

EXECUTIVE SUMMARY

Recommendation to change the format and order of the TDC Agenda to expedite the meetings (Continued from February 27, 2012 TDC meeting)

OBJECTIVE: Change the TDC agenda format to expedite future meetings

CONSIDERATIONS: Over the past two years, we have changed the order of the TDC agenda to give emphasis to Old Business and have lost the ability to deal with New Business items that are necessary to conduct the business of the Convention & Visitors Bureau and the many projects managed by the Coastal Zone Management Department. We have also lost the ability to inform the TDC members and the public of the work that our tourism professionals and our marketing partners are accomplishing to further tourism in our community.

A new agenda format is suggested as follows:

1. Move New Business items to the beginning of the meeting with time certain designations for each.
2. Establish a Consent Agenda section to expedite items being recommended from other Advisory Boards through the TDC review process and to review Old Business items that have been requested to return to the TDC for final review.

The role of the TDC on these issues is to establish that the project furthers tourism and the expenditures are in compliance with BCC approved uses of Tourist development tax revenues.

3. Move Marketing Partner Reports and Staff Reports to follow New Business
4. Establish time limits on all items. Once the time limit is reached, the question should be called by the Chairman for a vote.

FISCAL IMPACT: There is no fiscal impact to this action.

RECOMMENDATION: That a new format for the TDC agenda be adopted based on the staff recommendations presented above to expedite the flow of business for future TDC meetings.

PREPARED BY: Jack Wert, Tourism Director

(BCC Approved 10-25-05)

TOURIST DEVELOPMENT CATEGORY “A” FUNDING POLICY

1. **Use of TDC Category A Funds:** To finance beach park facilities or beach improvement, maintenance, renourishment, restoration and erosion control, including pass and inlet maintenance, shoreline protection, enhancement, cleanup or restoration of inland lakes and rivers to which there is public access, as these relate to the physical preservation of the beach, shoreline or inland lake or river. (Cod or Ordinance, Division 3. Sec. 126-83.)
2. **Source of other funds:** Federal or State funds are desirable and should be diligently pursued.
3. **Mandatory annual budget allocation of funds and maintenance of reserves.**
 - a. Catastrophe reserves shall be accumulated in the budget with \$1 M in 2004 plus \$0.5 M per year thereafter (up to a maximum of \$10 M). In the event of a catastrophe requiring the expenditure of all or part of these reserves, \$0.5 M will continue to be set aside.
 - b. Major renourishment reserves shall be accumulated in the budget with \$2 M per year after the completion of the major renourishment project currently in planning and permitting (as of November 2003; projected to start setting aside funds in FY 2006).
 - c. Beach park facilities (including beach access property acquisition) shall be funded at an average of \$2 M per year. This funding allocation shall be adjusted annually in an amount equal to one-third of the TDC Category “A” revenues.
 - d. Remaining funds may be used for eligible grant applications as outlined in the policy below.
4. **Eligibility:** Eligible beach areas qualify for Category “A” funding. An “eligible beach area” is:
 - a. Accessible to the public; and
 - b. No more than one-half mile from a beach park facility, public access point, hotel or motel and if at least 80% of the entire beach area is classified as eligible, otherwise ineligible gaps will be deemed eligible.
5. **Ineligible beach areas:**
 - a. Beach areas not meeting the criteria for eligibility of paragraph 4. above, are not eligible for Category “A” funding. Renourishment or maintenance of these beach areas are the responsibility of adjacent property owners and must be privately funded.
 - b. An area of an ineligible beach that is subject to high erosion, with the recommendation of the Coastal Advisory Committee and determination by the Board of County Commissioners as being in the public interest, may have erosion control structures installed, with Category “A” funding.

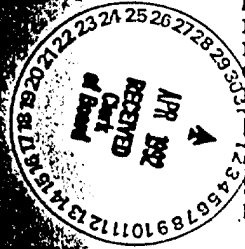
6. **Inlet Sand Bypassing.** The bypassing of sand across inlets may be funded by Tourist Development Tax Category “A” funding provided the Inlet Management Plan recommends the bypassing, the dredging of the pass or inlet is recommended by the Coastal Advisory Committee meets the inlet funding policy criteria and is approved by the Board of County Commissioners as being in the in the public interest. No TDC Category “A” funding will be approved for dredging non-beach compatible material except in situations where significant channel alignment and depth changes are required to correct and deviate from routine maintenance dredging past practices.

