

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

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

NOVEMBER 4, 2003

**WEST PASCO GOVERNMENT CENTER, BOARD ROOM
7530 LITTLE ROAD, NEW PORT RICHEY, FL 34654**

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	}	MS. LINDA DILLON, DEPUTY CLERK
PLEDGE OF ALLEGIANCE	}	
ROLL CALL	}	

CONSENT AGENDA

AGENDA ITEMS C 9 AND C 46 WERE PULLED FROM THE CONSENT AGENDA. AGENDA ITEM C 25 WAS WITHDRAWN BY THE COUNTY ADMINISTRATOR.

COMMISSIONER SIMON MOVED APPROVAL OF THE REMAINDER OF THE CONSENT AGENDA; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

CONSTITUTIONAL OFFICERS

Property Appraiser

C 1. Final Certification of 2003 Pasco County Tax Rolls
RECOMMENDATION: Approve

Sheriff

- C 2. Letter RE: Resolution #82-107 in amount of \$6,325.24 dated October 2, 2003
RECOMMENDATION: Approve

- C 3. Letter RE: Florida Contraband Forfeiture Semiannual Report dated October 10, 2003
RECOMMENDATION: Receive and File

Supervisor of Elections

- C 4. Financial Report for year ending September 30, 2003
RECOMMENDATION: Receive and File

Minutes and Financial Matters—Minutes—Approval

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

Minutes and Financial Matters—Minutes—Distribution

- C 6. Regular/Rezoning Meeting dated October 7, 2003

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

LEGISLATIVE/ADMINISTRATIVE

County Attorney

- C 7. Settlement of Workers Compensation Claim – Jimmy Jackson
Memorandum CAO04-0005
RECOMMENDATION: Approve

- C 8. Additional Funds – Weiss, Serota, Helfman, Pastorize, Guedes, Cole & Boniske, P.A. – Sign Ordinance
Memorandum CAO04-0408
RECOMMENDATION: Approve

PULLED

- C 9. Additional Funds – Mechanik Nuccio Williams Hearne & Wester – Grubbs Construction Company Bankruptcy
Memorandum CAO04-1207
RECOMMENDATION: Approve

COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE AGENDA ITEM WITH THE CORRECTION TO THE ACCOUNT NUMBER TO READ B001-119000-33100; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

- C 10. Stipulated Final Judgment As To Business Damages – Principal, et al Case No. 51-2003-CA002635
Memorandum CAO04-1607
RECOMMENDATION: Approve

- C 11. Payment of Fees and Costs – John W. Howle, et al – Case No. 00000221
Memorandum CAO04-1612
RECOMMENDATION: Approve

- C 12. Acceptance of Special Warranty Deed, Assignment of Donation of Option to Repurchase Real Property and Letter of Credit from Crescent Resources, LLC
Memorandum CAO04-3202
RECOMMENDATION: Approve

County Administration—Office of Emergency Management

- C 13. Supplemental Grant Agreement – The State of Florida Department of Community Affairs, Division of Emergency Management through the Federal Emergency Management Agency – Enhance Community Emergency Response Team Programs; All Comm. Dist.
Memorandum OEM04-003

RECOMMENDATION: Approve and Authorize Chairman's Signature
DEVELOPMENT SERVICES BRANCH

- C 14. Refund for Over-Payment – Town of Saint Leo – Wichers Road; Comm. Dist. 1
Memorandum DS04-019
RECOMMENDATION: Approve

Development Review Services

- C 15. Applicant – Shady Hills Family Center – Shady Hills Christmas Parade December 13, 2003 from 11:45 am to 1:00 pm; Comm. Dist. 2
Memorandum DR04-006
RECOMMENDATION: Approve

Development Review Services—Development Review

- C 16. Development District Entry Signs, Landscaping, and Right-of Way Permit No. 27789 and Acceptance of Maintenance and License Agreement – Pulte Home Corporation – Lexington Oaks Community; Comm. Dist. 2
Memorandum DR04-014
RECOMMENDATION: Approve and Authorize Chairman's Signature

Engineering Services—Engineering Inspections

- C 17. Release Maintenance Guarantee and Accept the Streets and Stormwater System for County Maintenance – Hayden-Rubin Development, Inc. – Aberdeen, Phase Two; Comm. Dist. 2
Memorandum ENIA03-092
RECOMMENDATION: Approve
- C 18. Extend the Performance Guarantee – U.S. Home Corporation – Heritage Pines, Village 22; Comm. Dist. 5
Memorandum ENIA04-001
RECOMMENDATION: Approve

- C 19. Release Maintenance Guarantee and Accept the Streets and Stormwater System for County Maintenance – M/I Schottenstein Homes, Inc. – Sable Ridge, Phase 3A; Comm. Dist. 2
Memorandum ENIA04-002
RECOMMENDATION: Approve
- C 20. Release the Performance Guarantee – AIG Baker – Mitchell Ranch Plaza, Phase 1; Comm. Dist. 3
Memorandum ENIA04-003
RECOMMENDATION: Approve

Engineering Services—Project Management

- C 21. Task Order EDO03-032 – Kisinger Campo & Associates Corporation – Countywide Project Management and Inspection Services; All Comm. Dist.
Memorandum PMA04-005
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 22. Change Order No. 2 – Pitman-Hartenstein & Associates, Inc. – Curley Road/C.R. 577, Route Study; Comm. Dist. 1 and 2
Memorandum PMA04-008
RECOMMENDATION: Approve and Authorize Chairman's Signature

Engineering Services—Real Estate

- C 23. Resolution Canceling Taxes – Martin Alvarez and Laticia Manriquez – Detention Pond for Stormwater Management Improvements – Tommytown Neighborhood Target Area Project, Parcel No. 6481-AYO; Comm. Dist. 1
Memorandum REA04-005
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 24. Task Order No. RET04-002 – Lee Pallardy, Inc. – Appraisal Services for Powerline Road; Comm. Dist. 1
Memorandum REA04-007
RECOMMENDATION: Approve and Authorize Chairman's Signature

WITHDRAWN

- C 25. Recording of Warranty Deed and Resolution Canceling Taxes – Hardy H. Huntley – Zephyrhills West Bypass Extension; Comm. Dist. 1
Memorandum REA04-008
RECOMMENDATION: Approve and Authorize Chairman’s Signature

AGENDA ITEM WITHDRAWN BY THE COUNTY ADMINISTRATOR.

