

**BOARD OF COUNTY COMMISSIONERS, PASCO COUNTY, FLORIDA  
REGULAR MEETING/REZONINGS**

**ANNOTATED AGENDA  
PREPARED IN THE OFFICE OF  
JED PITTMAN, CLERK OF THE CIRCUIT COURT**

**OCTOBER 21, 2003**

**HISTORIC PASCO COUNTY COURTHOUSE, BOARD ROOM 2<sup>ND</sup> FLOOR  
37918 MERIDIAN AVENUE, DADE CITY, FL 33525**

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**County Commissioners**

Chairman Ted J. Schrader, District 1  
Vice Chairman Peter A. Altman, District 5  
Pat Mulieri, Ed.D. District 2  
Ann Hildebrand, District 3  
Steve Simon, District 4

**County Administrator**

John Gallagher

**County Attorney**

Robert D. Sumner

**Clerk to the Board**

Jed Pittman

.....  
**CALL TO ORDER - 1:30 P.M.**

**INVOCATION }  
PLEDGE OF ALLEGIANCE }  
ROLL CALL }**

**LINDA DILLON, DEPUTY CLERK**

**CONSENT AGENDA**

**CHAIRMAN SCHRADER NOTED AGENDA ITEMS C 1 AND C 33 WERE PULLED FROM THE  
CONSENT AGENDA FOR REVISIONS.**

**COMMISSIONER MULIERI MOVED APPROVAL OF THE CONSENT AGENDA WITH  
EXCEPTION OF THE NOTED ITEMS; COMMISSIONER HILDEBRAND AND COMMISSIONER  
ALTMAN SECONDED; MOTION CARRIED.**

**CONSTITUTIONAL OFFICERS**

**Supervisor of Elections**

**PULLED**

- C 1. Letter RE: Voter Education funds dated October 1, 2003  
RECOMMENDATION: Receive and File

**COMMISSIONER ALTMAN MOVED APPROVAL OF THE REVISION;  
COMMISSIONER MULIERI AND COMMISSIONER SIMON SECONDED; MOTION  
CARRIED.**

**Tax Collector**

- C 2. Request for operating expenses for October and November, 2003  
RECOMMENDATION: Direct the Clerk of Circuit Court to issue a warrant upon approval

**Minutes and Financial Matters—Minutes—Approval**

- C 3. Work Session dated September 4, 2003
- C 4. Special Meeting dated September 12, 2003

**Minutes and Financial Matters—Minutes—Distribution**

- C 5. Regular Meeting/Rezoning dated August 26, 2003
- C 6. Regular Meeting dated September 9, 2003

**Minutes and Financial Matters—General Warrants, Payroll Registers, and Transfer Authorizations**

**LEGISLATIVE/ADMINISTRATIVE**

**County Administration – County Attorney**

- C 7. Resolution Approving and Authorizing the Sale by Pasco County of Real Property Located at 6701 Forest Avenue, to Morton Plant Hospital Association Inc.  
Memorandum CAO04-0006  
RECOMMENDATION: Approve

**County Administration—Personnel**

- C 8. Equal Employment Opportunity Plan – Offender Based Tracking System (OBTS) – enhance computerized processing of criminal justice records; All Comm. Dist.  
Memorandum PER03-1515  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

**DEVELOPMENT SERVICES BRANCH**

- C 9. Grant Program Agreement – Florida Department of Transportation – S.R. 54 County Incentive; Comm. Dist. 1 and 2  
Memorandum DS04-001  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 10. Task Work Order No. T-A – Tindale-Oliver and Associates, Inc. – Review of Planning Assumptions and Data Development; All Comm. Dist.  
Memorandum DS04-003  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

**Development Review Services—Development Review**

- C 11. Flapjack Festival Parade – Land O’ Lakes Chamber of Commerce – Setup at David “Hap” Clark Jr. Building; Comm. Dist. 2  
Memorandum DR04-004  
RECOMMENDATION: Approve

**Engineering Services—Project Management**

- C 12. Change Order No. 2 – J.W. Conners and Sons, Inc. – C.R. 54 and 20<sup>th</sup> Street Intersection; Comm. Dist. 1  
Memorandum PMA03-109  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

- C 13. Task Order EDO03-030 – America Consulting Engineers of Florida, LLC – Countywide Project Management and Inspection Services; All Comm. Dist.  
Memorandum PMA03-114  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 14. Task Order No. EDO03-031 – Volkert & Associates, Inc. – Turning Movement Count Program; Nineteen Intersection Locations; Comm. Dist. 4 and 5  
Memorandum PMA03-122  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 15. Change Order No. 1 – Southwest Contracting, Inc. – Port of Hudson Access Project; Comm. Dist. 5  
Memorandum PMA03-123  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 16. Release Letter of Credit – Verizon, Inc. – Rowan Road North Project; Comm. Dist. 4  
Memorandum PMA04-004  
RECOMMENDATION: Approve
- C 17. Public Workshop – Curley Road (South) Route Study; Comm. Dist. 1 and 2  
Memorandum PMA04-009  
RECOMMENDATION: Approve
- C 18. Public Workshop – Osteen Road Route Study; Comm. Dist. 4  
Memorandum PMA04-010  
RECOMMENDATION: Approve
- C 19. Task Order No EDO04-003 – Coastal Design Consultants, Inc. – Ehren Cemetery Road Culvert Repair Project; Comm. Dist. 2  
Memorandum PMA04-012  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

### **Engineering Services—Real Estate**

- C 20. Task Order No. RET04-001 – The Traczyk Company, Inc. – Appraisal Services for Trouble Creek Road and Thys Road; Comm. Dist. 3  
Memorandum REA04-004  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 21. Task Order No. RET04-003 – Lee Pallardy, Inc. – Appraisal Services for Christian Road; Comm. Dist. 1  
Memorandum REA04-006  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Engineering Services—Survey**

- C 22. Recording of Plat without a Maintenance Guarantee - Trout Creek Development Corporation – Meadow Pointe 18 Unit 1A; Comm. Dist. 2  
Memorandum SA04-001  
RECOMMENDATION: Approve
- C 23. Recording of Plat with Performance Guarantee – Westshore Development Group, Inc. – Lake Bernadette Parcels 14, 15A and 16; Comm. Dist. 2  
Memorandum SA04-002  
RECOMMENDATION: Approve

