

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

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

DECEMBER 2, 2003

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

County Commissioners

Chairman Peter A. Altman, District 5
Vice Chairman Pat Mulieri, Ed.D. District 2
Ted J. Schrader, District 1
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 }

MS. LINDA DILLON, DEPUTY CLERK

CONSENT AGENDA

CHAIRMAN ALTMAN NOTED AGENDA ITEM C 12 WAS PULLED FOR A CORRECTION. THE DATE OF THE PUBLIC HEARING SHOULD BE FEBRUARY 4, 2004, 6:30 P.M., DADE CITY.

COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE CONSENT AGENDA WITH THE CORRECTION TO AGENDA ITEM C 12; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

CONSTITUTIONAL OFFICERS

Clerk

Minutes and Financial Matters

Minutes—Approval

Regular Meeting/Rezoning dated September 23, 2003

Penny for Pasco Work Shop dated September 23, 2003

Minutes—Distribution

None Scheduled

Financial Matters

- C 1. **General Warrants, Payroll Registers, and Transfer Authorizations**

Sheriff

- C 2. Letter RE: Resolution #82-107, deposited check for \$5,075.00 for October forfeited monies with the Clerk's Office to be applied to Account # 108-359000 dated November 4, 2003

LEGISLATIVE/ADMINISTRATIVE

County Attorney

- C 3. Settlement of Workers' Compensation Claim – Harry Foote
Memorandum CAO04-0013
RECOMMENDATION: Approve

- C 4. Payment of Fees and Costs – Handy Food Stores, Inc. – Case No. 02-CA-2481-
ES/B
Memorandum CAO04-1624
RECOMMENDATION: Approve

County Administration—Personnel

- C 5. Contract – Florida Department of Highway Safety and Motor Vehicles – Third Party Administrators for Florida Driver License Testing; All Comm. Dist.
Memorandum PER04-0203
RECOMMENDATION: Approve and Authorize Chairman’s Signature

DEVELOPMENT SERVICES BRANCH

- C 6. Task Work Order No. TO-2 – Tindale-Oliver and Associates, Inc. – 2015 Road Construction and Financing Plan; All Comm. Dist.
Memorandum DS04-027
RECOMMENDATION: Approve and Authorize Chairman’s Signature

Engineering Services—Real Estate

- C 7. Agreement for Sale and Purchase of Interest in Property – Maricela and Maria S. Manriquez – Tommytown Target Area Project; Comm. Dist. 1
Memorandum REA04-024
RECOMMENDATION: Approve and Authorize Chairman’s Signature

Engineering Services—Survey

- C 8. Recording of Plat with Performance Guarantee – Hayden-Rubin Dev. LLC – Suncoast Pointe Villages; Comm. Dist. 2
Memorandum SA04-009
RECOMMENDATION: Approve
- C 9. Recording of Plat with Performance Guarantee – Pulte Homes Corporation – Pine Glen; Comm. Dist. 1
Memorandum SA04-011
RECOMMENDATION: Approve

- C 10. Approve and Record Map – Long Avenue – Maintained Right-of-Way; Comm. Dist. 1
Memorandum SA04-013
RECOMMENDATION: Approve
- C 11. Recording of Plat with Performance Guarantee – Centex Homes – Ashley Lakes; Comm. Dist. 3
Memorandum SA04-014
RECOMMENDATION: Approve

Growth Management

CORRECTION

- C 12. Set Public Hearing Date on February 10, 2004, 6:30 pm in New Port Richey – Long Lake Ranch Development of Regional Impact – Application for Development Approval; Comm. Dist. 2
Memorandum GM04-151
RECOMMENDATION: Approve

THE PUBLIC HEARING DATE WAS CHANGED TO FEBRUARY 24, 2004, 6:30 P.M. DADE CITY.

- C 13. Grant Application – Florida Department of State, Division of Historical Resources – Architecture Survey of East Pasco County; All Comm. Dist.
Memorandum GM04-237
RECOMMENDATION: Approve and Authorize Chairman's Signature

Growth Management—Zoning/Code Compliance

- C 14. Collection Permit Renewal – Campport Waste Systems, Inc. – final disposal of collected wastes; All Comm. Dist.
Memorandum CC04-013
RECOMMENDATION: Approve

PUBLIC SERVICES BRANCH

Community Services

- C 15. Fund Raiser – Animal Control – Cash for Critters; All Comm. Dist.
Memorandum CS04-014
RECOMMENDATION: Approve

Emergency Services

- C 16. Approval of Business Associate Agreement – Credit Control of Pinellas, Inc. – Allow Delinquent Accounts to be sent to collections; All Comm. Dist.
Memorandum ES04-1004
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 17. Approval of Business Associate Agreement – HealthNet Data Link, Inc. – Allow Medicaid Financial Transactions; All Comm. Dist.
Memorandum ES04-1005
RECOMMENDATION: Approve and Authorize Chairman's Signature

Facilities Management

- C 18. Change Order – B “N” C Paving - Parking Lot Improvements; Comm. Dist. 2 and 4
Memorandum FAC04-024
RECOMMENDATION: Approve
- C 19. New Lease – American Consulting Engineers of Florida, LLC – The Clark Building;
Comm. Dist. 2
Memorandum FAC04-025
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 20. Donation – Pasco County School Board – Trailer “B”; Comm. Dist. 1
Memorandum FAC04-028
RECOMMENDATION: Approve

