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CS/CS/HB 899

2015 Legislature

1
2 An act relating to the North Collier Fire Control and
3 Rescue District, Collier County; merging the Big
4 Corkscrew Island Fire Control and Rescue District and
5 the North Naples Fire Control and Rescue District to
6 create an independent special district; providing
7 legislative intent; providing for applicability of
8 chapters 189 and 191, F.S.; providing a district
9 charter; providing for preservation of existing
10 powers; providing purposes; providing for service
11 delivery areas; providing boundaries; providing for
12 applicability of chapter 171, F.S.; providing for
13 expansion of boundaries; providing district powers;
14 providing for a district board; providing duties and
15 powers of the board; providing for elections,
16 salaries, and removal of the board members; providing
17 an exception to general law; providing authority of
18 the board; providing for quorum and voting; providing
19 for district finances; providing for raising revenue;
20 providing for taxation; providing a savings clause for
21 the existing district authority to levy up to 1 mill
22 in the North Naples Service Delivery Area and up to
23 3.75 mills in the Big Corkscrew Island Service
24 Delivery Area; providing for district budget;
25 providing for use of a cost allocation methodology;
26 providing for separate taxing subunits; providing for

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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27 non-ad valorem assessments, fees, and service charges;
 28 providing for bonds; providing for collection and
 29 disbursement of impact fees; providing for elections;
 30 providing for eminent domain powers; providing for the
 31 preservation of all contracts, obligations, rules,
 32 resolutions, and policies; preserving existing board
 33 and employees except as described in the district's
 34 endorsed merger plan; providing financial disclosure,
 35 meeting notices, reporting, public records
 36 maintenance, and planning requirements; providing a
 37 dissolution process; providing for exemption from
 38 taxation; providing for immunity from tort liability;
 39 providing for liberal construction; providing that the
 40 act shall take precedence over any conflicting law to
 41 the extent of such conflict; providing for the
 42 determination of millage; repealing chapters 99-450,
 43 2000-395, and 2006-353, Laws of Florida; providing an
 44 effective date.

45
 46 Be It Enacted by the Legislature of the State of Florida:

47
 48 Section 1. This act constitutes the unified charter of the
 49 North Collier Fire Control and Rescue District, Collier County,
 50 which was created on January 1, 2015, through the voluntary
 51 merger of the Big Corkscrew Island Fire Control and Rescue
 52 District and the North Naples Fire Control and Rescue District

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53 approved at referendum by the electors of each district on
 54 November 4, 2014. It is the intent of the Legislature to provide
 55 a single, comprehensive special act charter for the district,
 56 including all current legislative authority granted to the Big
 57 Corkscrew Island Fire Control and Rescue District and the North
 58 Naples Fire Control and Rescue District by its several
 59 legislative enactments, including the authority to annually
 60 assess and levy against the taxable property within the district
 61 and to conform the charter to chapter 191, Florida Statutes, the
 62 Independent Special Fire Control District Act, and other
 63 provisions of general law.

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

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

74 Section 1. Preamble.-

75 (1) This act establishes a charter for the North Collier
 76 Fire Control and Rescue District ("district"), an independent
 77 special district in Collier County that was created on January
 78 1, 2015, through the voluntary merger of the Big Corkscrew

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79 Island Fire Control and Rescue District and the North Naples
 80 Fire Control and Rescue District, which was approved at
 81 referendum on November 4, 2014.

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

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

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

96 Section 2. District name.—

97 (1) The name of the district shall be the "North Collier
 98 Fire Control and Rescue District."

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

101 Section 3. Boundaries.—

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

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105
 106 (a) Big Corkscrew Island Service Delivery Area
 107 Range 27 East, Township 47 South; Range 28 East,
 108 Township 47 South; Range 27 East, except Sections 29,
 109 30, 31, and 32, Township 48 South; Range 28 East,
 110 Township 48 South; Range 29 East, except Sections 1,
 111 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,
 112 17, and 18, Township 48 South; Range 28 East, except
 113 Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 25,
 114 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36,
 115 Township 49 South; Range 29 East, except Sections 25,
 116 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36,
 117 Township 49 South;

118
 119 Hereinafter referred to as the "Big Corkscrew Island
 120 Service Delivery Area"

121
 122 (b) North Naples Service Delivery Area
 123 Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,
 124 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29,
 125 32, 33, 34, 35, and 36, Township 48 South, Range 25
 126 East; Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13,
 127 14, 15, 16, 21, 22, 23, and 24, Township 49 South,
 128 Range 25 East; Sections 7, 8, 9, 10, 11, 12, 13, 14,
 129 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 29, 30, 31,
 130 and 32, Township 48 South, Range 26 East; Sections 5,

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131 6, 7, 8, 18, and 19, Township 49 South, Range 26 East;
 132 but not including any lands presently within the
 133 corporate boundaries of the City of Naples.