### **Growth Management—Zoning/Code Compliance**

- C 24. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.  
Memorandum CC03-107  
RECOMMENDATION: Approve

## **PUBLIC SERVICES BRANCH**

### **Community Services—Elderly Nutrition Program**

- C 25. Donation – The Friendship Singers – Grand Console Piano; All Comm. Dist.  
Memorandum ENP03-165  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Community Services—Public Transportation**

- C 26. Block Grant – Florida Department of Transportation Transit; All Comm. Dist.  
Memorandum PT03-593  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Emergency Services**

- C 27. 2003 Christmas Street Parade – West Pasco Chamber of Commerce – December 13, 2003; All Comm. Dist.  
Memorandum ES03-1279  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 28. Amendment – Tri-Community Fire Association, Inc. - Merger and Municipal Fire Service Unit; All Comm. Dist.  
Memorandum ES03-1282  
RECOMMENDATION: Approve
- C 29. Flapjack Festival Parade – Central Pasco Chamber of Commerce – Saturday, November 8, 2003; All Comm. Dist.  
Memorandum ES04-1001  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 30. 2003 Shady Hills Christmas Parade – Shady Hills Family Center – December 13, 2003 @ 12:00 pm; All Comm. Dist.  
Memorandum ES04-1002  
RECOMMENDATION: Approve and Authorize Chairman's Signature

## **Facilities Management**

- C 31. Emergency Services Master Plan – Spring Engineering Inc. of Florida - Fire Station 23; Comm. Dist. 2  
Memorandum FAC03-221  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 32. Lease Agreement – Prudential Tropical Realty – Sheriff's Office; Comm. Dist. 3  
Memorandum FAC03-226  
RECOMMENDATION: Approve and Authorize Chairman's Signature

## **Parks and Recreation**

### **PULLED**

- C 33. Change Order No. 2 – Bob Carroll Building Contractor, Inc. – Oakridge Park Concessions Stand; Comm. Dist. 4  
Memorandum PRA04-0008  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE CORRECTION FROM DISTRICT FOUR TO DISTRICT THREE; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

## **UTILITIES SERVICES BRANCH**

### **Utilities**

- C 34. Release of Maintenance Guarantee – DEVCO – Meadow Pointe III, Project No. 00-202.02; Comm. Dist. 2  
Memorandum UTD03-1341  
RECOMMENDATION: Approve
- C 35. Acceptance of Utility Improvements and Maintenance Guarantee – DEVCO IV, LLC – Oakstead, Project No. 99-184.12; Comm. Dist. 2  
Memorandum UTD03-1345  
RECOMMENDATION: Approve

- C 36. Acceptance of Utility Improvements and Maintenance Guarantee – U.S. Home Corporation – Heritage Pines, Project No. 97-133.20; Comm. Dist. 5  
Memorandum UTD03-1346  
RECOMMENDATION: Approve
- C 37. Acceptance of Utility Improvements and Maintenance Guarantee – U.S. Home Corporation – Heritage Pines, Project No. 97-133.21; Comm. Dist. 5  
Memorandum UTD03-1347  
RECOMMENDATION: Approve
- C 38. Waiver of Tap Fees and Hydrant Installation Charges – Central Pasco Chamber of Commerce – New Commerce Center; Comm. Dist. 2  
Memorandum UTD03-1354  
RECOMMENDATION: Approve
- C 39. Approval to Proceed – Rain Sensor/Soil Moisture Sensor Rebate Program - encourage existing customers to install automated rein/soil moisture sensing devices on irrigation system; All Comm. Dist.  
Memorandum UTD03-1357  
RECOMMENDATION: Approve
- C 40. Release of Maintenance Guarantee - J.B. Starkey III – Longleaf Neighborhood Two, Project No. 97-138.02 and 97-138.06; Comm. Dist. 3  
Memorandum UTD03-1361  
RECOMMENDATION: Approve
- C 41. Release of Maintenance Guarantee – U.S. Home Corporation – Heritage Springs, Project No. 96-103.19; Comm. Dist. 3  
Memorandum UTD03-1362  
RECOMMENDATION: Approve

- C 42. Release of Maintenance Guarantee – West Pasco Properties – Reserves at Golden Acres; Comm. Dist. 4  
Memorandum UTD04-0010  
RECOMMENDATION: Approve

**Utilities Fiscal Services/Special Projects**

- C 43. Amendment to Existing Contract – Progress Energy – Holiday Hills Estates ;Comm. Dist. 5  
Memorandum UTFSSP03-697  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 44. Imaging Agreement – UNISYS Corporation – Key Remittance Process and CD; All Comm. Dist.  
Memorandum UTFSSP03-785  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 45. Service Agreement – Fisher Scientific Company – Maintenance and emergency repair of the Fisher Marathon 6K Centrifuge for October 1, 2003 through September 30, 2004  
Memorandum UTFSSP03-799  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 46. Check Request – The Garden of Beacon Square No. Two, Inc. – Contribution for repaving of road and parking lot; Comm. Dist. 3  
Memorandum UTFSSP03-805  
RECOMMENDATION: Approve

**OFFICE OF MANAGEMENT AND BUDGET**

- C 47. Law Enforcement Block Grant – U.S. Department of Justice – Forensic Section of the Sheriff's Office; All Comm. Dist.  
Memorandum OMB03-050  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 48. Agreement – Florida Department of Health and Rehabilitative Services – establish a type, level, and funding of services to be provided by Pasco County Health Department ; All Comm. Dist.  
Memorandum OMB04-001  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 49. Agreements – Community Aging and Retirement Services, Inc. and Big Brothers/Big Sisters of Tampa Bay, Inc. – Contribution of Funds; All Comm. Dist.  
Memorandum OMB04-4006  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 50. Agreements – Lighthouse for the Visually Impaired and Blind, Inc. – Contribution of Funds; All Comm. Dist.  
Memorandum OMB04-4007  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 51. Agreements – Boy Scouts of America, Gulf Ridge Council, Christian Social Services, Gulf Coast Community Care, and East Pasco Habitat for Humanity, Inc. – Contribution of Funds; All Comm. Dist.  
Memorandum OMB04-4010  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 52. Agreement – New Port Richey Marine Institute – Funding; All Comm. Dist.  
Memorandum OMB04-4026  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

### **Purchasing**

- C 53. Requisition No. 60030 – Data Flow Systems – Defibrillator and Related Items; All Comm. Dist.  
Memorandum PU03-613  
RECOMMENDATION: Approve