Libraries Services

- C 21. Maintenance – SIRSI Corporation – Automation System Hardware and Software;
All Comm. Dist.
Memorandum LI04-024
RECOMMENDATION: Approve

UTILITIES SERVICES BRANCH

Utilities

- C 22. Agreement – Priority Developers, Inc. – Lake Talia Water and Wastewater Service;
Comm. Dist. 2
Memorandum UTD03-1286
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 23. Change Order No. 1 (Final) – Lester's Construction Company, Inc. – Lake Jovita
Off-Site Force Main PCU, Project No. 01-069.00; Comm. Dist. 1
Memorandum UTD04-0121
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 24. Acceptance of Improvements and Maintenance Guarantee – Pulte Homes
Corporation – Lexington Oaks, Project No. 97-113.17; Comm. Dist. 2
Memorandum UTD04-0135
RECOMMENDATION: Approve
- C 25. Release of Maintenance Guarantee – Pulte Home Corporation – Lexington Oaks,
Project No. 97-113.K; Comm. Dist. 2
Memorandum UTD04-106
RECOMMENDATION: Approve

- C 26. Release of Maintenance Guarantee – SB & Associates, Limited Partnership – Saddlebrook Village, Project No. 99-111.05; Comm. Dist. 2
Memorandum UTD04-113
RECOMMENDATION: Approve
- C 27. Release of Maintenance Guarantee – SB & Associates, Limited Partnership – Seven Oaks, Project No. 99-111.09; Comm. Dist. 2
Memorandum UTD04-114
RECOMMENDATION: Approve
- C 28. Release of Maintenance Guarantee – Pittway Real Estate – Saddlebrook Village West, Project No. 99-111.06; Comm. Dist. 2
Memorandum UTD04-115
RECOMMENDATION: Approve
- C 29. Acceptance of Utility Improvements and Maintenance Guarantee – Skyland Development, Inc. – Plantation Palms, Project No. 99-195.07; Comm. Dist. 2
Memorandum UTD04-117
RECOMMENDATION: Approve

Utilities Fiscal Services/Special Projects

- C 30. Service Agreement – Itron, Inc. – hand-held meter reading system; All Comm. Dist.
Memorandum UTFSSP04-078
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 31. Tipping Fees – Waste Management – scale house ticket for \$123.49 for clean up from a victim of a major crime; All Comm. Dist.
Memorandum UTFSSP04-092
RECOMMENDATION: Approve
- C 32. Appeal – Christian Social Services – 2003 Solid Waste Assessment; Comm. Dist. 4
Memorandum UTFSSP04-100
RECOMMENDATION: Approve

OFFICE OF MANAGEMENT AND BUDGET

- C 33. Agreement – Connections Job Development Corporation – Outside Agency; All Comm. Dist.
Memorandum OMB04-4092
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 34. Year-End Allocation of Road Capital Expenditures for Fiscal Year 2002-2003; All Comm. Dist.
Memorandum OMB04-4099
RECOMMENDATION: Approve

Community Development

- C 35. Agreement – Youth and Family Alternatives, Inc. – Block Grant Program; Comm. Dist. 4
Memorandum CD04-049
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 36. Agreement – Pasco County Housing Authority - Block Grant; Comm. Dist. 1
Memorandum CD04-050
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 37. Request for Funding – The Red Apple School, Inc. – acquisition of real property located at 6640 Kentucky Avenue, New Port Richey; Comm. Dist. 4
Memorandum CD04-056
RECOMMENDATION: Approve
- C 38. Mortgage Assignment – Target Area Homebuyer’s Assistance Program – 15308 – 17th Street, Dade City; Comm. Dist. 1
Memorandum CD04-058
RECOMMENDATION: Approve

- C 39. Relocation Benefits – U.S. Department of Housing and Urban Development – Maricela Manriquez-Hernandez and Maria S. Manriquez - Tommytown Neighborhood Target Area; Comm. Dist. 1
Memorandum CD04-060
RECOMMENDATION: Approve and Authorize Chairman's Signature

Fleet Management

- C 40. Change Order – ESD Water 2 Water, Inc. – Automated Car Wash; All Comm. Dist.
Memorandum FM04-025
RECOMMENDATION: Approve

Information Management

- C 41. Agreements – Accu-Screen, Inc. – Approval of Personal Computer Dial-Up System; All Comm. Dist.
Memorandum IMA04-006
RECOMMENDATION: Approve and Authorize Chairman's Signature

Purchasing

- C 42. Bike Trail Extension – Florida Design Consultants, Inc. - Jay B. Starkey Wilderness Park; Comm. Dist. 4
Memorandum PU04-031
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 43. Bid No. 03-182F

Item:	Centrifugal Pumps
Department:	Fleet
Vendor:	Acme Dynamics, Inc.
Amount:	\$39,750.00
Memorandum PU04-064	
RECOMMENDATION:	Approve

C 44. Bid No. 03-186A

Item:	Traffic Count Station
Division:	Traffic Operations
Vendor:	ATCCB, Inc.
Amount:	\$59,986.50
Memorandum PU04-065	
RECOMMENDATION:	Approve