134
 135 The foregoing description notwithstanding, the
 136 following area, commonly known as "Seagate", "Park
 137 Shore Unit 2", "Park Shore Unit 5", "Naples Cay",
 138 "Hole in the Wall" and "Moorings Park" shall be
 139 excluded from the district: That part of government
 140 lot one, Section 16, Township 49 South, Range 25 East,
 141 Collier County, Florida, described as follows:
 142 Commencing at the North quarter corner of Section 16,
 143 Township 49 South, Range 25 East, a 4 x 4 concrete
 144 monument with brass cap set by the county engineer,
 145 also being the northeast corner of government lot one
 146 and being the point of beginning: Thence run South 00
 147 degrees 45 minutes 40 seconds east for 1327.70 feet to
 148 a concrete monument the southeast corner of the
 149 northeast quarter of the northwest quarter of Section
 150 16 also being the southeast corner of government lot
 151 one, thence south 89 degrees 23 minutes 20 seconds
 152 west for 1650.75 feet to a concrete monument, thence
 153 north 00 degrees 36 minutes 40 seconds west for 70.00
 154 feet to a concrete monument, thence north 07 degrees
 155 42 minutes 20 seconds east for 153.60 feet to concrete
 156 monument set at the water line of a canal, thence

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157 north 64 degrees 11 minutes 00 seconds east for 130.27
 158 feet to a concrete monument set at the water line of a
 159 canal, thence north 04 degrees 11 minutes 05 seconds
 160 east for 38.77 feet to the point of curve, thence
 161 along the arc of said curve having a radius of 1545
 162 feet, a tangent of 176.03 feet, a delta angle of 13
 163 degrees right for the arc distance of 350.57 feet to
 164 the point of curve of a reverse curve, thence along
 165 the arc of curve having a radius of 765.00 feet, a
 166 tangent of 286.02 feet, a delta angle of 41 degrees
 167 left for the arc distance of 560.33 feet to the point
 168 of tangent, thence north 15 degrees 37 minutes 05
 169 seconds west for 70.85 feet to a concrete monument set
 170 at the water line of a canal, thence north 15 degrees
 171 57 minutes 05 seconds west for 98.80 feet to a
 172 concrete monument, thence north 89 degrees 28 minutes
 173 40 seconds east along the North boundary of Section
 174 16, also being the north line of government lot one,
 175 for 1776.65 feet to a concrete monument with brass
 176 cap, the north quarter corner of Section 16, also the
 177 northeast corner of government lot one and the point
 178 of beginning.

179
 180 Commencing at the East 1/4 of Section 21, Township 49
 181 South, Range 25 East, Collier County, Florida; thence
 182 along the East and West 1/4 line of said Section 21,

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183 South 89 degrees 26 minutes 20 seconds west 3665.68
 184 feet to the southwest corner of Park Shore Unit No. 1
 185 according to the plat thereof as recorded in Plat Book
 186 8, pages 43 and 44, Collier County Public Records,
 187 Collier County, Florida, and the place of beginning of
 188 this description:

189
 190 thence north 0 degrees 31 minutes 40 seconds west
 191 1709.98 feet; thence north 7 degrees 46 minutes 00
 192 seconds east 918.77 feet; thence north 541.25 feet;
 193 thence north 84 degrees 00 minutes 00 seconds west
 194 570.17 feet; thence north 2 degrees 25 minutes 00
 195 seconds west 97.35 feet; thence south 87 degrees 35
 196 minutes 00 seconds west 110.00 feet; thence south 87
 197 degrees 00 minutes 00 seconds west 1160 feet more or
 198 less to the Mean High Water Line of the Gulf of
 199 Mexico; thence along said Mean High Water Line,
 200 southerly 3275 feet more or less to the east and west
 201 1/4 line of said Section 21; thence along said east
 202 and west 1/4 line of Section 21; north 89 degrees 28
 203 minutes 20 seconds east 1540 feet more or less to the
 204 place of beginning: being a subdivision of part of the
 205 south 1/3 of Section 16 and of part of the north 1/2
 206 of Section 21, Township 49 South, Range 25 East,
 207 Collier County, Florida.

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209 Commencing at the northeast corner of government Lot 2
 210 of Section 16, Township 49 South, Range 25 East,
 211 Collier County, Florida said corner being also the
 212 northeast corner of Lot 8 of Block 35 of Park Shore
 213 Unit No. 4 according to the plat thereof as recorded
 214 in Plat Book 10, pages 101, 102, and 103, Collier
 215 County Public Records, Collier County, Florida; thence
 216 along the north line of said government Lot 2, along
 217 the north line of said Park Shore Unit No. 4, and
 218 along the south line of Seagate Subdivision Unit No. 1
 219 according to the plat thereof as recorded in Plat Book
 220 3, Page 85, Collier County Public Records, Collier
 221 County, Florida, South 89 degrees 25 minutes 50
 222 seconds west 1330.53 feet to the west line of said
 223 Park Shore Unit No. 4 and the place of beginning of
 224 the parcel herein described; thence along the west
 225 line of said Park Shore Unit No. 4 in the following
 226 described courses:

