

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

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

SEPTEMBER 21, 2004

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

CONSENT AGENDA

**CHAIRMAN ALTMAN NOTED THAT AGENDA ITEM C 41 WAS WITHDRAWN FROM THE
CONSENT AGENDA.**

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

CONSTITUTIONAL OFFICERS

Clerk

- C 1. Fee Budget for the Office of the Clerk of the Circuit Court for Fiscal Year 2004-2005
– Letter dated August 31, 2004
RECOMMENDATION: Receive and File

Minutes—Approval

Board of County Commissioners
Workshop
July 13, 2004

Board of County Commissioners
Regular Meeting/Rezoning
July 27, 2004

Minutes—Distribution

Board of County Commissioners
Emergency Meeting
September 2, 2004
(To Be Distributed)

Board of County Commissioners
Regular Meeting/Rezoning
August 10, 2004
(To Be Distributed)

Financial Matters

- C 2. **General Warrants, Payroll Registers, and Transfer Authorizations, Including Those Previously Approved by the Chairman/Vice-Chairman Since the Last Regular Meeting of the Board of County Commissioners**

LEGISLATIVE/ADMINISTRATIVE

County Attorney

- C 3. Settlement of Workers' Compensation Claim – Lonnie Taylor; All Comm. Dist.
Memorandum CAO04-0081
RECOMMENDATION: Approve
- C 4. Settlement of Workers' Compensation Claim – Fred Morgan; All Comm. Dist.
Memorandum CAO04-0082
RECOMMENDATION: Approve

- C 5. Qualified Assignment Addendum in the Settlement of the Claim of Carla Schaumburger, individually and as natural parent and legal guardian of her minor daughter, Jessica Boatman v. Pasco County; All Comm. Dist.
Memorandum CAO04-2262
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 6. A Second Proposal for Settlement from the Plaintiffs to the BOCC and Third Proposed Offer of Judgment from the BOCC to the Plaintiffs Pamela Moore and Ronald Moore, her husband v Pasco County; All Comm. Dist.
Memorandum CAO04-2263
RECOMMENDATION: Approve

County Administration—Personnel—Risk Management

- C 7. Renewals – Arthur J. Gallagher & Company – Property & Casualty Insurance Policies; All Comm. Dist.
Memorandum IN04-592
RECOMMENDATION: Approve
- C 8. Renewal – Covanta Pasco, Inc. – Insurance Policies Resource Recovery Facility; All Comm. Dist.
Memorandum IN04-628
RECOMMENDATION: Approve
- C 9. Renewal – Arthur J. Gallagher Company – Environmental Liability Policy; All Comm. Dist.
Memorandum IN04-629
RECOMMENDATION: Approve
- C 10. Application for Group Dental Insurance – Blue Cross Blue Shield of Florida – Subsidiary Company; All Comm. Dist.
Memorandum IN04-630
RECOMMENDATION: Approve

DEVELOPMENT SERVICES BRANCH

- C 11. Records Disposition Request – Florida Department of State, Bureau of Archives and Records Management – Out dated Files; All Comm. Dist.
Memorandum DS04-146
RECOMMENDATION: Approve

Engineering Services—Engineering Design/Stormwater

- C 12. Task Order No. EDO04-035 – Camp Dresser & McKee, Inc. – Consulting Services for NPDES; All Comm. Dist.
Memorandum EDA04-021
RECOMMENDATION: Approve and Authorize Chairman's Signature

Engineering Services—Engineering Inspections

- C 13. Accept the Performance Guarantee and Maintenance Guarantee – Thomas Development, Inc. – Belle Chase; Comm. Dist. 2
Memorandum ENIA04-096
RECOMMENDATION: Approve

Engineering Services—Project Management

- C 14. Change Order No. 2 – URS Corporation Southern – Curley Road Route Study; Comm. Dist. 1
Memorandum PMA04-153
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 15. Change Order No. 1 – URS Corporation Southern – Overpass Road Route Study; Comm. Dist. 1
Memorandum PMA04-154
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 16. Change Order No. 1 – American Consulting Engineers of Florida, LLC – Countywide Project Management and Inspection Services, Task Order No. EDO03-030; All Comm. Dist.
Memorandum PMA04-161
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 17. Task Order No. EDO04-027 – Volkert & Associates, Inc. – Ten Intersections, Intersection and Pond Studies and Reports, Design and CEI Services Redistribution of Funds; All Comm. Dist.
Memorandum PMA04-165
RECOMMENDATION: Approve

Engineering Services—Real Estate

- C 18. Agreement for Sale and Purchase of Interest in Property – Abel H and Alice T. Salazar – Tommytown Target Area Project No. 03-7741-AYO; Comm. Dist. 1
Memorandum REA04-114
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 19. Agreement for Sale and Purchase of Interest in Property – Evans Properties, Inc. – Powerline Road; Comm. Dist. 1
Memorandum REA04-143
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 20. Agreement for Sale and Purchase of Interest in Property – Mary Elaine Hunter n.k.a. Mary Elaine Sharp – Old Pasco Road, Project No. C6505.10; Comm. Dist.
Memorandum REA04-146
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 21. Agreement for Sale and Purchase of Interest in Property – Carlos Vega – East Brown Acres Project; Comm. Dist. 5
Memorandum REA04-147
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 22. Request for Easement – Withlacoochee River Electric Cooperative, Inc. –
Withlacoochee River Park; Comm. Dist. 1
Memorandum REA04-148
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 23. Agreement for Sale and Purchase of Interest in Property – Deborah K. Nelson, as
trustee under the GCF Land Trust – Old Pasco Road, Project No. C6505.10;
Comm. Dist. 1
Memorandum REA04-149
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 24. Agreement for Sale and Purchase of Interest in Property – James R. Luffman and
Peggy A. Luffman – Tommytown Neighborhood; Comm. Dist. 1
Memorandum REA04-150
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 25. Resolution Canceling Taxes – Maxine A. Green and Darryl D. Green – Old Pasco
Road, Project No. C6505.10; Comm. Dist. 2
Memorandum REA04-151
RECOMMENDATION: Approve and Authorize Chairman's Signature