C 54. Blanket Orders – MBNA America Delaware N.A. – Purchasing Card; All Comm. Dist.  
Memorandum PU04-012  
RECOMMENDATION: Approve

C 55. Termination of Professional Services Agreement – Glatting Jackson Kercher Anglin Lopez Rinehart, Inc. – Fees exceeded departmental estimates and agreement could not be reached; All Comm. Dist.  
Memorandum PU04-013  
RECOMMENDATION: Approve

C 56. Bid No. 03-101F

Item:	Sewer Line Rehabilitation
Department:	Facilities Management
Vendor:	SOS Construction Corporation
Amount:	Anticipated \$150,000.00
Memorandum PU03-572	
RECOMMENDATION:	Approve

C 57. Bid No. 03-139A

Item:	Grounds Maintenance
Department:	Parks and Recreation
Vendor:	Faircount, LLC d/b/a Aegis Management
Amount:	Anticipated \$22,275.50
Memorandum PU03-616	
RECOMMENDATION:	Approve

C 58. Bid No. 03-141A

Item:	Wild Land Firefighting Gear
Department:	Emergency Services
Vendor:	Chagrin Safety Supply, Inc.
Amount:	Anticipated \$24,000.00
Memorandum PU03-632	
RECOMMENDATION:	Approve

C 59. Bid No. 03-151A

Item: Fertilizers/Pesticides  
Department: Parks and Recreation  
Vendor: As Listed  
Amount: Anticipated \$170,000.00  
Memorandum PU04-011  
RECOMMENDATION: Approve

C 60. Bid No. 03-157F

Item: Dewatering Pump & Trailer  
Department: Fleet Management  
Vendor: Pump Depot of America LLC  
Amount: \$23,895.00  
Memorandum PU03-635  
RECOMMENDATION: Approve

C 61. Bid No. 03-164

Item: West Pasco Water System Improvements  
Department: Utilities  
Vendor: Westra Construction Corporation  
Amount: \$5,611,425.50  
Memorandum PU04-001  
RECOMMENDATION: Approve

C 62. Bid No. 03-170A

Item: Parking Lot Improvements  
Department: Facilities  
Vendor: B "N" C Paving & Sealing  
Amount: \$58,772.80  
Memorandum PU03-620  
RECOMMENDATION: Approve  
**(Continued from October 7, 2003)**

C 63. Bid No. 03-175F

Item: Lightning Protection  
Department: Sheriff's Office  
Vendor: Lighting Master Corporation  
Amount: \$35,177.99  
Memorandum PU03-633  
RECOMMENDATION: Approve

C 64. Bid No. 03-183A

Item: HVAC Control Parts  
Department: Facilities Management  
Vendor: Automated Building Control Systems, Inc.  
Amount: \$25,779.00  
Memorandum PU04-009  
RECOMMENDATION: Approve

**Tourist Development**

C 65. Council Grant – Alzheimer's Family Organization – allocation of funds for October 1, 2003 through September 30, 2004; Comm. Dist. 4  
Memorandum TD03-037  
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 66. Council Grant – West Pasco Chamber of Commerce – allocation of funds for October 1, 2003 through September 30, 2004; Comm. Dist. 4 and 5  
Memorandum TD03-043  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**Budgeting—Budget Amendment**

C 67. BA03-265 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE OFFICE OF THE STATE COURT ADMINISTRATOR FUND - \$37,022.00

- C 68. BA03-266 TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE FUNDS FOR A WHEELCHAIR LIFT FOR A VAN AT THE VETERANS NURSING HOME AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON SEPTEMBER 23, 2003 - \$10,000.00
- C 69. BA03-267 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE OFFICE OF THE STATE COURT ADMINISTRATOR - \$26,405.00
- C 70. BA03-268 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$1,485.57
- C 71. BA03-269 TRANSFER WITHIN THE GENERAL FUND/COURT ADMINISTRATION TO REALIGN FUNDS TO COURT COSTS- JUDGES FOR THE REMAINDER OF FISCAL YEAR 2002-2003 - \$100.00
- C 72. BA03-270 TRANSFER WITHIN THE COUNTY INSURANCE FUND/RISK MANAGEMENT – POLICIES TO REALIGN FUNDS TO CLAIMS/COUNTY/WORKERS COMPENSATION FOR THE REMAINDER OF FISCAL YEAR 2002-2003 - \$100,000.00
- C 73. BA04-011 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF TRANSPORTATION GRANT FUND - \$2,464,100.00
- C 74. BA04-012 TRANSFER WITHIN THE PARK DEVELOPMENT FUND/RESERVES TO APPROPRIATE FUNDS FOR THE PURCHASE OF LAND AT LAKE LISA FOR DEVELOPMENT OF A FUTURE PARK - \$382,891.00

C 75. BA04-013      TRANSFER WITHIN THE GENERAL FUND/RESERVES TO CARRY FORWARD PRIOR YEAR ENCUMBRANCES FOR THE COUNTY ATTORNEY'S OFFICE - \$43,847.00

C 76. BA04-020      RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GUARANTEED ENTITLEMENT CIP FUND - \$718,250.00

## **ADDENDUM**

### **Presentation:**

**The Honorable Barbara Sheen Todd, Pinellas County Commissioner, Chair of Tampa Bay Regional Planning Council – Overview of the Tampa Bay Regional Planning Council**

**PINELLAS COUNTY COMMISSIONER BARBARA SHEEN TODD GAVE A PRESENTATION REGARDING THE TAMPA BAY REGIONAL PLANNING COUNCIL AND THE VARIOUS ACTIVITIES THEY WERE INVOLVED IN.**

## **COMMISSIONERS' ITEMS**

### **Commissioner Hildebrand**

**R 1.    A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING NOVEMBER, 2003 AS NATIONAL EPILEPSY AWARENESS MONTH.**

**COMMISSIONER HILDEBRAND MOVED ADOPTION; COMMISSIONER MULIERI AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

### **Miscellaneous Commissioners' Items**

**R 2.    A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, COMMENDING WALT TRUZACK, JAMES McPHERON AND KEN STAY FOR THEIR ASSISTANCE IN THE LIFE THREATENING CONDITION OF RICK DOWNES.**

**COMMISSIONER      MULIERI    MOVED    ADOPTION;    COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

## CONSTITUTIONAL OFFICERS

### Clerk

#### R 3. Minutes and Financial Matters—Specific Approvals

COMMISSIONER HILDEBRAND MOVED APPROVAL; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

## COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS

### DISTRICT TWO – COMMISSIONER MULIERI

1. COMMISSIONER MULIERI INFORMED THE BOARD THE “MAKING STRIDES FOR BREAST CANCER WALK” WAS A HUGE SUCCESS WITH OVER 300 PEOPLE THAT ATTENDED. SHE THANKED STAFF FOR THEIR HELP AND SHE ALSO THANKED MR. HAROLD SAMPLE, DADE CITY MANAGER, FOR HIS ASSISTANCE.

