

**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 16, 2003**

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

---

**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 } MS. LINDA DILLON, DEPUTY CLERK  
ROLL CALL }**

**CONSENT AGENDA**

**COMMISSIONER SCHRADER MOVED APPROVAL OF THE CONSENT AGENDA WITH  
EXCEPTION OF AGENDA ITEMS C 26. AND C 35. WHICH WERE WITHDRAWN;  
COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

**CONSTITUTIONAL OFFICERS**

**Clerk**

**Minutes—Distribution**

Regular Meeting/Rezoning dated October 21, 2003

## **Financial Matters**

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

## **Sheriff**

- C 2. Letter RE: Requisition of Reserve Funds FY 2004 Budget Appropriation dated November 21, 2003

## **LEGISLATIVE/ADMINISTRATIVE**

## **County Attorney**

- C 3. Release of Unity of Titles on Lots 17 through 20 of Lake Jovita Golf and Country Club, Phase One-C, Plat Book 39, Pages 87 and 88; Comm. Dist. 1  
Memorandum CAO04-0022  
RECOMMENDATION: Approve
- C 4. Resolution Authorizing The Supervisor of Elections to Execute an Alternative Form License and Hold Harmless Agreement for Polling Places where ADA Improvements are to be made  
Memorandum CAO04-0422  
RECOMMENDATION: Approve
- C 5. Approval of Amended Performance Bond – Overstreet Paving Company, Inc. – 2003-2004 Annual Asphalt Resurfacing and Pavement Rehabilitation Program; All Comm. Dist.  
Memorandum CAO04-1239  
RECOMMENDATION: Approve and Authorize Chairman's Signature

## **County Administrator**

- C 6. Application – Timber Greens Community Association, Inc. – Bingo Class "A" License; All Comm. Dist.  
Memorandum CA04M-5007  
RECOMMENDATION: Approve

### **Personnel – Risk Management**

- C 7. Commercial Risk Management Special Request for Funds  
Memorandum IN04-113  
RECOMMENDATION: Approve

### **DEVELOPMENT SERVICES BRANCH**

- C 8. Time Extension – Tindale-Oliver and Associates, Inc. – General Planning Services Agreement and Task Work Order No. TO-1; All Comm. Dist.  
Memorandum DS04-032  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Engineering Services**

- C 9. Task Order No. EDO04-005 – Scheda Ecological Associates, Inc. – FDEP Formal Mitigation Plan Hudson Channel Dredging Project; Comm. Dist. 5  
Memorandum ENA04-004  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Engineering Services—Engineering Inspections**

- C 10. Release the Performance Guarantee – U.S. Home Corporation – Heritage Pines, Village 24; Comm. Dist. 5  
Memorandum ENIA04-007  
RECOMMENDATION: Approve
- C 11. Release the Maintenance Guarantee – JN Electric of Tampa Bay – Right-of-Way Use Permit No. 23919; Comm. Dist. 2  
Memorandum ENIA04-008  
RECOMMENDATION: Approve

- C 12. Extend the Performance Guarantee – KBC Development - Wesley Pointe, Phases 2 and 3; Comm. Dist. 1  
Memorandum ENIA04-009  
RECOMMENDATION: Approve
- C 13. Extend the Performance Guarantee – Longleaf Development Company – Longleaf Neighborhood Two, Phases 1 and 3; Comm. Dist. 3  
Memorandum ENIA04-010  
RECOMMENDATION: Approve
- C 14. Release the Maintenance Guarantee and Accept the Streets and Stormwater System for County Maintenance – Pulte Home Corporations - Lexington Oaks, Village 1; Comm. Dist. 2  
Memorandum ENIA04-011  
RECOMMENDATION: Approve

**Engineering Services—Project Management**

- C 15. Change Order No. 1 – Florida Design Consultants, Inc. – Perrine Ranch Road, Task Order NO. EDO03-021; Comm. Dist. 3  
Memorandum PMA04-021  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 16. Change Order No. 2 – Coastal Engineering Associates, Inc. – County Line Road from Timber Trace Drive to Mansfield Boulevard; Comm. Dist. 2  
Memorandum PMA04-022  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 17. Public Workshop – Boyette Road Route Study; Comm. Dist. 1  
Memorandum PMA04-029  
RECOMMENDATION: Approve