- C 26. Resolution Canceling Taxes – Larry H. Crosby and Bobbie J. Crosby – Southeast Water Treatment Facility; Comm. Dist. 2
Memorandum REA04-010
RECOMMENDATION: Approve and Authorize Chairman’s Signature

- C 27. Resolution Canceling Taxes – Anne B. Beall and Theresa J. Beall – C.R. 41/Fort King Road Project; Comm. Dist. 1
Memorandum REA04-022
RECOMMENDATION: Approve and Authorize Chairman’s Signature

Growth Management

- C 28. Second Amendment to Task Order No. 1 – Wade-Trim, Inc. – Consultant Agreement for the Evaluation and Appraisal Report; All Comm. Dist.
Memorandum GM03-1478
RECOMMENDATION: Approve and Authorize Chairman’s Signature

- C 29. Task Work Order No. U-7 – URS Corporation Southern – Special Transportation Studies; All Comm. Dist.
Memorandum GM04-51
RECOMMENDATION: Approve and Authorize Chairman’s Signature

Growth Management—Zoning/Code Compliance

- C 30. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.
Memorandum CC04-002
RECOMMENDATION: Approve and Authorize Chairman’s Signature

- C 31. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.
Memorandum CC04-004
RECOMMENDATION: Approve and Authorize Chairman’s Signature

PUBLIC SERVICES BRANCH

- C 32. Parking Request – New Port Richey Kingdom Hall of Jehovah’s Witnesses –use of West Pasco Judicial Center front parking lot on November 22-23, and November 27-30, 2003; Comm. Dist. 4
Memorandum PS04-004
RECOMMENDATION: Approve

Community Services

- C 33. Agreement – City of Jacksonville – Site License and Software Maintenance; All Comm. Dist.
Memorandum CS04-003
RECOMMENDATION: Approve and Authorize Chairman’s Signature

Community Services—Elderly Nutrition Program

- C 34. Rate Agreement – United States Department of Agriculture - #EU003, Meals served from October 1, 2002 through September 30, 2003; All Comm. Dist.
Memorandum ENP04-001
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 35. Rate Agreement – United States Department of Agriculture – #EU004, Meals served from October 1, 2002 through September 30, 2003; All Comm. Dist.
Memorandum ENP04-002
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 36. Donation – Ms. Jinse Moran and Ms. Ruby Diggs – Hand Painted Murals; All Comm. Dist.
Memorandum ENP04-007
RECOMMENDATION: Approve and Authorize Chairman’s Signature

Facilities Management

- C 37. Lease Renewal – Pasco Economic Development Council – The Clark Building, Suite 305; Comm. Dist. 2
Memorandum FAC04-007
RECOMMENDATION: Approve and Authorize Chairman's Signature

Parks and Recreation

- C 38. Disposal of Public Records – State of Florida General Records Schedule for State and Local Government Agencies Manual – retention period has expired; All Comm. Dist.
Memorandum PRA04-0025

UTILITIES SERVICES BRANCH

Utilities

- C 39. Water and Wastewater Service Agreement – Rigel, LLC – Cone Property; Comm. Dist. 2
Memorandum UTD04-0041
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 40. Release of Maintenance Guarantee – Dove Run, Inc. – Dove Run, Project No. 01-278.00; Comm. Dist. 2
Memorandum UTD04-0042
RECOMMENDATION: Approve
- C 41. Acceptance of Utility Improvements and Maintenance Guarantee – Meadow Pointe Partners – Meadow Pointe III a.k.a. Wesley Chapel Lakes, Project No. 00-202.13
Memorandum UTD04-0047
RECOMMENDATION: Approve

Utilities Fiscal Services/Special Projects

- C 42. Request to Increase Funding –Covanta Pasco, Inc. –Service Fee and Pass Through Costs; All Comm. Dist.
Memorandum UTFSSP03-782
RECOMMENDATION: Approve
- C 43. Refund of Sale of Surplus Property – Sharon V. Singh – Parcel ID No. 10-25-16-1570-00000-2761; Comm. Dist. 5
Memorandum UTFSSP04-036
RECOMMENDATION: Approve
- C 44. Service Fee – Covanta Pasco, Inc. – Fiscal Year 2003-2004; All Comm. Dist.
Memorandum UTFSSP04-040
RECOMMENDATION: Approve
- C 45. Request to Pay for additional Dumpsters for Cleanup – BFI, Gulf coast Recycling, Waste Management – Grove Park Subdivision; Comm. Dist. 3
Memorandum UTFSSP04-042
RECOMMENDATION: Approve

PULLED

- C 46. Junior Subordinate Bonds – East Pasco Utilities, Inc.'s Water and Wastewater System - East Pasco Utilities Acquisition; All Comm. Dist.
Memorandum UTFSSP04-049
RECOMMENDATION: Approve and Authorize Chairman's Signature

COMMISSIONER HILDEBRAND MOVED APPROVAL WITH THE REVISION TO PAGE SEVEN, PARAGRAPH F, TO REFERENCE 4.88 PERCENT; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

OFFICE OF MANAGEMENT AND BUDGET

- C 47. Agreement – Youth and Family Alternatives – Outside Agencies; All Comm. Dist.
Memorandum OMB04-4029
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 48. Agreement – Good Samaritan Health Clinic of Pasco, Inc. – Outside Agencies; All Comm. Dist.
Memorandum OMB04-4039
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 49. Agreement – Sunrise of Pasco County, Inc. – Outside Agencies; All Comm. Dist.
Memorandum OMB04-4040
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 50. Agreement – Pace Center for Girls, Inc., Deaf and Hard of Hearing Services of Florida, Inc. – Outside Agencies; All Comm. Dist.
Memorandum OMB04-4050
RECOMMENDATION: Approve and Authorize Chairman’s Signature

Community Development

- C 51. Revisions – State Housing Initiatives Partnership Local Housing Assistance Plan – 2003-2004; All Comm. Dist.
Memorandum CD03-461
RECOMMENDATION: Approve
- C 52. Addendum No. 1 to Agreement – City of Port Richey – Block Grant Program; Comm. Dist. 4
Memorandum CD03-462
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 53. Addendum No. 1 to Agreement – Pasco Habitat for Humanity – Pasco Opportunity Program; Comm. Dist. 1 and 2
Memorandum CD04-001
RECOMMENDATION: Approve and Authorize Chairman’s Signature

- C 54. Request for Reduction of Lien – 6626 Oelsner Street, New Port Richey, 05-26-16-0140-00000-0060; Comm. Dist. 5
Memorandum CD04-011
RECOMMENDATION: Approve
- C 55. Transfer of Property – Deaf Service Bureau of West Central Florida – Valencia Terrace; Comm. Dist. 4
Memorandum CD04-018
RECOMMENDATION: Approve
- C 56. Funding Agreements – U.S. Dept. of Housing and Urban Development – Block Grant, HOME Investment Partnership Program and Emergency Shelter Grant for fiscal year 2003-2004; All Comm. Dist.
Memorandum CD04-022
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 57. Special Assessment Lien – Arthur Jay Hayes, Clayton Robert Widing, Gene C. Williams, Estate of Etta Burt, Robert Poslusny; Walter A and Ann F. Kittelson, Arlene A. Voit, Ashely E. Patterson, Estate of Ronald E. Coffey, Dwayne B. and Carolyn Jenkins – Resolutions for Demolition of Slum or Blighted Structures; Comm. Dist. 1,3,4, and 5
Memorandum CD04-029
RECOMMENDATION: Approve and Authorize Chairman’s Signature