Engineering Services—Survey

- C 26. Recording of Plat with a Partial Performance Guarantee – Thomas Development
Inc. – Belle Chase; Comm. Dist. 2
Memorandum SA04-072
RECOMMENDATION: Approve
- C 27. Recording of Plat with a Performance Guarantee – Lake Jovita Joint Venture – Lake
Jovita Golf and Country Club; Comm. Dist. 1
Memorandum SA04-073
RECOMMENDATION: Approve

- C 28. Recording of Plat with a Performance Guarantee – Shadow Run LLC – Woodland Village at Shadow Run, Unit 3, Phase 2; Comm. Dist. 2
Memorandum SA04-075
RECOMMENDATION: Approve
- C 29. Recording of Plat with a Performance Guarantee – Shadow Run LLC – Woodland Village at Shadow Run Unit 3, Phase 1; Comm. Dist. 2
Memorandum SA04-076
RECOMMENDATION: Approve

Engineering Services—Traffic Operations

- C 30. Parking Restriction – Mitchell Ranch Road – prohibit parking on the right-of-way in front of the Seven Springs Elementary School; Comm. Dist. 3
Memorandum TR04-2234
RECOMMENDATION: Approve

Growth Management—Zoning/Code Compliance

- C 31. Collection Permit Transfer – Campport Waste Systems to Gulf Shore Excavating, Inc. – Approval to Transfer Commercial Collection Permit No. 130; All Comm. Dist.
Memorandum ZN04-158
RECOMMENDATION: Approve
- C 32. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.
Memorandum CC04-088
RECOMMENDATION: Approve
- C 33. Collection Permit Renewal – Campport Waste Systems, Inc; All Comm. Dist.
Memorandum CC04-089
RECOMMENDATION: Approve

C 34. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.
Memorandum CC04-091
RECOMMENDATION: Approve

C 35. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.
Memorandum CC04-092
RECOMMENDATION: Approve

PUBLIC SERVICES BRANCH

Community Services—Elderly Nutrition Program

C 36. Referral Agreement – Area Agency on Aging of Pasco-Pinellas, Inc. – Home and
Community Based Medicaid Waiver Home Delivered Meals; All Comm. Dist.
Memorandum ENP04-101
RECOMMENDATION: Approve and Authorize Chairman's Signature

Community Services—Public Transportation

C 37. Joint Agreement – Florida Department of Transportation – Transit Block Grant ; All
Comm. Dist.
Memorandum PT04-539
RECOMMENDATION: Approve and Authorize Chairman's Signature

Emergency Services

C 38. Rate Schedule Increase Request – Ambulance Billing – Fees; All Comm. Dist.
Memorandum ES04-1230
RECOMMENDATION: Approve

C 39. Application – Gulf View Square Mall – Permit to Use Common Area; All Comm.
Dist.
Memorandum ES04-1265
RECOMMENDATION: Approve and Authorize Chairman's Signature

Facilities Management

- C 40. Change Order – Bandes Construction Company – Requesting Adjustment to PO 128766; Comm. Dist. 1
Memorandum FAC04-235
RECOMMENDATION: Approve and Authorize Chairman's Signature

WITHDRAWN

- C 41. Request for Retainage Release – Triad Construction Services - Charles “Bo” Harrison Building; Comm. Dist. 1
Memorandum FAC04-243
RECOMMENDATION: Approve

THE ITEM WAS WITHDRAWN.

- C 42. Change Order No. 1 – Bandes Construction Co., Inc. – Renovations at Various Fire Stations; Comm. Dist. No. 2 and 3
Memorandum FAC04-249
RECOMMENDATION: Approve and Authorize Chairman's Signature

UTILITIES SERVICES BRANCH

- C 43. Acceptance of Utility Improvements and Maintenance Guarantee – U.S. Home Corporation – Heritage Pines, Project No. 97-133.27
Memorandum UT04-1212
RECOMMENDATION: Approve

Utilities Fiscal Services/Special Projects

- C 44. Streetlights – Lien Resolutions; All Comm. Dist.
Memorandum UTFSSP04-0502
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 45. Additional Request for Increase in Funding – Covanta Pasco, Inc. – Service Fee and Pass-Through Costs; All Comm. Dist.
Memorandum UTFSSP04-0686
RECOMMENDATION: Approve
- C 46. Service Agreement – Itron, Inc. – Hand-held Meter Reading System; All Comm. Dist.
Memorandum UTFSSP04-0722
RECOMMENDATION: Approve and Authorize Chairman's Signature

OFFICE OF MANAGEMENT AND BUDGET

Community Development

- C 47. Sale and Transfer of Property to Don G. Kobasky – 11025 Grant Drive, East Brown Acres; Comm. Dist. 5
Memorandum CD04-312
RECOMMENDATION: Approve
- C 48. Request for Waiver of Lien Interest Fees – 9080 Spare Drive and 9026 Marigold Dr. New Port Richey; - Involuntary Demolitions; Comm. Dist. 4
Memorandum CD04-317
RECOMMENDATION: Approve
- C 49. Request for Approval of Special Procedures for Payments for Insurance Deductibles; All Comm. Dist.
Memorandum CD04-322
RECOMMENDATION: Approve