**Engineering Services—Real Estate**

- C 18. Task Order No. RET04-004 – Traczyk Company, Inc. – Appraisal Services for C.R. 530; Comm. Dist. 3  
Memorandum REA04-019  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**Engineering Services—Survey**

- C 19. Recording of Plat with Performance Guarantee – Chapel Pines, LLC – Chapel Pines Phase 4; Comm. Dist. 2  
Memorandum SA04-016  
RECOMMENDATION: Approve
- C 20. Recording of Plat with Performance Guarantee – Chapel Pines Partners, LLC – Chapel Pines Phase 3; Comm. Dist. 2  
Memorandum SA04-017  
RECOMMENDATION: Approve
- C 21. Recording of Plat with Performance Guarantee – Sunfield Homes, Inc. – Oak Grove Phases 5A, 6A, and 6B; Comm. Dist. 2  
Memorandum SA04-018  
RECOMMENDATION: Approve

**Engineering Services—Traffic Operations**

- C 22. Road Closure and Detour – CSX Transportation – Railroad Crossing Repair, Lynbrook Drive (ALT C.R. 54); Comm. Dist. 1  
Memorandum TR04-0268  
RECOMMENDATION: Approve
- C 23. Load Closure and Detour – CSX Transportation – Railroad Crossing Repair, Old Lakeland Highway (C.R. 535); Comm. Dist. 1  
Memorandum TR04-0269  
RECOMMENDATION: Approve

- C 24. Road Closure and Detour – CSX Transportation – Railroad Crossing Repair, C.R. 54; Comm. Dist. 1  
Memorandum TR04-0270  
RECOMMENDATION: Approve
- C 25. Speed Limit Revision – Florida Department of Transportation – Wesley Chapel Boulevard (C.R. 54); Comm. Dist. 1 and 2  
Memorandum TR04-0299  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Growth Management**

#### **WITHDRAWN**

- C 26. Set Public Hearing Date – Cypress Creek Town Center Development of Regional Impact – Application for Development Approval; Comm. Dist. 2  
Memorandum GM04-115  
RECOMMENDATION: Approve

**THE ITEM WAS WITHDRAWN.**

- C 27. Set Public Hearing Date – Heritage Pines Development – Regional Impact/Order Amendment; Comm. Dist. 5  
Memorandum GM04-212  
RECOMMENDATION: Approve
- C 28. Addendum No. 4 to Professional Services Agreement – Scheda Ecological Associates, Inc. – Extension of Time and increase of total compensation cap; All Comm. Dist.  
Memorandum GM04-272  
RECOMMENDATION: Approve

**Growth Management—Zoning/Code Compliance**

C 29. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.  
Memorandum CC04-025  
RECOMMENDATION: Approve

C 30. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.  
Memorandum CC04-027  
RECOMMENDATION: Approve

C 31. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.  
Memorandum CC04-030  
RECOMMENDATION: Approve

**PUBLIC SERVICES BRANCH**

**Community Services**

C 32. Interlocal Agreement – City of San Antonio – Animal Control Services; All Comm.  
Dist.  
Memorandum CS04-005  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

C 33. Interlocal Agreement – Town of Saint Leo – Animal Control Services; All Comm.  
Dist.  
Memorandum CS04-010  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

**Community Services—Animal Control**

C 34. Amending Resolution No. 01-212 – Animal Control Division – Establish a Fee for  
Rabies Vaccination Administration; All Comm. Dist.  
Memorandum AC04-011  
RECOMMENDATION: Approve

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

### **WITHDRAWN**

- C 35. Memorandum of Understanding – Retired Senior Volunteer Program – Effective 1/1/2004 – 12/31/2005; All Comm. Dist.  
Memorandum ENP04-013  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**THE ITEM WAS WITHDRAWN.**

## **Facilities Management**

- C 36. Professional Services – Spring Engineering Inc., of Florida – Fire Station 11, Embassy Hills; Comm. Dist. 4  
Memorandum FAC04-030  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 37. Agreement – Bikakis and Hajian Partnership – 7517 Little Road, Lease Expansion; Comm. Dist. 4  
Memorandum FAC04-031  
RECOMMENDATION: Approve and Authorize Chairman's Signature

## **UTILITIES SERVICES BRANCH**

- C 38. Request for Statement of Qualifications – Professional Architectural Service, Utilities Engineering Services, Utilities Geotechnical and Groundwater Services, and Solid Waste Engineering Services – negotiate new annual contracts or extend existing annual contracts; All Comm. Dist.  
Memorandum UT04-0175  
RECOMMENDATION: Approve