Tourist Development

C 45. Grant – Central Pasco Chamber of Commerce – allocation of funds; Comm. Dist. 2
Memorandum TD03-042
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 46. Grant – Florida Bug Jam, Inc. – allocation of funds; Comm. Dist. 1
Memorandum TD03-049
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 47. Grant – Kiefer Village Jewels/Dade Battle of Brilliance – allocation of funds; Comm. Dist. 1
Memorandum TD03-050
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 48. Agreement – Worth International Communication Corporation – 2004 FLA USA Official Florida Travel Industry Guide; All Comm. Dist.
Memorandum TD04-004
RECOMMENDATION: Approve and Authorize Chairman's Signature

Budgeting—Budget Amendment

C 49. BA04-045 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$2,500.00

- C 50. BA04-046 TRANSFER WITHIN THE MUNICIPAL SERVICE FUND/RESERVES TO APPROPRIATE FUNDS FOR OFFICE FURNITURE FOR CENTRAL PERMITTING - \$800.00
- C 51. BA04-047 TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE FUNDS FOR KPMG TO PERFORM A STUDY OF DATA PROCESSING - \$88,000.00
- C 52. BA04-048 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$38,258.00
- C 53. BA04-049 TRANSFER WITHIN THE DEPARTMENT OF HUD FUND FROM RESERVES TO RED APPLE SCHOOL BUILDING/OTHER CONTRACTED SERVICES. FUNDS ARE REQUIRED FOR THE REHABILITATION OF THE BUILDING PER AGENDA ITEM CD04-056 - \$50,000.00

COMMISSIONERS' ITEMS

Chairman Altman

- R 1. Presentation of Frank Fortino Purchasing Award to Parks and Recreation Department.

MR. SCOTT STROMER, PURCHASING DIRECTOR, PRESENTED THE FRANK FORTINO PURCHASING AWARD TO MR. JIM SLAUGHTER, PARKS AND RECREATION DIRECTOR.

MR. SLAUGHTER RECOGNIZED MS. MARY MAWHORTER, MR. RICHARD BARNES, MS. SHERYL POPKIN, MR. MIKE GOLLASCH, MS. MARTHA CAMPBELL, AND MR. LARRY WARSECKE, PARKS & RECREATION DEPARTMENT EMPLOYEES FOR THEIR HARD WORK.

Commissioner Schrader

- R 2. Presentation by Mr. Chris Sprowls – Sexually Oriented Business Ordinance

COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. CHRIS SPROWLS; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

NO ACTION TAKEN.

Commissioner Simon

- R 3. Presentation Mr. Larry Miller Re: River Chase Boulevard closure (10 Minutes)

COMMISSIONER MULIERI MOVED APPROVAL OF DOCUMENTATION PRESENTED BY MR. LARRY MILLER; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

STAFF WAS DIRECTED TO REVIEW THE TRAFFIC COUNTS AND TRAFFIC STUDIES, AND TO BRING THE ITEM BACK TO THE BOARD ON JANUARY 13, 2004.

- R 4. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, **COMMENDING WILLIAM LOCKHART FOR MANY YEARS OF DEDICATED SERVICE** TO PASCO COUNTY AND ITS CITIZENS, AND CONGRATULATING HIM ON HIS RETIREMENT

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

Commissioner Mulieri

- R 5. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, **CONGRATULATING THE EAST PASCO HABITAT FOR HUMANITY ON ITS 10th ANNIVERSARY**

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

Miscellaneous Commissioners' Items

- R 6. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, **COMMENDING KATHLEEN COATS FOR MANY YEARS OF DEDICATED SERVICE** TO THE CENTRAL PERMITTING DIVISION OF DEVELOPMENT SERVICES ADMINISTRATION AND THE CITIZENS OF PASCO COUNTY, AND CONGRATULATING HER ON HER RETIREMENT

COMMISSIONER SCHRADER MOVED ADOPTION; COMMISSIONER HILDEBRAND AND COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

CONSTITUTIONAL OFFICERS

Clerk

- R 7. **Minutes and Financial Matters—Specific Approvals**

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

COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS

Committee Reports

None Scheduled

DISTRICT ONE – COMMISSIONER SCHRADER

1. **COMMISSIONER SCHRADER STATED MS. MARGE REPOLE, WHO HAD SPOKEN AT THE LAST BOARD MEETING REGARDING THE LAKE DOROTHEA PROJECT AREA, HAD MENTIONED TO HIM THE WITHLACOOCHEE BASIN BOARD WAS CONSIDERING FUTURE FUNDING PROJECTS. SHE REQUESTED THE BOARD SEND A LETTER OF SUPPORT TO THE BASIN BOARD TO LOOK INTO FUNDING FOR THE LAKE DOROTHEA AREA.**

COMMISSIONER SCHRADER MOVED TO DIRECT STAFF TO MEET WITH MS. REPOLE REGARDING PREPARING A LETTER OF SUPPORT AND TO AUTHORIZE THE CHAIRMAN’S SIGNATURE ON THE LETTER; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

2. **COMMISSIONER SCHRADER STATED HE RECEIVED A LETTER FROM REPRESENTATIVE FIORENTINO REGARDING THE LEGISLATION DELEGATION**

MEETING IN DADE CITY ON DECEMBER 16TH. HE STATED THERE WAS A BOARD MEETING SCHEDULED FOR THE SAME DAY AND SUGGESTED THE BOARD PREPARE A LETTER LISTING VARIOUS TOPICS THAT SHOULD GO BEFORE THE DELEGATION. DISCUSSION FOLLOWED.