### DISTRICT THREE – COMMISSIONER HILDEBRAND

1. COMMISSIONER HILDEBRAND STATED THERE WAS A NEWSPAPER ARTICLE REGARDING THE “BLUE LAWS”. SHE RECEIVED A TELEPHONE CALL FROM THE OWNER OF THE LIQUOR LODGE IN HOLIDAY, WHO ASKED WHAT PASCO COUNTY’S POSITION WOULD BE REGARDING THE LAW. PINELLAS COUNTY, HILLSBOROUGH COUNTY, TAMPA, AND PORT RICHEY HAD CHANGED THE LAW TO 11:00 A.M. THE CONSENSUS OF THE BOARD WAS TO LEAVE THE LAW AS IT WAS.
2. COMMISSIONER HILDEBRAND SAID SHE RECEIVED A LETTER FROM A RESIDENT, WHO HAD ALSO CONTACTED REPRESENTATIVE ANDERSON AND MR. GALLAGHER, WHO STATED HE AND HIS NEIGHBOR HAD PICTURES OF EITHER A COUGAR, A BOBCAT, OR A PANTHER IN THE “DOWNTOWN GREATER” HOLIDAY AREA. SHE DIRECTED MR. GALLAGHER TO GIVE THE INFORMATION TO MR. JOE GROSS SO HE COULD FOLLOW UP.

### DISTRICT FOUR – COMMISSIONER SIMON

NO ITEMS.

**DISTRICT FIVE – COMMISSIONER ALTMAN**

1. COMMISSIONER ALTMAN MOVED TO APPOINT MR. GEORGE MANIATES TO THE CITIZENS ORDINANCE REVIEW COMMITTEE; COMMISSIONER HILDEBRAND AND COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

**COUNTY ADMINISTRATOR**

1. MR. GALLAGHER REQUESTED AN EMERGENCY ITEM BE HEARD.

COMMISSIONER SIMON MOVED TO HEAR THE EMERGENCY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

MR. GALLAGHER REQUESTED MS. MICHELLE BAKER GIVE THE BOARD AN UPDATE REGARDING THE EMERGENCY PUMPING OPERATIONS.

MS. BAKER REQUESTED AUTHORIZATION TO DISCONTINUE PUMPING OPERATIONS AT LOCATIONS 1, 2, 3, 6, 7, 8, AND 9, AND TO CONTINUE PUMPING AT LOCATIONS 4 AND 5 WHICH WERE DESCRIBED TO THE BOARD.

COMMISSIONER ALTMAN MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

**COUNTY ATTORNEY**

NO ITEMS.

**CLERK TO THE BOARD**

NO ITEMS.

**DISTRICT ONE – CHAIRMAN SCHRADER**

1. CHAIRMAN SCHRADER EXPLAINED THE ROAD CONDITIONS OF KENTON ROAD. HE REQUESTED A MOTION FOR A ONE TIME EMERGENCY ROAD GRADING FOR KENTON ROAD.

COMMISSIONER MULIERI MOVED APPROVAL; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

2. **CHAIRMAN SCHRADER STATED THE DADE CITY CHAMBER OF COMMERCE NOTIFIED HIM THAT FRIDAY, DECEMBER 5, 2003, AT 7:00 P.M. WOULD BE THE "MAGICAL NIGHT" CHRISTMAS PARADE. HE ASKED THAT IF ANY BOARD MEMBERS WERE PLANNING TO ATTEND TO NOTIFY CAROL. HE ALSO INFORMED THE BOARD THAT THE DADE CITY ORDINANCE PROHIBITS THE THROWING OF OBJECTS, CANDIES, AND BEADS FROM MOVING VEHICLES.**

### Miscellaneous Old Business

#### R 4. Water Issues

**COMMISSIONER HILDEBRAND SPOKE REGARDING THE "MARATHON MEETING" HELD AT TAMPA BAY WATER. THE CONTRACT WITH COVANTA HAD EXPIRED ON SEPTEMBER 30<sup>TH</sup>. COVANTA WAS NOW IN DEFAULT AND THEY HAD UNTIL NOVEMBER 17<sup>TH</sup> TO FIX THE PROBLEM. IF THE PROBLEM WAS NOT FIXED, TAMPA BAY WATER WOULD HAVE THE OPPORTUNITY TO HAVE SOMEONE ELSE REPAIR IT; THE PROBLEM WAS WITH THE FILTERS ON THE DESAL PLANT. SHE SAID THERE WERE TWELVE ITEMS REGARDING CONFIGURATION 2 THAT WERE BEING REVIEWED. ONE OF THE ITEMS WAS THE GULF COAST DESAL. SHE SPOKE REGARDING THE COST OF WATER FROM THAT DESAL. A DECISION WAS SUPPOSED TO BE MADE AT THE DECEMBER TAMPA BAY WATER MEETING. THERE WAS DISCUSSION REGARDING THE CYPRESS CREEK WELLFIELD AND DRAINAGE ISSUES IN THE SADDLEWOOD AREA.**

**COMMISSIONER HILDEBRAND MOVED APPROVAL FOR THE ENGINEERING DEPARTMENT STAFF TO CONTACT TAMPA BAY WATER IN ORDER TO WORK TOWARD A SOLUTION ACROSS DYE'S CROSSING NOT TO IMPACT QUAIL HOLLOW, BUT TO HELP THE SADDLEWOOD COMMUNITY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

### INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES

- R 5. **AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, ESTABLISHING POLICIES, STANDARDS AND PROCEDURES RELATED TO THE LOCATION, SITTING, INSTALLATION, CONSTRUCTION AND DESIGN OF PERSONAL WIRELESS SERVICE FACILITIES; PROVIDING FOR REPEALER OF ORDINANCE 97-09, AS AMENDED, AND SECTION 530.17 OF THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO LAND**

