

## CHARTER

### TOWN OF GOLDEN GATE ESTATES

Section 1. – Corporate name; purpose of the Charter; creation and establishment of the Town of Golden Gate Estates, in the County of Collier ("County") and State of Florida ("State").

- (1) *Corporate name.* The municipality hereby established shall be known as the Town of Golden Gate Estates ("Town").
- (2) *Purpose of the Charter.* This act, together with any future amendments thereto, may be known as the Charter of the Town of Golden Gate Estates ("Charter").
  - (a) It is in the best interests of the public health, safety, and welfare of the residents of the Golden Gate Estates area to form a separate municipality for the Golden Gate Estates area with all the powers and authority necessary to provide adequate and efficient municipal services to its residents.
  - (b) It is intended that this Charter and the incorporation of the Golden Gate Estates area will serve to preserve, enhance, and protect the rural residential character, natural resources, and quality of life of the community.
  - (c) It is the intent of this Charter and the incorporation of the Town to secure the benefits of self-determination and affirm the values of representative democracy, citizen participation, strong community leadership, professional management, and regional cooperation.
  - (d) It is the intent of this Charter and the incorporation of the Town to maintain a financially secure and sustainable municipal government and to responsibly manage the Town's debt obligations without causing the State to incur any liability.

(3) *Creation and establishment of the Town of Golden Gate Estates.*

- (a) This act shall take effect upon approval by a majority vote of those qualified electors residing within the corporate limits of the proposed Town as described in section 3 voting in a referendum election to be called by the Board of County Commissioners of Collier County in conjunction with the Supervisor of Elections of Collier County to be held November 5, 2024, in accordance with the provisions of laws relating to elections currently in force.
- (b) For the purpose of compliance with F.S. Ch. 200.066, relating to assessment and collection of ad valorem taxes, the Town of Golden Gate Estates is created and established effective December 31, 2024.

Section 2. – Powers of Town; form of government.

- (1) *Powers of the Town.* The Town shall have all available governmental, corporate, and proprietary powers of a municipality under the State Constitution and laws of this State as fully and completely as though such powers were specifically enumerated in this Charter, and may exercise them, except where prohibited by law. Through the adoption of this Charter, it is the intent of the electors of the Town that the municipal government established in this section shall have the broadest exercise of home rule powers permitted under the State Constitution and laws of the State.
- (2) *Construction.* The powers of the Town under this Charter shall be construed liberally in favor of the Town, and the specific mention of particular powers in the Charter shall not be construed as limiting the general powers granted in this Charter in any way.
- (3) *Form of government.* The Town shall be a Council-Manager form of government, with the Council to consist of five Town Council ("Council") members elected by the Town at large. The Council shall constitute the governing body of the Town, with the duties and responsibilities hereinafter

provided. The Council shall appoint a Town Manager to be the Chief Administrative Officer of the Town who shall serve at the pleasure of the Council.

### Section 3. – Corporate boundaries.

The territorial boundaries of the Town of Golden Gate Estates upon the date of incorporation shall be as follows:

These properties are generally east of CR 951, north of I-75, south and east of Immokalee Rd, and zoned "Estates." Properties described are NOT owned by County, State or Federal Governments, Collier School District. As shown in Exhibit A and Exhibit B.

Total Acreage: All lying in Collier County being approximately 53,840 acres.

All of section 28 southwest of Oil Well Rd;

All of sections 29-33; Township 47, Range 28;

The south 1/2 of section 08 not owned by Collier County;

All of sections 09-12, 15-16, 21-22;

Those parts of section 23 in the west 1/4 not owned by Orange Tree HOA;

All of sections 25-28, 33-36; Township 48, Range 27;

All of sections 04-09, 19-21, 28-33; Township 48, Range 28;

All of sections 01-02, 13-14, 23, 26; Township 49, Range 26;

All of sections 01-12, 17-19; Township 49, Range 27;

All of sections 04-09, 16-21, 28-33; Township 49, Range 28

### Section 4. – Town Council.

(1) *General powers and duties.* All powers of the Town shall be vested in the Town Council, except as otherwise provided by law or this Charter, and the Council shall provide for the exercise thereof and for the performance of all duties and obligations permitted by or imposed on the Town by law.

(2) *Composition; eligibility; terms.*

(a) *Composition.* There shall be a Town Council composed of five Council members. Each Council member shall be elected by the electors of the Town at large.

(b) *Eligibility and term of office.*

1. Each candidate for Town Council shall be a qualified elector of the Town.
2. Each candidate for Council shall have been a resident of the Town for at least two years before qualifying for office.
3. Each Council member must reside in the Town for the duration of his or her term.
4. The term of office for each Council member shall be four years.
5. No Council member will serve more than two full terms and no more than eight years in a lifetime. The foregoing limitations do not apply to the initial council who shall all be entitled to run for 1 additional term or to a succession or election to fill a vacancy in a term of office for a period of less than two years.