MR. GALLAGHER SUGGESTED EACH BOARD MEMBER E-MAIL HIM THEIR IDEAS AND HE WOULD PREPARE A LETTER TO GIVE TO MR. JOE MANNION, WHO COULD PRESENT IT BEFORE THE DELEGATION.

3. COMMISSIONER SCHRADER STATED HE HAD DISTRIBUTED A COPY OF A NEWS RELEASE THAT WAS PUBLISHED BY PINELLAS COUNTY REGARDING A RIBBON CUTTING NEXT TUESDAY AT THE CROSSBAR RANCH. THEY WOULD BE UNVEILING A NEW FACILITY THAT COST APPROXIMATELY \$200,000.00, AND TOURS WOULD BE GIVEN. IT WAS HIS UNDERSTANDING THAT ALL OF THE SCHOOL BOARD MEMBERS, THE SUPERINTENDENT, AND OTHER SCHOOL STAFF MEMBERS WOULD BE ATTENDING. HE INVITED EVERYONE TO ATTEND.

DISTRICT TWO – COMMISSIONER MULIERI

NO ITEMS.

DISTRICT THREE – COMMISSIONER HILDEBRAND

NO ITEMS.

DISTRICT FOUR – COMMISSIONER SIMON

1. COMMISSIONER SIMON READ A LETTER INTO THE RECORD FROM THE GENERAL MANAGER OF SEVEN SPRINGS GOLF AND COUNTRY CLUB WHO REQUESTED THE SUNDAY LIQUOR LAW BE CHANGED IN PASCO COUNTY.

COMMISSIONER SIMON MOVED TO DIRECT THE COUNTY ATTORNEY'S OFFICE TO PREPARE AN AMENDMENT TO THE ORDINANCE REGARDING THE SUNDAY LIQUOR LAW TIME CHANGE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COUNTY ADMINISTRATOR

NO ITEMS.

COUNTY ATTORNEY

1. MR. SUMNER UPDATED THE BOARD ON THE LAWSUIT REGARDING SAM'S BEACH CLUB.

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

COMMISSIONER SIMON MOVED APPROVAL FOR THE COUNTY ADMINISTRATOR TO SIGN THE APPROPRIATE FORMS; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

CLERK TO THE BOARD

NO ITEMS.

DISTRICT FIVE – CHAIRMAN ALTMAN

1. CHAIRMAN ALTMAN SPOKE REGARDING THE GENTLEMAN WHO WAS IN CONTEMPT OF COURT FOR NOT FOLLOWING THE JUDGE'S ORDERS REGARDING CLEANING HIS YARD. CHAIRMAN ALTMAN ASKED THE GENTLEMAN WHAT TYPE OF ASSISTANCE DID HE NEED IN ORDER TO CLEAN UP HIS PROPERTY. CHAIRMAN ALTMAN SUGGESTED A DUMPSTER BE DELIVERED AT NO CHARGE IN ORDER FOR HIM TO CLEAN UP HIS YARD AND THAT PEOPLE VOLUNTEER THEIR TIME TO HELP CONSTRUCT A SHED. CHAIRMAN ALTMAN ASKED THAT PEOPLE CONTACT HIS OFFICE IF THEY WANTED TO VOLUNTEER THEIR SERVICES TO HELP THE GENTLEMAN.

2. CHAIRMAN ALTMAN STATED THERE WAS AN OPENING FOR A MEMBER ON THE TOURIST DEVELOPMENT COUNCIL. HE ASKED IF A MEMBER THAT SERVED ON THAT BOARD HAD TO LIVE IN PASCO COUNTY WHEN THEY HAD A BUSINESS IN PASCO COUNTY. HE SUGGESTED A PERSON INVOLVED IN THE COASTAL/FISHING/TOURISM BE INVOLVED ON THE BOARD.

STAFF WOULD RESEARCH THE STATUTES AND ORDINANCES REGARDING THE ISSUE.

Miscellaneous Old Business

R 8. Water Issues

DISCUSSED UNDER R 9.

R 9. Pasco County Position Regarding Tampa Bay Water Master Water Plan Updates Memorandum CAO04-2806

MR. JOE RICHARDS, ASSISTANT COUNTY ATTORNEY, GAVE A SLIDE PRESENTATION REGARDING THE UPDATES TO THE TAMPA BAY WATER MASTER WATER PLAN.

COMMISSIONER MULIERI MOVED ADOPTION OF THE RESOLUTION; COMMISSIONER SCHRADER AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.

MS. PAT CARVER, CO-POWER (COALITION TO PRESERVE OUR WATER RESOURCES) REPRESENTATIVE, THANKED THE BOARD FOR THEIR INVOLVEMENT IN THE WATER ISSUES AND FOR THE MISSION STATEMENT.