DEVELOPMENT CODE; PROVIDING FOR MODIFICATION; AND PROVIDING FOR EFFECTIVE DATE  
Memorandum CAO04-3201

**COMMISSIONER MULIERI MOVED TO INTRODUCE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- R 6. AN ACT BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA AMENDING PASCO COUNTY CODE OF ORDINANCES CHAPTER 106-54, **“STORAGE OF ABANDONED, JUNKED, OR DISMANTLED VEHICLES ON ANY PROPERTY PROHIBITED” TO PROHIBIT THE OPEN STORAGE OF INOPERATIVE VEHICLES INCLUDING VEHICLES THAT ARE NOT LICENSED;** PROVIDING FOR SEVERABILITY, INCLUSION IN CODE, EFFECTIVE DATE, REPEALER, AND PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING  
Memorandum CAO801-1257

**COMMISSIONER MULIERI MOVED TO INTRODUCE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

### **DEPARTMENTAL MATTERS**

#### **County Attorney**

- R 7. Discussion October 9, 2003 meeting with Attorney Westine and her clients RE: Sign Ordinance  
Memorandum CAO04-0405  
**(To Be Distributed)**

**NO ACTION TAKEN.**

- R 8. Discussion of Penny for Pasco Ballot Language  
Memorandum CAO04-0406  
**(To Be Distributed)(Introduced and Continued from October 7, 2003)**

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE LANGUAGE THAT WAS PREPARED BY STAFF AND CO-AUTHORED BY THE SCHOOL BOARD; COMMISSIONER SIMON SECONDED.**

**COMMISSIONER HILDEBRAND WITHDREW HER MOTION. COMMISSIONER SIMON WITHDREW HIS SECOND.**

**COMMISSIONER ALTMAN MOVED TO PROPOSE THE SECOND BALLOT LANGUAGE TO THE MUNICIPALITIES BEFORE NOVEMBER 4, 2003, AND TO BRING BOTH BALLOT LANGUAGES BACK TO THE BOARD ON NOVEMBER 4, 2003, IN ORDER FOR THE BOARD TO VOTE FOR ONE OF THE BALLOT LANGUAGES; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- R 9. Request for Direction – Outdoor Music Festivals  
Memorandum CAO04-0801

**COMMISSIONER ALTMAN MOVED TO DIRECT THE COUNTY ATTORNEY'S OFFICE TO PREPARE AN ORDINANCE REPEALING THE CURRENT MUSIC FESTIVAL ORDINANCE IN ORDER TO PROVIDE A PERMITTING PROCESS FOR OVERNIGHT FESTIVALS AS OUTLINED BY STAFF; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

- R 10. Proposed Settlement – Sam's at Hudson Beach  
Memorandum CAO04-2801  
**(To Be Distributed)**

**COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER HILDEBRAND AND COMMISSIONER ALTMAN SECONDED; MOTION CARRIED.**

#### **County Administration—Office of Emergency Management**

- R 11. Resolution Extending Local State of Emergency Declared on August 12, 2003 through October 27, 2003; All Comm. Dist.  
Memorandum CAO04-1205

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

#### **DEVELOPMENT SERVICES BRANCH**

#### **Development Services Administration**

- R 12. Paving Assessment – Interest Rate for Fiscal Year 2003-2004; All Comm. Dist  
Memorandum DSA04-005

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

**Engineering Services—Real Estate**

- R 13. Agreement for Sale and Purchase of Interest– Olivia Ruth Register and John E. Owen, Ernestine D. Hodgson, Keith A. Hodgson, Carolyn K. Shea, Kevin W. Love and Linda Love, Susan J. Lang, B.W. Love and J.J. Love, Philip J. Schwartz and Kim A. Schwartz, Byron W. Love and Jacqueline J. Love, Michael Sayroo, Edward Francis Augustyniak and Patricia Maureen Augustyniak – Land O' Lakes Park Expansion Project; Comm. Dist. 2  
Memorandum REA04-009

**COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER HILDEBRAND AND COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

**Growth Management**

- R 14. MPUD Master Planned Unit Development Amendment - B.J. Skinner, Robert Blanchard, Martha Sue Logan, Dan S. Blalock, Jr. and Pulte Home Corporation - Rezoning Petition No. 5787, Cypress Creek; Comm. Dist. 5  
Memorandum GM04-0015

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

- R 15. MPUD Master Planned Unit Development Amendment – Route 52 Corporation and Hillcrest Property, LLP; Comm. Dist. 1  
Memorandum GM04-16

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER MULIERI AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

- R 16. City of Zephyrhills Annexation – Mary P. Jeter; Comm. Dist. 1  
Memorandum GM04-28

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION TO INCLUDE THE ELIMINATION OF CONDITION NUMBER**

**FOUR AND TO OBTAIN AN ADDITIONAL 50 FEET OF RIGHT-OF-WAY FROM THE CENTER LINE OF FT. KING ROAD; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

**PUBLIC SERVICES BRANCH**

None Scheduled

**UTILITIES SERVICES BRANCH**

None Scheduled

**OFFICE OF MANAGEMENT AND BUDGET**

**Community Development**

- R 17. Revisions to 2003-2008 Consolidated Plan, 2003 One-Year Action Plan, and Citizen Participation Plan; All Comm. Dist.  
Memorandum CD03-484

**FOR INFORMATION ONLY.**

**MISCELLANEOUS PAPERS, PETITIONS, AND REPORTS**

**Departmental Follow-up per Board Request**

- R 18. 16<sup>th</sup> Annual Florida Coastal Cleanup – Ocean Conservancy –identifies the source of debris and particular problem with illegal marine dumpings; All Comm. Dist.  
Memorandum UTFSSP03-807

**FOR INFORMATION ONLY.**

**Motions**

- R 19. Impact Fee Draft Ordinance – Combat and Rescue Services; All Comm. Dist.  
Memorandum ES03-1283

**COMMISSIONER HILDEBRAND MOVED TO INTRODUCE; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

**Noted Items AGENDA ITEMS R 20 THROUGH R 47. WERE NOTED.**

- R 20. Letter from Bob Dillinger Public Defender RE: Budget Surplus dated October 3, 2003
  
- R 21. Final Order: Friends of River, Inc. vs. Southwest Florida Water Management District
  
- R 22. Pasco Economic Development Council, Inc. RE: Statement of Assets, Liabilities, and Fund Balances as of August 31, 2003 dated September 18, 2003
  