Purchasing

C 50. Bid No. 04-132 and Approval of Contract

Item:	20 th Street Extension
Department:	Engineering Services
Vendor:	Ajax Paving Industries, Inc.
Amount:	\$779,274.49
Memorandum PU04-532	
RECOMMENDATION:	Approve Award of Bid and Approve and Authorize Chairman's Signature on Contract

Tourist Development

C 51. Advertising Agreement – Florida Travel, Inc. – October and November Issue; All Comm. Dist.
Memorandum TD04-038
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 52. Addendum - WUSF-TV – Agreement for the Pasco County Government Cable Channel signed November 4, 2003; All Comm. Dist.
Memorandum TD04-039
RECOMMENDATION: Approve

Budgeting—Budget Amendment

C 53. BA04-240 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE TEEN COURT FUND - \$17,278.60

C 54. BA04-243 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$91,730.00

C 55. BA04-244 TRANSFER WITHIN THE GENERAL FUND/RESERVES FOR
STORM DAMAGE TO APPROPRIATE FUNDS FOR THE
HURRICANE SEASON 2004 - \$1,000,000.00

COMMISSIONERS' ITEMS

Chairman Altman

R 1. Bright House – Storm Related Activities

MR. RAY GRABEL, BRIGHT HOUSE, THANKED ALL THE PEOPLE THAT ASSISTED THEM IN ORDER TO RESTORE SERVICE TO THE CUSTOMERS THAT WERE AFFECTED BY THE HURRICANES.

MS. MICHELLE BAKER UPDATED THE BOARD REGARDING THE FLOODING AREAS THROUGHOUT THE COUNTY. SHE DISTRIBUTED A REPORT REGARDING PUMPING OPERATIONS, FLOOD RESPONSE, EMERGENCY WORK EXPENSES, AND PUBLIC ASSISTANCE. THERE WAS DISCUSSION REGARDING THE PICK UP OF DEBRIS THROUGHOUT THE COUNTY.

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

COMMISSIONER SIMON MOVED APPROVAL TO EXPEDITE THE ADDITIONAL CLEANING OF DEBRIS IN 158 GATED COMMUNITIES AND THROUGHOUT THE COUNTY IN AN APPROXIMATE AMOUNT OF \$10,000.00; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RESOLUTION EXTENDING THROUGH SEPTEMBER 30, 2004 THE LOCAL STATE OF EMERGENCY DECLARED ON SEPTEMBER 2, 2004, WHICH HAD PREVIOUSLY BEEN EXTENDED UNTIL SEPTEMBER 23, 2004, AND AUTHORIZING THE WAIVER OF FORMALITIES AND PROCEDURES OTHERWISE REQUIRED OF POLITICAL SUBDIVISIONS

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

MR. GALLAGHER REQUESTED AN EMERGENCY ITEM BE HEARD.

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

THIRD MODIFICATION TO THE AGREEMENT BETWEEN PASCO COUNTY AND GRUBBS EMERGENCY SERVICES, INC. FOR DISASTER RECOVERY SERVICES

COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION TO AMEND THE CONTRACT; COMMISSIONER SCHRADER; MOTION CARRIED.

Commissioner Mulieri

- R 2. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, CONGRATULATING JOEY CHIAVAROLI, HEATHER HAYNIE AND SCARLETT LAWHORNE ON THEIR ACHIEVEMENTS AT THE 2004 NATIONAL JUNIOR DISABILITY CHAMPIONSHIP GAMES

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

- R 3. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, RECOGNIZING THE AMERICAN CANCER SOCIETY FOR SPONSORING A 5K WALK "MAKING STRIDES AGAINST BREAST CANCER", ON OCTOBER 23, 2004 AT LITTLE STEEPLE CHASE IN DADE CITY

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

Commissioner Schrader

- R 4. S.R. 52/Bellamy Brothers Land Trust Common Plan of Development; Comm. Dist. 2
(To Be Distributed)

FOR INFORMATION ONLY. NO ACTION TAKEN.

Commissioner Hildebrand

- R 5. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING THE WEEK OF OCTOBER 3, 2004, AS FIRE PREVENTION WEEK IN PASCO COUNTY, FLORIDA

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

Commissioner Simon

- R 6. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING THE MONTH OF OCTOBER, 2004 AS DOMESTIC VIOLENCE AWARENESS MONTH

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

ADDENDUM

Office of Management and Budget

Application for the Florida Department of Law Enforcement, Homeland Security Grant – Law Enforcement. Grant amount \$110,207. All Comm. Dist. Memorandum OMB04-4622

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

CONSTITUTIONAL OFFICERS

Clerk

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

COMMISSIONER HILDEBRAND MOVED APPROVAL; COMMISSIONER MULIERI 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 INFORMED THE BOARD THERE WOULD BE A MEETING WITH RESIDENTS FROM CARPENTER'S RUN, MR. WIDMAN, AND REPRESENTATIVES FROM FDOT ON OCTOBER 1ST.