6. Elected officials shall swear to uphold the Oath of Office:

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida, and the Charter of the Town of Golden Gate Estates; and will protect the rural residential character of the Town; that I am duly qualified to hold office under the Constitution of the State and the Charter of the Town of Golden Gate Estates; and that I will well and faithfully perform the duties of (Mayor or Council member) upon which I am now about to enter. (So help me God.)

(c) *Seats.* The Town Council shall be divided into five separate Council seats to be designated as seats 1, 2, 3, 4, and 5, to be voted on a Town

wide basis, with each qualified elector entitled to vote for one candidate for one seat in separate contests.

(3) *Mayor; Vice Mayor.*

(a) *Mayor.* By the second regular meeting after December 1 each year, the Council shall by majority vote select from its membership a Mayor, who will serve for a one-year term. The Mayor shall serve as chairperson during the meetings of the Council and shall serve as the head of municipal government for the purpose of execution of legal documents as required by ordinance. The Mayor shall also serve as the ceremonial head of the Town.

(b) *Vice Mayor.* A Vice Mayor shall be selected in the same manner as the Mayor as provided in paragraph (a). The Vice Mayor shall serve as Mayor during the absence or disability of the Mayor and, if a vacancy of the Mayor occurs, shall become interim Mayor until a Mayor is selected as described in paragraph (a).

(4) *Compensation.* Council members other than the mayor will receive a salary of \$1000 per month plus up to \$300 per month for approved and documented official expenses; the mayor will receive a salary of \$1250 per month plus up to \$400 per month for approved and documented official expenses. The mayor and council members may participate in the Florida Retirement System, so long as the Town is not required to pay any additional amount. Any increase in compensation must be voted on by a supermajority (minimum two-thirds vote) of electors at an even year election.

(5) *Council meetings.*

(a) The Council shall hold meetings in accordance with a duly adopted ordinance or resolution. Special meetings may be held at the call of the Mayor or a majority of the Council members. At least a 24-hour notice

shall be provided to each Council member and the public for special meetings unless there is an immediate threat to the public safety. Except as authorized by law, all meetings shall be open to the public.

(b) Three members of the Town Council shall constitute a quorum for the conduct of business unless otherwise provided herein. Unless a quorum is present, no action may be taken except to adjourn. In order to approve any action or adopt any ordinance or resolution there must be at least three affirmative votes for the action, unless otherwise provided herein.

(c) The terms *ordinance* and *resolution* shall have the following meanings unless some other meaning is plainly indicated:

1. *Ordinance* means an official legislative action of the council which action is a regulation of general and permanent nature and enforceable as a local law.

2. *Resolution* means an expression of the city council concerning matters of administration and expressions of a temporary character or a provision for the disposition of a particular item of the administrative business of the Town council.

(6) *Prohibitions.*

(a) Neither the Council, nor any individual member of the Council, shall in any manner attempt to dictate the employment or removal of any employee other than the Town Manager and Town Attorney. The Council is free to make inquiries of Town employees, but no individual member of the Council shall give orders to any officer or employee of the Town. Recommendations for improvements in Town government operations shall come through the Town Manager, but each member of the Council shall be free to discuss or recommend improvements to the Town Manager, and the Council is free to direct the Town Manager to

implement specific recommendations for improvement in Town government operations.

- (b) No variances, re-zonings, or land use modifications may come before the Council which would inure to a Council member or Mayor's special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained; or which he or she knows would inure to the special private gain or loss of a relative or business associate of the Council Member or Mayor, until that Council member or Mayor is no longer serving on the Council.
- (c) No present or former elected Town official shall hold any compensated appointive office or employment with the Town until six years after leaving office. No present or former elected Town official shall engage in lobbying or representing any external organization in front of the Council until six years after leaving office, regardless of whether or not that Town official receives compensation.

*(7) Vacancies; forfeiture of office; filling of vacancies.*

- (a) *Vacancies.* A vacancy in the office of a member of the Council, Mayor, or Vice Mayor shall occur upon the incumbent's death, inability to fulfill the duties of the office, relocation of residence outside the Town, resignation, appointment to another public office, judicially determined incompetence, or removal or forfeiture of office as described in this subsection.

- (b) *Forfeiture of office.*

1. A member of the Council may forfeit the office if the member:

- a. Lacks at any time during the term of office any qualification for the office prescribed by this Charter or by law.
- b. Violates any express prohibition of this Charter.
- c. Is convicted of any felony or criminal misdemeanor.
- d. Is found to have violated any standard of conduct or code of ethics established by law for public officials or has been suspended from office by the Governor, unless subsequently reinstated as provided by law; or
- e. Misses three consecutive regularly scheduled Council meetings, unless excused by the Council.

If any of these events should occur, a hearing shall automatically be conducted at the next regularly scheduled Council meeting, and the member may be declared to have forfeited office by majority vote of the Council.

- 2. The Council shall be the sole judge of the qualifications of its members and shall hear all questions relating to forfeiture of a Council member's office, including whether good cause for absence has been or may be established. The Council shall have the power to set additional written standards of conduct for its members beyond those specified in this Charter and may provide for such penalties as it deems appropriate, including forfeiture of office. In order to exercise these powers, the Council shall have power to subpoena witnesses, administer oaths, and require the production of evidence.

