

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

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

**JANUARY 11, 2005**

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

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**County Commissioners**

Chairman Pat Mulieri, Ed.D. District 2  
Ted J. Schrader, District 1  
Ann Hildebrand, District 3  
Steve Simon, District 4  
Jack Mariano, District 5

**County Administrator**

John Gallagher

**County Attorney**

Robert D. Sumner

**Clerk to the Board**

Jed Pittman

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**CALL TO ORDER - 1:35 P.M.**

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

**MS. LINDA DILLON, DEPUTY CLERK**

**CONSENT AGENDA**

**THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA BY THE COUNTY ADMINISTRATOR C 32, C 44, C 59, C 62, AND C 65; COMMISSIONER SCHRADER PULLED C 13, C 14, C 15, AND C 16; AND C 49 WAS WITHDRAWN.**

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

## CONSTITUTIONAL OFFICERS

### Clerk

- C 1. Letter dated December 16, 2004 from the Honorable Jed Pittman to the Honorable Pat Mulieri, Ed.D., Chairman, Board of County Commissioners  
Re: Tax Deed Applications  
RECOMMENDATION: Approve

### Minutes—Approval

Board of County Commissioners  
Workshop  
October 19, 2004

Board of County Commissioners  
Regular Meeting/Rezoning  
October 26, 2004

Board of County Commissioners  
Regular Meeting/Rezoning  
November 9, 2004

Board of County Commissioners  
Emergency Meeting  
October 19, 2004

### Minutes—Distribution

Board of County Commissioners  
Regular Meeting/Rezoning  
November 23, 2004  
(To Be Distributed)

Board of County Commissioners  
Regular Meeting/Rezoning  
December 7, 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**

**Sheriff**

- C 3. Letter dated December 7, 2004 RE: Local Law Enforcement Block Grant #2003-LB-BX-0371

**LEGISLATIVE/ADMINISTRATIVE**

**County Attorney**

- C 4. Economic Development Agreement – Pall Aeropower Corporation – Full Reimbursement of Transportation, Water, and Sewer Impact fees in the sum of \$17,584.00 for the Construction of a New Manufacturing Facility; Comm. Dist. 4  
Memorandum CAO05-0012  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 5. Approval of Retainer Letter and Scope of Services – Dr. Lawrence B. Erlich, D.L.F.A.P.A. d/b/a Neuroscience Institute of Florida – Keela Travis, as Personal Representative of the Estate of James Chaney v. Pasco County; All Comm. Dist.  
Memorandum CAO05-2067  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 6. Request for Additional Funds to Pay for Expert Engineering Services in the Case of Fennell v. Pasco County; All Comm. Dist.  
Memorandum CAO05-2076  
RECOMMENDATION: Approve
- C 7. Approval of Retainer Letter and Scope of Services – Dr. Henry E. Smoak, III - Keela Travis, as Personal Representative of the Estate of James Chaney v. Pasco County; All Comm. Dist.  
Memorandum CAO05-2077  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 8. Interlocal Agreement between Pasco County Board of County Commissioners and the Pasco County Sheriff for the Expenditure of Funds Collected Pursuant to Florida Statute Section 318.18; All Comm. Dist.  
Memorandum CAO05-2405  
RECOMMENDATION: Approve
- C 9. Petition for Voluntary Annexation of the Bo Harrison Building by the City of Dade City; Comm. Dist. 1  
Memorandum CAO05-2412  
RECOMMENDATION: Approve

**County Administration—Office of Emergency Management**

- C 10. Agreement - Hurricane Frances Disaster Relief Funding; All Comm. Dist.  
Memorandum OEM05-034  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 11. Modification #1 – State of Florida Department of Community Affairs, Division of Emergency Management – to the State Funded Subgrant for Shelter Retrofit; All Comm. Dist.  
Memorandum OEM05-036  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 12. Flood Task Force Recommendation – Modify the Pumping Policy for Closed Basins & Small Areas; All Comm. Dist.  
Memorandum OEM05-042  
RECOMMENDATION: Approve

**PULLED BY COMMISSIONER SCHRADER**

- C 13. Flood Task Force Recommendation – Briarwoods Subdivision – Installation of Permanent Pipe; All Comm. Dist.  
Memorandum OEM05-044  
RECOMMENDATION: Approve

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

**PULLED BY COMMISSIONER SCHRADER**

- C 14. Flood Task Force Recommendation – Denton Avenue and Kitten Trail – Elevate Roads and Install Culverts; All Comm. Dist.  
Memorandum OEM05-047  
RECOMMENDATION: Approve

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

**PULLED BY COMMISSIONER SCHRADER**

- C 15. Flood Task Force Recommendation – Sierra Pines – Clean Ditches and Install Culverts; All Comm. Dist.  
Memorandum OEM05-049  
RECOMMENDATION: Approve

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

**PULLED BY COMMISSIONER SCHRADER**

- C 16. Flood Task Force Recommendation – CDM – Issue Task Order to Update Stormwater Utility Study; All Comm. Dist.  
Memorandum OEM05-050  
RECOMMENDATION: Approve

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

## **DEVELOPMENT SERVICES BRANCH**

- C 17. Preparation of Transit Development Plan – Tindale-Oliver and Associates, Inc. – Three Year Major Update, Task Work Order No. T-H; All Comm. Dist  
Memorandum DS05-016  
RECOMMENDATION: Approve and Authorize Chairman's Signature

## **Engineering Services—Engineering Inspections**

- C 18. Reduce the Performance Guarantee – Lennar Communities – Bridgewater, Phases 1 and 2; Comm. Dist. 1  
Memorandum ENIA05-031  
RECOMMENDATION: Approve
- C 19. Release the Performance Guarantee and Accept the Maintenance Guarantee – NG Development Corporation – Rosewood at River Ridge, Phase 7; Comm. Dist. 4  
Memorandum ENIA05-032  
RECOMMENDATION: Approve
- C 20. Release the Performance Guarantee – SB Associates Limited Partnership – Seven Oaks, Parcel S-8A; Comm. Dist. 2  
Memorandum ENIA05-034  
RECOMMENDATION: Approve
- C 21. Release the Performance Guarantee – SB Associates Limited Partnership – Seven Oaks, Parcel S-6B; Comm. Dist. 2  
Memorandum ENIA05-035  
RECOMMENDATION: Approve
- C 22. Release the Partial Performance Guarantee – Ivey Estates 65's, LLC – Ivy Lake Estates, Parcel Three Phase Two; Comm. Dist. 2  
Memorandum ENIA05-036  
RECOMMENDATION: Approve