2. COMMISSIONER MULIERI SAID SOMEONE HAD GIVEN HER BOOTS SO SHE COULD WALK DOWN SANDY LANE IN SOUTH PORT. SHE UPDATED THE BOARD REGARDING INFORMATION SHE RECEIVED ON THE RIGHT-OF-WAY. SHE HAD SPOKEN TO SOME OF THE RESIDENTS, WHO WOULD GIVE UP THEIR RIGHT-OF-WAY, BUT THEY WANTED THE DITCHES MAINTAINED. SHE SAID THE PROBLEM HAD NOT BEEN SOLVED, BUT THEY WERE MOVING IN THE RIGHT DIRECTION.

3. COMMISSIONER MULIERI MOVE APPROVAL TO HAVE AN AMBULANCE PRESENT AT THE MAKING STRIDES AGAINST BREAST CANCER WALK. THE COST WOULD BE \$75.00 PER HOUR FOR APPROXIMATELY 3 HOURS ON OCTOBER 1ST; COMMISSIONER SCHRADER AND COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

DISTRICT THREE – COMMISSIONER HILDEBRAND

1. COMMISSIONER HILDEBRAND SAID SHE HAD BEEN CONTACTED BY MR. TURTLE, WHO WAS IN THE AUDIENCE, REGARDING A PRIOR PAVING ASSESSMENT IN ALOHA GARDENS. THE ALOHA UTILITY LINES WERE CAUSING THE STREET TO BREAK-UP, WHICH RESULTED IN POTHOLES IN THE STREET. COMMISSIONER HILDEBRAND DIRECTED MR. GALLAGHER TO FOLLOW UP AND REPAIR THE STREET IF NECESSARY.

DISTRICT FOUR – COMMISSIONER SIMON

1. COMMISSIONER SIMON STATED HE HAD ATTENDED MEETINGS REGARDING THE FLOODING THROUGHOUT THE COUNTY.

2. COMMISSIONER SIMON REPORTED ON A CONFERENCE CALL HE HAD WITH COUNTY STAFF AND MR. ROSCOE, REGARDING MR. ROSCOE'S EXPERIENCE WITH HOME BUILDERS. IT APPEARED THE HOME BUILDERS WERE BLAMING THE COUNTY FOR AN OVERLY RESTRICTIVE ORDINANCE THAT PROHIBITED SPRINKLER SYSTEMS IN THE BACKYARD. HE SPOKE FURTHER AND REQUESTED MS. ELIZABETH BLAIR, ASSISTANT COUNTY ATTORNEY, SPEAK BEFORE THE BOARD.

MS. BLAIR STATED SHE DID NOT FEEL THE LANDSCAPING ORDINANCE NEEDED TO BE AMENDED. STAFF WOULD BE WORKING TOGETHER AS THEY LOOKED AT THE LANDSCAPING PLANS.

THE BOARD DISCUSSED THE ITEM FURTHER.

DISTRICT FIVE – CHAIRMAN ALTMAN

1. CHAIRMAN ALTMAN REPORTED ON THE TOUR HE HAD TAKEN LAST WEEK AT THE ANIMAL CONTROL FACILITY IN LAND O'LAKES. HE SPOKE ON THE SPAYING AND NEUTERING PROCEDURES. DISCUSSION FOLLOWED REGARDING REDUCING THE SPAYING AND NEUTERING FEE.

Miscellaneous Old Business

R 8. Water Issues

THE TAMPA BAY WATER BOARD AUTHORIZED STAFF TO MOVE FORWARD TO NEGOTIATE A CONTRACT WITH THE LOW BIDDER TO FIX THE DESAL FACILITY. THE STAFF WOULD HAVE 60 DAYS TO NEGOTIATE THE CONTRACT.

CITIZENS FROM EAST PASCO ATTENDED THE TAMPA BAY WATER MEETING YESTERDAY. THEY WERE IN OPPOSITION TO TAMPA BAY WATER'S PURSUIT OF THE ACQUISITION OF THE LAKE JOVITA ISOLATED WATER SYSTEM THAT THE COUNTY OWNED. COMMISSIONER SCHRADER THANKED STAFF FOR COMPILING ALL THE BACKGROUND INFORMATION THAT WAS NEEDED TO CURTAIL THE ACQUISITION.

R 9. County Administrator

ADDENDUM

1. **Report of Emergency Purchases – Dayton Bag & Burlap (Sand Bags)
C.L.C. Trucking (Sand)
Memorandum PU04-541**

COMMISSIONER MULIERI MOVED APPROVAL OF THE EMERGENCY PURCHASE; COMMISSIONER SCHRADER AND COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

2. **Report of Emergency Purchase, Water Extraction at West Pasco
Judicial Center Servpro of West Pasco
Memorandum PU04-542**

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

3. **Facilities Management Department
Agreement between Pasco County and Judy G. Moukakis &
Associates, Inc.
Memorandum FAC04-258**

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

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

COMMISSIONER SCHRADER MOVED TO HEAR AN EMERGENCY ITEM;
COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

RESOLUTION ESTABLISHING PROCEDURES FOR EMERGENCY
REPAIRS TO PRIVATE ROADS AND PUBLIC ROADS THAT ARE NOT
COUNTY MAINTAINED; PROVIDING FOR DELEGATION OF AUTHORITY
TO THE COUNTY ADMINISTRATOR TO FIND THAT AN EMERGENCY
EXISTS AND TO MAKE SUCH REPAIRS; PROVIDING FOR
RATIFICATION OF COUNTY ADMINISTRATOR'S FINDING OF
EMERGENCY BY THE BOARD

COMMISSIONER SCHRADER MOVED APPROVAL OF THE
RESOLUTION; COMMISSIONER MULIERI SECONDED; MOTION
CARRIED.

R 10. County Attorney

NO ITEMS.