Miscellaneous Matters

None Scheduled

INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES

R 10. AN ORDINANCE AMENDING ORDINANCE NO. 89-13, ADOPTING THE PASCO COUNTY COMPREHENSIVE PLAN, A SUBSEQUENTLY AMENDED; **PROVIDING FOR A SMALL-SCALE DEVELOPMENT AMENDMENT TO THE FUTURE LAND USE MAP FROM RES -1 (RESIDENTIAL - 1 DU/GA) TO ROR (RETAIL/OFFICE/RESIDENTIAL), AFFECTING 9.9 ACRES OF REAL PROPERTY OWNED BY GMR LAND CORPORATION, IDENTIFIED AS PARCEL ID NO. 30-24-18-0000-00100-0017 (A PORTION THEREOF); PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE; Comm. Dist. 2**
Memorandum GM04-204

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

- R 11. AN ACT TO BE ENTITLED AN ORDINANCE AMENDING THE PASCO COUNTY CODE OF ORDINANCES CHAPTER 78 ARTICLE II, AS AMENDED, **TO ADOPT FIRE COMBAT AND RESCUE SERVICE IMPACT FEES TO BE IMPOSED ON NEW BUILDING CONSTRUCTION; PROVIDING A PURPOSE AND INTENT; PROVIDING DEFINITIONS; PROVIDING GENERAL PROVISIONS AND APPLICABILITY; PROVIDING PROCEDURES FOR IMPOSITION, CALCULATION AND COLLECTION OF FIRE COMBAT AND RESCUE SERVICES IMPACT FEES; PROVIDING FOR THE ESTABLISHMENT OR THE FIRE COMBAT AND RESCUE SERVICES IMPACT FEE FUNDS, APPROPRIATION OF IMPACT FEE FUNDS, AND REFUNDS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE PASCO COUNTY CODE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING;** All Comm. Dist.
Memorandum ES04-1016

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

- R 12. AN ACT CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS **THE QUAIL HOLLOW MUNICIPAL SERVICE BENEFIT UNIT; PROVIDING BOUNDARIES, PROVIDING FOR MUNICIPAL SERVICES TO BE ESTABLISHED; PROVIDING FOR LEVY OF MILLAGE, ASSESSMENTS, OR SERVICE CHARGES;** PROVIDING FOR PUBLIC HEARING PRIOR TO ADOPTION OF MILLAGES, ASSESSMENTS OR SERVICE CHARGES; PROVIDING ADDITIONAL POWERS AND DUTIES; PROVIDING FOR AN ADVISORY BOARD; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE; All Comm. Dist.
Memorandum OMB04-4111

COMMISSIONER MULIERI MOVED TO INTRODUCE AND TO SCHEDULE THE PUBLIC HEARING FOR DECEMBER 16, 2003, 1:30 P.M., DADE CITY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

DEPARTMENTAL MATTERS

County Attorney

- R 13. Local Government Infrastructure Surtax, "Penny for Pasco" Resolution Setting Forth the Pasco County Needs List
Memorandum CAO04-0015

COMMISSIONER SIMON MOVED TO CONTINUE TO DECEMBER 16, 2003, 1:30 P.M., DADE CITY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

- R 14. Adoption of Interlocal Agreement for the Distribution of the Infrastructure Surtax Proceeds and Consent to Share Proceeds with the Pasco County School District Memorandum CAO04-0016

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

- R 15. Request for Direction Regarding Lawsuit for Injunction against La Vie Aromatherapy Memorandum CAO04-0808

COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION TO PURSUE LEGAL ACTION AGAINST LA VIE AROMATHERAPY AND TLC AROMATHERAPY AND SPA; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

- R 16. Resolution Extending Local State of Emergency Declared on August 12, 2003 through December 8, 2003 Memorandum CAO04-1233

COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION TO EXTEND THE RESOLUTION TO DECEMBER 8, 2003 AT WHICH TIME THE RESOLUTION WOULD EXPIRE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

- R 17. Resolution Adopting Traffic Impact Study Requirements for the U.S. 19 Corridor and a Consultant Review Fee Schedule for U.S. 19 Traffic Impact Studies; Comm. Dist. 3, 4, and 5 Memorandum CAO04-3212

COMMISSIONER MULIERI MOVED TO CONTINUE THE ITEM TO 6:30 P.M. TO BE HEARD UNDER AGENDA ITEM P 4; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

HEARD WITH AGENDA ITEM P 4.

COMMISSIONER SIMON MOVED TO CONTINUE TO FEBRUARY 10, 2004, 6:30 P.M., NEW PORT RICHEY, TO REFER THE ITEM TO CORC, AND TO TAKE BENEFIT OF THE MITIGATION PLAN AND THE TERM; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

County Administration—Office of Emergency Management

- R 18. Update on Flooding Operations
Memorandum OEM04-027
(To Be Distributed)

MS. MICHELE BAKER GAVE AN UPDATE REGARDING THE FLOODING OPERATIONS, FLOODING EXPENSES, AND ROAD REPAIRS.

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

DEVELOPMENT SERVICES BRANCH

- R 19. Purposed Transportation Projects – Penney for Pasco; All Comm. Dist.
Memorandum DS04-046
(To Be Distributed)

COMMISSIONER SCHRADER MOVED TO ACCEPT THE PLAN AS PRESENTED; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

Growth Management

- R 20. Master Planned Unit Development Amendment – Sunfield Homes, Inc. – Thousand Oaks, Parcels 1 and 2; Comm. Dist. 3
Memorandum GM04-155

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

- R 21. Master Planned Unit Development Amendment – DEVCO IV, LLC – Oakstead Development Amendment; Comm. Dist. 2
Memorandum GM04-190

COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION. THE MOTION FAILED FOR LACK OF A SECOND.