*(c) Filling of vacancies.*

- 1. A vacancy on the Council shall be filled by a majority vote of the remaining members of the Council for the period of time until the next election, when a Council member shall be elected for the remainder of

the term vacated. If more than one year remains in the unexpired term and a majority of the remaining Council members cannot reach a decision within 60 days after a vacancy occurs, the vacancy shall be filled by a special election.

2. In the event that all of the Council members are removed by death, disability, recall, forfeiture of office, or resignation, the Governor shall appoint interim Council members who shall call a special election at least 30 days, but no more than 60 days, after such appointment. Such election shall be held in the same manner as the initial elections under this Charter. However, if there is less than one year remaining in any unexpired terms, the interim Council appointed by the Governor shall serve out the unexpired terms. Appointees must meet all requirements for candidates as provided in this Charter.
3. The burden of establishing good cause for absences shall be on the Council member in question; however, any Council member may, at any time during a duly held meeting, move to establish good cause for his or her absence. A Council member whose qualifications are in question or who is otherwise subject to forfeiture of his or her office shall not vote on such matters.

#### Section 5. – Administration.

##### *(1) Town Manager.*

- (a) The Council shall appoint a Town Manager, who shall serve at the pleasure of the Council. The qualifications of the Town Manager may be established by ordinance.
- (b) The Town Manager may be removed by a majority vote of the Council.
- (c) During the absence or disability of the Town Manager, the Town Council may by resolution designate a properly qualified person to temporarily execute the functions of the Town Manager. Such person shall have the

same powers and duties as the Town Manager and may be removed by the Town Council at any time upon a majority vote of the Council.

(d) The Town Manager shall:

1. Appoint, hire, suspend, demote, or dismiss any Town employee under the Town Manager's jurisdiction in accordance with law, and may authorize any department head to exercise these powers with respect to subordinates in that department.
2. Direct and supervise the administration of all departments of the Town except the Office of the Town Attorney.

(2) *Town Attorney*. There shall be a Town Attorney who shall be a member of the Florida Bar in good standing, be appointed by the Council, and serve as the chief legal advisor to the Council and Town administrators, departments, and agencies. The Council may remove the Town Attorney for any reason by a majority vote of its members.

#### Section 6. – Departments; personnel; planning.

(1) *Departments; boards; agencies*. The Council may establish, modify, or terminate such departments, boards, or agencies as it determines necessary for the efficient administrative operation of the Town. Such departments, boards, or agencies shall be determined by ordinance.

(2) *Personnel*. Consistent with all applicable state and federal laws, the Council shall provide by ordinance for the establishment, regulation, and maintenance of personnel policies necessary for the effective administration of employees of the Town's departments, boards, and agencies.

(3) *Planning*. Consistent with all applicable state and federal laws with respect to land use, development, and environmental protection, the Town shall:

- (a) Designate an employee, agency, or agencies to execute the planning functions with such decision-making responsibilities as may be specified by ordinance or general law.
- (b) Adopt a comprehensive plan and ensure that zoning and other land use control ordinances are consistent with the plan, all in accordance with general law. The Golden Gate Area Master Plan: Rural Golden Gate Estates Sub-Element, as it exists on the day that the Town commences corporate existence, shall serve as the initial comprehensive plan of the Town until the Town adopts its own comprehensive plan pursuant to F.S. Ch. 163.
- (c) Adopt zoning and development regulations, to be specified by ordinance, to implement the plan.
- (d) All land use and quasi-judicial items require the unanimous vote of the entire Council. All five members of the Council shall be required to vote on all land use and quasi-judicial items. All voting shall be by roll call.
- (e) Additionally, any long-term leases (10 years or more, including options to renew) of Town property or purchase or sale of land by the Town require a unanimous council vote and two-thirds vote of the electorate.

**Section 7. – Leveraging County services and emergency response.**

- (1) *County service collaboration.* The Town of Golden Gate Estates recognizes the importance of collaborating with County authorities to leverage their expertise and resources for the benefit of our community. The Town shall establish a working relationship with the County to ensure efficient coordination and delivery of shared services, such as waste management, road maintenance, and public utilities, while maintaining fiscal responsibility.
- (2) *Emergency response.* The Town shall develop and implement comprehensive emergency response plans. The Town shall collaborate with the County Emergency Services to ensure effective coordination and communication during emergencies,

including natural disasters, public health crises, and other emergencies that may affect the Town and its residents. The Town shall actively participate in county-wide emergency preparedness initiatives and training exercises to enhance the Town's response capabilities and ensure the safety and well-being of its residents.

(3) *Sheriff services.* The Town recognizes the importance of law enforcement services in maintaining public safety and preserving the peace. The Town shall work in partnership with the County Sheriff's Office to ensure the provision of adequate law enforcement services within the Town's jurisdiction. The Town may enter into agreements with the County Sheriff's Office to enhance law enforcement coverage, including the establishment of substations or dedicated patrols within the Town's boundaries.