7. **Shore protection structures and project sponsorship.** Projects, including construction and maintenance of shore protection structures (groins, jetties, breakwaters, etc.), may be funded by Category “A” funding for eligible beaches. However, ‘ownership’ responsibilities must rest with an entity other than “Tourist Development Taxes” – i.e. there must be a project sponsor (private interest, taxing districts, municipalities or County Departments other than those funded with Tourist Development Taxes).

8. **Grant Application Review.** The Coastal Advisory Committee and the Parks and Recreation Advisory Board will prepare and maintain a proposed prioritized annual spending plan for the use of Tourist Development Tax Category “A” funds, with a ten year projection. The proposed plans will be submitted to the Board of County Commissioners (BCC) for their consideration and approval, via the TDC. These submissions will coincide with the annual Collier county budget cycle. The Coastal Advisory Committee will review all requests for Tourist Development Tax Category “A” funds, with the exception of County maintained beach park facilities that will be handled by the Parks and Recreation Advisory Board. Both advisory boards will make recommendation for approval, denial or modification to the BCC, via the TDC, consistent with the BCC established policy for use of these funds.

ORDINANCE NO. 92-18

AN ORDINANCE ESTABLISHING THE COLLIER COUNTY TOURIST DEVELOPMENT COUNCIL; PROVIDING FOR COMPOSITION OF MEMBERSHIP; REQUIRING A RESOLUTION TO DESIGNATE THE MEMBERS, TERMS AND CHAIRMAN OF THE COUNCIL; PROVIDING FOR RESPONSIBILITIES AND DUTIES; PROVIDING FOR MEETINGS; PROVIDING FOR OFFICERS, QUORUM AND RULES OF PROCEDURE; PROVIDING FOR REIMBURSEMENT OF MEMBER'S EXPENSES UPON PRIOR APPROVAL OF THE BOARD; PROVIDING FOR SUPERCESSION OF ORDINANCE NO. 90-43; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



SECRETARY OF STATE

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WHEREAS, the Board of County Commissioners of Collier County, Florida, has determined that it is in the best interests of the citizens of Collier County to consider the enactment of an ordinance levying and imposing a tourist development tax pursuant to the statutory authority set forth in Section 125.0104, Florida Statutes; and

WHEREAS, Section 125.0104(4)(e), Florida Statutes, requires that an advisory council be established pursuant to the provisions of said section; and

WHEREAS, Section 125.0104(4)(b), Florida Statutes, requires that the members of such advisory council be appointed at least sixty (60) days prior to the enactment of an ordinance levying the tourist development tax;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: PURPOSE.

This Ordinance is adopted pursuant to the authority and requirements of Section 125.0104, Florida Statutes, for the purpose of establishing the Collier County Tourist Development Council. It is the intention of the Board of County Commissioners to consider the enactment of an ordinance levying and imposing the Tourist Development Tax.

SECTION TWO: ESTABLISHMENT OF THE COLLIER COUNTY TOURIST DEVELOPMENT COUNCIL.

There is hereby established the Collier County Tourist Development Council which shall be composed of nine (9) members

who shall be appointed by the Collier County Board of County Commissioners as set forth in this Ordinance.

SECTION THREE: COMPOSITION OF MEMBERSHIP.

The membership of the Collier County Tourist Development Council shall be composed as follows:

- (a) The Chairman of the Board of County Commissioners of Collier County or any other member of the Board of County Commissioners as designated by the Chairman to serve on the Council.
- (b) Two (2) members of the Council shall be elected municipal officials, at least one (1) of whom shall be from the most populous municipality in the County or Sub-County Special Taxing District in which the tax is to be levied.
- (c) Three (3) members shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in Collier County subject to any tourist development tax levied pursuant to Section 125.0104, Florida Statutes.
- (d) Three (3) members of the Council shall be persons who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not owners or operators of motels, hotels, recreational vehicle parks or other tourist accommodations in Collier County which would be subject to any tourist development tax.