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO JANUARY 13, 2004, 1:30 P.M., NEW PORT RICHEY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

- R 22. Elementary School "G: Consistency Determination; Comm. Dist. 5
Memorandum GM04-201
(Continued from 8/12/03, 9/23/03, and 11/4/03)

COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. SKIP DRURY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER HILDEBRAND MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. DICK GREEN; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. EVAN RICH; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH CONDITIONS, TO INCLUDE THE FINDINGS AND CONDITIONS IDENTIFIED IN THE STAFF REPORT, TO CONFER WITH THE SCHOOL BOARD REGARDING THE NEIGHBORHOOD CONCERNS, BUFFER, ETC; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

- R 23. Middle School "EE" Consistency Determination; Comm. Dist. 3
Memorandum GM04-202
(Continued from 8/12/03, 9/23/03, and 11/4/03)

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

ADDENDUM

County Attorney

**Legal Services – Robert H. Freilich – U.S. 19 Concurrency Ordinance
Memorandum CAO04-0018**

COMMISSIONER HILDEBRAND MOVED APPROVAL TO PAY \$12,000.00 FOR LEGAL SERVICES TO MR. ROBERT H. FREILICH; COMMISSIONER SIMON SECONDED; MOTION CARRIED WITH COMMISSIONER MULIERI VOTING NAY.

ADDENDUM

County Attorney

**Legal Bankruptcy Services – Attorney Meredith Wester – In Re Sun West Acquisition Corporation
Memorandum CAO04-0019**

COMMISSIONER SCHRADER MOVED APPROVAL OF THE COUNTY ATTORNEY'S RECOMMENDATION; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

ADDENDUM

Office of Management and Budget

**Federal Annual Certification Report – Pasco County Sheriff's Office
Memorandum OMB04-4110**

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

PUBLIC SERVICES BRANCH

None Scheduled

UTILITIES SERVICES BRANCH

None Scheduled

OFFICE OF MANAGEMENT AND BUDGET

R 24. Agreement – KPMG LLP – Technical Architectural Design Study; All Comm. Dist.
Memorandum OMB04-4107

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

Community Development

- R 25. Funding - Neighborhood Lending Partners and Tampa Bay Community Development Corporation – East Brown Acres Neighborhood, Homeownership Project; Comm. Dist. 5
Memorandum CD04-046

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

MISCELLANEOUS PAPERS, PETITIONS, AND REPORTS

Departmental Follow-up per Board Request

None Scheduled

Motions

None Scheduled

Noted Items AGENDA ITEMS R 26 THROUGH R 43 g. WERE NOTED.

- R 26. Memo RE: U.S. Department of Housing and Urban Development, Community Development Grant Program dated October 2, 2003
- R 27. Letter RE: Florida Gas Transmission Company, Natural Gas Pipeline Safety Information dated October 9, 2003
- R 28. Letter RE: Progress Energy sent letter to residents who live along the route of the oil pipeline that carries fuel to the Anclote Plant in Holiday dated October 30, 2003
- R 29. Letter RE: Sarasota County, Resolution 2003-251 Opposition to Proposed Changes to Statewide Water Resources Planning Policy dated October 31, 2003

- R 30. Letter RE: Florida Department of State, Dade City Woman's Club, 37922 Palm Avenue, Dade City dated October 31, 2003
- R 31. Letter RE: Beacon Woods Civic Association, Inc. Town Meeting dated November 3, 2003
- R 32. Letter RE: Gulf County adoption of Resolution 2003-2007 and Opposing attempt to amend 1972 Florida Water Sources First Policy in Chapter 373 F.S. and Opposition to Amendment to Florida's Water Resources Policy dated November 6, 2003
- R 33. Southwest Florida Water Management District – Five-Year Capital Improvements Plan and Proposed Five-Year Water Resource Development Work Program dated November 7, 2003
- R 34. Letter RE: Lexington Oaks Community Development District dated November 10, 2003
- R 35. Letter RE: Colonial Hills Civic Association, Inc., Southwest Water Facility dated November 12, 2003
- R 36. Memorandum DS04-044 RE: Trinity Boulevard, Speed Limits dated November 14, 2003
- R 37. Letter RE: City of Port Richey, Notice of Public Hearing on Parcel ID#28-25-16-0010-02500-0020 Published November 17, 2003

R 38. Letter RE: City of Port Richey, Notice of Public Hearing on Parcel ID#28-25-16-00000-0200 Published November 17, 2003

R 39. Notice of Meeting – Lake Bernadette Community Development District, Tuesday, November 18, 2003 at 9:30 am

Noted Items—Minutes

R 40. Pasco Economic Development Council dated October 31, 2003

R 41. District School Board dated November 18, 2003

Noted Items—Agenda

R 42. Southwest Florida Water Management District for December 2, 2003

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

R 43. Memorandum dated November 20, 2003

- a. Florida Public Service Commissioner – Docket No. 030250-WU, Order No. PSC-03-1250-PAA-WU – Issued November 6, 2003

- b. Meeting Documentation – Metropolitan Planning Organization (MPO) – Special Meeting of July 29, 2003

- c. Meeting Documentation – Construction Code Enforcement Board – Meeting of July 16, 2003

- d. Meeting Documentation – Construction/Licensing Board of Adjustments and Appeals – Meeting of August 20, 2003

- e. Meeting Documentation – Construction Code Enforcement Board – Meeting of August 20, 2003

- f. Meeting Documentation – Construction/Licensing Board of Adjustments and Appeals – Meeting of October 15, 2003

- g. Meeting Documentation – Construction Code Enforcement Board – Meeting of October 15, 2003

PUBLIC COMMENT

N/A

RECESS

THE BOARD RECESSED AT 5:52 P.M. AND RECONVENED AT 6:35 P.M.