(4) *Independent Special Districts.* The Town recognizes that certain services within the municipal boundaries are provided by independent special districts whose boundaries lie within the municipal boundaries of the Town of Golden Gate Estates and are created by Special Acts of the Florida Legislature. The Town is empowered to merge functions of said districts with those of the municipality only upon dissolution of the special districts, or upon affirmative vote of a majority of the Town Council and an affirmative vote of the majority of the Council or Board governing the special district after meeting all requirements for merger or dissolution in the special district's enabling legislation and Chapter 189, Florida Statutes. It is recognized that certain planning and interlocal agreements may be necessary between the Town and such districts and the Town shall endeavor to maximize the benefits of the districts to the fullest extent possible. In the event the Town Council desires to supplement or duplicate services determined to be inadequate, the Council is fully empowered to do so.

(5) *Other services.* The Town acknowledges that certain services may not be specifically identified in this Charter but are essential for the well-being and development of the community. The Town shall assess the need for such services on an ongoing basis and work in collaboration with the County and other relevant

authorities to provide or facilitate the provision of those services. The Town may enter into agreements or partnerships with the County, neighboring municipalities, or other entities to ensure the availability of essential services that are not explicitly mentioned in this Charter.

- (6) *Fiscal responsibility.* The Town shall exercise fiscal responsibility in utilizing County services and shall work diligently to maximize the efficiency and effectiveness of resource allocation. The Town shall collaborate with the County to explore cost-sharing opportunities, grant applications, and other mechanisms to secure funding for shared services and emergency response efforts.

By incorporating these provisions into the Town Charter, the Town of Golden Gate Estates aims to ensure the effective utilization of County services, prioritize emergency preparedness and response, maintain a strong collaboration with the County Sheriff's Office, maintain a strong collaboration with the Independent Fire Rescue Districts serving the Town and address any additional services necessary for the well-being and growth of our community.

#### Section 8. – Financial management.

- (1) *Fiscal year.* The fiscal year of the Town shall begin on the first day of October and end on the last day of September of each year.
- (2) *Expenditure of Town funds.* No Town funds shall be expended except pursuant to duly approved appropriations or for the payment of bonds, notes, or other indebtedness duly authorized by the Council and only from such funds so authorized.
- (3) *Budget adoption.* The Council shall adopt a budget in accordance with applicable general law, after a minimum of two public hearings on the proposed budget. A resolution adopting the annual budget shall constitute appropriation of the amounts specified therein as expenditures from funds indicated.

(4) *Expenditures.* The budget shall not provide for expenditures in an amount greater than the revenues budgeted.

(5) *Appropriations.*

(a) If, during the fiscal year, revenues in excess of such revenues estimated in the budget are available for appropriation, the Council by resolution may make supplemental appropriations for the year in an amount not to exceed such excess.

(b) If, at any time during the fiscal year, it appears probable to the Town Manager that the revenues available will be insufficient to meet the amount appropriated, the Town Manager shall report to the Council without delay, indicating the estimated amount of the deficiency, any remedial action taken, and recommendations as to any other steps that should be taken. The Council shall then take such further action as it deems necessary to prevent or minimize any deficiency and, for that purpose, the Council may by resolution reduce one or more appropriations accordingly.

(c) No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated, or by more than the unencumbered balance thereof. Notwithstanding any other provision of law, the supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

(6) *Bonds; indebtedness.*

(a) Subject to the referendum requirements of the State Constitution, if applicable, the Town may from time to time borrow money and issue bonds or other obligations or evidence of indebtedness (collectively, "bonds") of any type or character for any of the purposes for which the

Town is now or hereafter authorized by law to borrow money, including to finance the cost of any capital or other project and to refund any and all previous issues of bonds at or before maturity. Such bonds may be issued pursuant to one or more resolutions adopted by a majority of the Council and are subject to a debt limit that caps the amount of outstanding long-term obligations at ten (10%) percent of assessed property values.

(b) The Town may assume all outstanding indebtedness related to facilities that it acquires from other units of local government and be liable for payment of such indebtedness in accordance with its terms.

(c) *Revenue bonds.* Revenue bonds may be issued by the Town as authorized by law.

(7) *Annual audit.* The Council shall provide for an independent annual financial audit of all Town accounts and may provide for more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or a firm of such accountants who have no personal interest, directly or indirectly, in the fiscal affairs of the Town government or in any of its officers.

(8) *Shortfalls.* The State is not liable for financial shortfalls of the Town.

## Section 9. – Nominations and elections.

(1) *Nonpartisan elections; electors; qualifying.*

(a) *Nonpartisan elections.* All elections shall be conducted on a nonpartisan basis without designation of political party affiliation.

(b) *Electors.* Any person who is a resident of the Town, who has qualified as an elector of this State, and who registers as prescribed by law, shall be an elector of the Town.