## **Utilities**

- C 39. Change Order No. 1 (Final) – American Water Services, Inc and King Engineering Associates, Inc – Lacochee WWTP Flow Equalization System; Comm. Dist. 1  
Memorandum UTD04-0136  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 40. Acceptance of Improvements and Maintenance Guarantee – Pulte Homes Corporation – Lexington Oaks, Project No. 97-113.16; Comm. Dist. 2  
Memorandum UTD04-0142  
RECOMMENDATION: Approve
- C 41. Release of Maintenance Guarantee – NG Development Corporation – Rosewood at River Ridge, Project 97-120.06; Comm. Dist. 4  
Memorandum UTD04-163  
RECOMMENDATION: Approve
- C 42. Release of Maintenance Guarantee – NG Development Corporation – Sabalwood at River Ridge, Project 97-120.20; Comm. Dist. 4  
Memorandum UTD04-164  
RECOMMENDATION: Approve

**OFFICE OF MANAGEMENT AND BUDGET**

- C 43. Agreement – Catholic Charities Diocese of St. Petersburg, Inc. – “Choose Life” license plates; All Comm. Dist.  
Memorandum OMB04-4037  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 44. Payments to Community Redevelopment Areas; All Comm. Dist.  
Memorandum OMB04-4051  
RECOMMENDATION: Approve
- C 45. Grant-in-Aid Agreement – State of Florida Justice Administrative Commission – reimbursement for dependency costs within the court system; All Comm. Dist.  
Memorandum OMB04-4119  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

- C 46. Agreement – San Antonio Boys Village, Inc. - periodic payments; All Comm. Dist.  
Memorandum OMB04-4120  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 47. Grant – Florida Department of Transportation – Sheriff's Office DUI Enforcement Program; All Comm. Dist.  
Memorandum OMB04-4133  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 48. Grant – Florida Department of Transportation – Sheriff's Office Speed Enforcement Program; All Comm. Dist.  
Memorandum OMB04-4134  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Community Development**

- C 49. Agreement – Community Aging and Retirement Services, Inc. – Elfers Senior Center – Block Grant Program ; Comm. Dist. 3  
Memorandum CD04-061  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 50. Agreement – Community Aging and Retirement Services, Inc. – Hudson Bayonet Point Enrichment Center – Block Grant Program; Comm. Dist. 5  
Memorandum CD04-062  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 51. Agreement – Officer Friendly Program – Block Grant Program; Comm. Dist. 1  
Memorandum CD04-063  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 52. Agreement – Habitat for Humanity of Central Pasco. Inc. – Block Grant Program; Comm. Dist. 2  
Memorandum CD04-064  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 53. Agreement – City of New Port Richey – Block Grant Program; Comm. Dist. 4  
Memorandum CD04-200  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

**Fleet Management**

- C 54. Classification and Disposal of Surplus Property – Tampa Machinery Auction, Inc.;  
All Comm. Dist.  
Memorandum FM04-029  
RECOMMENDATION: Approve

**Information Management**

- C 55. Approval of Personal Computer Dial-Up System Agreements; All Comm. Dist.  
Memorandum IM04-009  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

**Purchasing**

- C 56. Bid No. 03-176
- |                 |   |
|-----------------|---|
| Item:           | Pipeline Construction, Annual Award         |
| Department:     | Utilities                                   |
| Vendor:         | Schaer Development of Central Florida, Inc. |
| Amount:         | Anticipated \$8,242,806.00                  |
| Memorandum      | PU04-079                                    |
| RECOMMENDATION: | Approve                                     |

- C 57. Bid No. 03-179A
- |                 |                                      |
|-----------------|--------------------------------------|
| Item:           | Hudson Beach Pavilion Repairs        |
| Department:     | Parks and Recreation                 |
| Vendor:         | Grosz & Stamper Construction Company |
| Amount:         | \$26,459.00                          |
| Memorandum      | PU04-062                             |
| RECOMMENDATION: | Approve                              |

C 58. Bid No. 03-184F

Item:	Diesel Generator
Department:	Utilities
Vendor:	CJ's Sales and Service
Amount:	\$22,866.00
Memorandum	PU04-078
RECOMMENDATION:	Approve

C 59. Bid No. 04-004D

Item:	Vehicles
Department:	Fleet
Vendor:	As Listed
Amount:	As Listed
Memorandum	PU04-077
RECOMMENDATION:	Approve