All members of the Collier County Tourist Development Council shall be electors of Collier County and the members shall serve at the pleasure of the Board of County Commissioners for staggered terms of four (4) years. The terms of office of the original members shall be prescribed in the resolution appointing the original members.

SECTION FOUR: RESOLUTION REQUIRED TO DESIGNATE THE MEMBERS, TERMS AND CHAIRMAN OF THE COUNCIL.

The members of the Collier County Tourist Development

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Council shall be designated and approved pursuant to a resolution adopted by the Board of County Commissioners. The resolution shall set forth the names of the members of the Tourist Development Council and the term of each member. In addition, the Board of County Commissioners shall designate the Chairman of the Council in said resolution or shall provide the authority for the Council to elect a Chairman from its membership.

SECTION FIVE: RESPONSIBILITIES AND DUTIES.

A. It shall be the duty and responsibility solely of the Board of County Commissioners as the taxing authority of Collier County to consider and determine if an ordinance shall be enacted levying and imposing a tourist development tax subject to referendum election. Prior to enactment of an ordinance levying and imposing a tourist development tax, the Tourist Development Council shall prepare and submit to the Board of County Commissioners for its approval a plan for the use of tourist development tax revenues. It shall be the administrative duty of the Tourist Development Council as an advisory council to advise the Board of County Commissioners regarding the elements of a plan and recommend to the Board of County Commissioners a plan for the uses of tourist development tax revenues, which plan the Board of County Commissioners shall thereafter consider, modify, and/or adopt for submittal to the voters by referendum. The plan shall set forth the anticipated net tourist development tax revenue to be derived by the County for the twenty-four (24) months following the levy of the tax; the tax district in which the tourist development tax is proposed; and a list, in the order of priority, of the proposed uses of the tax revenue by specific project or special use as the same are authorized under Section 125.0104(5), Florida Statutes. The plan shall include the approximate cost or expense allocation for each specific project or special use. The plan shall be submitted on or before July 1, 1992, by the Tourist Development Council to the Board of County Commissioners for its modification or approval.

B. In the event the Tourist Development Council as an advisory body is unable to fulfill its responsibility and duty to prepare and submit in a timely fashion a tourist development tax plan which includes all statutorily required elements, the Board of County Commissioners may at its option dissolve the existing Tourist Development Council and re-appoint a new Tourist Development Council by resolution. Additionally, the Board of County Commissioners may, at its option, pursue any and all legal remedies available to ensure performance by the Tourist Development Council of its duties and responsibilities.

C. Upon adoption of an ordinance levying and imposing a tourist development tax, the Tourist Development Council shall make recommendations to the Board of County Commissioners for the effective operation of the special projects or for uses of the tourist development tax revenue. The Tourist Development Council shall continuously review expenditures of revenues from the Tourist Development Trust Fund and shall receive, at least quarterly, expenditure reports from the Board of County Commissioners or its designee. Expenditures which the Council believes to be unauthorized shall be reported to the Board of County Commissioners and the Department of Revenue for review pursuant to Section 125.0104(4)(e), Florida Statutes.

SECTION SIX: MEETINGS.

The Collier County Tourist Development Council shall meet from time to time as determined necessary by the Council in order to meet the time deadlines and response requirements established by the Board of County Commissioners herein; provided, however, that the Tourist Development Council shall meet at least once each quarter.

SECTION SEVEN: OFFICERS; QUORUM; RULES OF PROCEDURE.

A. The Chairman of the Tourist Development Council shall be designated by the Board of County Commissioners or, if authorized by the Board of County Commissioners, the membership of the Committee shall elect a Chairman from among the members.

Further, the membership of the Tourist Development Council shall elect a Vice-Chairman from among the membership. The Chairman and Vice-Chairman shall be appointed or elected, as applicable, annually and may be re-elected or re-appointed.

