

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

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

**FEBRUARY 8, 2005**

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

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<b>County Commissioners</b>	Chairman Pat Mulieri, Ed.D. District 2 Vice-Chairman Steve Simon, District 4 Ted J. Schrader, District 1 Ann Hildebrand, District 3 Jack Mariano, District 5
<b>County Administrator</b>	John Gallagher
<b>County Attorney</b>	Robert D. Sumner
<b>Clerk to the Board</b>	Jed Pittman

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**CALL TO ORDER - 1:30 P.M.**

<b>INVOCATION</b>	}	<b>MS. LINDA DILLON, DEPUTY CLERK</b>
<b>PLEDGE OF ALLEGIANCE</b>	}	
<b>ROLL CALL</b>	}	

**CONSENT AGENDA**

**COMMISSIONER SCHRADER MOVED APPROVAL OF THE CONSENT AGENDA WITH THE EXCEPTION OF AGENDA ITEMS C 50, C 63 AND C 66 WHICH WERE PULLED FROM THE CONSENT AGENDA; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

**CONSTITUTIONAL OFFICERS**

**Clerk**

- C 1. Letter dated January 25, 2005 RE: Internal Audit Report on the County's Travel Expenditures, Including Responses Received from the County Administrator  
RECOMMENDATION: Receive and File and Direct the County Administrator to Implement the Recommendations Made by the Clerk

**Minutes—Approval**

Board of County Commissioners  
Regular Meeting  
December 21, 2004

**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 January 11, 2005 RE: Resolution #82-107

**LEGISLATIVE/ADMINISTRATIVE**

**County Attorney**

- C 4. Economic Development Agreement – Premier Security Services, Inc. – Partial Reimbursement of Transportation Impact Fees; Comm. Dist. 3  
Memorandum CAO05-0015  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 5. Economic Development Agreement – Rt. 41 Manufacturing, Inc. - Partial Reimbursement of Transportation Impact Fees; Comm. Dist. 2  
Memorandum CAO05-0018  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 6. Amended Maintenance and License Agreement – Guardhouse and/or Gate Within Grand Oaks Boulevard; All Comm. Dist.  
Memorandum CAO05-0424  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 7. Request to Defend Administrative Proceeding – Cypress Creek Town Center Development of Regional Impact – Appeal by Department of Community Affairs of Development Order; Comm. Dist. 2  
Memorandum CAO05-0426  
RECOMMENDATION: Approve
- C 8. Request to Defend Administrative Proceeding – Cypress Creek Town Center Development of Regional Impact – Appeal by Department of Community Affairs of Comprehensive Plan Amendments; Comm. Dist. 2  
Memorandum CAO05-0427  
RECOMMENDATION: Approve
- C 9. Landscape Ordinance – Variances for Public Buildings for Security Reasons; All Comm. Dist  
Memorandum CAO05-0428  
RECOMMENDATION: Approve
- C 10. Acceptance of Mutual Use Agreement – Tampa Bay Water – 84<sup>th</sup> Transmission Main Pipeline Project, Price Brothers Section; Comm. Dist. 2 and 3  
Memorandum CAO05-2805  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 11. Permission to Accept Settlement on 1990 Solid Waste Lien Held Against Parcel No. 20-26-16-0000-03500-0000 and Prepare Release of Lien Upon Payment; Comm. Dist. 3  
Memorandum CAO05-3619  
RECOMMENDATION: Approve

**County Administrator**

- C 12. Confirmation – Mr. Frederick Buckman – Parks and Recreation Director; All Comm. Dist.  
Memorandum CA0M-5015  
RECOMMENDATION: Approve

**County Administration—Office of Emergency Management**

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C 13. Agreement – Natural Resources Conservation Service Project; All Comm. Dist.  
Memorandum OEM05-072  
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 14. Memorandum of Understanding – Southwest Florida Water Management District –  
Flooding Issues; All Comm. Dist.  
Memorandum OEM05-073  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **County Administration—Personnel**

C 15. Pay Plan Revision – Program Administrator for Engineering Services; All Comm.  
Dist.  
Memorandum PER05-0445  
RECOMMENDATION: Approve

### **County Administration—Personnel—Risk Management**

C 16. Renewal – Public Official Bonds, Pasco County Tax Collector and Clerk of the  
Circuit Court; All Comm. Dist.  
Memorandum IN05-210  
RECOMMENDATION: Approve