### **Tourist Development**

C 60. Amendment #1 to Agreement – Hudson Seafest, Inc. – reimbursement; Comm. Dist. 5  
Memorandum TD04-005  
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 61. Grant – Greater New Port Richey Main Street, Inc. – Founder's Day Celebration; Comm. Dist. 4 and 5  
Memorandum TD04-006  
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 62. Grant – Greater New Port Richey Main Street, Inc. – Cotee River Seafood Festival and Boat Show; Comm. Dist. 4 and 5  
Memorandum TD04-007  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 63. Agreement – 2004 Florida Fishing and Boating Guide – Advertising; All Comm. Dist.  
Memorandum TD04-008  
RECOMMENDATION: Approve and Authorize Chairman’s Signature
- C 64. Media Reception Agreement – VISIT FLORIDA – Atlanta “Undiscovered Florida” Media Reception 2004; All Comm. Dist.  
Memorandum TD04-009  
RECOMMENDATION: Approve and Authorize Chairman’s Signature

**Budgeting—Budget Amendment**

- C 65. BA04-050 TRANSFER WITHIN THE ½ CENT SALES TAX CIP FUND/RESERVES TO APPROPRIATE FUNDS FOR ARCHITECTURAL AND TESTING FEES FOR FIRE/RESCUE STATION 11 - \$22,000.00
- C 66. BA04-053 RESOLUTION REDUCING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF COMMUNITY AFFAIRS FUND – (\$5,654.00)
- C 67. BA04-054 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE TOURIST DEVELOPMENT TAX FUND - \$64,817.00
- C 68. BA04-055 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE CAPITAL IMPROVEMENT FUND - \$48,525.00
- C 69. BA04-056 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE PASCO WATER AND SEWER FUND - \$123,874.00

## **COMMISSIONERS' ITEMS**

### **Miscellaneous Commissioners' Items**

- R 1. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, COMMENDING BETTY SUE KOBLER FOR 16 YEARS OF DEDICATED SERVICE TO THE INFORMATION MANAGEMENT DEPARTMENT AND THE CITIZENS OF PASCO COUNTY, AND CONGRATULATING HER ON HER RETIREMENT

**COMMISSIONER HILDEBRAND ADOPTION; COMMISSIONER SCHRADER AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

## **CONSTITUTIONAL OFFICERS**

### **Clerk**

- R 2. **Minutes and Financial Matters—Specific Approvals**

**COMMISSIONER MULIERI AND COMMISSIONER HILDEBRAND MOVED APPROVAL; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

## **COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS**

### **Committee Reports**

None Scheduled

### **DISTRICT ONE – COMMISSIONER SCHRADER**

**NO ITEMS.**

**DISTRICT TWO – COMMISSIONER MULIERI**

1. COMMISSIONER MULIERI WISHED EVERYONE A HAPPY HOLIDAY.
  
2. COMMISSIONER MULIERI INFORMED THE BOARD DURING THE SHADY HILLS PARADE, THE “FRIENDS OF THE LIBRARY” DISTRIBUTED BOOKS TO THE CHILDREN. SHE THANKED LINDA ALLEN FOR ALL HER HARD WORK AND STATED THE LIBRARY DID A TREMENDOUS JOB.

**DISTRICT THREE – COMMISSIONER HILDEBRAND**

1. COMMISSIONER HILDEBRAND WISHED EVERYONE A HAPPY HOLIDAY, AND A HEALTHY, PROSPEROUS 2004.

**DISTRICT FOUR – COMMISSIONER SIMON**

1. COMMISSIONER SIMON, ON BEHALF OF COMMISSIONER SCHRADER AND HIMSELF, WISHED EVERYONE HAPPY HOLIDAYS.

**COUNTY ADMINISTRATOR**

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

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

MR. GALLAGHER EXPLAINED THE ITEM WAS REGARDING THE HUDSON CHANNEL DREDGING PROJECT. BECAUSE OF THE DELAY IN THE PERMITTING PROCESS, THE STATE HAD GRANTED AN EXTENSION TO 12/31/2004. HE REQUESTED BOARD APPROVAL OF THE EXTENSION.