**(c) *Qualifying.***

1. Each candidate for Town Council shall be a qualified elector of the Town and must reside in the Town for at least two years before the beginning of the qualifying period for the office sought.
2. Any elector of the Town who wishes to become a candidate for Town Council shall qualify with the Supervisor of Elections of Collier County for the initial election; thereafter, candidates shall qualify with the official designated by Town resolution or general law by providing proof of voter registration, current address, and two years of residency in the Town unless the Town Council, by resolution, provides that the Supervisor of Elections of Collier County conduct the candidate qualification process.
3. The qualifying period for candidates for Town Council shall be the same as provided by the Supervisor of Elections of Collier County or as otherwise provided by ordinance.

**(2) *Elections.***

- (a) *Adoption of Florida Election Code.* All elections required under any article or section of this Charter shall be conducted in accordance with the Florida Election Code, F.S. Chs. 97-106, except as otherwise provided in this Charter. The Council, by ordinance, may adopt such election procedures as are necessary and as provided by F.S. Chs. 97-106.
- (b) *Election spending.* Election spending is capped at \$1 per registered voter for referendum votes and \$2 per registered voter for council candidates (these amounts can increase annually by the Consumer Price Index or three (3%) percent, whichever is less).
- (c) *At-large elections.*

1. The first regular election of Council members shall be held March 4, 2025, and thereafter will coincide with the date of the general election of each even-numbered year, unless this date is required to be changed to a date concurrent with any countywide or statewide election.
  2. The candidates receiving the highest number of votes in the Town at-large election in each separate contest shall be elected.
  3. The term of office for an elected Council member shall begin immediately after official certification of the results of the election and shall expire upon the assumption of office by his or her successor.
  4. No election for a Council member seat shall be required if there is only one duly qualified candidate in such contest for the Council member seat.
- (d) *Town Canvassing Board.* The Canvassing Board shall be composed of three members appointed by the Town Council by resolution. No member of the Town Canvassing Board shall be an active participant in the Town election for which he or she is canvassing as the term "active participant" is interpreted by the Division of Elections. Should a vacancy occur on the Canvassing Board, the Town Council shall appoint a replacement member by resolution. The Town Canvassing Board shall canvass the election consistent with the requirements of Florida law and consistent with and pursuant to any agreement between the Town and the Collier County Supervisor of Elections. The Canvassing Board shall certify the results of the election upon receipt of the certification from the supervisor of elections. However, the Town Council may, by resolution, delegate the election canvassing responsibilities for Town elections to the county Canvassing Board.

- (3) *Recall*. The qualified electors of the Town shall have the power to remove from office any elected official of the Town in accordance with state law.

#### Section 10. – Initiative and referendum.

The powers of initiative and referendum are reserved to the qualified registered electors of the Town. The election laws of the State shall govern the exercise of the powers of initiative and referendum under this Charter.

#### Section 11. – General provisions.

- (1) *Code of ethics*. It is essential to the proper conduct and operation of the Town that the officers and employees of the Town be independent and impartial and for their offices not to be used for private gain other than the remuneration provided by law or by ordinances. It is declared to be the policy of the Town that its officers and employees are agents of the people and hold their positions for the benefit of the public. All public officers, employees, members of the Town licensing or advisory boards, and candidates for elected office shall conform to the “Code of Ethics for Public Officials and Employees”, F.S. Ch. 122, Pt. III, as presently exist or may be revised in the future.
- (2) *Amendments to Charter*. This Charter may be amended in accordance with the provisions for Charter amendments as specified in the Municipal Home Rules Powers Act, F.S. Ch. 166, or as otherwise may be provided by general law. Amendments must be approved by referendum, with a positive vote from at least two-thirds of the electors voting.
- (3) *Severability*. If any provision of this Charter or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect provisions or applications of this Charter which can be given effect without the invalid provisions or application, and to this end the provisions of the Charter are declared severable.

**Section 12. – Referendum election; transition.**

- (1) *Referendum election.*** The referendum election called for by this action shall be held on November 5, 2024, at which time the following question shall be placed upon the ballot:

Shall the Town of Golden Gate Estates be created and its Charter adopted? YES \_NO \_

In the event this question is answered affirmatively by a majority of electors voting in the referendum, the Charter will take effect as provided herein. The referendum election shall be conducted by the Supervisor of Elections of Collier County in accordance with the Florida Election Code, and the cost of such election shall be funded by the Board of County Commissioners of Collier County.

- (2) *Initial election of Council.***

**(a)** After the adoption of this Charter, the Board of County Commissioners of Collier County shall call an election to be held March 4, 2025, for the election of five Town Council members. The election shall be conducted by the Supervisor of Elections of Collier County in accordance with the Florida Election Code, and the cost of such election shall be funded by the Board of County Commissioners of Collier County.

**(b)** An individual who wishes to run for one of five initial seats on the Council shall qualify with the Supervisor of Elections of Collier County in accordance with this Charter and general law. The qualifying period for the initial election of the Town Council shall begin at noon on January 6, 2025, and end at noon on January 10, 2025, unless otherwise provided by law.