Miscellaneous Matters

None Scheduled

INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES

R 11. AN ORDINANCE AMENDING THE PASCO COUNTY LAND DEVELOPMENT
CODE, ARTICLE 300; **REPEALING SECTION 306.2.C.4.i. AND SUBJECTING
NONRESIDENTIAL DEVELOPMENTS TO SUBDIVISION REVIEW**; PROVIDING
FOR MODIFICATION; REPEALER; SEVERABILITY; INCLUSION IN CODE; AND
AN EFFECTIVE DATE; All Comm. Dist.
Memorandum CAO04-3233

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

DEPARTMENTAL MATTERS

County Attorney

- R 12. Request for Direction – Local Ordinance Violations – Enforcement Options after Defendant has Failed to Comply with a Court Order to Remove Trash and Junk from Property; All Comm. Dist.
Memorandum CAO04-0832

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

DEVELOPMENT SERVICES BRANCH

Engineering Services—Project Management

- R 13. Task Order No. EDO03-020 – Florida Design Consultants, Inc. – Pond Siting Report/Alternative Selection, Little Road from C.R. 54 to Dusty Lane; Comm. Dist. 4
Memorandum PMA04-152
RECOMMENDATION: Approve

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

Growth Management—Zoning/Code Compliance

- R 14. Waiver of Minimum Lot Width Requirement for a Zoning Amendment – Applicant: Rajnish Manohar; Comm. Dist. 2
Memorandum ZN04-163

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

PUBLIC SERVICES BRANCH

NONE SCHEDULED

UTILITIES SERVICES BRANCH

NONE SCHEDULED

OFFICE OF MANAGEMENT AND BUDGET

- R 15. Adjustments to Proposed Budget FY2005
Memorandum OMB04-4615
(To Be Distributed)

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

COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE CLERK OF THE CIRCUIT COURT'S BUDGET; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

- R 16. BA04-247 TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE FUNDS TO THE SUPERVISOR OF ELECTIONS FOR THE UNANTICIPATED NUMBER OF PROPOSED CONSTITUTIONAL AMENDMENT PETITIONS AND TO COVER COSTS ASSOCIATED WITH THE MARCH 9, 2004 PRESIDENTIAL PREFERENCE PRIMARY ELECTION, AND THE PENNY FOR PASCO - \$55,262.00

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

MISCELLANEOUS PAPERS, PETITIONS, AND REPORTS

Departmental Follow-up per Board Request

- R 17. Public Transportation Service Status Report; All Comm. Dist.
Memorandum PT04-557

FOR INFORMATION ONLY. NO ACTION TAKEN.

Motions

None Scheduled

Noted Items AGENDA ITEMS R 18 THROUGH R 29 WERE NOTED.

- R 18. U.S. Department Transportation Federal Transit Administration Grant Agreement, Project No. FL90-X502-00

- R 19. Pasco Economic Development Council, Inc. – Statement of Assets, Liabilities and Fund Balances as of July 31, 2004

- R 20. Letter from Southwest Florida Water Management District dated August 23, 2004 RE: Public Input Meeting for Update to Schedule for Establishment of Minimum Flows and Levels

- R 21. Florida Public Service Commission Docket No. 040167-TP issued August 25, 2004

- R 22. Memorandum LI04-212 dated August 26, 2004 RE: Print Magnifier

- R 23. Letter from Bright House Networks dated August 27, 2004 RE: former Shaw System

- R 24. Florida Public Service Commission Docket No. 040451-TP issued September 1, 2004

- R 25. Florida Public Service Commission Notice of Cancellation of September 7, 2004 – Commission Conference and Internal Affairs Meeting and Notice of Scheduling of Emergency Internal Affairs Meeting

Noted Items—Minutes

- R 26. Pasco Economic Development Council dated August 25, 2004

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

- R 27. Letter from Secretarial Services, Clerk of Circuit Court dated September 10, 2004 noting the following items on file in Board Records:
- a. Certificate of Liability Insurance - Producer: Fessler Agency-Clearwater - Insured: Atlantis Construction of Tampa Bay, Inc. - Project: Starkey Blvd. Mitigation and Gopher Tortoise Relocation Project Bid #02-073
 - b. Certificate of Liability Insurance - Producer: Greg Roe Insurance, Inc. - Insured: Atlantis Construction of Tampa Bay, Inc. - Re: Bid #02-073, Starkey Blvd Mitigation and Gopher Tortoise Relocation
 - c. Certificate of Liability Insurance - Producer: Insurance Office of America, Inc. - Insured: RE Purcell Construction Co. Inc. - Re: #278, Little Road - Phase III A
 - d. Continuation Certificate - State Farm Fire and Casualty Company - Bond No. 98-TC-0834-7 for \$5,000.00 on behalf of Joseph Matrone Beginning October 01, 2004 and ending October 01, 2006
 - e. Revised Notice to Proceed - Paul W. Miller, Jr. APAC-Southeast, Inc. - Project Name: County Line Road - Contract Number: 04-087 - Dated August 03, 2004

- f. Notice to Proceed Extension - D.A.B. Constructors, Inc. - Dated 8/13/04 - RE: Society Drive, PVAS No. 727, W/O #P1431.02 - Contract Number 03-158 - BOCC Approved 8/12/03, 9/23/03, 11/18/03, & 8/10/04

- g. Notice to Proceed Extension - D.A.B. Constructors, Inc. - Dated 8/13/04 - RE: Gulf Harbors PVAS No. 772 W/O# P5392.00 - Contract Number 03-158 - BOCC approved 8/12/03, 9/23/03, 11/18/03, & 8/10/04