227
 228 South 37 degrees 25 minutes 50 seconds west 250.89
 229 feet, south 0 degrees 34 minutes 10 seconds east
 230 225.44 feet, south 26 degrees 45 minutes 30 seconds
 231 east 632.19 feet and south 5 degrees 09 minutes 00
 232 seconds east 580.72 feet to the northwest corner of
 233 Park Shore Unit No. 3 according to plat thereof as
 234 recorded in Plat Book 8, pages 59 and 60, Collier

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235 County Public Records, Collier County, Florida; thence
 236 along the west line of said Park Shore Unit No. 3,
 237 South 5 degrees 09 minutes 00 seconds east 1879.04
 238 feet to the north line of Park Shore Unit No. 2
 239 according to the plat thereof as recorded in Plat Book
 240 8, pages 54 and 55, Collier County Public Records,
 241 Collier County, Florida; thence along the northerly
 242 line of said Park Shore Unit No. 2, in the following
 243 described courses: north 84 degrees 00 minutes 00
 244 seconds west 433.28 feet, north 2 degrees 25 minutes
 245 00 seconds west 97.35 feet, south 87 degrees 35
 246 minutes 00 seconds west 110.00 feet, and south 87
 247 degrees 00 minutes 00 seconds west 1160 feet more or
 248 less to the Mean High Water Line of the Gulf of
 249 Mexico; thence along said Mean High Water Line,
 250 northerly 3350 feet more or less to a point on the
 251 westerly extension of the south line of said Seagate
 252 Subdivision which south line bears south 89 degrees 25
 253 minutes 50 seconds west and passes through the place
 254 of beginning; thence along said south line and the
 255 westerly extension thereof, north 89 degrees 25
 256 minutes 50 seconds east 1450 feet more or less to the
 257 place of beginning; being a part of the west 1/2
 258 Section 16, Township 49 South, Range 25 East, Collier
 259 County, Florida, containing 118 acres more or less.

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261 Commencing at the northwest corner of the northwest
 262 1/4 of the northeast 1/4 of section 16, Township 49
 263 South, Range 25 East; thence North 89 degrees 24
 264 minutes 40 seconds East, 1650.75 feet along the north
 265 line of Parkshore Unit 4 and Unit 5 to the place of
 266 beginning; thence North 89 Degrees 24 minutes 40
 267 seconds East along said north line of Parkshore Unit
 268 5, 740.98 feet; thence North 4 degrees 40 minutes 20
 269 seconds West, 125.32 feet; thence North 89 degrees 24
 270 minutes 40 seconds East, 4.73 feet; thence North 4
 271 degrees 40 minutes 20 seconds West, 350.89 feet;
 272 thence North 89 degrees 24 minutes 40 seconds East,
 273 197.19 feet to a concrete monument on the coastal
 274 construction line; thence west to the mean high water
 275 line of the Gulf of Mexico; thence northerly along
 276 said mean high water line to the North line of Section
 277 16, Township 49 South, Range 25 East; thence East
 278 along the north line of said Section 16 to the
 279 northwest corner of Seagate Subdivision; thence
 280 southerly along the west line of said Seagate
 281 Subdivision to the place of beginning less the
 282 following described lands:

283
 284 Parcel 2 in O.R. Book 14, Page 195 and 196; that
 285 parcel conveyed to Jane Homer Lee as described in O.R.
 286 Book 34, Page 301 and 302; that parcel conveyed to

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287 Seagate, Inc., as described in O.R. Book 182, Page 248
 288 and 249. Subject to existing easements and rights of
 289 ingress and egress.

290
 291 A parcel of land described as all of Lots 23 through
 292 32 of Naples Improvement Company's Little Farms
 293 according to the Plat thereof and recorded in Plat
 294 Book 2 Page 2 Collier County Public Records, Collier
 295 County, Florida and the Westerly 198.00 feet of the
 296 Southwest quarter of the Northwest quarter of Section
 297 23 Township 49 South Range 25 East and all of parcels
 298 "C" and "D" as recorded in O.R. Book 3537 page 4108
 299 through 4113, less and except the right of way for
 300 Goodlette Road and less and except parcels "A" and "B"
 301 as recorded in O.R. Book 3537 page 4102 through 4107,
 302 Collier County Public Records, Collier County,
 303 Florida; said parcel being more particularly described
 304 as follows:

305
 306 Commencing at the Northeast Corner of Section 22,
 307 Township 49 South Range 25 East Collier County,
 308 Florida;
 309 thence South 01 degrees 04 minutes 01 seconds East
 310 along the East line of the Northeast quarter of said
 311 Section 22 a distance of 666.42 feet to the Northeast
 312 corner of Lot 32 of said Naples Improvement Company's