B. The presence of five (5) or more members shall constitute a quorum of the Tourist Development Council necessary to take action and transact business.

C. The Council shall, by majority vote of the entire membership, adopt rules of procedure for the transaction of business and shall keep a written record of meetings, resolutions, findings and determinations. Copies of all Tourist Development Council minutes, resolutions, reports, and exhibits shall be submitted to the Board of County Commissioners.

SECTION EIGHT: COMPENSATION.

Members of the Tourist Development Council shall serve without compensation, but may be entitled to receive reimbursement for expenses reasonably incurred in the performance of their duties upon prior approval of the Board of County Commissioners.

SECTION NINE: THE SUPERSEDES ORDINANCE.

This Ordinance supersedes Ordinance No. 90-43, the Tourist Development Tax Ordinance for all purposes relating to the establishment of a Collier County Tourist Development Council and to its powers, duties and functions and other matters relating thereto.

SECTION TEN: CONFLICT AND SEVERABILITY.

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION ELEVEN: EFFECTIVE DATE.

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 24th day of March, 1992.

ATTEST:
JAMES C. GILES, Clerk
[Signature]

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA
By: *[Signature]*
MICHAEL J. VOLPE, Chairman

Approved as to form and legal sufficiency:
[Signature]
Brenda C. Wilson
Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 30th day of March 1992 and acknowledgement of that filing received this 1st day of April 1992
By: *[Signature]*
Deputy Clerk

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BOOK 051 PAGE 320

STATE OF FLORIDA)
COUNTY OF COLLIER)

I, JAMES C. GILES, Clerk of Courts in and for the
Twentieth Judicial Circuit, Collier County, Florida, do
hereby certify that the foregoing is a true copy of:

Ordinance No. 92-18

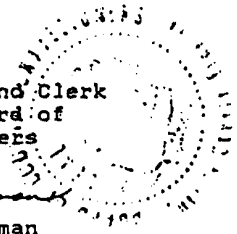
which was adopted by the Board of County Commissioners on
the 24th day of March, 1992, during Regular Session.

WITNESS my hand and the official seal of the Board of
County Commissioners of Collier County, Florida, this 27th
day of March, 1992.

JAMES C. GILES
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

Ellie Hoffman

By: /s/Ellie Hoffman
Deputy Clerk



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ORDINANCE NO. 2001- 03



AN ORDINANCE CREATING THE COLLIER COUNTY COASTAL ADVISORY COMMITTEE; PROVIDING FOR CREATION AND PURPOSE; PROVIDING FUNCTIONS, POWERS AND DUTIES; PROVIDING FOR APPOINTMENT AND COMPOSITION, TERMS OF OFFICE, ATTENDANCE AND FILLING OF VACANCIES; PROVIDING FOR REMOVAL FROM OFFICE FOR FAILURE TO ATTEND MEETINGS; PROVIDING FOR OFFICERS, QUORUM AND RULES OF PROCEDURE; PROVIDING FOR REVIEW PROCESS; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Collier County and the City of Naples established by Resolution a City/County Beach Renourishment Maintenance Committee in February, 1991, for the purpose of providing recommendations to the Board of County Commissioners and the City of Naples on beach renourishment and related issues; and

WHEREAS, the City of Marco Island has expressed a desire to participate in a County-wide beach renourishment and maintenance committee.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: Creation and Purpose of the Collier County Coastal Advisory Committee.

In cooperation with the City of Naples and the City of Marco Island, there is hereby created the Collier County Coastal Advisory Committee, hereinafter referred to as the "Committee." The Committee is created to assist the Board of County Commissioners with its establishment of unified beach erosion control and inlet management programs within the unincorporated and incorporated areas of Collier County, and to advise the Board of County Commissioners and the Tourist Development Council (TDC) of project priorities with respect to funding sources that are available to Collier County for restoration and protection of its shoreline.

SECTION TWO: Functions, Powers and Duties of the Advisory Committee.