PUBLIC HEARINGS AND TIME CERTAIN ITEMS

Proposed Ordinances

- P 1. AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, **IMPOSING A LOCAL GOVERNMENT INFRASTRUCTURE SURTAX OF ONE CENT ON CERTAIN TRANSACTIONS OCCURRING WITHIN PASCO COUNTY FROM WHICH TAXES ARE PAYABLE TO THE STATE OF FLORIDA UNDER THE PROVISIONS OF CHAPTER 212, FLORIDA STATUTES; PROVIDING THAT THE IMPOSITION OF THE SURTAX SHALL NOT BE EFFECTIVE UNLESS APPROVED AT A REFERENDUM ELECTION; PROVIDING THAT THE IMPOSITION SHALL BE EFFECTIVE FOR A PERIOD OF TEN (10) YEARS, BEGINNING JANUARY 1, 2005; PROVIDING FOR DISTRIBUTION AMONG PASCO COUNTY, THE MUNICIPALITIES AND THE PASCO SCHOOL DISTRICT PURSUANT TO INTERLOCAL AGREEMENT; PROVIDING FOR A REFERENDUM ELECTION ON MARCH 9, 2004, PROVIDING BALLOT LANGUAGE; PROVIDING FOR THE USE OF SURTAX PROCEEDS TO REDUCE SCHOOL PROEPRTY TAXES AND FUND INFRASTRUCTURE IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE**
Memorandum CAO04-0014
(First Public Hearing)

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO THE SECOND PUBLIC HEARING ON DECEMBER 16, 2003, 6:30 P.M., DADE CITY; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

- P 2. AN ACT BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA AMENDING PASCO COUNTY CODE OF ORDINANCES CHAPTER 106 (TRAFFIC AND VEHICLES) BY AMENDING SECTION 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 CAO04-0807
(Final Public Hearing)

CHAIRMAN ALTMAN PASSED THE GAVEL TO VICE CHAIRMAN MULIERI.

COMMISSIONER SCHRADER MOVED ADOPTION; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED ON A ROLL CALL VOTE WITH COMMISSIONER SIMON AND CHAIRMAN ALTMAN ABSENT FROM THE VOTE.

- P 3. AN ORDINANCE AMENDING EMERGENCY ORDINANCE NUMBER 00-06, AS AMENDED BY ORDINANCE NUMBERS 01-09 AND 01-16, **RELATING TO WATER USE RESTRICTIONS; BY INCREASING THE ESTABLISHMENT PERIOD EXEMPTION FOR NEW GRASS AND LANDSCAPING TO 60 DAYS; AMENDING THE CAR WASHING RESTRICTION DELETING THE REQUIREMENT THAT WASHING BE CONDUCTED OVER AN IMPERVIOUS SURFACE; ELIMINATING THE TEMPORARY WAIVERS FOR VEGETATIVE DRAINAGE FACILITY EROSION CONTROL MEASURES**; PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE; All Comm. Dist Memorandum CAO04-2805
(Final Public Hearing)

VICE CHAIRMAN MULIERI PASSED THE GAVEL BACK TO CHAIRMAN ALTMAN.

COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH THE CHANGES READ INTO THE RECORD; COMMISSIONER HILDEBRAND AND COMMISSIONER MULIERI SECONDED; MOTION CARRIED ON A ROLL CALL VOTE WITH COMMISSIONER SIMON ABSENT FROM THE VOTE.

- P 4. 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; Comm. Dist. 3, 4, and 5
Memorandum CAO04-3211
(Final Public Hearing)

HEARD WITH AGENDA ITEMS R 17 AND P 6.

COMMISSIONER SIMON MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. ROY CHAPMAN; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. JOEL TEW; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE A WRITTEN SUMMARY AND DOCUMENTATION PRESENTED BY MR. JOEL TEW; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER HILDEBRAND MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. GLENN SMITH; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED WITH COMMISSIONER MULIERI ABSENT FROM THE VOTE.

COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE A PETITION PRESENTED BY MS. ALICE DELGADO; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO FEBRUARY 10, 2004, 6:30 P.M., NEW PORT RICHEY, TO REFER THE ITEM TO CORC, AND TO TAKE BENEFIT OF THE MITIGATION PLAN AND THE TERM; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

- P 5. AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, AMENDING SECTION 701 OF THE PASCO COUNTY LAND DEVELOPMENT CODE **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 DV04-012
(First Public Hearing)

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

- P 6. 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 GM04-180
(Continued from November 4, 2003 and November 18, 2003)

HEARD WITH AGENDA ITEM P 11.

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

Public Hearings

- P 7. Class II, Commercial Development Review – Townhomes at Cypress Walk Preliminary/Construction Site Plan; Comm. Dist. 3
Memorandum DV04-033
(To be Continued to December 16, 2003, 6:30 p.m., Dade City)

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO JANUARY 13, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.