C 17. Special Request for Funds – Commercial Risk Management – Payment of Hospital  
Bill under Worker's Compensation; All Comm. Dist.  
Memorandum IN05-227  
RECOMMENDATION: Approve

## **DEVELOPMENT SERVICES BRANCH**

### **Development Review Services**

C 18. Agreement – Timothy Fussell – 2004 Flood Mitigation Assistance Project; All  
Comm. Dist.  
Memorandum DV05-063  
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 19. Outdoor Festival – Zephyrhills Festivals, Inc. – Livestock, Festival Park, Zephyrhills  
April 29 – May 1, 2005; Comm. Dist. 1

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Memorandum DV05-081  
RECOMMENDATION: Approve

**Engineering Services—Engineering Design/Stormwater**

- C 20. Request for Extension – Florida Department of Environmental Protection – Lake Conley Watershed Project, Agreement No. S0093; Comm. Dist. 3  
Memorandum EDA05-007  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 21. Change Order No. 6 – All American Concrete, Inc. – Lake Zephyr Watershed Improvements; Comm. Dist. 2  
Memorandum EDA05-008  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 22. Payment of Fine – Florida Department of Environmental Protection Permit Noncompliance – Hudson Channel Dredging Project; Comm. Dist. 5  
Memorandum EDA05-009  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**Engineering Services—Engineering Inspections**

- C 23. Release Performance Guarantee – U.S. Home Corporation – Heritage Springs, Village 17; Comm. Dist. 3  
Memorandum ENIA05-044  
RECOMMENDATION: Approve
- C 24. Accept Performance Guarantee – Betmar Acres Club, Inc. – Apache Street Clubhouse, Project No. IPR04-040; Comm. Dist. 1  
Memorandum ENIA05-045  
RECOMMENDATION: Approve
- C 25. Release the Performance Bonds and Waive the Maintenance Bond – New River Lakes Limited Partnership – New River Lakes, Villages B2 and D; Comm. Dist. 2  
Memorandum ENIA05-046  
RECOMMENDATION: Approve

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- C 26. Release the Performance Guarantee – HMF Properties, Inc. – Buddy Foster Chevrolet Addition, Project No. IIPR01-027; Comm. Dist. 1  
Memorandum ENIA05-047  
RECOMMENDATION: Approve

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

- C 27. Grant Agreement OT05-016 – Economic Development Transportation Trust Fund, Office Tourism, Trade, and Economic Development Eastern Ribbon & Roll Corporation – Transportation Project; Comm. Dist. 2 and 3  
Memorandum PMA05-029  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 28. Account Number Correction – Forest Hills 4 – Paving Assessment No. 786; Comm. Dist. 3  
Memorandum PMA05-060  
RECOMMENDATION: Approve
- C 29. Interlocal Agreement – City of New Port Richey – Main Street (a.k.a. Nebraska Avenue)(Congress Street to Rowan Road) – W.O. No. PFP04.00 - Congress Street at Orchid Lake Drive/Pine Hill Road Intersection W.O. No. PFP15.00; Comm. Dist. 4  
Memorandum PMA05-066  
RECOMMENDATION: Approve and Authorize Chairman's Signature

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

- C 30. Resolution Canceling Taxes – Ray Alan Dewey and Audrey Jeanette Dewey – Tommytown Neighborhood Target Area Project, Parcel Nos. 8175A-AYO, 8175B-AYO, and 8175C-AYO, Section 22; Comm. Dist. 1  
Memorandum REA05-039  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 31. Resolution Canceling Taxes – David Lynn Britton and Katherine H. Britton – Powerline Road Project, Parcel No. 103, Section 22; Comm. Dist. 1  
Memorandum REA05-063  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 32. Resolutions Authorizing the Transfer of Subordinations of County Utility Interest, - Florida Department of Transportation – Parcels 100.04 and 101.03, C.R. 578 , Section 04 , Township 24 South, Range 17 East; Comm. Dist. 5  
Memorandum REA05-073  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 33. Agreement for Sale and Purchase of Interest in Property – George H. Russell Jr. and Sharon Russell – Old Pasco Road, Project No. C6505.10, Parcels 647 and 747, Section 20; Comm. Dist. 1  
Memorandum REA05-075  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 34. Agreement for Sale and Purchase of Interest in Property – Jack V. Cannon Jr. – Old Pasco Road, Project No. C6505.10, Parcels 635, 735.1 and 735.2, Section 19; Comm. Dist. 1  
Memorandum REA05-077  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 35. Agreement for Sale and Purchase of Interest in Property – Clara Christine Phillips – Old Pasco Road, Project No. C6505.10; Comm. Dist. 1 and 2  
Memorandum REA05-079  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 36. Recording of Perpetual Easement for Right-of-Way – Eastern Ventures, LLC – Gunn Highway, Eastern Ventures, Section 34; Comm. Dist. 3  
Memorandum REA05-081  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Engineering Services—Survey**