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

2. **MR. GALLAGHER INFORMED THE BOARD HE WOULD BE ON VACATION FROM DECEMBER 22, 2003 THROUGH JANUARY 5, 2004. HE WOULD DISTRIBUTE A MEMO REGARDING WHO WOULD BE IN CHARGE IN HIS ABSENCE.**

**COUNTY ATTORNEY**

**NO ITEMS.**

**CLERK TO THE BOARD**

**NO ITEMS.**

**DISTRICT FIVE – CHAIRMAN ALTMAN**

1. **CHAIRMAN ALTMAN SPOKE REGARDING A REQUEST FOR A DONATION FROM A COUNTY EMPLOYEE WHOSE DAUGHTER WAS PICKED TO GO OVERSEAS FOR A “PEOPLE TO PEOPLE” PROGRAM. HE SAID HE BELIEVED IT WAS THE BOARD’S POLICY NOT TO PARTICIPATE. THE BOARD WAS IN AGREEMENT.**

2. **CHAIRMAN ALTMAN UPDATED THE BOARD REGARDING THE CLEAN-UP THAT WAS HELD THE PAST WEEKEND. HE SAID OVER 30 PEOPLE ATTENDED THAT WERE FROM THE AGE OF A JUNIOR HIGH STUDENT TO A MAN 89 YEARS OLD. HE DIRECTED CODE ENFORCEMENT TO REVISIT THE PROPERTY TO MAKE SURE THE VIOLATIONS HAD BEEN TAKEN CARE OF. HE DISCUSSED THE ISSUE WITH THE COUNTY ATTORNEY’S OFFICE BECAUSE SOME OF THE PEOPLE HAD INDICATED THEY WOULD BE WILLING TO ASSIST IN OTHER CLEAN-UPS, BUT HE DID NOT WANT THE BOARD TO INTERFERE WITH COURT PROCEDURES.**

**MR. SUMNER EXPLAINED THE CODE ENFORCEMENT PROCEDURES REGARDING CODE VIOLATIONS AND UPDATED THE BOARD ABOUT A CODE ENFORCEMENT VIOLATOR.**

**THERE WAS EXTENSIVE DISCUSSION REGARDING THE BOARD’S INVOLVEMENT IN HELPING CODE VIOLATORS CLEAN-UP THEIR PROPERTY.**

**CHAIRMAN ALTMAN ASKED THE COUNTY ATTORNEY TO PROVIDE INFORMATION AT THE NEXT MEETING REGARDING THE ISSUE.**

## Miscellaneous Old Business

### R 3. Water Issues

COMMISSIONER SCHRADER CONGRATULATED THE BOARD AND THE PASCO MUNICIPAL ASSOCIATION FOR THEIR ENDORSEMENT OF ALTERNATIVE "E", WHICH WAS TO DIRECT TAMPA BAY WATER STAFF TO CONTINUE TO FOCUS THEIR EFFORTS ON ALTERNATE SOURCES OF WATER OTHER THAN GROUNDWATER TO MEET THE WATER NEEDS OF THE REGION TO 2012.

COMMISSIONER HILDEBRAND SAID COMMISSIONER SCHRADER AND HERSELF WERE SURPRISED WHEN THE MOTION WAS MADE BECAUSE OF THE FINANCIAL IMPACT. THE PUBLIC COMMENT WAS OVER AN HOUR LONG.

COMMISSIONER MULIERI THANKED COMMISSIONER HILDEBRAND, COMMISSIONER SCHRADER, AND MR. JOE RICHARDS FOR THEIR HARD WORK.

## INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES

- R 4. AN ACT BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA AMENDING PASCO COUNTY CODE OF ORDINANCES CHAPTER 6 (ALCOHOLIC BEVERAGES) BY AMENDING SECTION 6-28 (HOURS OF SALE) **TO PERMIT SALE OF ALCOHOLIC BEVERAGES BY LICENSED PLACES OF BUSINESS BEGINNING AT 11:00 A.M. ON SUNDAYS**; 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 CAO04-0809

COMMISSIONER SIMON MOVED TO INTRODUCE AND TO DIRECT THE CLERK TO ADVERTISE FOR A PUBLIC HEARING ON JANUARY 13, 2004 AND JANUARY 27,2004; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

## DEPARTMENTAL MATTERS

### County Attorney

- R 5. Second Amendment to Tree Ordinance CORC Recommendations  
Memorandum CAO04-0421

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

- R 6. Approval of FDOT Railroad Grade Public Crossing Application – Proposed Walmart U.S. 41 and Dale Mabry Highway; All Comm. Dist.  
Memorandum CAO04-1240