- P 8. Special Assessment Ordinance No. 02-17 - Pinto Drive - PVAS No. 751; Comm. Dist. 5
Memorandum PMA04-001

COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION, TO REVIEW THE ASSESSMENT ON SOME OF THE LOTS, GIVE A 25% DISCOUNT BASED UPON THE FINAL COST PROVIDED IT WAS NOT LOWER THAN \$1,000.00; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

- P 9. Vacation of a Portion of Easement, Embassy Hills Unity Three, Lot 579, Section 22, Township 25 South, Range 16 East, REV03-026; Comm. Dist. 4
Memorandum REA04-011

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

- P 10. Vacation of Right-of-Way, Tampa-Tarpon Springs Land Company Subdivision, South of Tracts 59 and 60, Section 31, Township 26 South, Range 16 East; Comm. Dist. 3
Memorandum REA04-013

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

- P 11. Biannual Comprehensive Plan Amendments (BCPA 03-2[2]) Amendment Cycle Two Adoption Public Meeting; All Comm. Dist.
Memorandum GM04-182
(Continued from November 4, 2003 and 18, 2003)

HEARD WITH AGENDA ITEM P 6.

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

Public Hearings—Rezoning

None Scheduled

Rezoning

- Z 1. Memorandum ZN04-17

Table of Contents

Consent-Rezoning

COMMISSIONER SCHRADER MOVED APPROVAL OF THE CONSENT AGENDA WITH EXCEPTION OF THE PULLED PETITION; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

PULLED	RZ-6096	Robert N. & Bobbi Altman; Comm. Dist. 4 THE PETITION WAS PULLED FROM THE CONSENT AGENDA.
	RZ-6100	Nancy A. Wysock; Comm. Dist. 4
	RZ-6091	Anthony W. & Christine P. Conner; Comm. Dist. 5

Location Maps

Board of County Commissioners Agenda

Regular-Rezonings

PULLED

RZ-6096 Robert N. & Bobbi Altman; Comm. Dist. 4
THE PETITION WAS PULLED FROM THE CONSENT AGENDA.

COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED WITH CHAIRMAN ALTMAN ABSTAINING FROM THE VOTE DUE TO A CONFLICT OF INTEREST.

RZ-6101 Shady Hills, LLC/Spanish Oaks MPUD; Comm. Dist. 2

COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION TO INCLUDE THE LANGUAGE CHANGES AS SUGGESTED BY MR. BEN HARRILL, WHICH WERE READ INTO THE RECORD; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RZ-6102 James W. & Dorothy S. Mitchell/Lone Star Ranch MPUD;
Comm. Dist. 2

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

RZ-6107 Raymond M. & T. Mozelle Varner; Comm. Dist. 3

COMMISSIONER SIMON MOVED TO RECEIVE AND FILE DOCUMENTS PRESENTED BY MR. GERALD FIGURSKI; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. FRED REEVES; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION WHICH WAS APPROVAL OF THE ADDITIONAL PARKING; THE SPECIFIC USE FOR RETAIL SALES RELATING TO BOATING AND FISHING SUPPLIES; AND THE 10' OF RIGHT-OF-WAY; COMMISSIONER SCHRADER SECONDED.

COMMISSIONER HILDEBRAND AMENDED THE MOTION TO INCLUDE THE RETAIL SALES STRUCTURE FOR FISHING AND BAITING SUPPLIES NOT TO EXCEED 1,000 SQUARE FEET; COMMISSIONER SCHRADER SECONDED THE AMENDMENT; MOTION FAILED WITH COMMISSIONER MULIERI, COMMISSIONER SIMON, AND CHAIRMAN ALTMAN VOTING NAY.

COMMISSIONER SIMON MOVED TO APPROVE THE REZONING SPECIFICALLY FOR PARKING ONLY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

RZ-6109 Charles E. & Rosemary Redding and Central Landfill Inc.;
Comm. Dist. 3

COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE DOCUMENTATION FROM MR. BIFF CRANE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

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

RZ-6099 Carlton Properties Inc; Comm. Dist. 4

COMMISSIONER SCHRADER MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. GERALD FIGURSKI; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

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

CU03-29 Carlton Properties Inc; Comm. Dist. 4

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

WITHDRAWN

RZ-6078 Julianne Peleckis; Comm. Dist. 5

THE ITEM WAS WITHDRAWN.

CONTINUATIONS

RZ-6046 Shirley J. Hagman Trustee & Kinsman Inc. f.k.a. Betty S. Hay, ET AL; Comm. Dist. 2

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO JANUARY 13, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

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

COMMISSIONER MULIERI MOVED TO CONTINUE TO JANUARY 13, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER HILDEBRAND AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.

RZ-6098 Brian E. & Elizabeth Y. Bumstead; Comm. Dist. 2

COMMISSIONER MULIERI MOVED TO CONTINUE TO FEBRUARY 10, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RZ-6104 H. Vance Smith, ET AL; Comm. Dist. 2

COMMISSIONER MULIERI MOVED TO CONTINUE TO JANUARY 13, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

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

COMMISSIONER SCHRADER MOVED TO CONTINUE TO FEBRUARY 10, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

Miscellaneous Matters

None Scheduled

MR. GALLAGHER REQUESTED AN EMERGENCY ITEM BE HEARD.

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

COMMISSIONER SIMON MOVED APPROVAL OF THE BUDGET AMENDMENT TO TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE FUNDS FOR PROFESSIONAL SERVICES OF MEREDITH WESTER OF MECHANICK, NUCCIO, WILLIAMS, HEARNE & WESTER, PA FOR BANKRUPTCY OF SUN WEST ACQUISITION CORPORATION IN THE AMOUNT OF \$45,000.00; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

PUBLIC COMMENT

NO ONE SPOKE.

ADJOURN

THE BOARD ADJOURNED AT 1:45 A.M.

prepared by:cms