- C 37. Recording of Plat without a Maintenance Guarantee – Clearwater Bay Associates, Inc. – Meadow Pointe III Parcel “EE” and “HH”; Comm. Dist. 2  
Memorandum SA05-013

RECOMMENDATION: Approve

- C 38. Recording of Plat with Performance Bond - The Ryland Group – Waters Edge Two  
Memorandum SA05-027  
RECOMMENDATION: Approve  
**(Continued from 1/11/05 and 1/25/05)**
- C 39. Recording of Plat with Performance Guarantee – River Ridge Homes, Inc. –  
Windsor Place at River Ridge; Comm. Dist. 4  
Memorandum SA05-028  
RECOMMENDATION: Approve
- C 40. Recording of Plat with Performance Guarantee – River Ridge Homes, Inc. –  
Hampton Village at River Ridge, Phase 1; Comm. Dist. 4  
Memorandum SA05-029  
RECOMMENDATION: Approve
- C 41. Recording of Plat with a Performance Guarantee – Connerton, LLC – Connerton  
Village One Parcel 103; Comm. Dist. 2  
Memorandum SA05-033  
RECOMMENDATION: Approve
- C 42. Maintained Right –of-Way – Lake Patience Road (Oakstead Sub. To U.S. Highway  
No 41) Section 13, 14, 23, and 24; Comm. Dist. 2  
Memorandum SA05-034  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**Engineering Services—Traffic Operations**

- C 43. Truck Restrictions – Alico Pass, West of Starkey Boulevard, and Villa Entrada;  
Comm. Dist. 4  
Memorandum TR05-0659  
RECOMMENDATION: Approve and Authorize Chairman's Signature

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### **Growth Management**

- C 44. Master Planned Unit Development Amendment – Suncoast Commercial, Inc. – Quail Ridge, Rezoning Petition No. 2746; Comm. Dist. 2  
Memorandum GM05-465  
RECOMMENDATION: Approve
- C 45. Special Transportation Studies – URS Corporation Southern – Task Work Order No. U-10; All Comm. Dist.  
Memorandum GM05-482  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **Growth Management—Zoning/Code Compliance**

- C 46. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.  
Memorandum CC05-041  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 47. Property Maintenance Ordinance – Lien Resolution; All Comm. Dist.  
Memorandum CC05-046  
RECOMMENDATION: Approve and Authorize Chairman's Signature

### **PUBLIC SERVICES BRANCH**

- C 48. Disposal of Public Records – Listings have Expired; All Comm. Dist.  
Memorandum PS05-024  
RECOMMENDATION: Approve

### **Libraries Services**

- C 49. Request for Temporary Closing – New River Branch Library – Monday, April 18, 2005 – Sunday, May 8, 2005 for Additional Improvements; Comm. Dist. 1  
Memorandum LI05-060  
RECOMMENDATION: Approve

**PULLED**

- C 50. Annual Frame Relay Services – Verizon Select Services, Inc. – Req. Nos 65727 & 65728, Bid No. 05-033; All Comm. Dist.  
Memorandum LI05-065  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**COMMISSIONER SCHRADER MOVED APPROVAL OF THE CORRECTED AGENDA ITEM; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

**UTILITIES SERVICES BRANCH**

**Utilities**

- C 51. Revision No. 1 to Task Order No. 3-98 – C&D Engineering, Inc. – Southeast Pasco Wastewater Treatment Plant Expansion; Comm. Dist. 1 and 2  
Memorandum UTD05-0345  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 52. Acceptance of Improvements and Maintenance Guarantee – DEVCO Communities – Wesley Chapel Lakes, a.k.a. Meadow Pointe III, Parcels PP and QQ, Project No. 00-202.22; Comm. Dist. 2  
Memorandum UTD05-306  
RECOMMENDATION: Approve
- C 53. Release of Maintenance Guarantee – DEVCO Communities – Wesley Chapel Lakes, a.k.a. Meadow Pointe III, Parcel TT, Project No. 00-202.12; Comm. Dist. 2  
Memorandum UTD05-398  
RECOMMENDATION: Approve
- C 54. Release of Maintenance Guarantee – DEVCO Communities – Wesley Chapel Lakes, a.k.a. Meadow Pointe III, Phase 1, Unit 1E, Project No. 00-202.17; Comm. Dist. 2  
Memorandum UTD05-399  
RECOMMENDATION: Approve