Information Management

- C 58. Agreement – MOHR Information Services – Personal Computer Dial-Up System; All Comm. Dist.
Memorandum IM04-001
RECOMMENDATION: Approve and Authorize Chairman’s Signature

Purchasing

- C 59. Donation – State of Florida Department of Corrections – lobby seating; All Comm. Dist.
Memorandum PU4-025
RECOMMENDATION: Approve

- C 60. Rental - ACME Dynamics, Inc. – Emergency Pump for Hudson area; All Comm. Dist.
Memorandum PU04-032
RECOMMENDATION: Approve
- C 61. Annual Membership Dues – Florida Association of Counties – November 1, 2003 through October 31, 2004; All Comm. Dist.
Memorandum PU04-033
RECOMMENDATION: Approve
- C 62. Blanket Purchase Orders – Zoll Medical Corp., ESRI, Inc., IMB Corporation, Mainline Info Systems – Software Rental, Software Maintenance, and Equipment Maintenance; All Comm. Dist.
Memorandum PU04-034
RECOMMENDATION: Approve
- C 63. Blanket Purchase Orders – Public Health Department, Fisher Scientific, IDEXX Dist. Corp, - Various Requisitions; All Comm. Dist.
Memorandum PU04-035
RECOMMENDATION: Approve
- C 64. Public Auction – Tampa Machinery Auction, Inc. - Classification and Disposal of Surplus Property ; All Comm. Dist.
Memorandum PU04-037
RECOMMENDATION: Approve
- C 65. Bid No. 03-140A
- | | |
|---------------------|---------------------------|
| Item: | Aquatic Weed Control |
| Department: | Parks and Recreation |
| Vendor: | Pestmaster Services, Inc. |
| Amount: | Anticipated \$48,795.00 |
| Memorandum PU04-030 | |
| RECOMMENDATION: | Approve |

C 66. Bid No. 03-149A

Item: Security Guard Services
Department: Parks and Recreation
Vendor: Woodson Security Company International Services, Inc.
Amount: Anticipated \$28,000.00
Memorandum PU04-026
RECOMMENDATION: Approved

C 67. Bid No. 03-155

Item: Communications Center
Department: Facilities Management
Vendor: Triad Construction Services, Inc.
Amount: \$1,762,573.00
Memorandum PU04-024
RECOMMENDATION: Approve

C 68. Bid No. 03-172A

Item: Long Distance Telephone Service
Department: Communications
Vendor: MCI WORLDCOM Communications, Inc.
Amount: Anticipated \$94,000.00
Memorandum PU04-036
RECOMMENDATION: Approve

C 69. Bid No. 03-177A

Item: Uniform Jackets
Department: Emergency Services
Vendor: Alliance Medical, Inc.
Amount: Anticipated \$18,000.00
Memorandum PU04-027
RECOMMENDATION: Approve

C 70. Bid No. 03-185F

Item:	Housing Program – Title Work
Department:	Community Development
Vendor:	Bayonet Title Inc., d/b/a Essex Title (West Side) Courtesy Title, Inc. (East Side)
Amount:	Anticipated \$38,000.00
Memorandum PU04-028	
RECOMMENDATION:	Approve

Tourist Development

C 71. Grant – West Grove Nature Preserve and Sports Center, Inc. - allocation of funds for period of October 1, 2003 – September 30, 2004; Comm. Dist. 2
Memorandum TD03-045
RECOMMENDATION: Approve and Authorize Signature

C 72. Grant – The Little Everglades Steeplechase Foundation, Inc. - allocation of funds for period of October 1, 2003 – September 30, 2004; Comm. Dist. 1
Memorandum TD03-046
RECOMMENDATION: Approve and Authorize Signature

C 73. Grant – Pasco Arts Council – allocation of funds for period of October 1, 2003 – September 30, 2004; Comm. Dist. 3, 4, and 5
Memorandum TD03-047
RECOMMENDATION: Approve and Authorize Signature

C 74. Grant – Hudson Seafest, Inc. – allocation of funds for period of October 1, 2003 through September 30, 2004; Comm. Dist. 5
Memorandum TD03-053
RECOMMENDATION: Approve and Authorize Signature

C 75. Grant – Greater Dade City Chamber of Commerce - allocation of funds for period of October 1, 2003 through September 30, 2004; Comm. Dist. 1
Memorandum TD03-055
RECOMMENDATION: Approve and Authorize Signature

Budgeting—Budget Amendment

- C 76. BA03-271 TRANSFER WITHIN THE SOLID WASTE SYSTEM FUND/PRINCIPAL TO APPROPRIATE FUNDS FOR THE REMAINDER OF FISCAL YEAR 2003 - \$235,000.00
- C 77. BA03-272 TRANSFER WITHIN GENERAL FUND FROM RESERVES TO CONTRACT TO PROVIDING FUNDING FOR CONTRACT FOR CLERK'S SERVICE FEE AND PAYMENTS TO OTHER GOVERNMENTAL AGENCIES FOR REMAINDER OF FISCAL YEAR - \$196,000.00
- C 78. BA03-273 TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE FUNDS FOR THE REMAINDER OF FISCAL YEAR 2002-2003 - \$10,000.00
- C 79. BA03-274 TRANSFER WITHIN THE COUNTY INSURANCE FUND/RISK MANAGEMENT POLICIES TO APPROPRIATE FUNDS FOR THE REMAINDER OF FISCAL YEAR 2003 - \$74,350.00
- C 80. BA03-275 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE ELDERLY NUTRITION FUND - \$10,679.27
- C 81. BA03-276 TRANSFER WITHIN THE GENERAL FUND/CONTRACTS TO REALIGN FUNDS TO UNEMPLOYMENT COMPENSATION FOR THE REMAINDER OF FISCAL YEAR 2002-2003 - \$9,390.00
- C 82. BA04-015 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF ENVIRONMENTAL REGULATIONS GRANT FUND - \$40,641.00

- C 83. BA04-016 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE TRANSPORTATION SERVICES FUND - \$458,912.00
- C 84. BA04-017 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF HUD FUND - \$102,000.00
- C 85. BA04-018 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE HOME PROGRAM – HUD FUND - \$1,757,565.00
- C 86. BA04-019 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE PASCO WATER AND SEWER FUND - \$177,273.00
- C 87. BA04-021 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF HUD FUND - \$3,116,000.00
- C 88. BA04-022 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE CAPITAL IMPROVEMENT FUND - \$66,118.00
- C 89. BA04-023 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$35,000.00
- C 90. BA04-024 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF COMMUNITY AFFAIRS GRANT FUND - \$81,380.00