- R 23. The Preserve at Wilderness Lake Community Development District Meeting Schedule dated September 22, 2003
  
- R 24. Letter from Transportation Disadvantage RE: Memorandum of Agreement #TD0114 dated September 22, 2003
  
- R 25. Letter to Kurt S. Browning RE: Responsibilities for Polling Places Accessibilities dated September 25, 2003
  
- R 26. Florida Public Service Commission Docket No. 030851-TP issued September 29, 2003
  
- R 27. Letter from Bright House Networks RE: FCC Forms 1205 and 1240 dated September 29, 2003
  
- R 28. Florida Public Service Commission Docket No. 030715-WS issued September 29, 2003

- R 29. Letter from King Engineering Associates, Inc RE: Live Oak Preserve County Line Road Entrance Drive ROW use Permit #27292 dated September 29, 2003
  
- R 30. Letter from Mike Olson RE: Saturday extended hours of service dated October 2, 2003
  
- R 31. Letter from Tampa Bay Partnership RE: Invoice No. 97031363 dated October 2, 2003
  
- R 32. Letter from Beacon Woods Civic Association, Inc. RE: Wal-Mart dated October 3, 2003
  
- R 33. Southwest Florida Water Management District Subject: Southwest Florida Water Management district Budget in Brief – Fiscal Year 2004 Annual Service Budget dated October 3, 2003
  
- R 34. Letter from Lawrence J. Gordon, Jr. U.S. Department of Housing and Urban Development RE: Grant Approvals and Five Year Consolidated Plan with Fiscal Year 2003 Action Plan dated October 7, 2003
  
- R 35. Florida Public Service Commission Docket 030867-TL, 030868-TL, 030869-TL issued October 8, 2003
  
- R 36. Public Hearing for EPA Headquarters is Proposing to Revise its Minority Business and Women's Business Enterprises Program scheduled for October 22, 2003

**Noted Items— Agenda**

R 37. District School Board dated October 7, 2003

R 38. Southwest Florida Water Management District dated October 15, 2003

**Noted Items—Minutes**

R 39. (NO ITEM)

R 40. Lake Bernadette Community Development District dated July 22, 2003

R 41. Development Review Committee dated August 28, 2003

R 42. Development Review Committee dated September 11, 2003

R 43. Pasco Economic Development Council dated September 24, 2003

R 44. Heritage Pines Community Development District dated September 24, 2003

R 45. Heritage Springs Community Development District dated September 24, 2003

R 46. Development Review Committee dated September 25, 2003

**Noted Items—Noted on File in Board Records/Secretarial Services**

R 47. Memo dated October 10, 2003

- a. Resolution 03-260 extending the Local State of Emergency through October 6, 2003
- b. Letter from Tampa Water dated September 22, 2003 RE: 2004 Regular Board Meeting Schedule
- c. Annual Asphalt Contract Fiscal Year 2003/04 RE: Filing Bonds and Insurance Certificates from Overstreet Paving Company and D.A.B. Constructors
- d. Notice to Proceed – Project Name: NPDES Permitting, Task Order No. 4-03 dated 9/23/03 - Camp Dresser & McKee, Inc.
- e. Notice to Proceed – Project: Bluff Blvd. PVAS No. 680 W/O#P1578.00 Contract Number 03-158 – Overstreet Paving Company, Inc.
- f. Notice to Proceed – Project: Heritage Lake Blvd.02 PVAS No. 1611 W/O# P1611.00 Contract Number 03-158 – Overstreet Paving Company, Inc.
- g. Notice to Proceed – Project: Westport Drive PVAS No. 736 W/O# P8235.00 Contract Number 03158 – Overstreet Paving Company, Inc.
- h. Certificate of Liability Insurance for David Volkert & Associates by Willis North America, Inc. - continuing Professional Services Agreement

- i. Certificate of Liability Insurance for Pitman-Hartenstein & Associates by Cecil W. Powell & Co. Re: Zephyrhills West Bypass Extension
  
- j. Certificate of Liability Insurance for TBE Group, Inc. by Suncoast Insurance Associates – Project: Task Order ED000-005 – Collier Parkway, Hale to Parkway
  
- k. Certificate of Liability Insurance for Florida Design Consultants by Brown & Brown Insurance REL: ED003-021 – Perrine Ranch Road. (Grand Blvd. To East of Seven Springs Boulevard
  
- l. Seven Oaks Community Development District I – General Purpose Financial Statements and Additional Information September 30, 2002
  
- m. Performance/Payment Bond in the amount of \$25,000.00 RE: Bid No. 03-115F for transport of leachate to Blue Septic Tank Service, Inc.
  
- n. Performance/Payment Bond in the amount of \$10,000.00 RE: Bid No. 03-127F for waste tire management services to Modern Recycling, Inc.
  
- o. Copy of Warranty Deed in the name of Frencha Bradberry - OR BK 5535 PG 1652 – Tommytown Revitalization Project
  
- p. Copy of Warranty Deed in the name of Martin Alvarez – OR BK 5557 PG 637 – Tommytown Revitalization Project

- q. Copy of Warranty Deed in the name of Pearlie Finley and Johnnie Campbell – OR 5535 PG 1654 – Tommytown Revitalization Project
  
- r. Copy of Quit Claim Deed – Individual in the name of Gary L. Blackwell, trustee of the Gary L. Blackwell Trust Agreement dated April 8, 1991 – OR BK 5546 PG 1637
  
- s. Copy of Warranty Deed in the name of Isidro Morales and Pilar Morales – OR BK 5493 PG 519
  
- t. Copy of Warranty Deed in the name of SB Associates Limited Partnership – OR BK 5490 PG 1229
  
- u. Copy of Easement Agreement in the name of SB Associates Limited Partnership – OR BK 5490 PG 1234
  
- v. Copy of Warranty Deed in the name of Lexington Oaks Community Development District – OR BK 5514 PG 1506
  
- w. Rezoning Resolution 03-63RZ - Rezoning 6039 - Board of County Commissioners Meeting of July 29, 2003
  
- x. Rezoning Resolution 03-64RZ - Rezoning 6045 - Board of County Commissioners Meeting of August 12, 2003
  
- y. Rezoning Resolution 03-65RZ – Rezoning 6019 – Board of County Commissioners of August 26, 2003

- z. Rezoning Resolution 03-66RZ – Rezoning 6056 – Board of County Commissioners of August 26, 2003
  