- C 23. Refund the Cash Performance Guarantee – 2639 McCormick Partnership, Longleaf Office c/o Florida Design Consultants – Longleaf Workplace, Phases A and B; Comm. Dist. 3  
Memorandum ENIA05-037  
RECOMMENDATION: Approve

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

- C 24. Task Order No. EDO05-005 – Reynolds, Smith & Hills, Inc. - Highway Landscaping, S.R. 54 (Gunn Highway to Suncoast Parkway and Suncoast Parkway to U.S. 41); Comm. Dist. 2  
Memorandum PMA05-039  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 25. Task Order No. EDO05-007 – King Engineering Associates, Inc. – Gunn Highway Intersection Improvements (Hillsborough County Line to S.R. 54); Comm. Dist. 3  
Memorandum PMA05-045  
RECOMMENDATION: Approve and Authorize Chairman's Signature

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

- C 26. Resolution Canceling Taxes – James R. and Peggy A. Luffman – Tommytown Neighborhood Target Area Project, Parcel No. 8173-AYO; Comm. Dist. 1  
Memorandum REA05-029  
RECOMMENDATION: Approve
- C 27. Agreement for Sale and Purchase of Interest in Property – James M. and Theresa L. Fudge – Christian Road, Parcel No. 808; Comm. Dist. 1  
Memorandum REA05-038  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 28. Agreement for Sale and Purchase of Interest in Property – E-Wise Investments, Inc. f/k/a Caroline Groves, Inc. – Old Pasco Road, Project No. C6545.00; Comm. Dist. 1  
Memorandum REA05-043  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 29. Agreement for Sale and Purchase of Interest in Property – David Camacho and Emma Maria Martinez – Tommytown Target Area Project, Parcel No. 03-7739-AYO; Comm. Dist. 1  
Memorandum REA05-044  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 30. Agreement for Sale and Purchase of Interest in Property – Harold D Porter and Lana K. Hegarty – Little Ranch Road Training Center; Comm. Dist. 2  
Memorandum REA05-045  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 31. Agreement for Sale and Purchase of Interest in Property – Chancey Parkway, Project C3133.00, Brooks Parcel, Section 22; Comm. Dist. 2  
Memorandum REA05-046  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**PULLED BY THE COUNTY ADMINISTRATOR**

- C 32. Agreement for Sale and Purchase of Interest in Property – Joanne and Kenneth Taylor – Chancey Parkway, Project C3133.00, Taylor Parcel, Section 22; Comm. Dist. 2  
Memorandum REA05-047  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**COMMISSIONER SCHRADER MOVED APPROVAL OF THE CORRECTIONS AS NOTED BY THE COUNTY ADMINISTRATOR, WHICH WERE: THE PURCHASE PRICE - FROM \$206,500.00 TO \$206,250.00; UNDER RECOMMENDATION AND FUNDING - FROM \$207,590.00 TO \$207,340.00; THE ACCOUNT NUMBER AMOUNTS – FROM \$103,795.00 FOR EACH 50% TO \$103,670.00 FOR EACH 50%; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- C 33. Agreement for Sale and Purchase of Interest in Property – William D. and Sandra J. Frame – Chancey Parkway, Project C3133.00, Frame Parcel, Section 22; Comm. Dist. 2  
Memorandum REA05-048  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 34. Agreement for Sale and Purchase of Interest in Property – Wareco Properties, LLC – I-75 and S.R. 52, Wareco Properties, LLC Parcel, Section 08; Comm. Dist. 1  
Memorandum REA05-049  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 35. Resolution Canceling Taxes – Susan J. Lang – Land O' Lakes Park Expansion Project; Comm. Dist. 2  
Memorandum REA05-050  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 36. Recording of Perpetual Easement for Right-of-Way – Hazel B. Dupree – Springdale Road and Crystal Spring Boulevard, Section 26; Comm. Dist. 1  
Memorandum REA05-051  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 37. Resolution Canceling Taxes – Bernabe and Donna Chavez – Tommytown Neighborhood Target Area Project, Parcel No. 03-7440-AYO; Comm. Dist. 1  
Memorandum REA05-053  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 38. Agreement for Sale and Purchase of Interest in Property – Jane H. Lindsley and Andrea L. Satterfield – Touble Creek Road and Thys Road, Project No. X9744; Comm. Dist. 3  
Memorandum REA05-056  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 39. Recording of Perpetual Easement for Right-of-Way – Withlacoochee River Electric Cooperative, Inc. – C.R. 577 a.k.a Curley Road, Section 03; Comm. Dist. 1  
Memorandum REA05-057  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 40. Resolution Canceling Taxes – Terry K. and Linda H. Babb – Clinton Avenue, Project No. C3216.40; Comm. Dist. 1  
Memorandum REA05-058  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**Engineering Services—Survey**

- C 41. Recording of Plat with a Performance Guarantee – M/I Homes of Tampa, LLC – Ballantrae Village 5; Comm. Dist. 2  
Memorandum SA05-023  
RECOMMENDATION: Approve
- C 42. Recording of Plat, Partial Replat without a Maintenance Guarantee – Pulte Home Corporation – Bay at Cypress Creek; Comm. Dist. 2  
Memorandum SA05-025  
RECOMMENDATION: Approve
- C 43. Recording of Plat with a Performance Guarantee – Suncoast Commercial, Inc. – Quail Ridge Parcel G; Comm. Dist. 2  
Memorandum SA05-026  
RECOMMENDATION: Approve

**PULLED BY THE COUNTY ADMINISTRATOR**

- C 44. Recording of Plat with a Performance Guarantee – The Ryland Group, Inc. – Water Edge Two; Comm. Dist. 4  
Memorandum SA05-027  
RECOMMENDATION: Approve

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO JANUARY 25, 2005, 1:30 P.M., DADE CITY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

- C 45. Recording of Plat without a Maintenance Guarantee – Tippecanoe Homeowner's Association, Inc. – Tippecanoe Village Addition; Comm. Dist. 1  
Memorandum SA05-030  
RECOMMENDATION: Approve

**Engineering Services—Traffic Operations**

- C 46. Parking Restriction – Perrine Ranch Road; Comm. Dist. 3  
Memorandum TR05-0331  
RECOMMENDATION: Approve
- C 47. Parking Restriction – Lakeside Woodlands Drive, Lake Shore Boulevard, Cypress Knee Drive and Cattail Court; Comm. Dist. 5  
Memorandum TR05-0332  
RECOMMENDATION: Approve