- C 91. BA04-025 TRANSFER WITHIN LOCAL OPTION GAS TAX FUNDS/LOCAL OPTION GAS TAX TO APPROPRIATE FUNDS FOR A 2015 NEEDS/RESOURCES STUDY TO BE CONDUCTED BY TINDALE OLIVER - \$125,000.00
- C 92. BA04-026 TRANSFER WITHIN MUNICIPAL SERVICE FUND/RESERVES TO APPROPRIATE FUNDS FOR ADDITIONAL TASKS RELATING TO THE COUNTY'S COMPREHENSIVE PLAN - \$150,000.00
- C 93. BA04-027 TRANSFER WITHIN THE MUNICIPAL SERVICE FUND/RESERVES TO APPROPRIATE FUNDS FOR WEISS, SEROTA, HELFMAN, PASTORIZA, GUEDES, COLE & BONISKE, P.A. FOR THE SIGN CODE SPECIAL COUNSEL PER AGENDA ITEM CAO04-0408 - \$1,000.00
- C 94. BA04-028 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$1,000.00
- C 95. BA04-029 TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE FUNDS FOR A PLOTTER FOR GEODETIC MAPPING - \$15,000.00
- C 96. BA04-030 TRANSFER WITHIN THE GENERAL FUND/RESERVES TO THE INCIDENT SUPPORT UNIT FOR PUMP RENTAL DUE TO FLOODING - \$235,888.00
- C 97. BA04-031 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE EAST PASCO UTILITIES FUND - \$140,617.00

Clerk

Minutes and Financial Matters – Specific Approvals

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE SPECIFIC APPROVALS;
COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

COMMISSIONERS' ITEMS

Chairman Schrader

- R 1. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING OCTOBER 30, 2003 AS NATIONAL WEATHERIZATION DAY

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

Commissioner Hildebrand

- R 2. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING NOVEMBER 14, 2003 AS NATIONAL PHILANTHROPY DAY

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

Commissioners Simon

- R 3. BOARD INITIATED ASSESSMENT FOR ROADS IN MOON LAKE

DISCUSSION FOLLOWED REGARDING THE POSSIBILITY OF HOLDING A PUBLIC HEARING REGARDING THE ITEM. STAFF WAS DIRECTED TO PREPARE COST ESTIMATES FOR THE ROADS WITH THE MOST PROBLEMS, BRING THE INFORMATION BACK TO THE BOARD FOR THEIR REVIEW, AND ADVERTISE A PUBLIC HEARING.

CONSTITUTIONAL OFFICERS

None Scheduled

CLERK OF THE CIRCUIT COURT

LETTER FROM THE CLERK REGARDING A YEAR-END BALANCE OF \$377,104.41. THE CLERK REQUESTED THE BOARD EARMARK ALL OR SOME OF THIS FUNDING, IF POSSIBLE, FOR FLOOD RELIEF WITH SPECIFIC CONCERN TO THE PUMPING OF EXCESS SURFACE WATER.

COMMISSIONER MULIERI MOVED TO ACCEPT THE EXCESS FEES FROM THE CLERK OF THE CIRCUIT COURT; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

SUPERVISOR OF ELECTIONS

LETTER FROM THE SUPERVISOR OF ELECTIONS REQUESTING \$41,000.00 TO BE TRANSFERRED FROM HIS OPERATING EXPENSES TO THE CAPITAL FUND TO MAKE YEAR END ADJUSTMENTS.

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

COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS

None Scheduled

DISTRICT TWO – COMMISSIONER MULIERI

1. COMMISSIONER MULIERI STATED SHE HAD BEEN CONTACTED BY THE WESLEY CHAPEL CHAMBER OF COMMERCE WHO WISHED TO HOLD A CONTEST TO NAME THE NEW PARK. THE COMMISSIONERS FELT THE PARK NAME SHOULD REFLECT THE AREA IT WAS LOCATED IN, AS WITH THE OTHER COUNTY PARKS, AND BE CALLED THE WESLEY CHAPEL REGIONAL PARK.
2. COMMISSIONER MULIERI MOVED TO REAPPOINT MR. BOB VAUSE TO THE CONSTRUCTION LICENSING BOARD; COMMISSIONER ALTMAN SECONDED; MOTION CARRIED.

DISTRICT THREE – COMMISSIONER HILDEBRAND

NO ITEMS

DISTRICT FOUR – COMMISSIONER SIMON

- 1. COMMISSIONER SIMON NOTED HE HAD RECEIVED CALLS REGARDING RECENT CHANGES TO THE COUNTY'S BUS ROUTES AND DISTRIBUTED A HAND OUT HE HAD RECEIVED REGARDING THE ISSUE TO STAFF.**
- 2. COMMISSIONER SIMON NOTED HE HAD RECEIVED A LETTER FROM DR. EVA ACKLEY OF THE GENESIS SCHOOL.**

DISTRICT FIVE – COMMISSIONER ALTMAN

- 1. COMMISSIONER ALTMAN STATED HE HAD BEEN CONTACTED BY A RESIDENT FROM DISTRICT THREE REGARDING A POSSIBLE JAIL SENTENCE FOR NOT CLEANING HIS YARD. DISCUSSION FOLLOWED REGARDING CODE ENFORCEMENT AND THE HEALTH AND SAFETY ISSUE. STAFF WAS DIRECTED TO LOOK AT THE POSSIBLE USE OF THE "LIEN AND CLEAN" ORDINANCE.**
- 2. COMMISSIONER ALTMAN STATED HE HAD BEEN CONTACTED BY RESIDENTS CONCERNING THE IRRIGATION RULES NOT BEING ADHERED TO IN NEW DEVELOPMENTS. IT WAS NOTED THERE MAY BE A PROBLEM WITH THE LACK OF IRRIGATION INSPECTORS. STAFF WILL FOLLOW-UP.**

COUNTY ADMINISTRATOR

- 1. COMMISSIONER HILDEBRAND MOVED TO HEAR AN EMERGENCY ITEM; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

AUTHORIZATION TO BID, EAST PASCO GOVERNMENT CENTER, SECTION 27, TOWNSHIP 24 SOUTH, RANGE 21 EAST

COMMISSIONER HILDEBRAND MOVED TO AUTHORIZE STAFF TO BID UP TO \$250,000.00 FOR THE PROPERTY AND TO INSTRUCT THE CLERK TO ISSUE A

CHECK IN THE AMOUNT OF \$5,000.00 TO GINNIE VAN KESTEREN, ATTORNEY AT LAW TRUST ACCOUNT; COMMISSIONER ALTMAN SECONDED; MOTION CARRIED.

- 2. COMMISSIONER HILDEBRAND MOVED TO HEAR AN EMERGENCY ITEM; COMMISSIONER MULIERI AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

BA 04-040 RESOLUTION INCREASING REVENUES ANTICIPATED IN THE AMOUNT OF \$58,000.00 WITHIN THE MUNICIPAL SERVICE FUND

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

COUNTY ATTORNEY

- 1. AGREEMENT FOR SALE AND PURCHASE OF REAL ESTATE BETWEEN PASCO COUNTY AND LAKE LISA PARTNERSHIP.**

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

CLERK TO THE BOARD

NO ITEMS.