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION TO INCLUDE THE ATTACHED LETTER CONTINGENT UPON THE COUNTY BEING ABLE TO WITHDRAW THE APPLICATION IF AN AGREEMENT WAS NOT REACHED WITH WAL-MART; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

- R 7. Local Government Infrastructure Surtax, "Penny for Pasco" Resolution Setting forth the Pasco County Needs List; All Comm. Dist.  
Memorandum CAO04-2412  
(Continued from 12/2/03)

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

### **DEVELOPMENT SERVICES BRANCH**

#### **Engineering Services—Project Management**

- R 8. Task Order NO. EDO03-002 – Spring Engineering, Inc. – Frazee Hill Road Route Study from 14<sup>th</sup> Street to U.S. 301; Comm. Dist. 1  
Memorandum PMA04-017

**COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION OF ALTERNATE NUMBER ONE, WHICH WAS ALIGNMENT NUMBER ONE; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

- R 9. Final Report – Reynolds, Smith and Hills, Inc. – S.R. 54 State Environmental Impact Report from west of C.R. 581 to east of C.R. 577; Comm. Dist. 1 & 2  
Memorandum PMA04-025  
(Continued from 11/18/03)

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION OF ALTERNATE NUMBER ONE, WHICH WAS ALIGNMENT NUMBER SEVEN; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

**Engineering Services --- Survey**

- R 10. Recording of Plat with Performance Guarantee – Skyland Development, Inc. –  
Plantation Palms Phase 6; Comm. Dist. 2  
Memorandum SA04-020

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

**Growth Management**

- R 11. Master Planned Unit Development Amendment – Lumberman's Investment  
Corporation – Sable Ridge; Comm. Dist. 2  
Memorandum GM04-250

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

**PUBLIC SERVICES BRANCH**

None Scheduled

**UTILITIES SERVICES BRANCH**

None Scheduled

**OFFICE OF MANAGEMENT AND BUDGET**

- R 12. Billboard Advertising Agreement – Viacom Outdoor – Pioneer Florida Museum;  
Comm. Dist. 1  
Memorandum TD04-001

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

**MISCELLANEOUS PAPERS, PETITIONS, AND REPORTS**

- R 13. Tourist Development Council – Residency Requirements dated December 4, 2003  
Memorandum CAO04-2414

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

- R 14. Meeting Attendance Report – Solid Waste Management Citizens' Advisory; All  
Comm. Dist  
Memorandum UTD04-0162

**FOR INFORMATION ONLY.**

**Departmental Follow-up per Board Request**

None Scheduled

**Motions**

- R 15. New Proposed Transportation Impact Fee Ordinance; All Comm. Dist.  
Memorandum DS04-048  
**(Attachments are located on the Main Page of our web-site under IN THE  
NEWS)**

**COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S  
RECOMMENDATION; COMMISSIONER HILDEBRAND SECONDED.**

**COMMISSIONER SCHRADER WITHDREW HIS MOTION; COMMISSIONER  
HILDEBRAND WITHDREW HER SECONDED.**

**THE ITEM WAS FOR INFORMATION ONLY.**

**Noted Items AGENDA ITEMS R 16. THROUGH R 33.d. WERE NOTED.**

- R 16. Florida Public Service Commission Docket No's. 030867-TL, 030868-TL, 030869-TL  
issued September 30, 2003

- R 17. Florida Public Service Commission Docket No's. 030867-TL, 030868-TL, 030869-TL, no's. 16-24 issued October 1, 2003
- R 18. Florida Public Service Commission Docket No's. 030867-TL, 030868-TL, 030869-TL, no's 42-73 issued October 1, 2003
- R 19. Letter RE: City of San Antonio, Interlocal Agreement for Animal Control Services dated October 7, 2003
- R 20. Thank You Card from Ms. Fran Horan Steeves dated November 11, 2003 Nature Coast Volunteers for Veterans Inc., Baldomero Lopez State Veterans Nursing Home
- R 21. Florida Public Service Commission Docket No's. 030715-WS issued November 17, 2003
- R 22. Florida Public Service Commission Docket No's. 030867-TL, 030868-TL, 030869-TL, 030961-TI issued, November 18, 2003
- R 23. Florida Public Service Commission Docket No's. 030867-TL, 030868-TL, 030869-TL, 030961-TI issued, November 21, 2003
- R 24. Florida Public Service Commission Docket No. 030575-PU issued November 21, 2003
- R 25. Memorandum LI04-026 RE: Library Cooperative Advisory Board New Member dated November 24, 2003