**Growth Management**

- C 48. Set Public Hearing Date – Bexley Ranch Development of Regional Impact/Application for Development Approval; Comm. Dist. 2  
Memorandum GM05-399  
RECOMMENDATION: Approve

**WITHDRAWN**

- C 49. Approve Resolution Authorizing the Cannon Ranch East Community Development District to Acquire, Construct, and Maintain Parks and Facilities for Recreational, Cultural, Educational Uses, Security Services and Facilities, and Waste Collection and Disposal; Comm. Dist. 1  
Memorandum GM05-404  
RECOMMENDATION: Approve

**THE ITEM WAS WITHDRAWN.**

- C 50. Approve Resolution Authorizing the Cannon Ranch Golf Community Development District to Acquire, Construct, and Maintain Parks and Facilities for Recreational, Cultural, Educational Uses, Security Services and Facilities, and Waste Collection and Disposal; Comm. Dist. 1  
Memorandum GM05-407  
RECOMMENDATION: Approve

- C 51. Approve Resolution Authorizing the Cannon Ranch Lake Community Development District to Acquire, Construct, and Maintain Parks and Facilities for Recreational, Cultural, Educational Uses, Security Services and Facilities, and Waste Collection and Disposal; Comm. Dist. 1  
Memorandum GM05-408  
RECOMMENDATION: Approve

- C 52. Master Planned Unit Development – Connerton, LLC, Terrabrook – Connerton, Village 1; Comm. Dist. 2  
Memorandum GM005-410  
RECOMMENDATION: Approve

**Growth Management—Zoning/Code Compliance**

- C 53. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.  
Memorandum CC05-031  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 54. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.  
Memorandum CC05-033  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **PUBLIC SERVICES BRANCH**

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

- C 55. Amendment 001 – Area Agency on Aging of Pasco-Pinellas, Inc. – Agreement No. EA004-Pasco-Transportation; All Comm. Dist.  
Memorandum PT05-161  
RECOMMENDATION: Approve and Authorize Chairman's Signature

#### **Community Services—Social Services**

- C 56. General Service Agreement – Pathways Community Network, Inc. – Addendum and Business Associate; All Comm. Dist.  
Memorandum SS05-007  
RECOMMENDATION: Approve and Authorize Chairman's Signature

#### **Emergency Services**

- C 57. Grant Application – Florida's Emergency Medical Services – 2004-2005; All Comm. Dist.  
Memorandum ES05-1009  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 58. Application - City of Zephyrhills Fire Rescue – Certificate of Public Convenience and Necessity; All Comm. Dist.  
Memorandum ES05-1055  
RECOMMENDATION: Approve and Authorize Chairman's Signature

## **Facilities Management**

### **PULLED BY THE COUNTY ADMINISTRATOR**

- C 59. Change Order No. 2 – Triad Construction Services, Inc. – Retainage Release for Pasco County Communications Building; Comm. Dist. 1  
Memorandum FAC05-101  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**COMMISSIONER SCHRADER MOVED APPROVAL OF THE CORRECTION TO THE DISTRICT NUMBER FROM DISTRICT ONE TO DISTRICT FOUR; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- C 60. Change Order No. 2 – E.O. Koch Construction Company – Fire Station No. 10 Project; Comm. Dist. 5  
Memorandum FAC05-119  
RECOMMENDATION: Approve and Authorize Chairman's Signature

## **Libraries Services**

- C 61. Revision to Administrative Rules and Procedures; All Comm. Dist.  
Memorandum LI05-037  
RECOMMENDATION: Approve

### **PULLED BY THE COUNTY ADMINISTRATOR**

- C 62. Task Order No. 6 – Wade-Trim, Inc. – Strategic Plan Update; All Comm. Dist.  
Memorandum LI05-047  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE CORRECTION TO THE TASK ORDER FROM NO 6. TO NO. 9; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

## **Parks and Recreation**

- C 63. Agreement – Sumter Native American Family Tribe, Inc. – Friends of the Park; All Comm. Dist.  
Memorandum PRA05-0076  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 64. Change Order No. 2 – Seacoast, Inc. – Dock Replacement at Anclote River Park;  
Comm. Dist. 3  
Memorandum PRA05-0153  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**PULLED BY THE COUNTY ADMINISTRATOR**

- C 65. Task Order No. 5 – Wade-Trim, Inc. – Parks and Recreation Master Plan Update;  
All Comm. Dist.  
Memorandum PRA05-0171  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE CORRECTION TO THE TASK ORDER FROM NO. 5 TO NO. 8; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

**UTILITIES SERVICES BRANCH**

- C 66. Agreement – Westfield Homes of Florida, Inc. - for Water and Wastewater Services to the Project Proposed; Comm. Dist. 2  
Memorandum UT05-0258  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 67. Agreement – Williamsburg Estates, LLC – for Water and Wastewater Services to the Project Proposed; Comm. Dist. 4  
Memorandum UT05-0259  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**Utilities**

- C 68. Release of Maintenance Guarantee – New Metro Development Group – Chapel Pines, Phase 1B, Project No. 00-305.02; Comm. Dist. 2  
Memorandum UTD05-0230  
RECOMMENDATION: Approve

- C 69. Release of Maintenance Guarantee – New Metro Development Group – Chapel Pines, Phases 1C and 2, Project No. 00-305.03; Comm. Dist. 2  
Memorandum UTD05-0231  
RECOMMENDATION: Approve
- C 70. Task Order No. 6-05 – King Engineering Associates, Inc. – Reuse System Storage Reservoir Program, Phase 2 Boyette Road Conceptual Design; Comm. Dist. 1  
Memorandum UTD05-0243  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 71. Acceptance of Improvements and Maintenance Guarantee – Meadow Pointe Partners – Meadow Pointe Boulevard, 1<sup>st</sup> Extension, Project No. 00-202.16; Comm. Dist. 2  
Memorandum UTD05-264  
RECOMMENDATION: Approve
- C 72. Acceptance of Improvements and Maintenance Guarantee – Lennar Homes, Inc. – Bridgewater, Phase Three, Project No. 00-306.02  
Memorandum UTD05-265  
RECOMMENDATION: Approve
- C 73. Acceptance of Improvements and Maintenance Guarantee – Lennar Homes, Inc. – Palm Cove, Phase 1A, Project No. 00-211.01; Comm. Dist. 1  
Memorandum UTD05-281  
RECOMMENDATION: Approve