DISTRICT ONE – CHAIRMAN SCHRADER

- 1. CHAIRMAN SCHRADER NOTED THE FINAL VALUE ADJUSTMENT BOARD MEETING WAS SCHEDULED FOR DECEMBER 16, 2003 AT 11:00 A.M. IN DADE CITY.**

- 2. CHAIRMAN SCHRADER REQUESTED A MOTION TO REAPPOINT MR. GEORGE BLACK TO THE CONSTRUCTION LICENSING BOARD.**

COMMISSIONER SIMON MOVED TO REAPPOINT MR. GEORGE BLACK TO THE CONSTRUCTION LICENSING BOARD; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

3. CHAIRMAN SCHRADER REPORTED ON A MEETING HELD AT THE HISTORIC COURTHOUSE REGARDING THE FLOODING SITUATION IN THE HICKORY HILLS SUBDIVISION. IT WAS SUGGESTED THE RESIDENTS CONTACT THE BASIN BOARDS AND REQUEST AN AREA WIDE STUDY BE CONDUCTED.

COMMISSIONER MULIERI MOVED TO DIRECT STAFF TO PREPARE A LETTER FOR THE CHAIRMAN'S SIGNATURE TO BE DIRECTED TO THE APPROPRIATE BASIN BOARD REQUESTING AN AREA WIDE STUDY BE CONDUCTED; COMMISSIONER SIMON AND COMMISSIONER ALTMAN SECONDED; MOTION CARRIED.

4. COMMISSIONER SCHRADER SAID RESIDENTS HAD REQUESTED THE COUNTY "EASE UP" ON RESTRICTIONS REGARDING MOBILE HOME PRESSURE WASHING AND CAR WASHING. HE FELT THEY SHOULD STAY WITH THE ONE DAY PER WEEK WATERING. DISCUSSION FOLLOWED REGARDING A MEMO THAT WAS DISTRIBUTED WHICH OUTLINED THE COUNTY'S RESTRICTIONS AND THE WATER MANAGEMENT DISTRICT RESTRICTIONS. STAFF WAS DIRECTED TO BRING THE ITEM BACK TO THE BOARD FOR FINAL APPROVAL.

Miscellaneous Old Business

R 4. Water Issues

DISCUSSION FOLLOWED REGARDING: COVANTA FILING FOR BANKRUPTCY IN NEW YORK; TAMPA BAY WATER DELAYED FROM HAVING THE CAPABILITY TO REPAIR THE FILTER SITUATION; TAMPA BAY WATER REQUESTED A CHANGE OF VENUE BACK TO FLORIDA FOR THE COVANTA BANKRUPTCY; THE NEXT WATER CONFIGURATION TO BE APPROVED IN DECEMBER; MR. MAXWELL SHOULD BE ATTENDING A MEETING IN DADE CITY THIS EVENING REGARDING NEW PROJECTS; TAMPA BAY WATER BOARD WOULD BE ASKED TO CHOOSE SPECIFIC PROJECTS; MR. RICHARDS WOULD ADDRESS THE BOARD ON NOVEMBER 18, 2003 TO GIVE AN UPDATE REGARDING THE LIST OF PROJECTS THE TAMPA BAY WATER BOARD REPRESENTATIVES WOULD BE ASKED TO CHOOSE FROM; MR. MAXWELL WILL BE ASKED TO ATTEND THE BCC MEETING SCHEDULED FOR NOVEMBER 18, 2003; THE LACK OF ACCOUNTABILITY FROM THE CONSULTANT REGARDING THE FILTER SITUATION; WATER LEVELS OF THE WELLFIELDS; AND THE EVALUATION OF EXPERT TESTIMONY.

Miscellaneous Matters

None Scheduled

INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES

- R 5. AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, ORDINANCE 89-21, AS AMENDED ARTICLE 400; **PROVIDING FOR SPECIAL TRANSPORTATION CONCURRENCY REQUIREMENTS AND PROCEDURES FOR THE U.S. 19 AREA**; PROVIDING FOR INCLUSION IN CODE; SEVERABILITY; AN EFFECTIVE DATE AND FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING
Memorandum CAO04-3204

COMMISSIONER MULIERI MOVED TO INTRODUCE; COMMISSIONER ALTMAN SECONDED; MOTION CARRIED.

- R 6. AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, AMENDING SECTION 701 OF THE PASCO COUNTY LAND DEVELOPMENT **AMENDING THE FLOOD DAMAGE PREVENTION ORDINANCE**; AMENDING CHAPTER 18, ARTICLE III OF THE PASCO COUNTY CODE TO INCORPORATE SECTION 701 OF THE LAND DEVELOPMENT CODE AND TO DELETE THE COASTAL CONSTRUCTION CODE NOW INCORPORATED IN THE FLORIDA BUILDING CODE; PROVIDING FOR REPEALER, SEVERABILITY, LIBERAL CONSTRUCTION, INCLUSION IN THE CODES, AND AN EFFECTIVE DATE; AND PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING; All Comm. Dist.
Memorandum DV04-011

COMMISSIONER ALTMAN MOVED TO INTRODUCE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

- R 7. AN ORDINANCE AMENDING ORDINANCE NO. 89-13, ADOPTING THE PASCO COUNTY COMPREHENSIVE PLAN, AS AMENDED; PROVIDING FOR THE AMENDMENT TO THE FUTURE LAND USE MAP FROM NT (NEW TOWN) TO RES-3(RESIDENTIAL – 3 DU/GA) **AFFECTING 80.9 ACRES OF REAL PROPERTY REQUESTED BY CONNERTON, LLC**, IDENTIFIED AS PARCEL ID NO. 36-25-18-0000-00300-0000; PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE; Comm. Dist. 2
Memorandum GM04-81

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

- R 8. AN ORDINANCE AMENDING ORDINANCE NO. 89-13, ADOPTING THE PASCO COUNTY COMPREHENSIVE PLAN AS AMENDED; PROVIDING FOR THE PLAN AMENDMENT TO POLICY 1.1.7, CHAPTER 7, **TRANSPORTATION ELEMENT, AND THE TRANSPORTATION ELEMENT MAP SERIES**, MAP 7-1 THROUGH 7-27; PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE; All Comm. Dist.
Memorandum GM04-95

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

- R 9. AN ORDINANCE AMENDING ORDINANCE NO. 89-13, ADOPTING THE PASCO COUNTY COMPREHENSIVE PLAN, AS AMENDED; PROVIDING FOR THE PLAN AMENDMENT TO CHAPTER 7, **TRANSPORTATION ELEMENT, TABLE 7-2, LEVEL OF SERVICE STANDARD FOR URBAN DEVELOPMENT**, AND TABLE 7-3, LEVEL OF SERVICE STANDARD FOR RURAL DEVELOPMENT; PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE; All Comm. Dist.
Memorandum GM04-96

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

DEPARTMENTAL MATTERS

County Attorney

- R 10. Local Government Infrastructure Surtax, "Penny for Pasco" – Discussion and Vote on Ballot Language
Memorandum CAO04-0409

COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE LANGUAGE IN VERSION TWO; COMMISSIONER ALTMAN AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.

THE BOARD RECESSED AT 3:36 P.M. AND RECONVENED AT 3:52 P.M. ALL MEMBERS WERE PRESENT.