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313 Little Farms and the Point of Beginning of the parcel
 314 herein being described;
 315 thence South 89 degrees 24 minutes 38 seconds West
 316 along the North line of said Lot 32 a distance of
 317 2591.92 feet to an intersection with the Easterly
 318 Right-of-Way line of the aforementioned Goodlette
 319 Frank Road;
 320 thence South 00 degrees 57 minutes 59 seconds East
 321 along said Easterly Right-of-Way line a distance of
 322 3311.14 feet to an intersection with the Southerly
 323 line of the aforementioned Lot 23;
 324 thence North 89 degrees 51 minutes 56 seconds East
 325 along said Southerly Line A distance of 2597.74 feet
 326 to the Southeast corner of said Lot 23;
 327 thence North 01 degree 04 minutes 22 seconds West
 328 along the Easterly line of the aforementioned Lots 23
 329 through 26 a distance of 1205.47 feet;
 330 thence leaving said line North 36 degrees 04 minutes
 331 54 seconds East along the boundary of parcel "D" as
 332 recorded in O.R. Book 3537 pages 4108 through 4113,
 333 Collier County Public Records, Collier County,
 334 Florida, a distance of 137.45 feet;
 335 thence continuing along said boundary North 38 degrees
 336 45 minutes 50 seconds East a distance of 21.60 feet;
 337 thence leaving said line North 88 degrees 54 minutes
 338 01 seconds East a distance of 35.74 feet;

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339 thence North 35 degrees 32 minutes 50 seconds East
 340 along the boundary of parcel "B" as recorded in O.R.
 341 Book 3537 pages 4102 through 4107, Collier County
 342 Public Records, Collier County, Florida, a distance of
 343 35.89 feet;
 344 thence continuing along said boundary North 32 degrees
 345 01 minutes 31 seconds East a distance of 25.39 feet;
 346 thence continuing along said boundary North 24 degrees
 347 05 minutes 47 seconds East a distance of 46.76 feet;
 348 thence continuing along said boundary North 27 degrees
 349 00 minutes 26 seconds East, a distance of 21.88 feet;
 350 thence leaving said boundary North 01 degrees 03
 351 minutes 02 seconds West along the Easterly boundary of
 352 the Westerly 198.00 feet of the Southwest quarter of
 353 the Northwest quarter of Section 23 Township 49 South
 354 Range 25 East Collier County, Florida, a distance of
 355 121.79 feet;
 356 thence leaving said line North 13 degrees 42 minutes
 357 35 seconds East along the boundary of parcel "C" as
 358 recorded in the O.R. Book 3537 pages 4108 through
 359 4113, Collier County Public Records, Collier County,
 360 Florida, a distance of 32.39 feet;
 361 thence continuing along said boundary of parcel "C"
 362 for the following 20 courses;
 363 thence North 26 degrees 08 minutes 47 seconds East a
 364 distance of 43.29 feet;

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365 thence North 51 degrees 45 minutes 44 seconds East a
 366 distance of 49.62 feet;
 367 thence North 24 degrees 49 minutes 56 seconds East a
 368 distance of 48.02 feet;
 369 thence North 07 degrees 46 minutes 47 seconds East a
 370 distance of 21.12 feet;
 371 thence North 18 degrees 07 minutes 01 seconds West a
 372 distance of 35.65 feet;
 373 thence North 59 degrees 17 minutes 51 seconds West a
 374 distance of 11.23 feet;
 375 thence North 13 degrees 55 minutes 41 seconds West a
 376 distance of 23.82 feet;
 377 thence North 12 degrees 53 minutes 05 seconds East a
 378 distance of 39.20 feet;
 379 thence North 23 degrees 26 minutes 05 seconds West a
 380 distance of 11.48 feet;
 381 thence North 46 degrees 31 minutes 46 seconds West a
 382 distance of 9.64 feet;
 383 thence North 21 degrees 12 minutes 44 seconds West a
 384 distance of 81.61 feet;
 385 thence North 11 degrees 17 minutes 34 seconds West a
 386 distance of 41.72 feet;
 387 thence North 00 degrees 16 minutes 46 seconds West a
 388 distance of 52.13 feet;
 389 thence North 10 degrees 22 minutes 33 seconds East a
 390 distance of 35.20 feet;

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391 | thence North 10 degrees 15 minutes 09 seconds West a
 392 | distance of 31.07 feet;
 393 | thence North 12 degrees 45 minutes 32 seconds East a
 394 | distance of 27.21 feet;
 395 | thence North 03 degrees 05 minutes 53 seconds East a
 396 | distance of 25.26 feet;
 397 | thence North 33 degrees 51 minutes 45 seconds West a
 398 | distance of 21.85 feet;
 399 | thence North 12 degrees 19 minutes 53 seconds West a
 400 | distance of 136.08 feet;
 401 | thence North 07 degrees 10 minutes 32 seconds West a
 402 | distance of 15.60 feet;
 403 | thence leaving said boundary of parcel "C" North 01
 404 | degrees 03 minutes 02 seconds West along the Easterly
 405 | boundary of the Westerly 198.00 feet of the Southwest
 406 | quarter of the Northwest quarter of Section 23
 407 | Township 49 South Range 25 East Collier County,
 408 | Florida, a distance of 92.29 feet;
 409 | thence North 53 degrees 25 minutes 20 seconds West
 410 | along the boundary of parcel "A" as recorded in the
 411 | O.R. Book 3537 pages 4102 through 4107 Collier County
 412 | Public Records, Collier County, Florida, a distance of
 413 | 33.78 feet;
 414 | thence continuing along said boundary of parcel "A"
 415 | for the following 18 courses;