The functions, powers and duties of the Committee shall be to advise and make recommendations to the Board of County Commissioners and the TDC on matters pertaining to the following:

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CLERK OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

A. Development and implementation of a long-term beach erosion control program within Collier County to include identification of beach segments with common erosion/accretion histories, recommendations of beach management strategies for each segment, and development of long-term strategies for areas of chronic erosion;

B. Planning and prioritizing of capital improvement programs related to coastal issues, including recommending alternative funding sources for the development and implementation of coastal management and erosion control projects (i.e., grants from the State of Florida Beach Erosion Control Program and Federal navigation and coastal management projects);

C. Coordinating with regional and state-wide groups as may be necessary to further the goals, and policies of Collier County;

D. Outlining of coastal zone management policies and construction procedures for beach nourishment, sediment borrow site identification, inlet management plans, inlet improvement projects, dredging, dredge spoil disposal site identification, coastal erosion trend evaluation, coastal and estuarine habitat protection and restoration, and other similar activities; and

E. Reporting on innovative proposals by the public and staff.

SECTION THREE: Appointment and Composition; Terms of Office; Attendance And Filling Vacancies.

The Committee shall be composed of nine (9) members whose representation shall consist of three (3) members from the unincorporated area of Collier County, three (3) members from the City of Naples and three (3) members from the City of Marco Island. Candidates for the Committee shall be sought in accordance with the provisions of Collier County Ordinance 86-41, as amended, or by its successor ordinance. In addition, the governing bodies of the City of Naples and the City of Marco Island may endorse and submit the names of individuals with resumes for consideration. Upon confirmation that said individuals meet the technical requirements and the general advisory board requirements specified below, the Board of County Commissioners shall appoint said individuals to this Committee.

The initial terms of office of the Committee shall be as follows:

Three (3) members shall be for a term of two (2) years;

Three (3) members shall be for a term of three (3) years; and

Three (3) members shall be for a term of four (4) years.

Thereafter, each appointment or reappointment shall be for a term of four (4) years. Terms shall be staggered between the City of Naples, the City of Marco Island and Collier County.

Membership of this Committee shall be assembled based upon familiarity with coastal processes, inlet dynamics, coastal management programs, or demonstrated interest in such programs; relevant education and experience; leadership and involvement in community affairs; and willingness to attend meetings and to undertake and complete assignments.

Members of the Committee shall be appointed by and serve at the pleasure of the Board of County Commissioners. Members shall meet the qualifications for membership and requirements as outlined in Section Five of Ordinance No. 86-41, as amended, or by its successor ordinance.

Appointment of members to the Committee shall be by resolution of the Board of County Commissioners, which resolution shall set forth the date of appointment and the term of office. Appointments to fill any vacancies on the Committee shall be for the remainder of the unexpired term of office.

SECTION FOUR: Removal From Office; Failure to Attend Meetings.

Committee member attendance requirements, including failure to attend meetings and member removal from office are governed by Collier County Ordinance No. 86-41, as amended, or by its successor ordinance.

SECTION FIVE: Officers; Quorum; Rules of Procedure.

At its earliest opportunity, the membership of the Committee shall elect a chairman and vice chairman from among the members. Officers' terms shall be for a period of one (1) year, with eligibility for reelection.

The presence of five (5) or more members shall constitute a quorum of the Committee necessary to take action and transact business.

The Committee shall, by majority vote of the entire membership, adopt rules of procedure for the transaction of business and shall keep a written record of meetings, resolutions, findings and determinations. Copies of all Committee minutes, resolutions, reports, and exhibits shall be submitted to the Board of County Commissioners.

SECTION SIX: Review Process.

This Committee shall be reviewed once every four (4) years in accordance with the procedures contained in Ordinance No. 86-41, as amended, or its successor ordinance.

SECTION SEVEN: Conflict and Severability.

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION EIGHT: Inclusion in the Code of Laws and Ordinances.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinances may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION NINE: Effective Date.

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 13th day of February, 2001.