- (c) For the initial elections, the County Canvassing Board shall certify the results of the elections in accordance with general law.
  - (d) The Council members who ran for seats 1, 2 and 3 shall each be elected to an initial term expiring upon certification of the election results for the November 2030 election. The two remaining Council members, seats 4 and 5, shall each be elected to an initial term expiring upon certification of the election results for the November 2028 election. Thereafter, all terms shall be for a period of four years.
- (3) *First council meeting.* On March 18, 2025, provided the results of the election of the Town Council under this Charter have been certified, the newly elected members of the Town Council shall meet at a location to be determined. In the event the results have not been certified by March 18, 2025, the newly elected members shall meet on the following Tuesday. The initial Council shall have the authority and power to enter into contracts, arrange for the hiring of legal counsel, begin recruiting applicants for Town Manager, provide for necessary Town offices and facilities, and do such other things as it deems necessary and appropriate for the Town.
- (4) *Initial expenses.* The Council, in order to provide moneys for the expenses and support of the Town, shall have the power to borrow money necessary for the operation of municipal government until such time as a budget is adopted and revenues are raised in accordance with this Charter.
- (5) *Transitional ordinances and resolutions.*
- (a) All applicable county ordinances currently in place at the time of passage of the referendum, unless specifically referenced in this Charter, shall remain in place until and unless rescinded by action of the Council, except that a county ordinance, rule, or regulation that conflicts with an ordinance, rule, or regulation of the Town shall not be effective to the extent of such conflict. Any existing Collier County ordinances, rules, and

regulations, as of April 1, 2025, shall not be altered, changed, rescinded, or added to, nor shall any variance be granted, if such action would affect the Town without the approval of the Council.

(b) The Council shall adopt ordinances and resolutions required to affect the transition.

(6) *Transitional comprehensive plan.* Until such time as the Town adopts a comprehensive plan, the Golden Gate Area Master Plan: Rural Golden Gate Estates Sub-Element, as it exists on the day that the Town commences corporate existence, shall remain in effect as the Town's transitional comprehensive plan. However, all planning functions, duties, and authority shall thereafter be vested in the Council, which shall be deemed the local planning agency until the Council establishes a separate local planning agency.

(7) *Transitional land development regulations.* To implement the transitional comprehensive land use plan when adopted, the Town shall, in accordance with the procedures required by the laws of the State, adopt ordinances providing for land use development regulations within the corporate limits. Until the Town adopts ordinances, the following shall apply:

(a) The comprehensive land use plan and land use development regulations of Collier County, as the same exists on the date that the Town commenced corporate existence, shall remain in effect as the Town's transitional land use development regulations and comprehensive land use plan.

(b) All powers and duties of the Collier County Growth Management Department, the Collier County Code Enforcement Special Magistrate, and Board of County Commissioners of Collier County, as provided in these transitional land use development regulations, shall be vested in the Council until such time as the Council delegates all powers and duties, or a portion thereof, to another agency, department, or entity.

- (c) Subsequent to the adoption of a local comprehensive land use plan and subject to general law, the Council is fully empowered to amend, supersede, enforce, or repeal the transitional land use development regulations, or any portion thereof, by ordinance.
- (d) Subsequent to the commencement of the Town's corporate existence, an amendment of the comprehensive land use plan or land use development regulations enacted by the Board of County Commissioners of Collier County shall not be deemed an amendment of the Town's transitional comprehensive land use plan or land use development regulations or otherwise take effect within the Town's municipal boundaries.
- (8) *State-shared revenues.* The Town shall be entitled to participate in all revenue sharing programs of the state effective April 1, 2025. The provisions of F.S. Ch. 218.23(1) shall be waived for the purpose of conducting audits and financial reporting through the end of the Town fiscal year 2025-2026. The Town will establish an ad valorem millage rate that, in combination with either the millage levied by the North Collier Fire Control and Rescue District or that of the Greater Naples Fire Rescue District, satisfies the requirements of F.S. Ch. 218.23(1). Initial revised population estimates for calculating eligibility for shared revenues shall be determined by the University of Florida Bureau of Economic and Business Research. Should the Bureau be unable to provide an appropriate population estimate, the Collier County Department of Community Development shall provide the estimate.
- (9) *Local revenue sources.* The Town shall be entitled to receive all local revenue sources available pursuant to general law, including, but not limited to, the local communications services tax imposed under F.S. Ch. 202.19. The local communications services tax rate imposed by Collier County will continue within the Town boundaries during the period commencing with the date of incorporation through October 1, 2025. Revenues from the tax shall be

shared by Collier County with the Town in proportion to the projected Town population estimate of the Collier County Planning Division compared with the unincorporated population of Collier County before the incorporation of the Town.

(10) *Local option gas tax revenues.* Notwithstanding the requirements of F.S. Ch.

336.025, the Town shall be entitled to receive local option gas tax revenue beginning on October 1, 2025. These revenues shall be distributed in accordance with general law or by any interlocal agreement negotiated with the Board of County Commissioners of Collier County.