- h. Notice to Proceed Extension - D.A.B. Constructors, Inc. - Dated 8/13/04 - RE: Williams Acres PVAS No. 764 W/O# P3039.00 - Contract Number 03-158 - BOCC Approved 8/13/03, 11/18/03, & 8/10/04

- i. Notice to Proceed Extension - D.A.B. Constructors, Inc. - Dated 8/13/04 - RE: Colonial Hills III PVAS No. 729 W/O #P8110.00 - Contract Number 03-158 - BOCC 8/12/03, 9/23/03, 11/18/03, & 8/10/04

- J. Notice to Proceed Extension - D.A.B. Constructors, Inc. - Dated 8/13/04 - RE: West Shore Drive PVAS No. 781 W/OE P5370.00 - Contract Number 03-158 - BOCC approved 8/12/03, 9/23/03, 11/18/03, & 8/10/04

- k. Notice to Proceed Extension - D.A.B. Constructors, Inc. - Dated 8/13/04 - RE: Handcart Road Programmed Maintenance W/O# T1351.00 - Contract Number 03-158 - BOCC approved 8/12/03, 9/23/03, 11/18/03, & 8/10/04

- l. Florida Public Service Commission - Notice of Hearing and Prehearing - Docket No 031125-TP - Issued August 17, 2004

- m. Order - Variance Application No. 1796 - Richard L. and Frances Price - Development Review Committee of July 29, 2004

- n. Order - Variance Application No. 1797 - Shirley A. and Robert M. Caldwell, Sr. - Development Review Committee of July 29, 2004

- o. Order - Variance Application No. 1798 - Donna Sieckowski and Alphonse Drzewiecki - Development Review Committee of July 29, 2004

- p. Order - Variance Application No. 1799 - Attila and Gizella I. Porsolay - Development Review Committee of July 29, 2004

- q. Order - Variance Application No. 1800 - Wayne Sizemore - Development Review Committee of July 29, 2004

- r. Rezoning Resolution No. 04-68 - Rezoning 6191 - Board of County Commissioners of July 13,2004

- s. Rezoning Resolution No. 04-69 - Rezoning 6193 - Board of County Commissioners of July 13, 2004

- t. Rezoning Resolution No. 04-70 - Rezoning 6197 - Board of County Commissioners of July 13, 2004

- u. Rezoning Resolution No. 04-71 - Rezoning 6198 - Board of County Commissioners of July 13, 2004

- v. Rezoning Resolution No. 04-72 - Rezoning 6200 - Board of County Commissioners of July 13, 2004

- w. Rezoning Resolution No. 04-73 - Rezoning 6201 - Board of County Commissioners of July 13, 2004

- x. Rezoning Resolution No. 04-74 - Rezoning 6202 - Board of County Commissioners of July 13, 2004

- y. Rezoning Resolution No. 04-75 - Rezoning 6204 - Board of County Commissioners of July 13, 2004

- z. Rezoning Resolution No. 04-76 - Rezoning 6206 - Board of County Commissioners of July 13, 2004

- aa. Rezoning Resolution No. 04-77 - Rezoning 6207 - Board of County Commissioners of July 13, 2004

- bb. Rezoning Resolution No. 04-78RZ - Conditional Use 04-10 - Board of County Commissioners of July 13, 2004

- cc. Rezoning Resolution No. 04-79RZ - Conditional Use 04-21 - Board of County Commissioners of July 13, 2004

- dd. Rezoning Resolution No. 04-80RZ - Conditional Use 04-22 - Board of County Commissioners of July 13, 2004

- ee. Rezoning Resolution No. 04-82 - Rezoning 6194 - Board of County Commissioners of July 27, 2004

- ff. Rezoning Resolution No. 04-83 - Rezoning 6216 - Board of County Commissioners of July 27, 2004

- gg. Rezoning Resolution No. 04-84 - Rezoning 6221 - Board of County Commissioners of July 27, 2004

- hh. Rezoning Resolution 04-85RZ - Conditional Use 04-29 - Board of County Commissioners of July 27, 2004

- ii. Order to Deny Conditional Use Permit - Conditional Use 04-20 - Susanlyn Fish and Michael Luzny - Board of County Commissioners of July 13, 2004

- jj. Agenda - Southwest Florida Water Management District - Governing Board Meeting of September 14, 2004

- kk. Minutes and Meeting Documentation - Consumer Affairs and Appeals Board Meeting of March 2, 1998

- ll. Minutes and Meeting Documentation - Tourist Development Council Meeting of May 5, 2004

- mm. Minutes and Meeting Documentation - Development Review Committee Meeting of April 29, 2004

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

R 28. Tampa Bay Water dated June 28, 2004

R 29. Northwood Community Development District dated August 25, 2004

PUBLIC HEARINGS SESSION(S) FOR 1:30 MEETING

R 30. Resolution Establishing Anclote River Minimum Wake Zone; Comm. Dist. 3
Memorandum CAO04-2832

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

R 31. Vacation of a Portion of Easement, Seven Springs Homes Unit Three-B, Lot 590, Petitioners are: Malcolm L. McCombs and Carol A. McCombs, Section 22, Township 26 South, Range 16 East REV03-023; Comm. Dist. 3
Memorandum REA04-121

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

- R 32. Vacation of Easements, Eastbury Gardens Unit Two, Between Lots 105 and 106
Petitioners are: Linda M. May and Roy R. Gilbert, Section 17, Township 26 South,
Range 16 East, REV04-011; Comm. Dist. 3
Memorandum REA04-137