**Utilities Fiscal Services/Special Projects**

- C 74. Payment of Tipping Fees – Trilby Community Association; Comm. Dist. 1  
Memorandum UTFSSP05-0151  
RECOMMENDATION: Approve

- C 75. Maintenance Agreement – Dionex Corporation – Ion Chromatograph; All Comm. Dist  
Memorandum UTFSSP05-114  
RECOMMENDATION: Approve and Authorize Chairman's Signature

## **OFFICE OF MANAGEMENT AND BUDGET**

### **Community Development**

- C 76. Agreement – Pasco County Sheriff's Office – Officer Friendly Program; Comm. Dist. 1  
Memorandum CD05-051  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Fleet Management**

- C 77. Classification and Disposal of Surplus Property; All Comm. Dist.  
Memorandum FM05-027  
RECOMMENDATION: Approve

### **Information Management**

- C 78. Purchase – Dell – Laptop Computers, Personal Computers and a PowerEdge Server; All Comm. Dist.  
Memorandum IT05-037  
RECOMMENDATION: Approve

### **Purchasing**

- C 79. Establish Blanket Order – W.W. Grainger, Inc. – FL State Contract #450-000-04-1; All Comm. Dist.  
Memorandum PU05-113  
RECOMMENDATION: Approve

- C 80. Change Order No. 2005-0266 – City of Tampa, Department of Sanitary Sewers – Increase Purchase Order No. 135144; All Comm. Dist.  
Memorandum PU05-119  
RECOMMENDATION: Approve
- C 81. Classification and Disposal of Surplus Property; All Comm. Dist.  
Memorandum PU05-120  
RECOMMENDATION: Approve
- C 82. Purchase – SSES, Inc. d/b/a Southern Sewer Equipment Sales – Trailer Mounted Vacuum Unit; All Comm. Dist.  
Memorandum PU05-122  
RECOMMENDATION: Approve
- C 83. Establish Blanket Order – Hanson Pipe and Product, Inc.t – Culvert Pipe; All Comm. Dist  
Memorandum PU05-123  
RECOMMENDATION: Approve
- C 84. Purchase – Carlisle Motors, LLC, d/b/a Autoway Ford of St. Petersburg – Two Additional Animal Control Vans; All Comm. Dist.  
Memorandum PU05-124  
RECOMMENDATION: Approve

**Budgeting—Budget Amendment**

- C 85. BA05-084 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE E911 EMERGENCY SERVICES FUND - \$285,449.00
- C 86. BA05-086 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE PARK IMPACT FEE-WEST FUND - \$790,921.00

- C 87. BA05-088 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE FLORIDA OFFICE OF TOURISM, TRADE, AND ECONOMIC DEVELOPMENT FUND - \$300,610.00
- C 88. BA05-089 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE PASCO WATER AND SEWER FUND - \$7,551,237.00
- C 89. BA05-090 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE TRANSPORTATION SERVICES FUND - \$49,422.00
- C 90. BA05-091 TRANSFER WITHIN THE LIBRARY IMPACT FEE FUND/RESERVES TO APPROPRIATE FUNDS FOR REFUND OF PRIOR YEAR REVENUE - \$1,000.00
- C 91. BA05-092 TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE FUNDS FOR COURT APPOINTED ATTORNEY COSTS FOR ATTORNEYS APPOINTED TO COURT CASES PRIOR TO JULY 1, 2004 - \$50,000.00
- C 92. BA05-093 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE TOURIST DEVELOPMENT TAX FUND - \$34,212.00
- C 93. BA05-094 TRANSFER WITHIN THE CAPITAL IMPROVEMENT FUND/VARIOUS TO REALIGN FUNDS TO MATCH ESTIMATED EXPENDITURES FOR FIRE/RESCUE STATIONS 21 AND 26 - \$20,000.00

- C 94. BA05-095 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF TRANSPORTATION GRANT FUND - \$44,485.00
- C 95. BA05-096 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE LAKE PADGETT RECREATION UNIT FUND - \$26,164.00
- C 96. BA05-097 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE FLORIDA BOATING AND IMPROVEMENT FUND - \$36,677.00
- C 97. BA05-098 TRANSFER WITHIN THE PASCO WATER AND SEWER FUND/RESERVES TO APPROPRIATE FUNDS FOR VARIOUS ACCOUNTS AT THE GREASE FACILITY WHICH WERE NOT PREVIOUSLY BUDGETED - \$100,200.00
- C 98. BA05-100 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE PARK DEVELOPMENT FUND - \$91,226.00
- C 99. BA05-102 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE SOLID WASTE SYSTEM FUND - \$666,436.00
- C 100. BA05-103 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE STREET LIGHTING ASSESSMENT FUND - \$645,042.00
- C 101. BA05-104 TRANSFER WITHIN THE GENERAL FUND/INFORMATION TECHNOLOGY LESS CHARGE PURCHASES TO APPROPRIATE FUNDS FOR I/T RELATED PURCHASES - \$200,000.00

C 102. BA05-105 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN  
THE MUNICIPAL FIRE SERVICE UNIT FUND - \$584,251.00

**REGULAR AGENDA**

**COMMISSIONERS' ITEMS**

**Chairman Mulieri**

- R 1. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, RECOGNIZING THE MONTH OF JANUARY AS LIBRARIES FRIENDS MONTH IN PASCO COUNTY, AND ENCOURAGING ALL CITIZENS TO SUPPORT THEIR LIBRARY SYSTEM THROUGH THEIR LOCAL FRIENDS OF THE LIBRARY GROUP

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

- R 2. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING JANUARY 23-29, 2005 BE OBSERVED AS TAMPA BAY HAZARDOUS AWARENESS WEEK

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

- R 3. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING NOVEMBER, 2004 AS NATIONAL EPILEPSY AWARENESS MONTH

**COMMISSIONER SIMON MOVED ADOPTION; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

**EMERGENCY RESOLUTION**

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

**RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, RECOGNIZING MONDAY, JANUARY 17<sup>TH</sup>, 2005 AS MARTIN LUTHER KING, JR. DAY AND COMMENDING THE AFRO-AMERICAN CLUB OF WEST PASCO AND THE CITY OF NEW PORT RICHEY FOR ITS CELEBRATION MARKING THIS DATE**

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

**Commissioner Simon**

R 4. Presentation by Elly and Bernard Doff RE: Fireworks

**MS. ELLY DOFF REQUESTED THE BOARD OF COUNTY COMMISSIONERS AUTHORIZE A BAN ON FIREWORKS IN THE COUNTY. THE BOARD DISCUSSED THE ITEM AND DIRECTED THE COUNTY ATTORNEY'S OFFICE TO RESEARCH THE ISSUE.**