(11) *Contractual services and facilities.* Contractual services for law enforcement, emergency management, public works, parks and recreation, planning and zoning, building inspection, development review, animal control, library services, Town Manager or management firm, Town Attorney, and solid waste collection may be supplied by a contract between the Town and the Board of County Commissioners of Collier County, special districts, municipalities, or private enterprise until such time as the Council establishes such independent services. However, existing solid waste contracts shall be honored as required by F.S. Ch. 165.061(1)(f) and Ch. 10, Art. I of the State Constitution. Facilities for housing the newly formed municipal operations may be rented or leased until the Town selects more permanent facilities.

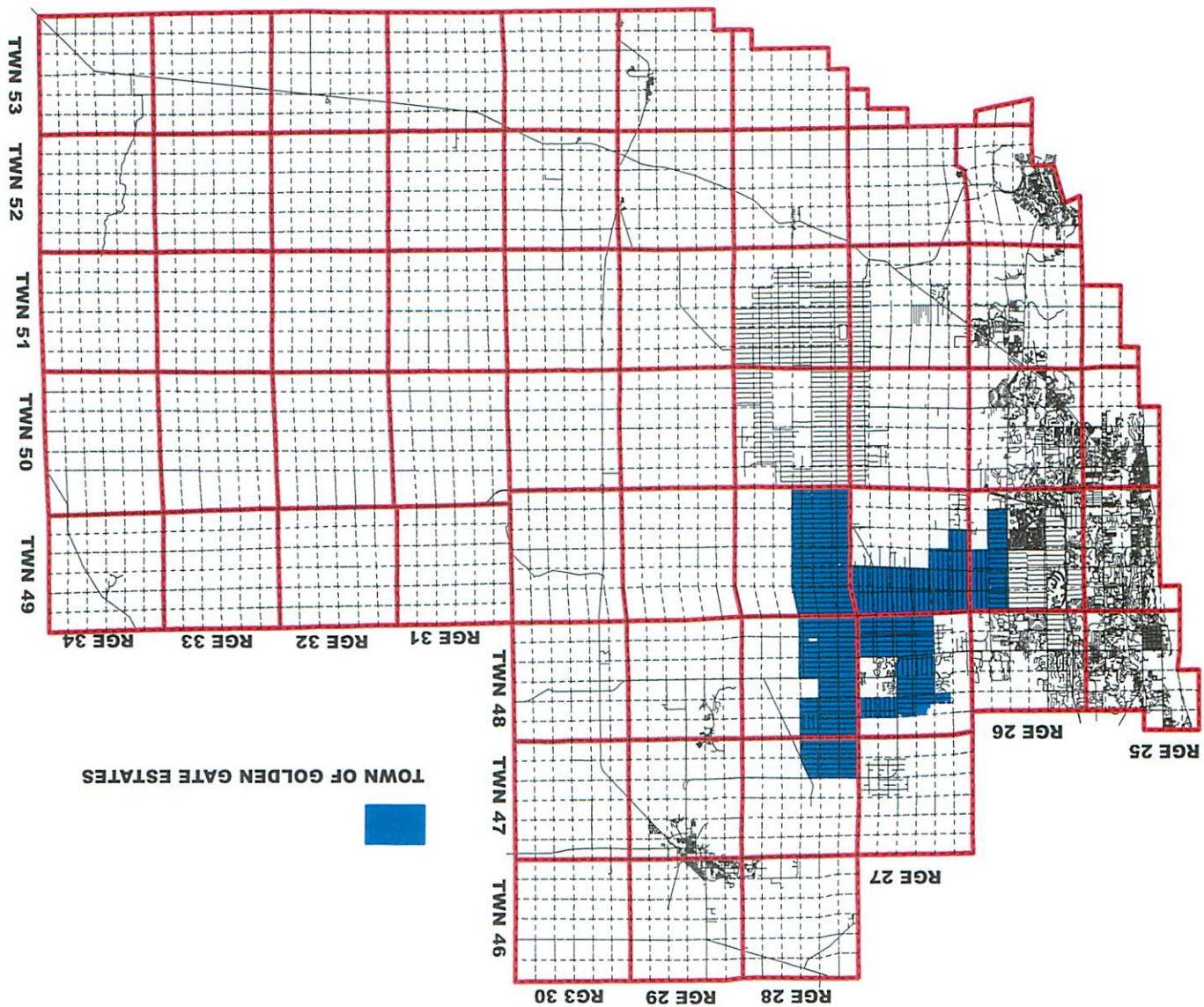
(12) *Collier County Municipal Service Taxing District; continuation.*

Notwithstanding the incorporation of the Town of Golden Gate Estates, that portion of the Golden Gate Community Center municipal services taxing district that lies within the boundaries of the Town of Golden Gate Estates, is authorized to continue in existence until the Town adopts an ordinance, resolution, or interlocal agreement to the contrary.

(13) *Law enforcement.* Law enforcement services shall be provided by the Collier County Sheriff's Office until the Town adopts an ordinance or resolution or enters into an interlocal agreement to the contrary.