- R 11. Resolution Extending Local State of Emergency Declared on August 12, 2003 through November 10, 2003
Memorandum CAO04-1220

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

County Administration—Office of Emergency Management

- R 12. Update on Flooding Operations
Memorandum OEM04-009
(To Be Distributed)

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

DEVELOPMENT SERVICES BRANCH

Growth Management

- R 13. Consistency Determination – Elementary School “G”; Comm. Dist. 5
Memorandum GM04-105
(Continued from September 9, 2003)(Continue to December 2, 2003)

COMMISSIONER MULIERI MOVED TO CONTINUE TO DECEMBER 2, 2003 AT 1:30 P.M. IN NEW PORT RICHEY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

- R 14. Consistency Determination – District School Board – Middle School “EE”; Comm. Dist. 3
Memorandum GM04-106
(Continued from September 9, 2003)(Continue to December 2, 2003)

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO DECEMBER 2, 2003 AT 1:30 P.M. IN NEW PORT RICHEY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

Real Estate

- R 15. Disposal of Surplus Property – Former Hudson Library Site – Old Dixie Highway;
Comm. Dist. 5
Memorandum REA04-021

COMMISSIONER ALTMAN MOVED TO DEFER THE ITEM TO THE 6:30 P.M. MEETING; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

STAFF WAS DIRECTED TO CONTACT THE REPRESENTATIVE FROM EACH ORGANIZATION TO SCHEDULE A JOINT MEETING TO BE HELD WITH COMMISSIONER ALTMAN TO DEVELOP AN EQUITABLE SOLUTION. NO ACTION WAS TAKEN ON THE ITEM.

Growth Management—Zoning/Code Compliance

- R 16. Waiver of Minimum Lot Width Requirement – Hudson Water Works, Inc. – Zoning
Amendment; Comm. Dist. 5
Memorandum ZN04-06

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

PUBLIC SERVICES BRANCH

None Scheduled

UTILITIES SERVICES BRANCH

- R 17. Temporary Cash Loan Request – East Pasco Utilities, Inc. – for additional ERCs
added after original contract was executed; All Comm. Dist.
Memorandum UTFSSP03-735

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

OFFICE OF MANAGEMENT AND BUDGET

- R 18. Agreement – WUSF-TV – Pasco County Government Cable Channel; All Comm. Dist.
Memorandum OMB04-4030

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

MISCELLANEOUS PAPERS, PETITIONS, AND REPORTS

None Scheduled

Departmental Follow-up per Board Request

- R 19. Transportation Service Status Report; All Comm. Dist.
Memorandum PT04-032

Noted Items - AGENDA ITEMS R 20 THROUGH R 31.dd. WERE NOTED.

- R 20. Florida Yards & Neighborhoods First Quarter Report May 1, 2003 to July 31, 2003 received October 8, 2003
- R 21. Construction/Licensing Board of Adjustments & Appeals, and Construction Code Enforcement Board Memorandum DV04-003 dated October 9, 2003
- R 22. Florida Public Service Commission Docket No. 030697-WS issued October 10, 2003
- R 23. Community Aging & Retirement Services, Inc. – 2002 Annual Report received October 14, 2003

R 24. Letter from Terrabrook RE: Announcement of selected properties dated October 17, 2003

R 25. Letter to Mr. Gaskin RE: Donation of \$100.00 to Elderly Nutrition/Meals on Wheels Program, in appreciation for meals deliver to Helen and Arthur Benko dated October 20, 2003

R 26. Letter from Florida Department of Revenue RE: Truth in Millage (TRIM) Certification dated October 20, 2003

Noted Items— Agenda

R 27. Southwest Florida Water Management District – Manasota Basin October 22, 2003

Noted Items—Minutes

R 28. Development Review Committee dated October 9, 2003

R 29. Historical Preservation Committee dated October 9, 2003

R 30. District School Board dated October 21, 2003

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

R 31. Memo dated October 24, 2003

- a. Resolution 04-1211 extending the Local State of Emergency through October 20, 2003

- b. Continuation Certification in the Amount of \$100,000.00 for Off-Site Auction Services – Tampa Machinery Auction, Inc.

- c. Notice to Proceed – Project Name: Westport Drive, PVAS No. 736, W/O#P8235.00 dated 10/10/03 – Overstreet Paving Company, Inc.

- d. Notice to Proceed (Revised) – Project: Heritage Lake Blvd., 02, PVAS No. 1611, W/O#P1611.00 dated 10/10/03 – Overstreet Paving Company, Inc.

- e. Notice to Proceed – Projects: Briarleaf Court/Box Elder Drive (PVAS #719, Edenwood Drive (PVAS #726), Footprint Lake Village (PVAS #715), Oakshire Drive (PVAS #718), Viva Villas (PVAS #704) Contract Number 02-011 – Grubbs Construction Co., Inc.

- f. Certificate of Liability Insurance for TBE Group, Inc. by Suncoast Insurance Associates – Coverage included for all projects for Pasco County

- g. Certificate of Liability Insurance for Pittman-Hartenstein & Associates – Project: Task Order ED003-007

- h. Certificate of Liability Insurance for R.E. Purcell Construction Co., Inc. – Project #278 – Little Road – Phase IIIA

- i. Certificate of Insurance No. SEA-000586893-01 – Law Engineering and Consulting, Inc.

- j. Certificate of Liability Insurance – Ardaman & Associates, Inc. – Various projects

- k. Certificate of Liability Insurance – Driggers Engineering Services, Inc.

- l. Annual Financial Audit Report – The Preserve at Wilderness Lake Community Development District – September 30, 2003

- m. Minutes – Southwest Florida Water Management District meeting of August 26, 2003

- n. Agenda – Southwest Florida Water Management District meeting of October 28 and 29, 2003

- o. Rezoning Resolution 03-69RZ - Rezoning 6024 - Board of County Commissioners Meeting of September 23, 2003

- p. Rezoning Resolution 03-70RZ - Rezoning 6043 - Board of County Commissioners Meeting of September 23, 2003

- q. Rezoning Resolution 03-71RZ – Rezoning 6053 – Board of County Commissioners Meeting of September 23, 2003

- r. Rezoning Resolution 03-72RZ – Rezoning 6054 – Board of County Commissioners Meeting of September 23, 2003

- s. Rezoning Resolution 03-73RZ – Rezoning 6055 – Board of County Commissioners Meeting of September 23, 2003

- t. Rezoning Resolution 03-74RZ – Rezoning 6066 – Board of County Commissioners Meeting of September 23, 2003

- u. Rezoning Resolution 03-75RZ – Conditional Use Application No. CU03-21 – Board of County Commissioners Meeting of September 23, 2003

- v. Rezoning Resolution 03-76RZ – Conditional Use Application No. CU03-22 – Board of County Commissioners Meeting of September 23, 2003

- w. Rezoning Resolution 03-77RZ – Conditional Use Application No. CU03-23 – Board of County Commissioners Meeting of September 23, 2003