- R 26. Letter RE: Bright House changes to channel lineup on December 30, 2003 dated November 28, 2003
- R 27. Florida Public Service Commission Docket No. 030250-WU issued December 1, 2003
- R 28. Memorandum CAO04-1238 - RE: Receipt and Filing of Amendment to Performance Bond – D.A.B. Constructors, Inc. – Bid No. 03-158, 2003-2004 Annual Asphalt Resurfacing and Pavement Rehabilitation Program dated December 2, 2003
- R 29. State of Florida Department of Transportation RE: Public Hearing at Florida Department of Transportation District 7 Headquarters, Auditorium 11201 N. McKinley Drive, Tampa on Wednesday, December 17, 2003

**Noted Items— Agenda**

- R 30. Southwest Florida Water Management District for December 3, 2003

**Noted Items—Minutes**

- R 31. Tampa Bay Water dated October 20, 2003
- R 32. Northwood Community Development District dated November 18, 2003

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

R 33. Memorandum dated December 5, 2003

- a. Florida Public Service Commissioner – Docket No. 030867-TL, 030868-TL, 030869-TL, and 030961-TL. Issued November 17, 2003
  
- b. Meeting Documentation – Development Review Committee, Meeting of August 28, 2003
  
- c. Meeting Documentation – Planning Commission -- Meeting of September 10, 2003
  
- d. Pasco County Comprehensive Annual Financial Report for the Fiscal Year Ended 9/30/03 From the District School Board of Pasco County.

**PUBLIC COMMENT**

**NO ONE SPOKE.**

**RECESS**

**THE BOARD RECESSED AT 3:33 P.M. AND RECONVENED AT 6:30 P.M. ALL BOARD MEMBERS WERE PRESENT.**

**PUBLIC HEARINGS AND TIME CERTAIN ITEMS**

**Proposed Ordinances**

- P 1. AN 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 PROPERTY TAXES AND FUND INFRASTRUCTURE IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE; All Comm. Dist.  
Memorandum CAO04-2411  
**(Final Public Hearing)**

**COMMISSIONER SCHRADER MOVED ADOPTION OF THE ORDINANCE INCLUDING THE MODIFICATIONS READ INTO THE RECORD BY STAFF; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED UNANIMOUSLY BY A ROLL CALL VOTE.**

- P 2. 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 INCORPORATION 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 DV04-013  
**(Final Public Hearing)**

**SITTING AS THE LAND DEVELOPMENT REGULATION COMMISSION, COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF MEMORANDUM GM04-162; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

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

- P 3. 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 GM04-289  
**(Continued from 11/4/03, 11/18/03 and 12/2/03)(U.S. Highway 19)**

**HEARD WITH AGENDA ITEM P 7.**

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE AGENDA ITEMS P 3 AND P 7 TO FEBRUARY 10, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

**COMMISSIONER HILDEBRAND MOVED APPROVAL TO HIRE TINDALE AND OLIVER AT A PRICE NOT TO EXCEED \$40,000.00 IN THE MOST EFFICIENT MANNER; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

**STAFF WAS DIRECTED TO SCHEDULE A WORKSESSION IN JANUARY.**

- P 4. 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 OF 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 ES04-1022

**(First Public Hearing)**

**COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION OF ALTERNATE NUMBER ONE WHICH WAS TO CONTINUE TO THE SECOND PUBLIC HEARING ON JANUARY 13, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

- P 5. 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 OMB04-4126

**(Final Public Hearing)**

**COMMISSIONER HILDEBRAND MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MS. LINDA FORSTAD; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

**COMMISSIONER MULIERI MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MS. SUZANNE GARRETT; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

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

### **Public Hearings**

- P 6. Class III, Subdivision Development Review – Cypress Creek Townhomes Preliminary/Construction Plan, Stormwater Management Plan and Report and Alternative Standards Request; Comm. Dist. 2

Memorandum DV04-034

**(Continued from 6/5/03, 7/17/03, 8/14/03, and 10/23/03, DRC)**

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

- P 7. Biannual Comprehensive Plan Amendments (BCPA 03-2[2]) Amendment Cycle Two Adoption Public Meeting; All Comm. Dist.  
Memorandum GM04-290  
**(Continued from 11/4/03, 11/18/03, and 12/2/03)(U.S. Highway 19)**