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416 thence North 54 degrees 24 minutes 44 seconds West a
 417 distance of 30.62 feet;
 418 thence North 31 degrees 33 minutes 28 seconds West a
 419 distance of 58.27 feet;
 420 thence North 04 degrees 11 minutes 51 seconds East a
 421 distance of 11.28 feet;
 422 thence North 47 degrees 04 minutes 38 seconds East a
 423 distance of 9.16 feet;
 424 thence North 47 degrees 30 minutes 05 seconds East a
 425 distance of 34.95 feet;
 426 thence North 58 degrees 17 minutes 59 seconds West a
 427 distance of 18.87 feet;
 428 thence North 89 degrees 41 minutes 10 seconds West a
 429 distance of 10.73 feet;
 430 thence North 32 degrees 14 minutes 57 seconds West a
 431 distance of 8.80 feet;
 432 thence North 04 degrees 43 minutes 32 seconds West a
 433 distance of 9.48 feet;
 434 thence North 20 degrees 23 minutes 21 seconds West a
 435 distance of 41.72 feet;
 436 thence North 51 degrees 04 minutes 36 seconds West a
 437 distance of 32.24 feet;
 438 thence North 68 degrees 43 minutes 18 seconds West a
 439 distance of 15.23 feet;
 440 thence North 72 degrees 40 minutes 24 seconds West a
 441 distance of 21.96 feet;

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442 thence North 63 degrees 49 minutes 18 seconds West a
 443 distance of 18.83 feet;
 444 thence North 31 degrees 13 minutes 48 seconds West a
 445 distance of 21.70 feet;
 446 thence North 07 degrees 59 minutes 10 seconds West a
 447 distance of 9.96 feet;
 448 thence North 20 degrees 35 minutes 44 seconds West a
 449 distance of 29.93 feet;
 450 thence South 88 degrees 47 minutes 48 seconds West a
 451 distance of 34.14 feet;
 452 thence leaving said boundary of parcel "A" North 01
 453 degrees 04 minutes 01 seconds West along the Easterly
 454 line of the aforesaid plat and along the Easterly line
 455 of Lots 31 and 32 a distance of 666.42 feet to the
 456 point of beginning of the parcel herein described;
 457 containing 204.19 acres of land more or less;
 458
 459 Together with parcels "A" and "B" as recorded in O.R.
 460 Book 3537 pages 4102 through 4108, Collier County
 461 Public Records, Collier County, Florida and being more
 462 particularly described as follows:
 463
 464 All that part of the West 198 feet of the Southwest
 465 1/4 of the Northwest 1/4 of Section 23, Township 49
 466 South, Range 25 East, Collier County, Florida, being
 467 more particularly described as follows:

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468
 469 Commencing at the Northwest corner of the Southwest
 470 1/4 of the Northwest 1/4 of said Section 23; thence
 471 North 88 degrees 47 minutes 48 seconds East along the
 472 quarter section line a distance of 34.14 feet to an
 473 intersection with the Easterly top of bank of Gordon
 474 River Drainage Ditch, said intersection being the
 475 point of beginning of the parcel herein described;
 476 thence continue along said quarter section line North
 477 88 degrees 47 minutes 48 seconds East 163.86 feet to
 478 an intersection with the Easterly line of said West
 479 198 feet;
 480 thence South 01 degrees 03 minutes 02 seconds East
 481 along said Easterly line a distance of 273.03 feet to
 482 an intersection with said Easterly top of bank of said
 483 drainage ditch;
 484 thence leaving said Easterly line along said Easterly
 485 top of bank of said ditch on the following (15)
 486 described courses:
 487 thence North 53 degrees 25 minutes 20 seconds West
 488 33.78 feet;
 489 thence North 31 degrees 33 minutes 28 seconds West
 490 53.27 feet;
 491 thence North 04 degrees 11 minutes 51 seconds East
 492 11.28 feet;

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493 thence North 47 degrees 24 minutes 49 seconds East
 494 44.09 feet;
 495 thence North 58 degrees 17 minutes 59 seconds West
 496 18.87 feet;
 497 thence South 89 degrees 41 minutes 10 seconds West
 498 10.73 feet;
 499 thence North 32 degrees 14 minutes 57 seconds West
 500 8.80 feet;
 501 thence North 04 degrees 43 minutes 32 seconds West
 502 9.48 feet;
 503 thence North 20 degrees 23 minutes 31 seconds West
 504 41.72 feet;
 505 thence North 51 degrees 04 minutes 36 seconds West
 506 32.24 feet;
 507 thence North 71 degrees 03 minutes 18 seconds West
 508 37.17 feet;
 509 thence North 63 degrees 49 minutes 18 seconds West
 510 18.83 feet;
 511 thence North 31 degrees 13 minutes 48 seconds West
 512 21.70 feet;
 513 thence North 07 degrees 59 minutes 10 seconds West
 514 9.96 feet;
 515 thence North 20 degrees 35 minutes 44 seconds West
 516 29.93 feet to the point of beginning of the parcel
 517 herein described; containing 0.46 acres of land more
 518 or less.