- aa. Rezoning Resolution 03-67RZ – Rezoning 6058 – Board of County Commissioners of August 26, 2003
  
- bb. Rezoning Resolution 03-68RZ – Conditional Use CU03-20 – Board of County Commissioners of August 26, 2003
  
- cc. Order - Variance Application 1756 – Tri County Development Inc. - Development Review Committee Meeting of August 28, 2003
  
- dd. Order - Variance Application 1757 – James Reeves Coles - Development Review Committee Meeting of August 7, 2003
  
- ee. Order - Variance Application 1758 – Lyn M. Tansing - Development Review Committee Meeting of August 7, 2003
  
- ff. Order - Variance Application 1759 – William Zahul III and Deborah Bell-Zahul - Development Review Committee Meeting of August 7, 2003
  
- gg. Order - Variance Application 1760 – Horne Development, L.P./The Home Depot - Development Review Committee Meeting of August 7, 2003

- hh. Order - Variance Application 1761 – Toti Property Investments, Inc/Magnolia Spa - Development Review Committee Meeting of August 7, 2003
  
- ii. Order - Variance Application 1762 – Clinton L. Jensen- Development Review Committee Meeting of August 7, 2003
  
- jj. Order - Variance Application 1763 – Guy E. and Nancy Colson- Development Review Committee Meeting of August 7, 2003
  
- kk. Order - Variance Application 1764 – FBTL, Inc.- Development Review Committee Meeting of August 28, 2003
  
- ll. Order - Variance Application 1766 – J. T. and Shirley Tucker and Estate of Eddie Vaughns.- Development Review Committee Meeting of August 28, 2003
  
- mm. Order - Variance Application 1767 – Osmo and Rugh Hill - Development Review Committee Meeting of August 28, 2003
  
- nn. Order - Variance Application 1768 – Clearwater Bay Associates - Development Review Committee Meeting of August 28, 2003
  
- oo. Minutes and Meeting Documentation – Citizens' Advisory Subcommittee Meeting Planning District #5 - Meeting of August 20, 2003

## **PUBLIC COMMENT**

1. **MS. AYME COX, REPRESENTING ELEVEN SPORTS LEAGUES, THANKED THE BOARD AND COUNTY STAFF FOR THEIR HARD WORK AND FOR HELPING TO PROVIDE LAND FOR THE LAND O'LAKES PARK EXPANSION PROJECT.**

## **RECESS**

**THE BOARD RECESSED AT 4:33 P.M. AND RECONVENED AT 6:30 P.M. ALL BOARD MEMBERS WERE PRESENT.**

## **PUBLIC HEARINGS AND TIME CERTAIN ITEMS**

### **Proposed Ordinances**

- P 1. AN ACT BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, AMENDING ORDINANCE NOS. 79-28 AND 01-012, AS SUBSEQUENTLY AMENDED, WHICH CREATED THE PASCO COUNTY MUNICIPAL FIRE SERVICE UNIT, BY AMENDING AND **EXPANDING THE BOUNDARIES OF THE PASCO COUNTY MUNICIPAL FIRE SERVICE UNIT TO INCLUDE ALL OF THOSE LANDS LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF DADE CITY**, FLORIDA AS MORE PARTICULARLY DESCRIBED AND SET FORTH IN EXHIBITS "A" AND "B" OF THIS ORDINANCE; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING  
MEMORANDUM CAO04-403  
(FIRST PUBLIC HEARING)

**COMMISSIONER MULIERI MOVED TO CONTINUE TO NOVEMBER 4, 2003, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- P 2. AN ACT BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA AMENDING PASCO COUNTY CODE OF ORDINANCES CHAPTER 42 ( ENVIRONMENT) BY AMENDING SECTION 42-1, **REMOVAL OF WEEDS, BRUSH, DEBRIS, AND NOXIOUS MATERIAL FROM CERTAIN AREAS, AND TO PROVIDE FOR A NEW SECTION 42-1, OVERGROWN CONDITIONS AND RELATED PUBLIC SAFETY VIOLATIONS**; PROVIDING FOR SEVERABILITY, INCLUSION IN CODE, EFFECTIVE DATE, REPEALER, AND PROVIDING FOR

MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE  
ORDINANCE AT PUBLIC HEARING  
Memorandum CAO801-1249

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO NOVEMBER 4,  
2003, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI SECONDED;  
MOTION CARRIED.**

- P 3. AN ACT BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY,  
FLORIDA AMENDING PASCO COUNTY CODE OF ORDINANCES CHAPTER 1  
(GENERAL PROVISIONS) TO PROVIDE A SECTION IDENTIFYING THE  
**ALLOWABLE METHODS OF SERVICE OF A WRITTEN WARNING, CITATION,  
OR OTHER NOTICE REQUIRED TO ENFORCE THE PASCO COUNTY CODE OF  
ORDINANCES;** PROVIDING FOR SEVERABILITY, INCLUSION IN CODE,  
EFFECTIVE DATE, REPEALER, AND PROVIDING FOR MODIFICATION THAT  
MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC  
HEARING  
Memorandum CAO801-1250

**COMMISSIONER SIMON MOVED TO CONTINUE TO NOVEMBER 4, 2003, 6:30  
P.M., NEW PORT RICHEY; COMMISSIONER MULIERI AND COMMISSIONER  
HILDEBRAND SECONDED; MOTION CARRIED.**

- P 4. AN ACT BY THE BOARD COUNTY COMMISSIONERS OF PASCO COUNTY,  
FLORIDA AMENDING PASCO COUNTY CODE OF ORDINANCE CHAPTER 82  
(ROADS AND BRIDGES) TO PROVIDE A SECTION PROHIBITING  
**OBSTRUCTION OF PUBLIC OR PASCO COUNTY RIGHT-OF-WAY AND  
PROHIBITING THE OBSTRUCTION OF PRIVATE RIGHT-OF-WAY OR A  
PRIVATE EASEMENT FOR INGRESS AND EGRESS IF SUCH OBSTRUCTION  
INTERFERES WITH EFFICIENT DELIVERY OF EMERGENCY OR LAW  
ENFORCEMENT SERVICES;** PROVIDING FOR SEVERABILITY, INCLUSION IN  
CODE, EFFECTIVE DATE, REPEALER, AND PROVIDING FOR MODIFICATION  
THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC  
HEARING  
Memorandum CAO801-1251