- x. Rezoning Resolution 03-78RZ – Conditional Use Application No. CU03-24 – Board of County Commissioners Meeting of September 23, 2003

- y. Rezoning Resolution 03-79RZ – Conditional Use Application No. CU03-25 – Board of County Commissioners Meeting of September 23, 2003

- z. Order to Deny – Rezoning Application No. 6065 in the name of Jerry McRory, Inc. – Board of County Commissioners Meeting of September 23, 2003

- aa. Order - Variance Application 1769 – La Hacienda Del Cielo, LLC - Development Review Committee Meeting of September 25, 2003
- bb. Order - Variance Application 1770 – Darrell H. and Bonita M. Goad - Development Review Committee Meeting of September 25, 2003

- cc. Order - Variance Application 1771 – Teddy W. Brown, Jr., and Karen V. Brown - Development Review Committee Meeting of September 25, 2003

- dd. Order - Variance Application 1772 – John R. R. Bailey and April Lee Brinks - Development Review Committee Meeting of September 25, 2003

PUBLIC COMMENT

1. **MR. LAWRENCE SOLOMON SPOKE IN FAVOR OF THE PROPOSED US 19 TRAFFIC CONCURRENCY ORDINANCE.**

RECESS

THE BOARD RECESSED AT 4:32 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 ORDINANCE CREATING PASCO COUNTY CODE SECTION 114-54; PROVIDING FOR THE ESTABLISHMENT OF SEAGRASS PROTECTION ZONES; PROVIDING LEGAL DESCRIPTIONS OF THE ZONES; **PROHIBITING THE OPERATION OF PROP AND JET DRIVEN WATERCRAFT WITHIN THE ZONES**; PROVIDING FOR PUBLIC EDUCATION; PROVIDING FOR POSTING OF THE ZONES; PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE;
Memorandum CAO03-2880
(Final Public Hearing)

COMMISSIONER ALTMAN MOVED APPROVAL OF THE ORDINANCE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

- P 2. AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, **ESTABLISHING POLICIES, STANDARDS AND 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 CAO04-3205

(First Public Hearing)

COMMISSIONER SIMON MOVED APPROVAL OF THE DRAFT AS IT STOOD AND TO CONTINUE THE ITEM TO NOVEMBER 18, 2003 IN DADE CITY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

- P 3. 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 CAO04-404

(Introduction October 7, 2003)(First Public Hearing October 21, 2003)(Final Public Hearing November 4, 2003)

COMMISSIONER HILDEBRAND MOVED ADOPTION OF THE ORDINANCE; COMMISSIONER MULIERI AND COMMISSIONER SIMON SECONDED; MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

- P 4. 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
(Continued from October 21, 2003)
(Final Public Hearing)

**COMMISSIONER HILDEBRAND MOVED ADOPTION OF THE ORDINANCE;
COMMISSIONER MULIERI AND COMMISSIONER SIMON SECONDED; MOTION
CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.**

- P 5. 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
(Continued from October 21, 2003)(Final Public Hearing)

**COMMISSIONER ALTMAN MOVED ADOPTION OF THE ORDINANCE;
COMMISSIONER HILDEBRAND AND COMMISSIONER MULIERI SECONDED;
MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.**

- P 6. 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
(Continued from October 21, 2003)(Final Public Hearing)

**COMMISSIONER SIMON MOVED APPROVAL OF THE ORDINANCE;
COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED
UNANIMOUSLY ON A ROLL CALL VOTE.**

- P 7. 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

(Continued from October 21, 2003)(Final Public Hearing)

COMMISSIONER SIMON MOVED APPROVAL OF THE ORDINANCE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

- P 8. 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

(Continued from October 21, 2003)(Final Public Hearing)

COMMISSIONER SIMON MOVED APPROVAL OF THE ORDINANCE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

- P 9. AN ORDINANCE AMENDING ORDINANCE NO. 89-13, ADOPTING THE PASCO COUNTY COMPREHENSIVE PLAN, AS SUBSEQUENTLY AMENDED; PROVIDING FOR A SMALL-SCALE DEVELOPMENT AMENDMENT TO THE FU FUTURE LAND USE MAP FROM RES-3 (RESIDENTIAL – 3 DU/GA) TO ROR (RETAIL/OFFICE/RESIDENTIAL), **AFFECTING 9.990 ACRES OF REAL PROPERTY OWNED BY KAREN K. SCHEBLEIN, IDENTIFIED AS PARCEL ID NO. 22-25-18-0010-00000-0430 A PORTION THEREOF;** PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE; Comm. Dist. 5

Memorandum GM03-876

**COMMISSIONER MULIERI MOVED ADOPTION OF THE ORDINANCE;
COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED
UNANIMOUSLY ON A ROLL CALL VOTE.**

- P 10. AN ORDINANCE **EXPANDING THE HERITAGE SPRINGS COMMUNITY DEVELOPMENT DISTRICT** ESTABLISHED PURSUANT TO CHAPTERS 189 AND 190, FLORIDA STATUTES; PROVIDING FOR AUTHORITY AND POWER OF THE DISTRICT; PROVIDING FOR POWERS AND DUTIES OF THE DISTRICT; PROVIDING FOR THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR THE DISTRICT BUDGET; PROVIDING FOR FUNCTIONS OF THE DISTRICT; PROVIDING FOR MISCELLANEOUS PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE
Memorandum GM04-100
(Final Public Hearing)

**COMMISSIONER HILDEBRAND MOVED ADOPTION OF THE ORDINANCE;
COMMISSIONER SIMON SECONDED; MOTION CARRIED UNANIMOUSLY ON A
ROLL CALL VOTE.**

Public Hearings

- P 11. Special Assessment Ordinance – PVAS No. 744 – Cheval Drive; Comm. Dist. 3
Memorandum PMA04-002
- COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S
RECOMMENDATION; COMMISSIONER SIMON SECONDED; MOTION
CARRIED.**
- P 12. Small-Scale Development Amendment – From RES-3 (Residential – 3 du/ga) To:
ROR (Retail/Office/Residential); Comm. Dist. 2
Memorandum GM03-877
- COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S
RECOMMENDATION; COMMISSIONER SIMON SECONDED; MOTION
CARRIED.**
- P 13. Cycle 1 Biannual Comprehensive Amendments, LPA Meeting; Comm. Dist. 1,3,4,
and 5
Memorandum GM04-079

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

COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION FOR STARKEY PROPERTIES; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION FOR THE STARKEY BOUNDARY ADJUSTMENT; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER ALTMAN MOVED APPROVAL OF STAFF'S RECOMMENDATION FOR THREE LAKES RECREATIONAL VEHICLE RESORT, INC.; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION FOR THE GROSENBACHER DEVELOPMENT; COMMISSIONER ALTMAN SECONDED; MOTION CARRIED.

COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION FOR CBD DEVELOPMENT, INC.; COMMISSIONER HILDEBRAND AND COMMISSIONER ALTMAN SECONDED; MOTION CARRIED.