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519 |
 520 | All that part of the West 198 feet of the Southwest
 521 | 1/4 of the Northwest 1/4 of Section 23, Township 49
 522 | South, Range 25 East, Collier County, Florida, being
 523 | more particularly described as follows:
 524 |
 525 | Commencing at the Northwest corner of the Southwest
 526 | 1/4 of the Northwest 1/4 of said Section 23; thence
 527 | South 01 degrees 03 minutes 02 seconds East along the
 528 | Westerly line of said Southwest 1/4 of said Northwest
 529 | 1/4 a distance of 133.83 feet to an intersection with
 530 | the Southerly line of said Southwest 1/4 of said
 531 | Northwest 1/4; thence North 83 degrees 54 minutes 01
 532 | seconds East along Southerly line a distance of 132.59
 533 | feet to an intersection with the Easterly top of bank
 534 | of Gordon River Drainage Ditch, said intersection
 535 | being the point of beginning of the parcel herein
 536 | being described;
 537 | thence continue along said Southerly line of said
 538 | Southwest 1/4 of said Northwest 1/4 North 88 degrees
 539 | 54 minutes 01 seconds East 65.41 feet to an
 540 | intersection with the Easterly line of said West 198
 541 | feet;
 542 | thence North 01 degrees 03 minutes 02 seconds West
 543 | along said Easterly line a distance of 111.67 feet to

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544 an intersection with said Easterly top of bank of said
 545 drainage ditch;
 546 thence leaving said Easterly line along said Easterly
 547 top of bank of said ditch on the following (4)
 548 described courses:
 549 thence South 27 degrees 00 minutes 26 seconds West
 550 21.88 feet;
 551 thence South 24 degrees 05 minutes 47 seconds West
 552 46.76 feet;
 553 thence South 32 degrees 01 minutes 31 seconds West
 554 25.39 feet;
 555 thence South 35 degrees 32 minutes 50 seconds West
 556 35.89 feet to the point of beginning of the parcel
 557 herein described; containing 3,319 square feet (.0762
 558 acres) of land more or less.

559
 560 All that part of Section 15, Township 49 South, Range
 561 25 East, and being a part of Lots 37 through 49 of
 562 Naples Improvement Company's Little Farms, according
 563 to the Plat thereof as recorded in Plat Book 2, page
 564 2, Collier County Public Records, Collier County,
 565 Florida and being more particularly described as
 566 follows: commencing at the Northwest corner of the
 567 Northeast 1/4 of Section 15, Township 49 South, Range
 568 25 East; thence along the North line of said Section
 569 15, North 89 degrees 55 minutes 30 seconds East 45.00

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570 feet; thence 45 Easterly of and parallel with the
 571 North/South 1/4 Section line of said Section 15, South
 572 0 degrees 00 minutes 29 seconds East 50.00 feet to the
 573 South line of a Road Right-of-Way as recorded in O.R.
 574 Book 156, page 66 and 67, Collier County Public
 575 Records, Collier County, Florida; thence along the
 576 East line of a Road Right-of-Way as recorded in O.R.
 577 Book 41, page 592 and 593 and O.R. Book 41, page 531
 578 and 532, Collier County Public Records, Collier
 579 County, Florida; South 0 degrees 00 minutes 29 seconds
 580 East 810.00 feet to the POINT OF BEGINNING of the
 581 Parcel herein described;
 582 thence Easterly and Northeasterly 723.15 feet along
 583 the arc of a non-tangential circular curve concave to
 584 the Northwest, having a radius of 1100.00 feet and
 585 being subtended by a chord which bears North 71
 586 degrees 09 minutes 31 seconds East 710.20 feet to a
 587 Point of Reverse Curvature;
 588 thence Northeasterly 287.16 feet along the arc of a
 589 circular curve concave to the Southeast, having a
 590 radius of 546.28 feet and being subtended by a chord
 591 which bears North 67 degrees 23 minutes 06 seconds
 592 East 283.86 feet to the lands described in O.R. 228,
 593 pages 789 thru 798 inclusive and O.R. 645, pages 241
 594 thru 246 inclusive, Collier County Public Records,
 595 Collier County, Florida;