**ADDENDUM**

**Presentation by Mr. Bill Bunting, RE: Miscellaneous Issues**

**MR. BILL BUNTING SAID A PLAQUE WOULD BE CONSTRUCTED AT SIMS PARK COMMEMORATING THE VISIT BY PRESIDENT GEORGE W. BUSH. HE REQUESTED THE HISTORIC VISIT BE PERMANENTLY NOTED IN THE COUNTY TOURISM BROCHURES.**

**COMMISSIONER MARIANO MOVED TO BRING THE ITEM TO THE TOURIST DEVELOPMENT COUNCIL; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

**MR. BUNTING REQUESTED AMERICAN FLAGS AND THE PLAQUE "IN GOD WE TRUST" BE PLACED IN THE COUNTY LIBRARIES. MR. GALLAGHER SAID HE WOULD FOLLOW UP.**

**MR. BUNTING REQUESTED THE BOARD NOT ENDORSE THAT THE SCHOOL SUPERINTENDENT BE PLACED ON THE BALLOT TO BE AN APPOINTED POSITION, HE FELT VOTERS COULD MAKE UP THEIR OWN MIND TO ELECT PEOPLE.**

**CONSTITUTIONAL OFFICERS**

**Clerk**

**R 5. Minutes and Financial Matters—Specific Approvals**

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

**COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS**

None Scheduled

**Committee Reports**

None Scheduled

**DISTRICT ONE – COMMISSIONER SCHRADER**

- 1. COMMISSIONER SCHRADER ASKED MR. BRUCE KENNEDY, UTILITIES, IF THE COUNTY STILL DESIGNATED AN “AMNESTY DAY” WHERE RESIDENTS COULD BRING ITEMS TO THE INCINERATOR WITHOUT CHARGE.**

**MR. KENNEDY STATED THERE WOULD BE AN “AMNESTY DAY” IN THE NEAR FUTURE.**

- 2. COMMISSIONER SCHRADER MOVED APPROVAL TO WAIVE THE TENT FEES FOR THE LITTLE EVERGLADES STEEPLECHASE WHICH WOULD BE HELD ON MARCH 6<sup>TH</sup> IN DADE CITY; COMMISSIONER HILDEBRAND AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

- 3. COMMISSIONER SCHRADER BROUGHT UP FOR DISCUSSION CAR DEALERSHIPS IN THE WESLEY CHAPEL AREA. HE HAD MET WITH “THE FRIENDS OF WESLEY CHAPEL” WHO WERE CONCERNED WITH THE AMOUNT OF CAR DEALERSHIPS BEING BUILT IN THE AREA. DISCUSSION FOLLOWED. STAFF WOULD RESEARCH AND BRING THE ITEM BACK TO THE BOARD AT A FUTURE MEETING.**

**DISTRICT THREE – COMMISSIONER HILDEBRAND**

NO ITEMS.

**DISTRICT FOUR – COMMISSIONER SIMON**

1. COMMISSIONER SIMON REPORTED ON THE TAMPA BAY REGIONAL PLANNING COUNCIL MEETING HE ATTENDED ON MONDAY IN PINELLAS PARK. ITEMS DISCUSSED WERE: THE STATE REGIONAL STRATEGIC PLAN, THE TRANSPORTATION ELEMENTS, AND AFFORDABLE HOUSING. HE FELT THE BOARD NEEDED TO LOOK AT THE AFFORDABLE HOUSING ISSUE.
  
2. COMMISSIONER SIMON MOVED TO REAPPOINT MR. HUGH TOWNSEND TO THE PLANNING COMMISSION; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

**DISTRICT FIVE – COMMISSIONER MARIANO**

1. COMMISSIONER MARIANO MOVED TO REAPPOINT MR. DAVID KENNEDY TO THE CONSTRUCTION LICENSING BOARD OF ADJUSTMENTS AND APPEALS AND THE CONSTRUCTION CODE ENFORCEMENT BOARD; COMMISSIONER SIMON SECONDED; MOTION CARRIED.
  
2. COMMISSIONER MARIANO MOVED TO APPOINT DR. JOEL GOLDBERG TO THE EMERGENCY MEDICAL SERVICES BOARD; COMMISSIONER SIMON SECONDED; MOTION CARRIED.
  
3. COMMISSIONER MARIANO MOVED TO REAPPOINT MR. ALEX DEEB TO THE IMPACT FEE ADVISORY BOARD; COMMISSIONER SIMON SECONDED; MOTION CARRIED.
  
4. COMMISSIONER MARIANO MOVED TO REAPPOINT MS. JUDY VINCENT TO THE LIBRARY ADVISORY BOARD; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

5. COMMISSIONER MARIANO MOVED TO REAPPOINT MR. ROLAND LALIBERTE TO THE PERSONNEL BOARD; COMMISSIONER SIMON SECONDED; MOTION CARRIED.
  
6. COMMISSIONER MARIANO MOVED TO REAPPOINT MR. CHARLES GREY TO THE PLANNING COMMISSION; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.
  
7. COMMISSIONER MARIANO MOVED TO APPOINT MS. ALISON FOGERTY TO THE PLANNING COMMISSION; COMMISSIONER SIMON SECONDED; MOTION CARRIED.
  
8. COMMISSIONER MARIANO STATED HE WOULD BE COMPLETING THE FLORIDA ASSOCIATION OF COUNTIES CERTIFICATION PROGRAM. HE SAID THERE WERE TWO OTHER COURSES THAT WOULD BE BENEFICIAL FOR HIM TO ATTEND. ONE WAS ON FLORIDA LAND USE REGULATIONS WHICH WOULD BE HELD IN TAMPA ON FEBRUARY 23<sup>RD</sup>, THE OTHER SEMINAR WOULD ALSO BE HELD IN FEBRUARY.  
  
COMMISSIONER MARIANO MOVED APPROVAL FOR THE TRAVEL EXPENSES TO BE PAID IN ORDER TO ATTEND THE SEMINARS AND TRAVEL EXPENSES TO BE PAID FOR ANY BOARD MEMBER TO ATTEND THE LEGISLATIVE SESSION; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

**COUNTY ADMINISTRATOR**

NO ITEMS.

**COUNTY ATTORNEY**

NO ITEMS.