(14) *Elimination of transitional elements from this Charter.* Upon completion of the transitional phase provided in this Charter, the sections of the Charter relating to transition may be eliminated from this Charter.

# PROJECT LOCATION MAP EXHIBIT A



## PROJECT: GOLDEN GATE ESTATES INCORPORATION COLLIER CO, NAPLES, FL

Figure 1. Project Location Map.

Golden Gate Estates Community, Collier Co, Naples, FL  
Twn 47, 48, 49 ; Rge 26, 27, 28 ; totaling 53,839.72 acres

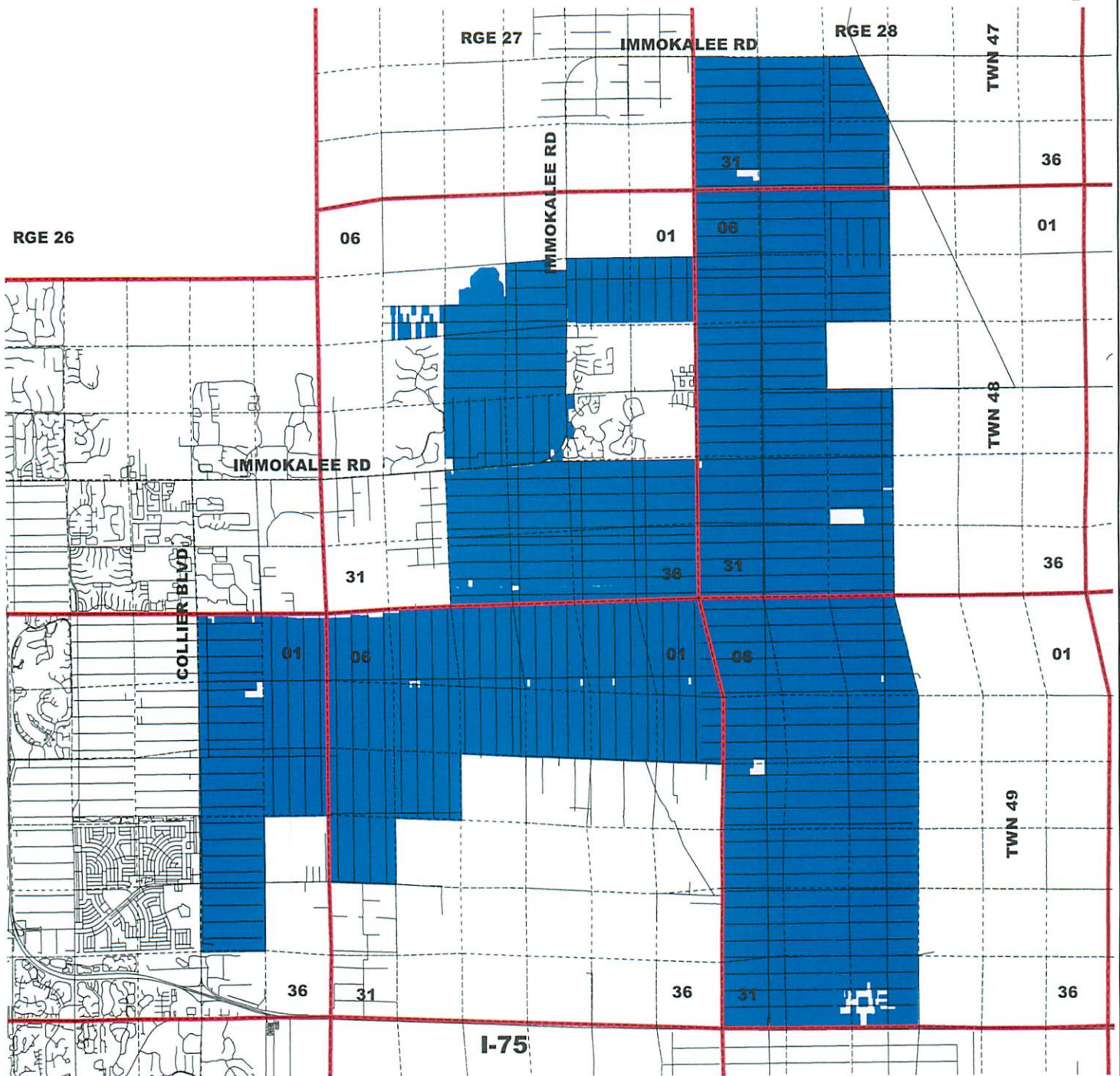


**GGEACA**  
Golden Gate Estates Area  
Civic Association

2631 4th St. NW  
Naples FL, 34120  
239.564.1660  
www.ggeaca.org

EstatesAreaVoice@gmail.com

# PROJECT LOCATION DETAIL MAP EXHIBIT B



## PROJECT: GOLDEN GATE ESTATES INCORPORATION COLLIER CO, NAPLES, FL

Figure 2. Project Location Detail Map.

Golden Gate Estates Community, Collier Co, Naples, FL  
Twn 47,48,49 ; Rge 26,27,28 ; totaling 53,839.72 acres

**GGEACA**

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