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596 thence along said lands the following courses;
 597 thence South 4 degrees 37 minutes 26 seconds West
 598 198.19 feet;
 599 thence South 4 degrees 22 minutes 19 seconds East
 600 467.18 feet;
 601 thence South 8 degrees 26 minutes 00 seconds East
 602 418.40 feet;
 603 thence South 33 degrees 31 minutes 22 seconds East
 604 570.24 feet;
 605 thence South 44 degrees 56 minutes 05 seconds West
 606 82.02 feet;
 607 thence South 60 degrees 26 minutes 33 seconds West
 608 100.60 feet;
 609 thence South 71 degrees 15 minutes 21 seconds West
 610 269.34 feet;
 611 thence South 54 degrees 31 minutes 14 seconds West
 612 74.33 feet;
 613 thence South 0 degrees 00 minutes 40 seconds East
 614 336.35 feet;
 615 thence South 0 degrees 39 minutes 20 seconds East
 616 1211.22 feet;
 617 thence South 5 degrees 13 minutes 24 seconds East
 618 461.74 feet;
 619 thence South 16 degrees 25 minutes 03 seconds East
 620 198.14 feet;

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621 thence leaving said lands South 89 degrees 43 minutes
 622 00 seconds West 980.54 feet to the East line of a Road
 623 Right-of-Way as recorded in O.R. Book 167, page 522
 624 and 523, Collier County Public Records, Collier
 625 County, Florida;
 626 thence along said East Right-of-Way line and the East
 627 line of a Road Right-of-Way as Recorded in O.R. Book
 628 41, page 531 and 532, Collier County Public Records,
 629 Collier County, Florida, North 0 degrees 00 minutes 29
 630 seconds West 3653.72 feet to the Point of Beginning of
 631 the Parcel herein described;
 632 containing 82.946 acres of land more or less.

633
 634 Hereinafter referred to as the "North Naples Service
 635 Delivery Area"

636
 637 (2) Chapter 171, Florida Statutes, applies to all
 638 annexations by a municipality within the district's boundaries.

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

646 Section 4. Powers of the district.-

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647 | (1) The district is authorized to establish, equip,
648 | operate, and maintain a fire department and rescue squad within
649 | the district and may buy, lease, sell, exchange, or otherwise
650 | acquire and dispose of firefighting and rescue equipment and
651 | other property, real, personal, or mixed, that it may from time
652 | to time deem necessary to prevent and extinguish fires or
653 | provide rescue services. This shall include, but is not limited
654 | to, the authority to hire and fire necessary firefighters and
655 | other personnel; to provide water, water supply, water stations,
656 | and other necessary buildings; to accept gifts or donations of
657 | equipment or money for the use of the district; to provide fire
658 | hydrants or other types of water supply, buildings for housing
659 | fire equipment and personnel, training facilities for fire and
660 | rescue, and other buildings deemed necessary by the district
661 | board to provide adequate protection from unwanted fire and to
662 | carry out rescue operations; and to do all things necessary to
663 | provide adequate water supply, fire prevention, and proper fire
664 | protection for the district. Recognizing that the dramatically
665 | increasing housing costs in Collier County may have a
666 | detrimental impact on the ability to hire and retain personnel
667 | needed for the provision of fire protection services to district
668 | residents, the district is authorized also to provide housing or
669 | housing assistance for its employed personnel, with use of such
670 | funds being deemed to be in the public interest. In addition,
671 | the district is authorized to extend its services beyond the
672 | district boundaries, provided it is in cooperation with another

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673 governmental entity, whether federal, state, county, municipal,
 674 or special district.

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

678 (3) The district may establish and maintain emergency
 679 medical and rescue response services consistent with s.
 680 191.008(1), Florida Statutes, chapter 401, Florida Statutes, and
 681 any certificate of public convenience and necessity or its
 682 equivalent issued thereunder.

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

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

693 (6) The district is authorized to adopt rules and
 694 regulations for the prevention of fire and for fire control in
 695 the district, which shall have the same force and effect as law
 696 10 days after copies thereof executed by the chair and secretary
 697 of the board have been posted in at least three places.

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

700 Section 5. Governing board.—

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

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

719 (b) As of January 1, 2015, the effective date of the
 720 merger, the district is governed by an eight-member board of
 721 fire commissioners, which consists of the boards of fire
 722 commissioners of the Big Corkscrew Island Fire Control and
 723 Rescue District and the North Naples Fire Control and Rescue

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724 District. The eight commissioners shall serve until the
725 governing body members elected at the next general election take
726 office.

727 (c) In the 2016 general election, the board of fire
728 commissioners shall be reduced to five members. Seat 1 shall be
729 elected from the Big Corkscrew Island Service Delivery Area,
730 with each candidate for such seat being required to be a
731 qualified elector residing in the Big Corkscrew Island Service
732 Delivery Area and being elected from only those electors of that
733 service delivery area. Seat 3 shall be elected from the North
734 Naples Service Delivery Area, with each candidate for such seat
735 being required to be a qualified elector residing in the North
736 Naples Service Delivery Area and being elected from only those
737 electors of that service delivery area. Seats 2, 4, and 5 shall
738 be elected as at-large seats for the merged district as a whole.
739 The commissioners holding seats 1, 3, and 5 shall have initial
740 terms that expire in November 2020. Commissioners holding seats
741 2 and 4 shall have initial terms that expire in November 2018.