**DISTRICT TWO – CHAIRMAN MULIERI**

1. CHAIRMAN MULIERI STATED SHE RECEIVED A LETTER FROM HABITAT FOR HUMANITY. THEY WERE MAKING A SERIOUS COMMITMENT REGARDING RECYCLING AND REQUESTED THE BOARD SUPPORT THEIR EFFORTS BY HAVING COUNTY STAFF PARTICIPATE IN A COUNTY-WIDE CARTRIDGE COLLECTION. CHAIRMAN MULIERI DIRECTED MR. GALLAGHER TO FOLLOW UP.
  
2. CHAIRMAN MULIERI SAID SHE HAD RECEIVED A REQUEST FROM MS. CANDY NAGEY, WHO STATED CYPRESS COVE WAS CONDUCTING A CLEAN-UP, AND HAD ASKED FOR ASSISTANCE. CHAIRMAN MULIERI REQUESTED A MOTION TO PROVIDE A DUMPSTER FOR THE CYPRESS COVE CLEAN-UP AND FOR STAFF TO CONTACT HER.  
  
COMMISSIONER HILDEBRAND MOVED APPROVAL; COMMISSIONER SIMON SECONDED; MOTION CARRIED.
  
3. CHAIRMAN MULIERI SAID SHE RECEIVED AN INTERLOCAL AGREEMENT FROM THE DISTRICT SCHOOL BOARD OF PASCO COUNTY REGARDING A CHANGE IN THE CONSISTENCY DETERMINATION.
  
4. CHAIRMAN MULIERI STATED SHE RECEIVED A LETTER FROM MANATEE COUNTY REGARDING CONCERN ABOUT THE JUVENILE DETENTION CENTER.
  
5. CHAIRMAN MULIERI STATED SHE ATTENDED THE OPENING OF STARKEY BOULEVARD BEFORE THE MEETING.

**Miscellaneous Old Business**

R 6. Water Issues

**NO ITEMS.**

## Miscellaneous Matters

- R 7. Presentation by Judy Parker, West Pasco Chamber of Commerce RE: Business Development Week 2005

**INFORMATION ONLY. NO ACTION TAKEN.**

## INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES

- R 8. AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, **AMENDING THE PASCO COUNTY THE LAND DEVELOPMENT CODE** ORDINANCE NO. 89-21, AS AMENDED BY CREATING SECTION 703 **FILL OR EXCAVATION** AND REQUIRING A PERMIT FOR FILLS OR EXCAVATIONS OF MORE THAN FIVE CUBIC YARDS, AND FOR CERTAIN FILLS OR EXCAVATIONS OF LESS THAN FIVE CUBIC YARDS, PROVIDING FOR REPEALER, SEVERABILITY, INCLUSION INTO THE LAND DEVELOPMENT CODE, MODIFICATION THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND PROVIDING FOR AN EFFECTIVE DATE; All Comm. Dist. Memorandum CAO05-0418

**COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION TO INTRODUCE AND TO REFER TO CORC FOR REVIEW; COMMISSIONER MARIANO SECONDED; MOTION CARRIED.**

- R 9. AN ORDINANCE OF PASCO COUNTY, FLORIDA, **AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE**, ORDINANCE 89-21, AS AMENDED; PROVIDING FOR FINDINGS; PROVIDING FOR AUTHORITY AND POWER; PROVIDING FOR AMENDMENT TO SECTION 106 TO **PROVIDE A RULE OF INTERPRETATION REGARDING UNCERTAIN CLASSIFICATIONS OF A USE UNDER THE CODE**; PROVIDING FOR AMENDMENT OF ARTICLE 200 (DEFINITIONS) TO ADD DEFINITIONS FOR THE WORDS "SCHOOL", "INDUSTRIAL/TECHNICAL OR TRADE SCHOOL", AND "SPECIALTY SCHOOL" AND TO AMEND THE DEFINITION FOR THE WORD "PUBLIC/SEMIPUBLIC"; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE; All Comm. Dist. Memorandum CAO05-0801

**COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION TO INTRODUCE AND TO REFER THE ORDINANCE TO CORC FOR REVIEW; COMMISSIONER HILDEBRAND AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

- R 10. AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS **AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, ORDINANCE NO. 89-21, AS AMENDED; PROVIDING FOR AMENDMENTS** TO SECTION 301.6 CHANGING THE DAY FOR MEETINGS, REDUCING THE NUMBER OF ALTERNATE MEMBERS OF THE PASCO COUNTY PLANNING COMMISSION, AND CHANGING THE TERM OF OFFICE OF MEMBERS, REPEALER, SEVERABILITY, INCLUSION INTO THE LAND DEVELOPMENT CODE, AND MODIFICATION THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING, AND PROVIDING FOR AN EFFECTIVE DATE; All Comm. Dist.  
Memorandum ZN05-037

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION TO INTRODUCE AND TO ADVERTISE FOR A PUBLIC HEARING; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

### **DEPARTMENTAL MATTERS**

### **CONSTITUTIONAL OFFICERS**

None Scheduled

### **DEVELOPMENT SERVICES BRANCH**

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

- R 11. Route Study Re-Evaluation, Task Order No. EDO03-005 – URS Corporation Southern, Inc. – Moon Lake Road from DeCubellis Road to S.R. 52; Comm. Dist. 4  
Memorandum PMA05-035

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

- R 12. Programmed Maintenance Agenda Listing Projects for Fiscal Year 2004/2005; All Comm. Dist  
Memorandum PMA05-037

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

## **ADDENDUM**

### **Project Management**

**2003-2004 Annual Asphalt and Pavement Rehabilitation Program-Bid No. 03-158  
Fourth Modification with D.A.B. Constructors, Inc.  
All Comm. Dist.  
Memorandum PMA05-054**

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

### **Survey**

**Recording of Plat with a Performance Guarantee-Developer: Clearwater Bay Associates, Inc.-Meadow Pointe III Parcels "PP"and "QQ"  
Comm. Dist. 2  
Memorandum SA05-015**

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

### **Growth Management**

**R 13. Development of Regional Impact/Development Order Amendment – Suncoast Crossing DRI No. 246 – Notice of Proposed Change; Comm. Dist. 2  
Memorandum GM05-330**

**COMMISSIONER SCHRADER MOVED TO CONTINUE TO THE 6:30 P.M. PORTION OF THE MEETING; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

**HEARD AT 6:30 P.M.**

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

**PUBLIC SERVICES BRANCH**

None Scheduled

**UTILITIES SERVICES BRANCH**

None Scheduled

**OFFICE OF MANAGEMENT AND BUDGET**

**Community Development**

- R 14. Amendment - State Housing Initiatives Partnership – 2003-2006 Local Housing Assistance Plan; All Comm. Dist.  
Memorandum CD05-084