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

- R 33. Vacation of a Portion of Easement, Embassy Hills Unit Twenty-Three, Lot 2612,
Petitioner: Jennifer M. Knipper Section 27, Township 25 South, Range 16 East,
REV04-006; Comm. Dist. 4
Memorandum REA04-140

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

PUBLIC COMMENT

1. **MR. DUDLEY LYONS SPOKE REGARDING JASMINE LAKES' PAVING ASSESSMENT.**

2. **MR. JOE PIAZZO SPOKE REGARDING THE WATER FROM A RETENTION POND BEING 4 INCHES FROM HIS HOME.**

COMMISSIONER HILDEBRAND MOVED TO RECEIVE AND FILE PICTURES PRESENTED BY MR. JOE PIAZZO; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

RECESS

THE BOARD RECESSED AT 4:19 P.M. AND RECONVENED AT 6:34 P.M. ALL BOARD MEMBERS WERE PRESENT.

PUBLIC HEARINGS AND TIME CERTAIN ITEMS

P 1. Adoption of Fiscal Year 2004-05 Final Millage Rates, Assessments, and Budgets:

A. Fiscal Year 2004-05 – Aggregate Millage Rate

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

B. Fiscal Year 2004-05 – General Fund

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

C. Fiscal Year 2004-2005 – Road and Bridge Fund

**COMMISSIONER SIMON MOVED APPROVAL OF THE MILLAGE;
COMMISSIONER MULIERI SECONDED; MOTION CARRIED.**

**COMMISSIONER SIMON MOVED APPROVAL OF THE BUDGET;
COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

D. Fiscal Year 2004-05 – Pasco Count Municipal Fire Service Unit

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

**COMMISSIONER SIMON MOVED APPROVAL OF THE BUDGET;
COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

- E. Fiscal Year 2004-05 – Greater Dade City Municipal Fire Service Taxing Unit

COMMISSIONER SIMON MOVED APPROVAL OF THE MILLAGE OF 0; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

COMMISSIONER SIMON MOVED APPROVAL OF THE BUDGET OF 0; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

- F. Fiscal Year 2004-05 – Greater Zephyrhills Municipal Fire Service Taxing Unit

COMMISSIONER SIMON MOVED APPROVAL OF THE MILLAGE OF 0; COMMISSIONER MULIERI AND COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER SIMON MOVED APPROVAL OF THE BUDGET OF 0; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

- G. Fiscal Year 2004-05 – Lake Padgett Municipal Recreation Taxing Unit

COMMISSIONER SCHRADER MOVED APPROVAL OF THE SPECIAL ASSESSMENT; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

COMMISSIONER SCHRADER MOVED APPROVAL OF THE BUDGET; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

- H. Fiscal Year 2004-05 – Williamsburg West Municipal Service Taxing Unit

NO ACTION TAKEN.

- I. Quail Hollow Municipal Service Benefit Unit

NO ACTION TAKEN.

- J. All Other Funds

COMMISSIONER SIMON MOVED APPROVAL OF THE BUDGET INCLUDING OMB'S MEMORANDUM; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

RESOLUTION ADOPTING FINAL MILLAGE RATES OF TAXATION FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004, AND LEVYING SUCH MILLAGE RATES FOR 2004 TO RAISE REVENUE FOR THE FISCAL YEAR 2004-2005 IN PASCO COUNTY, FLORIDA

COMMISSIONER SIMON MOVED APPROVAL OF THE RESOLUTION ADOPTING THE MILLAGE RATES AND ASSESSMENTS; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RESOLUTION ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004, AND ENDING SEPTEMBER 30, 2005, IN PASCO COUNTY, FLORIDA

COMMISSIONER SIMON MOVED APPROVAL OF THE RESOLUTION ADOPTING THE FINAL BUDGET; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

Proposed Ordinances

- P 2. AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, AMENDING THE PASCO COUNTY CODE, **CREATING A NEW DIVISION 7 OF CHAPTER 78 THAT IS CONSISTENT WITH FLORIDA ADMINISTRATIVE CODE, RULE 9 J-2.0256; PROVIDING POLICY AND RULES RELATING TO HURRICANE PREPAREDNESS**; PROVIDING FOR MITIGATION TECHNIQUES AND FEES REQUIRED FOR NEW DEVELOPMENT IN TECHNIQUES AND FEES REQUIRED FOR NEW DEVELOPMENT IN THE HURRICANE VULNERABILITY ZONE (HVZ) AND FOR NEW MOBILE HOMES;

PROVIDING FOR INCLUSION IN CODE, SEVERABILITY, AN EFFECTIVE DATE AND FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING; All Comm. Dist
Memorandum OEM04-105
(Second Hearing)

COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S RECOMMENDATION TO ADOPT THE ORDINANCE; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED UNANIMOUSLY BY A ROLL CALL VOTE.