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

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

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

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

764 (6) If a vacancy occurs on the board due to the
765 resignation, death, or removal of a board member or the failure
766 of anyone to qualify for a board seat, the remaining members may
767 appoint a qualified person to fill the seat until the next
768 general election, at which time an election shall be held to
769 fill the vacancy for the remaining term, if any. The board shall
770 remove any member who has three consecutive, unexcused absences
771 from regularly scheduled meetings. The board shall adopt
772 policies by resolution defining excused and unexcused absences.

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

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

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

782 Section 6. Finances.-

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

792 (2) (a) The district shall levy and collect ad valorem
 793 taxes in accordance with s. 191.009, Florida Statutes, and
 794 chapter 200, Florida Statutes. The taxes levied and assessed by
 795 the district shall be a lien upon the land so assessed along
 796 with the county taxes assessed against such land until such
 797 assessments and taxes have been paid, and if the taxes levied by
 798 the district become delinquent, such taxes shall be considered a
 799 part of the county tax subject to the same penalties, charges,
 800 fees, and remedies for enforcement and collection and shall be

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801 enforced and collected as provided by general law for the
 802 collection of such taxes.

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

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

817 (b) The budget of the district shall be comprised of
 818 separate budgets of the Big Corkscrew Island Service Delivery
 819 Area and the North Naples Service Delivery Area until such time
 820 as there is one millage rate levied districtwide and the taxing
 821 subunits have been eliminated. Until such time, a cost
 822 allocation methodology shall be used and there shall be separate
 823 budgets and cash reserves for each service delivery area. The
 824 budgets will be administered and reported, and the financial
 825 reporting will continue individually as required by s. 189.074,
 826 Florida Statutes, as separate subunits until there is one

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827 millage rate levied districtwide and the taxing subunits have
 828 been eliminated.

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

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

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

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

850 (8) (a) The district is authorized to charge and collect
 851 impact fees for capital improvements on new construction within

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852 the district as prescribed in chapter 191, Florida Statutes, or
 853 any other applicable general law.

854 (b) The district shall comply with ss. 163.31801 and
 855 191.009(4), Florida Statutes, in its collection and use of
 856 impact fees. New facilities and equipment shall be as provided
 857 for in s. 191.009(4), Florida Statutes.

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

860 Section 7. Elections.—

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

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

868 Section 8. Eminent domain.—The district is authorized to
 869 exercise the power of eminent domain, pursuant to chapters 73,
 870 74, and 191, Florida Statutes, over any property located within
 871 the district, except municipal, county, state, and federal
 872 property, for the purpose of acquiring property for the location
 873 of fire stations. The location and construction of fire stations
 874 shall comply with applicable Collier County ordinances.

875 Section 9. Miscellaneous.—

876 (1) All contracts, obligations, rules, resolutions, or
 877 policies of any nature existing on effective date of this

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878 charter shall remain in full force and effect, and this act
 879 shall in no way affect the validity of such contracts,
 880 obligations, rules, resolutions, or policies.

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

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

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

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

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

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

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

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

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

924 Section 6. Determination of millage.—The district shall
 925 maintain the authority to levy a millage rate up to 3.75 mills
 926 within the Big Corkscrew Island Service Delivery Area that was
 927 previously approved by referendum in the Big Corkscrew Island
 928 Fire Control and Rescue District as required by the State
 929 Constitution and chapter 191, Florida Statutes. The maximum

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930 millage rate within the Big Corkscrew Island Service Delivery
 931 Area may only increase upon approval at a referendum as required
 932 by the State Constitution and this act. The district shall
 933 maintain the authority to levy a millage rate up to 1 mill
 934 within the North Naples Service Delivery Area that was
 935 previously approved by referendum in the North Naples Fire
 936 Control and Rescue District as required by the State
 937 Constitution and chapter 191, Florida Statutes. The maximum
 938 millage rate approved within the North Naples Service Delivery
 939 Area may only increase upon approval at a referendum as required
 940 by the State Constitution and this act. The district is
 941 authorized to continue or conclude procedures under chapter 200,
 942 Florida Statutes, on behalf of the component independent special
 943 districts. As the district desires to have an equalized ad
 944 valorem millage rate districtwide as long as the revenues and
 945 reserves of one taxing subunit, otherwise known as a service
 946 delivery area or a component independent special district, are
 947 not subsidizing the other taxing subunit, the district shall
 948 reduce the ad valorem millage rate within the Big Corkscrew
 949 Island Service Delivery Area taxing subunit once the general
 950 fund revenues of that taxing subunit are sufficient to meet that
 951 subunit's general fund budgeted expenses without using its
 952 reserve funds.

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

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