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

Section 6. Determination of millage.—The district shall maintain the authority to levy a millage rate up to 3.75 mills within the Big Corkscrew Island Service Delivery Area that was previously approved by referendum in the Big Corkscrew Island Fire Control and Rescue District as required by the State Constitution and chapter 191, Florida Statutes. The maximum millage rate within the Big Corkscrew Island Service Delivery Area may only increase upon approval at a referendum as required by the State Constitution and this act. The district shall maintain the authority to levy a millage rate up to 1 mill within the North Naples Service Delivery Area that was previously approved by referendum in the North Naples Fire Control and Rescue District as required by the State Constitution and chapter 191, Florida Statutes. The maximum millage rate approved within the North Naples Service Delivery Area may only increase upon approval at a referendum as required by the State Constitution and this act. The district is authorized to continue or conclude procedures under chapter 200, Florida Statutes, on behalf of the component independent special districts. As the district desires to have an equalized ad valorem millage rate districtwide as long as the revenues and reserves of one taxing subunit, otherwise known as a service delivery area or a component independent special district, are not subsidizing the other taxing subunit, the district shall reduce the ad valorem millage rate within the Big Corkscrew Island Service Delivery Area taxing subunit once the general fund revenues of that taxing subunit are sufficient to meet that subunit's general fund budgeted expenses without using its reserve funds.

Section 7. Chapters 99-450, 2000-395, and 2006-353, Laws of Florida, are repealed.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor June 10, 2015.

Filed in Office Secretary of State June 10, 2015.