



AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, CONSENTING TO THE EXERCISE OF SPECIAL POWERS BY THE BOARD OF SUPERVISORS FOR THE LELY COMMUNITY DEVELOPMENT DISTRICT FOR ENHANCED SECURITY BY RETAINING OR OTHERWISE CONTRACTING WITH PRIVATE VENDORS TO PROVIDE LICENSED, TRAINED, UNIFORMED OFFICERS TO PERFORM SECURITY PATROL FUNCTIONS FOR THE DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners acknowledges the desire of the residents of the Lely Community Development District ("District") for additional security within the boundaries of the District; and

WHEREAS, the Board of County Commissioners has been advised that the District has successfully contracted with various private vendors to provide various security patrol measures for over ten (10) years for the benefit and protection of the residents of the District; and

WHEREAS, Section 190.012(2)(d), Florida Statutes, requires the Board of Supervisors for the District to obtain the consent of the Board of County Commissioners prior to retaining additional security for the District; and

WHEREAS, the Board of County Commissioners acknowledges that the additional security has been and will continue to be funded solely from the District's budget.

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

Section One: The Board of County Commissioners hereby consents to the Lely Community Development District's Board of Supervisors exercise of all special powers provided under Sec. 190.012 (2)(d), Florida Statutes, including allowing for enhanced security by retaining or otherwise contracting with, at its sole cost and expense, off duty Florida Highway Patrol officers, and private vendors to provide licensed, trained, uniformed officers to perform security patrol functions for the Lely Community Development District, provided that: (1) such private vendors may not exercise any police powers, and (2) no guardhouses, fences, gates or any other like security measure will be erected upon any public road within the District: to include Lely Resort Boulevard.; Triangle Boulevard; Grande Lely Drive; Lely Cultural Parkway, Wildflower Way, and any future roadway(s) which may be dedicated to Collier County.

Section Two: Effective Date-This Ordinance will become effective upon filing with the Florida Department of State.

THIS ORDINANCE ADOPTED after motion, second, and majority vote favoring same; this 12<sup>th</sup> day of October, 2004.

ATTEST:  
DWIGHT E. BROCK, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF COLLIER COUNTY, FLORIDA

By: *Ann Reynolds* Clerk

By: *Donna Fiala*  
DONNA FIALA, Chairman

Attest, as to Chairman's signature only.  
Approved as to form and legal sufficiency:  
*Patrick G. White*  
Patrick G. White, Assistant County Attorney

This ordinance was filed with the Secretary of State's Office the 21<sup>st</sup> day of October, 2004 and acknowledgment of filing received this 21<sup>st</sup> day of October, 2004  
By: *Suzanne Houtzger*  
Secretary of State

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COUNTY OF COLLIER)

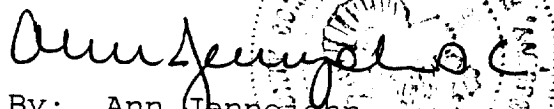
I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

ORDINANCE 2004-65

Which was adopted by the Board of County Commissioners on the 12th day of October 2004, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 20th day of October, 2004.

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

  
By: Ann Jennejohn,  
Deputy Clerk