- P 14. Small-Scale Development Amendment (SSDA03-05) – From RES-9 (Residential – 9 du/ga) To ROR (Retail/Office/Residential); Comm. Dist. 3
Memorandum GM04-121

THE AGENDA ITEM WAS WITHDRAWN BY STAFF.

- P 15. Biannual Comprehensive Plan Amendments – Amendment Cycle Two Adoption; All Comm. Dist.
Memorandum GM04-97
(To Be Continued to November 18, 2003)

COMMISSIONER MULIERI MOVED TO CONTINUE THE ITEM TO NOVEMBER 18, 2003 AT 6:30 P.M. IN DADE CITY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

- P 16. Biannual Comprehensive Plan Amendments – Amendment Cycle Two Adoption; All Comm. Dist.
Memorandum GM04-98

(To Be Continued to November 18, 2003)

COMMISSIONER SIMON MOVED TO CONTINUE THE ITEM TO NOVEMBER 18, 2003 AT 6:30 P.M. IN DADE CITY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

THE BOARD RECESSED AT 9:29 P.M. AND RECONVENED AT 9:40 P.M. ALL MEMBERS WERE PRESENT.

- P 17. Public Transportation Route Revisions - Routes 16, 23, and 25; All Comm. Dist. Memorandum PT03-545

COMMISSIONER SIMON MOVED TO RECEIVE AND FILE A PETITION PRESENTED BY MR. KEN STALENSKI; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

COMMISSIONER SIMON MOVED TO RECEIVE AND FILE A PETITION PRESENTED BY MR. RUSSELL COLLIER; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

COMMISSIONER ALTMAN MOVED APPROVAL OF THE NEW ROUTES; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

- P 18. Additional Streetlight Amendment and Rate Increase Proposal – Collier Place at Crown Pointe and Pendleton Way; Comm. Dist. 2 Memorandum UTFSSP03-640

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

- P 19. Streetlights – Progress Energy - Wilderness Park Subdivision; Comm. Dist. 4 Memorandum UTFSSP03-672

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

- P 20. Additional Streetlight Amendment and Rate Increase Proposal – Progress Energy Corporation – Custom Commerce Center; Comm. Dist. 4
Memorandum UTFSSP03-704

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

Public Hearings—Rezoning

- P 21. Appeal of Zoning Administrator's Determination of a Legal, Nonconforming, Sexually Oriented Business, Applicant Westminster Presbyterian Church; Comm. Dist. 3
Appeal No. AA03-03

COMMISSIONER HILDEBRAND MOVED TO RECEIVE AND FILE THE PETITIONS PRESENTED BY PASTOR GARY W. CARSON; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

COMMISSIONER HILDEBRAND MOVED TO UPHOLD THE ZONING ADMINISTRATOR'S DETERMINATION; COMMISSIONER SIMON SECONDED.

COMMISSIONER HILDEBRAND AMENDED THE MOTION TO REFUND THE \$400.00 FILING FEE TO THE CHURCH; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

- P 22. Appeal of Planning Commission's Denial of Special Exception No. 6049, Terrie G. and Julie L. Patterson ; Comm. Dist. 5
Appeal No. PCA03-04

COMMISSIONER ALTMAN MOVED TO UPHOLD THE PLANNING COMMISSION'S RECOMMENDATION OF DENIAL; MOTION DIED FOR LACK OF A SECOND.

CHAIRMAN SCHRADER PASSED THE GAVEL TO COMMISSIONER SIMON.

COMMISSIONER ALTMAN MOVED TO UPHOLD THE PLANNING COMMISSION'S RECOMMENDATION OF DENIAL; COMMISSIONER SCHRADER SECONDED THE MOTION; MOTION CARRIED WITH COMMISSIONER MULIERI AND COMMISSIONER HILDEBRAND VOTING NAY.

Rezoning

- Z 1. Memorandum ZN04-03

Table of Contents

Consent-Rezonings

RZ-6070	Eastlake, LLC; Comm. Dist. 5
RZ-6081	Gary Blackwell & Thomas H. & Patricia D. Chittum; Comm. Dist. 4
CU03-27	Sembler EDP Partnership #19, LTD/Eckerd Corporation Store #0475R; Comm. Dist 4
CU03-28	Commercial South, Inc./NYPD Pizza & Delicatessen; Comm. Dist. 3

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

Location Maps

Board of County Commissioners Agenda

Regular-Rezonings

RZ-6067	James Pitzer Gills, Jr. as Trustee; Comm. Dist. 2
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**COMMISSIONER MULIERI MOVED APPROVAL WITH A CAP OF 700 UNITS WITH
CONDITIONS; COMMISSIONER SIMON SECONDED.**

**COMMISSIONER MULIERI AMENDED THE MOTION TO R-4 WITH A CAP OF 700
UNITS, WITH CONDITIONS; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

RZ-6052	Malacos Holdings, Inc.; Comm. Dist. 4
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**COMMISSIONER ALTMAN MOVED APPROVAL OF STAFF'S RECOMMENDATION;
COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED WITH
COMMISSIONER SIMON ABSENT DURING THE VOTE.**

CU03-26	Malacos Holdings Inc. Comm. Dist. 5
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**COMMISSIONER ALTMAN MOVED APPROVAL OF STAFF'S RECOMMENDATION;
COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

CONTINUED REZONINGS

RZ-6046 Betty S. Hay et al; Comm. Dist. 2

COMMISSIONER MULIERI MOVED TO CONTINUE TO DECEMBER 2, 2003 AT 6:30 P.M. IN NEW PORT RICHEY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

RZ-6050 Clare A. Barnard; Comm. Dist. 2

COMMISSIONER MULIERI MOVED TO CONTINUE TO DECEMBER 2, 2003 AT 6:30 P.M. IN NEW PORT RICHEY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RZ-6084 Anthony A. Manos; Comm. Dist. 3

COMMISSIONER MULIERI MOVED TO CONTINUE TO DECEMBER 2, 2003 AT 6:30 P.M. IN NEW PORT RICHEY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RZ-6078 Julianne Peleckis; Comm. Dist. 5

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO DECEMBER 2, 2003 AT 6:30 P.M. IN NEW PORT RICHEY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

Miscellaneous Matters

P 23. East Brown Acres Neighborhood Plan; Comm. Dist. 5
Memorandum CD04-021

COMMISSIONER ALTMAN MOVED APPROVAL OF THE EAST BROWN ACRES NEIGHBORHOOD PLAN AND TO AUTHORIZE THE COMMUNITY DEVELOPMENT MANAGER TO CONTACT AND NEGOTIATE WITH THE OWNERS OF THE TWO PARCELS IDENTIFIED IN THE PLAN TO PURCHASE; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

PUBLIC COMMENT

1. **MR. BRUCE SEREK SPOKE REGARDING REZONING PROCEDURES AND TIME CONSTRAINTS ASSOCIATED WITH THE PROCEDURES.**

ADJOURN

THE BOARD ADJOURNED AT 11:38 P.M.

prepared by: ds