



ORDINANCE NO. 2011 - 12

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2002-63 AS AMENDED, THE CONSERVATION COLLIER IMPLEMENTATION ORDINANCE, TO PROVIDE FOR THE ABILITY TO INCREASE FUNDING OF THE CONSERVATION COLLIER MANAGEMENT TRUST FUND BY BOTH REMOVING THE ANNUAL CAP OF AD VALOREM TAXES THAT MAY BE APPROPRIATED, AND ALLOWING FOR THE TRANSFER OF FUNDS FROM THE CONSERVATION COLLIER ACQUISITION TRUST FUND; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.**

APR 18 AM 10:02

FILED

WHEREAS, on Tuesday, November 5, 2002, the electorate of Collier County authorized the County to levy a 0.25 mill ad valorem property tax for a period not to exceed ten (10) years, for acquisition, protection, restoration, and management of environmentally sensitive lands in Collier County for the benefit of present and future generations; and

WHEREAS, Collier County Ordinance No. 2002-63 established the Conservation Collier Program to implement this mandate and to support its purposes to the fullest, limiting all uses of, and all investment earnings on, such levies to such purposes; and

WHEREAS, due to a changing interest environment, it has become necessary to increase the Conservation Collier Management Trust Fund, which is used in the preservation, enhancement, and maintenance of environmentally sensitive lands either acquired with the Conservation Collier Acquisition Trust Fund or otherwise approved for management.

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

**SECTION ONE: AMENDMENT TO SECTION 7 OF ORDINANCE NO. 2002-63, AS AMENDED.**

Section 7 is hereby amended as follows:

**Section 7 - Creation of the Conservation Collier Management Trust Fund.**

There is hereby created the Conservation Collier Management Trust Fund (hereinafter referred to as the Conservation Collier Management Trust Fund) for the preservation, enhancement, restoration, conservation and maintenance of

Words Underlined are added; Words ~~Struck-Through~~ are deleted.

environmentally sensitive lands that either have been purchased with monies from the Environmentally Sensitive Lands Acquisition Trust Fund, or have otherwise been approved for management. The Finance Director is hereby authorized to establish the Conservation Collier Management Trust Fund and to receive and disburse monies in accordance with the provisions of this section.

1. The Conservation Collier Management Trust Fund shall be maintained in a separate and segregated trust fund of the County to be used solely for the authorized purposes set forth herein.
2. The Conservation Collier Management Trust Fund shall receive monies from the following sources:
  - a. Ad-valorem taxes collected for Conservation Collier in an amount ~~not to exceed~~ no less than 15 percent of the total collected in any one year.
  - b. All monies accepted by Collier County in the form of federal, State, or other governmental grants, allocations, or appropriations, as well as foundation or private grants and donations, for management of lands acquired with the Conservation Collier Acquisition Trust Fund or otherwise approved for management.
  - c. Additional allocations as may be made by the Board of County Commissioners as necessary from time to time for purposes strictly consistent with the goals and purposes of Conservation Collier.
  - d. All interest generated from the sources identified herein, except where monies received have been otherwise designated or restricted.
  - e. Supplementation from the Conservation Collier Acquisition Trust Fund, but only with the approval of the Collier County Board of County Commissioners.

3. Disbursements from the Conservation Collier Management Trust Fund shall be made by the County Manager or his or her designee only in accordance for the authorized purposes set forth herein.

## **SECTION TWO: 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 THREE: 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 FOUR: EFFECTIVE DATE.**

This Ordinance shall be effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 12 day of April, 2011.

ATTEST  
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

By: [Signature]  
Deputy Clerk  
Attest as to Chairman's signature only

By: [Signature]  
FRED W. COYLE, CHAIRMAN

Approved as to form  
and legal sufficiency:

[Signature]  
Jeffrey A. Klatzkow  
County Attorney

This ordinance filed with the  
Secretary of State's Office the  
15th day of April, 2011  
and acknowledgement of that  
filing received this 21st day  
of April, 2011  
By: [Signature]  
Deputy Clerk

Words Underlined are added; Words ~~Struck Through~~ are deleted.

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 and correct copy of:

**ORDINANCE 2011-12**

Which was adopted by the Board of County Commissioners on the 12th day of April, 2011, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 14th day of April, 2011.

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



A handwritten signature in cursive script, appearing to read "Teresa Polaski".

By: Teresa Polaski,  
Deputy Clerk