**HEARD WITH AGENDA ITEM P 3.**

**COMMISSIONER SCHRADER MOVED TO RECEIVE AND FILE A DRAFT OF PROPOSED TEXT PRESENTED BY MR. JOEL TEW; COMMISSIONER MULIERI AND COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE AGENDA ITEMS P 3 AND P 7 TO FEBRUARY 10, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

**COMMISSIONER HILDEBRAND MOVED APPROVAL TO HIRE TINDALE AND OLIVER AT A PRICE NOT TO EXCEED \$40,000.00 IN THE MOST EFFICIENT MANNER; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

**STAFF WAS DIRECTED TO SCHEDULE A WORKSESSION IN JANUARY.**

- P 8. Dove Run Subdivision Streetlights; Comm. Dist. 2  
Memorandum UTFSSP04-046  
**(First Public Hearing)**

**THE ITEM WAS WITHDRAWN BY STAFF.**

- P 9. Resolution Authorizing the Use of the Uniform Method of Levy, Collection and Enforcement of Annual Assessments for the Quail Hollow Municipal Service Benefit Unit; All Comm. Dist.  
Memorandum OMB04-4127  
**(Final Public Hearing)**

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

**Public Hearings—Rezoning**

None Scheduled

**Rezoning**

Z 1. Memorandum ZN04-30

Table of Contents

Consent-Rezoning

RZ-6116 Florence Nicholson; Comm. Dist. 1

RZ-6121 James M. & Patti J. Ross; Comm. Dist. 1

RZ-6114 Paula Jean & Howard L. Brown Jr.; Comm. Dist. 2

RZ-6115 Clara L. Maxwell; Comm. Dist. 2

**PULLED**

RZ-6120 Florida Property Holdings Inc.; Comm. Dist. 2

**COMMISSIONER SIMON MOVED APPROVAL OF THE CONSENT AGENDA WITH EXCEPTION OF THE PULLED PETITION RZ-6120; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

Location Maps

Board of County Commissioners Agenda

Regular-Rezoning

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

**COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION WHICH WAS APPROVAL OF THE PETITION; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

RZ-6106 Vincent Paul Asini/Forest Oaks PUD; Comm. Dist. 1

**COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH A CAP OF 15 UNITS; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

RZ-6112 Soo Yun Serino/Parkview Serino MPUD; Comm.  
Dist. 2

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH CHANGES AS READ INTO THE RECORD, WITH AN ADDITIONAL CONDITION THAT THE APPLICANT SHALL PROVIDE AN INTERCONNECT TO THE NEW RIVER DEVELOPMENT UNLESS OTHERWISE DETERMINED BY THE DRC; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

**PULLED FROM THE CONSENT AGENDA**

RZ-6120 Florida Property Holdings Inc.; Comm. Dist. 2

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

RZ-6124 Lindell Investments II, Inc./ Wilderness Lake Preserve  
MPUD; Comm. Dist. 2

**COMMISSIONER HILDEBRAND MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. BEN HARRILL; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH THE DELETION OF CONDITION 30.d., 30.e.,2.f. AND 2.g., AND THE ENGINEER OF RECORD AT THE TIME OF THE C.O. TO CERTIFY THAT THE DRAINAGE WAS INSTALLED AND WOULD WORK ACCORDING TO THE MASTER DRAINAGE PLAN; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

**CONTINUATIONS**

RZ-6119 Andres & Norma Jean Faza; Comm. Dist. 1

**COMMISSIONER MULIERI MOVED TO CONTINUE TO FEBRUARY 24, 2004, 6:30 P.M., DADE CITY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

**WITHDRAWN**

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

**THE ITEM WAS WITHDRAWN.**

**Miscellaneous Matters**

None Scheduled

**PUBLIC COMMENT**

1. **MR. MARK BETTEN SPOKE REGARDING INCREASED TRAFFIC ON FORBES ROAD AND THE CONDITION OF THE ROAD.**
2. **MR. ART HAYHOE SPOKE REGARDING GUN CONTROL.**

**COMMISSIONER SIMON MOVED TO RECEIVE AND FILE A VIDEO TAPE PRESENTED BY MR. HAYHOE; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

**ADJOURN**

**THE BOARD ADJOURNED AT 10:48 P.M.**

Prepared by:cms