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

- R 15. Revision – Homebuyer Assistance – Program Policy Statement; All Comm. Dist.  
Memorandum CD05-090

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

**MISCELLANEOUS PAPERS, PETITIONS, AND REPORTS**

None Scheduled

**Departmental Follow-up per Board Request**

- R 16. Planning Commission; All Comm. Dist.  
Memorandum ZN05-039

**INFORMATION ONLY. NO ACTION TAKEN.**

- R 17. Public Transportation Service Status Report  
Memorandum PT05-155

**INFORMATION ONLY. NO ACTION TAKEN.**

**Motions**

- R 18. Request for Introduction of Ordinance Establishing Lakeshore Ranch Community Development District; Comm. Dist. 2  
Memorandum GM05-0361  
RECOMMENDATION: Approve

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

**Noted Items AGENDA ITEMS R 19 THROUGH R 28.ee. WERE NOTED.**

- R 19. Letter from Tampa Bay Partnership dated November 29, 2004 RE: Membership Payment
- R 20. Florida Public Service Commission Docket No. 0412582-WS issued December 3, 2004
- R 21. Letter from Bright House Networks dated December 6, 2004 RE: Adjustment in Some of our Installation and Equipment Rates that will be Effective in January 2005.
- R 22. Letter from Meadow Pointe II Community Development District dated December 16, 2004 RE: New Schools for the Children of Wesley Chapel

R 23. Florida Public Service Commission Docket No. 991473-TP issued December 16, 2004

R 24. Florida Public Service Commission Docket No. 040604-TL issued December 23, 2004

R 25. Memorandum OMB05-5159 dated December 28, 2004 RE: Article V Statement of Compliance

**Noted Items—Minutes**

R 26. Pasco County Public Library Advisory Meeting on May 27, 2004

R 27. Lake Bernadette Community Development District dated December 9, 2004

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

R 28.

a. Order to Deny – Special Exception Application No. 6255, Darla J. Pope Planning Commission Approved October 13, 2004

b. Order – Special Exception Application No. 6269, Three Lakes RV Park, LLC, and Three Lakes RV Resort, Inc., Planning Commission Approval October 13, 2004

c. Rezoning Resolution No. 04-138 Application No. 6264 – BOCC Approved November 9, 2004

- d. Rezoning Resolution No. 04-139 Application No. 6265 – BOCC Approved November 9, 2004
  
- e. Rezoning Resolution No. 04-140 Application No. 6266 – BOCC Approved November 9, 2004
  
- f. Rezoning Resolution No. 04-141 Application No. CU04-34 – BOCC Approved November 9, 2004
  
- g. Rezoning Resolution No. 04-142 Application No. 6249 – BOCC Approved November, 23, 2004
  
- h. Rezoning Resolution No. 04-143 Application No. 6263 – BOCC Approved November 23, 2004
  
- i. Rezoning Resolution No. 04-144 Application No. 6267 – BOCC Approved November 23, 2004
  
- j. Rezoning Resolution No. 04-145 Application No. 6270 – BOCC Approved November 23, 2004
  
- k. Rezoning Resolution No. 04-146 Application No. 6271 – BOCC Approved November 23, 2004

- l. Rezoning Resolution No. 04-147 Application No. 6272 – BOCC Approved November 23, 2004
  
- m. Rezoning Resolution No. 04-148 Application No. 6283 – BOCC Approved November 23, 2004
  
- n. Rezoning Resolution No. 04-149 Application No. 6274 – BOCC Approved November 23, 2004
  
- o. Rezoning Resolution No. 04-150 Application No. 6280 – BOCC Approved November 23, 2004
  
- p. Rezoning Resolution No. 04-151 Application No. 6281 – BOCC Approved November 23, 2004
  
- q. Rezoning Resolution No. 04-152 Application No. 6288 – BOCC Approved November 23, 2004
  
- r. Copy of report No. 2005-081, a Financial and Federal Single Audit Report of Pasco County District School Board for the Fiscal Year Ended June 30, 2004
  
- s. Memorandum dated December 7, 2004 Public Risk Management of Florida RE: Filing of Intergovernmental Cooperative Agreement for the City of Zephyrhills

- t. Bridgewater of Wesley Chapel Community Development District - Proposed Budget for Fiscal Year 2004/2005 w/ copy of Resolution 2005-07 and Resolution 2005-09
  
- u. Cannon Ranch Golf Community Development District – Proposed Budget for Fiscal Year 2004/2005 w/copy of Resolution 2005-07 and Resolution 2005-09
  
- v. Cannon Ranch Lake Community Development District – Proposed Budget for Fiscal Year 2004/2005 w/copy of Resolution 2005-07 and Resolution 2005-09
  
- w. Cannon Ranch East Community Development District – Proposed Budget for Fiscal Year 2004/2005 w/copy of Resolution 2005-07 and Resolution 2005-09
  
- x. Concord Station Community Development District – Proposed Budget for Fiscal Year 2004/2005 w/copy of Resolution 2005-07 and Resolution 2005-09
  
- y. Dupree Lakes Community Development District – Proposed Budget for Fiscal Year 2004/2005 w/copy of Resolution 2005-07 and Resolution 2005-09
  
- z. Meadow Woods Community Development District – Copy of Independent Auditors' Report and General Purpose Financial Statements for the Fiscal Year Ended September 30, 2003

- aa. Minutes and Meeting Documentation – Construction Code Enforcement Board Meeting of August 18, 2004
  
- bb. Minutes and Meeting Documentation – Construction/Licensing Board of Adjustments and Appeals Meeting of August 18, 2004
  
- cc. Minutes and Meeting Documentation – Construction Code Enforcement Board Meeting of October 20, 2004
  
- dd. Minutes and Meeting Documentation – Construction/Licensing Board of Adjustments and Appeal Meeting of October 20, 2004
  
- ee. Minutes and Meeting Documentation – Environmental Lands Acquisition Selection Committee Meeting of November 10, 2004

### **PUBLIC HEARINGS FOR 1:30 P.M. MEETING**

- P 1. Streetlights - Progress Energy – Ashley Lakes, Phases 1, 2A, 2B and 2C; Comm. Dist. 3  
Memorandum UTFSSP05-0153

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

- P 2. Transmittal of a Future Land Use Map Amendment and Text Amendment, Sunlake Centre Development of Regional Impact No. 248, From: RES 3 to ROR; Comm. Dist. 2  
Memorandum GM05-95