ATTEST:
DWIGHT E. BROCK, Clerk

By: Jeri Michael D.C.
Deputy Clerk

Attest as to Chairman's
signature only.
Approved as to form
and legal sufficiency:

Ramiro Mafalich
Ramiro Mafalich
Chief Assistant County Attorney

BOARD OF COUNTY COMMISSIONERS,
COLLIER COUNTY, FLORIDA

By: James D. Carter
JAMES D. CARTER, Ph.D., Chairman

This ordinance filed with the
Secretary of State's Office the
20th day of Feb, 2001
and acknowledgement of that
filing received this 23rd day
of Feb, 2001
By: J. Michael D.C.
Deputy Clerk

STATE OF FLORIDA)
COUNTY OF COLLIER.)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

ORDINANCE NO. 2001-03

Which was adopted by the Board of County Commissioners on the 13th day of February, 2001, during Regular Session.

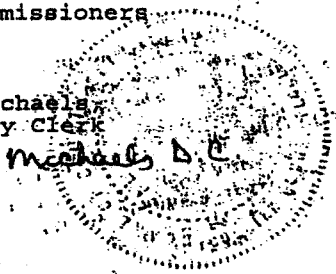
WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 15th day of February, 2001.

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2001 FEB 15 10:32 AM
STATE OF FLORIDA

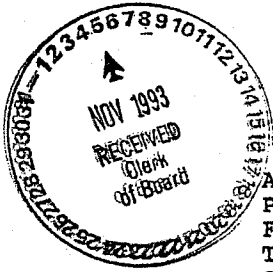
DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Teri Michaels
Deputy Clerk

Teri Michaels D.C.



Nov 1 1 52 PM '93
SECRETARY OF STATE



ORDINANCE NO. 93- 81

AN ORDINANCE CONFIRMING THE CREATION OF THE PARKS AND RECREATION ADVISORY BOARD; PROVIDING FOR APPOINTMENT AND COMPOSITION; SETTING FORTH THE TERMS OF OFFICE; PROVIDING FOR REMOVAL FROM OFFICE, FAILURE TO ATTEND MEETINGS; PROVIDING FOR OFFICERS, QUORUM, RULES OF PROCEDURE; PROVIDING FOR REIMBURSEMENT OF EXPENSES; SETTING FORTH THE FUNCTIONS, POWERS AND DUTIES OF THE ADVISORY BOARD; SETTING FORTH THE DUTIES OF THE PUBLIC SERVICES ADMINISTRATOR OR HIS DESIGNEE; PROVIDING A REVIEW PROCESS; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Collier County Ordinance No. 86-41, as amended, sets forth the requirements for creating County Advisory Boards; and

WHEREAS, the Parks and Recreation Advisory Board was created by the Board of County Commissioners in October, 1975; and

WHEREAS, it is the desire of the Board of County Commissioners to confirm and ratify the establishment of the Parks and Recreation Advisory Board and to formalize the structure and operation of the advisory board in accordance with the provisions of Collier County Ordinance No. 86-41, as amended.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE. Board Confirmation of the Creation of the Parks and Recreation Advisory Board.

The creation and establishment of the Parks and Recreation Advisory Board (hereinafter referred to as the "Board") is hereby confirmed and ratified.

SECTION TWO. Appointment and Composition.

A. The Board shall be composed of seven (7) members consisting of one (1) member from the Immokalee Community Park District, one (1) member from the Marco Island Community Park District and five (5) members from the Naples and Urban Area Community Park District.

B. Members of the Board shall be appointed by and serve at the pleasure of the Board of County Commissioners. Said members shall be permanent residents within the Community Park District that they represent, and all shall be electors of Collier County.

C. Appointment of members to the Board shall be by resolution of the Board of County Commissioners, which resolution shall set forth the date of appointment and the term of office.

SECTION THREE. Terms of Office.

The initial terms of office of the Board shall be as follows:

- A. Two (2) members will serve until December 31, 1993.
- B. Three (3) members will serve until December 31, 1994.
- C. Two (2) members will serve until December 31, 1995.

Thereafter, each appointment or reappointment shall be for a term of four (4) years. A member of the Parks and Recreation Advisory Board may be reappointed by the Board of County Commissioners for one (1) successive term. However, other qualified applicants may be considered for any vacancy. Appointments to fill any vacancies on the Board shall be for the remainder of the unexpired term of office.