- P 3. **AN ORDINANCE ESTABLISHING THE BOUNDARIES OF THE CANNON RANCH EAST COMMUNITY DEVELOPMENT DISTRICT 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 MISCELLANEOUS PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; Comm. Dist. 1**
Memorandum GM04-908
(Continued from September 8, 2004)

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

- P 4. **AN ORDINANCE ESTABLISHING THE BOUNDARIES OF THE CANNON RANCH GOLF COMMUNITY DEVELOPMENT DISTRICT 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 MISCELLANEOUS PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; Comm. Dist. 1**
Memorandum GM04-909
(Continued from September 8, 2004)

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

- P 5. AN ORDINANCE **ESTABLISHING THE BOUNDARIES OF THE CANNON RANCH LAKE COMMUNITY DEVELOPMENT DISTRICT 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 MISCELLANEOUS PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; Comm. Dist. 1
Memorandum GM04-910
(Continued from September 8, 2004)

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

- P 6. 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 FUTURE LAND USE MAP FROM RES-9 (RESIDENTIAL-9 DU/GA) TO ROR (RETAIL/OFFICE/RESIDENTIAL), AFFECTING 5.14 ACRES, M.O.L. OF REAL PROPERTY OWNED BY MICHAEL GRASS, BRUCE SARIK, PETER AND ELLEN TOMAINO, AND HARDY HUNTLEY**, IDENTIFIED AS PARCEL ID NOS. 27-26-17-0010-00300-0140, 27-26-17-0020-00200-0010, 27-26-17-0010-00300-0010, 27-26-17-0010-00200-0010, 27-26-17-0010-00200-0070, AND 27-26-16-0010-00200-0040; PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE
Memorandum GM04-1490
(Continued from August 10, 2004)

COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION OF ALTERNATE NUMBER TWO WITH THE MODIFICATION; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED WITH COMMISSIONER MULIERI VOTING NAY.

Public Hearings

- P 7. Heritage Pines – Development of Regional Impact/Development Order Amendment; Comm. Dist. 5
Memorandum GM04-1510
(Continued from July 13, 2004)

COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION OF ALTERNATE NUMBER TWO WITH PROPOSED CHANGES; COMMISSIONER SIMON AND COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

- P 8. Heritage Pines Master Planned Unit Development Amendment; Comm. Dist. 5
Memorandum GM04-1511
(Continued from July 13, 2004)

COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH CORRECTIONS TO THE AGENDA MEMO; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

- P 9. Evaluation and Appraisal Report (Adoption Phase); All Comm. Dist.
Memorandum GM04-1512

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

Public Hearings—Rezoning

- Z 1. Memorandum ZN04-157

Table of Contents

Consent-Rezoning

RZ-6224 Dennis L. Flick; Comm. Dist. 2

RZ-6231 John C. Cockin; Comm. Dist. 2
STAFF REQUESTED CONDITION NUMBER ONE AND TWO BE DELETED.

RZ-6185 Giovanni & Rosa Ambrosio; Comm. Dist. 3

RZ-6225 Three Lakes RV Resort, Inc.; Comm. Dist. 5

COMMISSIONER SIMON MOVED APPROVAL OF THE CONSENT AGENDA WITH THE DELETION OF CONDITIONS ONE AND TWO REGARDING PETITION RZ-6231; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

Location Maps

Board of County Commissioners Agenda

Regular-Rezonings

RZ-6228 KAK LTD., ET AL./Stonegate MPUD; Comm. Dist. 2

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

RZ-6256 James Pitzer Gills, Jr. as Trustee/Edward's Grove MPUD; Comm. Dist. 2

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

RZ-6229 Vincent J. & Natalie Monticciolo; Comm. Dist. 3

COMMISSIONER HILDEBRAND MOVED TO RECEIVE AND FILE PICTURES THAT WERE PRESENTED BY MR. VINCENT MONTICCIOLO; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

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

RZ-6230 Seven Eagles Airport, Inc.; Comm. Dist. 3

COMMISSIONER HILDEBRAND MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. CLARK HOBBY; COMMISSIONER MULIERI AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.

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

RZ-6227 Reisman Family Trust; Comm. Dist. 4

COMMISSIONER SCHRADER MOVED TO RECEIVE AND FILE DOCUMENTATION PRESENTED BY MR. MARK BENTLEY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH THE ADDITIONAL CONDITION THAT THE APPLICANT WOULD BE WILLING TO DONATE TO THE COUNTY THE 10 FOOT BIKE PATH EASEMENT AND THE 50 FOOT DRAINAGE EASEMENT PROVIDED THAT WHEN THE ITEM WAS PRESENTED BEFORE THE DEVELOPMENT REVIEW COMMITTEE, THE BIKE PATH AND THE LANDSCAPE REQUIREMENTS WOULD BE COMBINED SO AS NOT TO REDUCE THE NUMBER OF UNITS PLACED ON THE SITE IN ORDER TO NOT INCREASE THE SETBACK REQUIREMENTS; COMMISSIONER HILDEBRAND AND COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

CONTINUATIONS

RZ-6186 Comas Trust MPUD; Comm. Dist. 1

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO OCTOBER 26, 2004, 6:30 P.M., DADE CITY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED WITH COMMISSIONER SCHRADER ABSTAINING DUE TO A CONFLICT OF INTEREST.

RZ-6162 Staff Initiated for Anthony Gaeto & Jerry W. Koehler; Comm. Dist. 3

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO DECEMBER 7, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

RZ-6226 Interlock Investments, Inc.; Comm. Dist. 4

COMMISSIONER SIMON MOVED TO CONTINUE TO OCTOBER 5, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER MULIERI SECONDED; MOTION CARRIED.

RZ-6213 Thomas L. & Sandra T. Vance; Comm. Dist. 5

COMMISSIONER SIMON MOVED TO CONTINUE TO OCTOBER 5, 2004, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

Miscellaneous Matters

None Scheduled

PUBLIC COMMENT

NO ONE SPOKE.

ADJOURN

THE BOARD ADJOURNED AT 8:47 P.M.

Prepared by: cms