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

- P 3. Special Assessment Ordinance No. 02-17 – Discovery Lane, PVAS No. 769; Comm. Dist. 2  
Memorandum PMA05-031

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

#### **PUBLIC COMMENT**

1. **MR. DAVID DUNBAR SPOKE REGARDING THE HUDSON CHANNEL DREDGING PROJECT.**

**THE BOARD RECESSED THE REGULAR SESSION AND CONVENED INTO THE CLOSED ATTORNEY CLIENT SESSION AT 5:05 P.M.**

#### **CLOSED ATTORNEY CLIENT SESSION:**

Request for advice from counsel and closed attorney-client session pursuant to Section 286.011(8), Florida Statutes, regarding settlement negotiations and/or strategy sessions related to litigation expenditures in Pasco Lakes Inc. vs. Pasco County, Middle District, Case No.: 8: 03-CV-830-T-26-EAJ. Attendees will include the Pasco County Board of County Commissioners; County Administrator, John J. Gallagher; County Attorney, Robert D. Sumner; the Chief Assistant County Attorney, Barbara L. Wilhite; Assistant County Attorney, David A. Goldstein; Assistant County Attorney, Joseph D. Richards, and a court reporter

THE BOARD ADJOURNED THE CLOSED ATTORNEY CLIENT SESSION AND RECONVENED INTO THE REGULAR SESSION AT 6:10 P.M. MR. SUMNER EXPLAINED THE BOARD HAD DISCUSSED SETTLEMENT NEGOTIATIONS. THE COURT REPORTER'S TRANSCRIPTION WOULD BE MADE A PART OF THE PUBLIC RECORD AFTER THE SETTLEMENT AGREEMENT WAS REACHED.

**RECESS**

THE BOARD RECESSED AT 6:11 P.M. AND RECONVENED AT 6:31 P.M. ALL BOARD MEMBERS WERE PRESENT.

**PUBLIC HEARINGS BEGINNING AT 6:30 P.M.**

**PUBLIC HEARINGS AND TIME CERTAIN ITEMS**

**Proposed Ordinances**

None Scheduled

**Public Hearings**

- P 4. Special Assessment – Tanglewood East – PVAS No. 783; Comm. Dist. 2  
Memorandum PMA05-016

**COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION AND CORRECTION TO THE AGENDA OUTLINE FROM DISTRICT 2 TO DISTRICT 4; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- P 5. Appeal of Development Director's Determination of Large-Scale Commercial Retail Design Standards Ordinance Applicability Dated 9/24/04, to Suncoast Commercial Parcels A and B Project Applicant: MDG Suncoast, LLC; Comm. Dist. 3  
Memorandum DV05-061  
**(Continued from 11/23/04 and 12/21/04)(Withdrawn by Applicant)**

**THE ITEM WAS WITHDRAWN.**

- P 6. Appeal – Zoning/Code Compliance Administrator’s Determination of Non-qualification of a Nonconforming, Sexually Oriented Business – Applicant; Michael J Pizza, d/b/a Hawg Wild Side; Comm. Dist. 3  
Memorandum AA04-03  
**(Continued from December 7, 2004)**

**COMMISSIONER SIMON MOVED APPROVAL OF STAFF’S RECOMMENDATION TO CONTINUE TO FEBRUARY 8, 2005, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

**Public Hearings—Rezoning**

None Scheduled

- Z 1. Memorandum ZN05-33

Table of Contents

Consent-Rezoning

**COMMISSIONER SCHRADER MOVED APPROVAL OF THE CONSENT AGENDA WITH EXCEPTION OF THE PULLED PETITION; COMMISSIONER HILDEBRAND AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

RZ-6290 Paradise Lakes, Inc.; Comm. Dist. 2  
**APPROVED ON CONSENT.**

RZ-6196 MDG Suncoast, Inc., et al/Suncoast Crossings  
MPUD; Comm. Dist. 2 & 3

**HEARD AFTER AGENDA ITEM R 13.**

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

CU04-37 Inland Southeast Golden Acres, LLC/Remington’s  
Steakhouse; Comm. Dist. 4  
**APPROVED ON CONSENT.**

**PULLED FROM THE CONSENT AGENDA BY STAFF**

CU04-38 Somerset Eagle Corporation/Cinema Grill at  
Embassy 6; Comm. Dist. 4

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

Location Maps

Board of County Commissioners Agenda

Regular-Rezonings

RZ-6262 Freeman F. and Gwendolyn J. Polk; Comm. Dist. 1

**COMMISSIONER SIMON MOVED TO CONTINUE TO FEBRUARY  
22, 2005, 6:30 P.M., DADE CITY; COMMISSIONER SCHRADER  
SECONDED; MOTION CARRIED.**

**PETITION RZ-6293 AND RZ-6294 WERE HEARD TOGETHER.**

**CHAIRMAN MULIERI PASSED THE GAVEL TO VICE-CHAIRMAN  
SIMON.**

RZ-6293 James Pitzer Gills, Jr. Trustee; Comm. Dist. 2

**COMMISSIONER MULIERI MOVED APPROVAL OF STAFF'S  
RECOMMENDATION OF PO-1; COMMISSIONER MARIANO  
SECONDED; MOTION FAILED WITH COMMISSIONER  
SCHRADER, COMMISSIONER HILDEBRAND AND VICE-  
CHAIRMAN SIMON VOTING NAY.**

**VICE-CHAIRMAN SIMON PASSED THE GAVEL BACK TO  
CHAIRMAN MULIERI.**

**COMMISSIONER SIMON MOVED DENIAL OF STAFF'S  
RECOMMENDATION OF PO-1 AND APPROVAL OF PO-2;  
COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

RZ-6294 James Pitzer Gills, Jr. Trustee; Comm. Dist. 2

**COMMISSIONER SIMON MOVED DENIAL OF STAFF'S RECOMMENDATION OF PO-1 AND APPROVAL OF PO-2; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

RZ-6284 Julie A. Clark; Comm. Dist. 5

**COMMISSIONER SIMON MOVED TO CONTINUE TO MARCH 8, 2005, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

**Miscellaneous Matters**

None Scheduled

**PUBLIC COMMENT**

1. **MR. DAVID DUNBAR SPOKE REGARDING THE HUDSON CHANNEL DREDGING.**
2. **MR. JOHN BOLLINGER RECOMMENDED THE MAPS SHOWING NORTH AT THE TOP.**

**ADJOURN**

**THE BOARD ADJOURNED AT 7:53 P.M.**

prepared by:cms