SECTION FOUR. Removal From Office; Failure to Attend Meetings.

A. Any member of the Board may be removed from office, with or without cause, by a majority vote of the Board of County Commissioners.

B. In the event that any Board member is absent from two (2) consecutive Board meetings without a satisfactory excuse acceptable to the Board Chairman, the Board Chairman shall state such fact at the next regularly scheduled Board meeting and shall thereafter notify, in writing, the Public Services Administrator or his Designee of the Board member's failure to attend without satisfactory excuse. The Board of County Commissioners shall review the Board Chairman's notification at a County Commission meeting and shall declare the Board member's position to be vacant if the Commission concurs that the Board member was absent from two (2) consecutive Board meetings without a satisfactory excuse.

and shall promptly fill the vacant position. The Board member shall not serve at any meetings after his or her position is declared vacant.

C. If any member of the Board is absent for more than one-half of the Board's meetings in a given fiscal year, it shall be deemed that the member has tendered his resignation from such Board. The Board of County Commissioners shall as soon as practicable after such resignation, declare the position to be vacant and shall promptly act to fill the vacancy. The Board member shall not serve at any meetings after his position has been declared vacant by the Board of County Commissioners.

D. A member of the Board shall be deemed absent from a meeting when he/she is not present during at least 75% of the meeting.

SECTION FIVE. Officers; Quorum; Rules of Procedure.

A. Annually the membership of the Board shall elect a chairman and vice chairman from among the members. Officers' terms shall be for one (1) year, with eligibility for reelection.

B. The presence of four (4) or more members shall constitute a quorum of the Board necessary to take action and transact business. In addition, an affirmative vote of three (3) or more members shall be necessary in order to take official action, regardless of whether four (4) or more members of the Board are present at the meeting.

C. The Board shall, by majority vote of the entire membership, adopt rules of procedure for the transaction of business and shall keep a written record of meetings, resolutions, findings and determinations. Copies of all Board minutes, resolutions, reports, and exhibits shall be submitted to the Board of County Commissioners.

SECTION SIX. Reimbursement of Expenses.

Members of the Board shall serve without compensation, but shall be entitled to receive reimbursement for expenses reasonably

incurred in the performance of their duties upon prior approval of the Board of County Commissioners.

SECTION SEVEN. Functions, Powers and Duties of the Board.

The functions, powers and duties of the Board shall be as follows:

- A. To evaluate, consider and review the acquisition of park property.
- B. To consider and analyze the development of park and recreation facilities constructed on these park properties.
- C. To review and provide input on parks and recreation programs, classes and special events.
- D. To review and provide input on the Parks and Recreation Master Plan.
- E. To solicit input from the public that may assist with the duties listed above.
- F. To provide recommendations to the Board of County Commissioners on issues relating to those duties specified above or other duties assigned by the Board of County Commissioners.
- G. The Board may adopt and amend "Guidelines" to govern their operation, subject to approval by the Board of County Commissioners.

SECTION EIGHT. Duties of the Public Services Administrator or His Designee.

The duties of the Public Services Administrator or his Designee shall be:

- A. To administer the activities of the Board in accordance with established policies of the Board of County Commissioners and guidelines adopted by the Board.
- B. To provide periodic written reports to the Board, the County Manager and the Board of County Commissioners on the activities of the Board.

C. Attend all Board meetings.

SECTION NINE. Review Process.

This Board shall be reviewed once every four (4) years commencing in 1996, in accordance with the procedures contained in Ordinance No. 86-41, as amended.

SECTION TEN. Conflict and Severability.

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION ELEVEN. Effective Date.

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 26 day of October,

1993
BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA
ATTEST:
DWIGHT E. BROCK, CLERK
Dwight E. Brock

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: *Burt L. Saunders*
BURT L. SAUNDERS, CHAIRMAN

Approved as to form and legal sufficiency:
David C. Weigel
David C. Weigel
Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 10th day of NOV, 1993 and acknowledgement of that filing received this 5th day of NOV, 1993
By: *Francis Chernis*
Deputy Clerk