**COMMISSIONER SIMON MOVED TO CONTINUE TO NOVEMBER 4, 2003, 6:30  
P.M., NEW PORT RICHEY; COMMISSIONER HILDEBRAND SECONDED;  
MOTION CARRIED.**

- P 5. AN ACT BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA AMENDING PASCO COUNTY LAND DEVELOPMENT CODE CHAPTER 530 (SUPPLEMENTAL REGULATIONS) BY AMENDING SECTION 530.10, **“GENERAL STORAGE” TO EXPAND THE LIST OF ITEMS THAT MAY NOT BE STORED IN YARDS, CLARIFYING THAT PUBLIC NUISANCE ITEMS MAY NOT BE STORED SO AS TO BE VISIBLE TO ABUTTING OWNERS OR TO THE PUBLIC, AND PROVIDING THAT SUCH ITEMS ARE PROHIBITED IF THEY PROVIDE A HAVEN FOR PESTS OR CONSTITUTE A FIRE HAZARD;** PROVIDING FOR SEVERABILITY, INCLUSION IN CODE, EFFECTIVE DATE, REPEALER, AND PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING  
Memorandum CAO801-1252

**COMMISSIONER SIMON MOVED TO CONTINUE TO NOVEMBER 4, 2003, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- P 6. AN ACT BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA AMENDING PASCO COUNTY CODE OF ORDINANCES CHAPTER 90 (SOLID WASTE) BY AMENDING SECTION 90-1, **“DUMPING OF TRASH, GARBAGE, OR REFUSE ON RIGHT-OF-WAY PROHIBITED” TO PROHIBIT DUMPING OR LITTERING ON PRIVATE PROPERTY WITHOUT THE PRIOR CONSENT OF THE OWNER;** PROVIDING FOR SEVERABILITY, INCLUSION IN CODE, EFFECTIVE DATE, REPEALER, AND PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING  
Memorandum CAO801-1253

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO NOVEMBER 4, 2003, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

- P 7. AN ACT REPEALING PASCO COUNTY CODE SECTION 66-36 RELATING TO THE **DISCHARGE OF FIREARMS WITHIN 300 FEET OF AN OCCUPIED RESIDENCE OR BUILDING;** AMENDING PASCO COUNTY CODE SECTIONS 70-50 AND 70-51 CONCERNING **FIREARM POSSESSION, USE, AND DISCHARGE IN PASCO COUNTY PARKS;** PROVIDING FOR SEVERABILITY, INCLUSION IN CODE, AND AN EFFECTIVE DATE  
Memorandum CAO801-1258

**COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED ON A ROLL CALL VOTE.**

**Public Hearings**

- P 8. Class III, Subdivision Development Review – Magnolia Estates Preliminary/Construction Plan, Stormwater Management Plan and Report, and Alternative Standards; Comm. Dist. 3  
Memorandum DV04-001

**COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE DOCUMENTATION DISTRIBUTED BY MR. STEVE BOOTH; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH CONDITIONS TO INCLUDE THE AMENDMENT TO CONDITION NUMBER 49, WHICH WAS TO LEAVE IN INFORMATION, "A AND B", THAT WAS DISTRIBUTED BY MR. BOOTH; AND FOR THE APPLICANT TO GIVE WHATEVER RIGHT-OF-WAY THAT WAS NEEDED FOR STOCKMAN ROAD; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

- P 9. PVAS No. 645 – Special Assessment Ordinance No. 02-17 – Byrd Drive; Comm. Dist. 3  
Memorandum PMA04-001

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION OF ALTERNATE ONE; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

- P 10. Vacation of a Portion of Easement – Betmar's Golfview Addition, Lot 9, Section 10, Township 26 South, Range 21 East, REV03-022; Comm. Dist. 1  
Memorandum REA04-003

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

**Public Hearings—Rezoning**

None Scheduled

**Rezoning**

Z 1. Memorandum ZN04-02

Table of Contents

Consent-Rezoning

RZ-6069 WRB Enterprises, Inc. et al./County Line Road PUD;  
Comm. Dist. 2

RZ-6085 Kenneth J. Whiddon; Comm. Dist. 3

RZ-6087 Mark Willett, et al; Comm. Dist. 3

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE CONSENT  
AGENDA; COMMISSIONER MULIERI AND COMMISSIONER SIMON  
SECONDED; MOTION CARRIED.**

Location Maps

Board of County Commissioners Agenda

Regular-Rezoning

RZ-6073 Palm Pointe, LLC/Country Walk MPUD; Comm. Dist.  
2

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S  
RECOMMENDATION WITH CONDITIONS; COMMISSIONER HILDEBRAND  
SECONDED; MOTION CARRIED.**

RZ-6079 Wiregrass Ranch, Inc.; Comm. Dist. 2

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S  
RECOMMENDATION WITH CONDITIONS; COMMISSIONER HILDEBRAND  
SECONDED; MOTION CARRIED.**

RZ-6080 Wiregrass Ranch, Inc.; Comm. Dist. 2

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH CONDITIONS; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

#### **CONTINUATIONS**

RZ-6071 S.R. 52 Bellamy Land Trust; Comm. Dist. 2

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO DECEMBER 16, 2003, 6:30 P.M., DADE CITY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

RZ-6051 Hardy H. Huntley; Comm. Dist. 1

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH A CONDITION TO LEAVE THE HEAVY OAK AREA AND TO INCORPORATE MR. WIDMAN'S COMMENTS TO EXPEDITE A CULVERT IN ORDER TO ALLEVIATE FLOODING ON HANDCART.**

**THE MOTION FAILED FOR LACK OF A SECOND.**

**COMMISSIONER ALTMAN MOVED TO CONTINUE TO NOVEMBER 18,2003, 6:30 P.M., DADE CITY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

#### **WITHDRAWN**

RZ-6082 Academy at the Lakes Day School, Inc.; Comm. Dist. 2

**THE ITEM WAS WITHDRAWN.**

RZ-6083 Academy at the Lakes Day, Inc.; Comm. Dist. 2

**THE ITEM WAS WITHDRAWN.**

#### **Miscellaneous Matters**

None Scheduled

**PUBLIC COMMENT**

1. **MR. ALAN MOORE SPOKE REGARDING THE VEGETATION CONTROL ORDINANCE.**

**ADJOURN**

**THE BOARD ADJOURNED AT 8:23 P.M.**

prepared by:cms