- C 55. Release of Maintenance Guarantee – DEVCO Communities – Wesley Chapel Lakes, a.k.a. Meadow Pointe III, Phase 1, Unit 1D, Project No. 00-202.11; Comm. Dist. 2  
Memorandum UTD05-400  
RECOMMENDATION: Approve

**Utilities Fiscal Services/Special Projects**

- C 56. Service Fee – Covanta Pasco, Inc. - Fiscal Year 2004-2005; All Comm. Dist.  
Memorandum UTFSSP05-0119  
RECOMMENDATION: Approve

- C 57. Lien Resolutions – 2003 Solid Waste Disposal Assessments; All Comm. Dist.  
Memorandum UTFSSP05-0186  
RECOMMENDATION: Approve

- C 58. Legal Services – Landers & Parsons, P.A. – Purchase Order No. 109356 Increase Request; All Comm. Dist.  
Memorandum UTFSSP05-0244  
RECOMMENDATION: Approve

- C 59. Annual Emissions Fee 2004 – Florida Department of Environmental Protection; All Comm. Dist.  
Memorandum UTFSSP05-263  
RECOMMENDATION: Approve

**OFFICE OF MANAGEMENT AND BUDGET**

- C 60. Issuance of Industrial Development Revenue Bonds – Samran, Inc. – in amount of \$2,600,000 to assist with Relocation/Expansion to Pasco County; All Comm. Dist.  
Memorandum OMB05-5200  
RECOMMENDATION: Approve

**Community Development**

- C 61. Agreement – Community Aging and Retirement Services, Inc. – Block Grant Program; Comm. Dist. 3  
Memorandum CD05-072  
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 62. Additional Funds – Deaf Service Bureau of West Central Florida – Not For Profit Housing Agency Program; All Comm. Dist.  
Memorandum CD05-113  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**PULLED**

- C 63. Amendment No. 2 – Housing Finance Authority of Pinellas County – Performance Agreement; All Comm. Dist.  
Memorandum CD05-128  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**COMMISSIONER SCHRADER MOVED APPROVAL OF THE CORRECTED AGENDA ITEM; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- C 64. Pasco Opportunity Program – Homes for Hillsborough, Inc. – Provides lines of Credit to Not-For Profit Agencies; All Comm. Dist.  
Memorandum CD05-130  
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 65. Housing Replacement Program – Allowed Refinancing of Existing Mortgages with County Funds; All Comm. Dist.  
Memorandum CD05-134  
RECOMMENDATION: Approve

**Purchasing**

**PULLED**

- C 66. Purchase – Environmental Enhancement & Technologies USA, Inc. – Automatic Flushing Devices; All Comm. Dist.  
Memorandum PU05-150  
RECOMMENDATION: Approve

**COMMISSIONER SIMON MOVED APPROVAL TO AUTHORIZE THE PURCHASE RETROACTIVE TO THE DATE OF DELIVERY; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

- C 67. Purchase 4 x 4, 1 ½-Ton Utility Truck – Duval Motor Company d/b/a Duval Ford – Requisition No. 65488; All Comm. Dist.  
Memorandum PU05-169  
RECOMMENDATION: Approve
- C 68. Purchase and Installation of Carpet and Vinyl – J & J Industries, Inc. – New River Branch Library; All Comm. Dist.  
Memorandum PU05-172  
RECOMMENDATION: Approve
- C 69. Purchase – Marcab Company, Inc. – Odor Control Systems; All Comm. Dist.  
Memorandum PU05-175  
RECOMMENDATION: Approve
- C 70. Purchase – Don Reid Ford, Inc. – Sheriff’s Pursuit Vehicles; All Comm. Dist  
Memorandum PU05-176  
RECOMMENDATION: Approve
- C 71. Bid No. 04-170
- |                 |   |
|-----------------|---|
| Item:           | Construction of Various Pump Stations and Pipeline Improvements |
| Department:     | Utilities   |
| Vendor:         | Astaldi Construction Corporation                                |
| Amount:         | Anticipated \$4,422,973.00                                      |
| Memorandum      | PU05-162  |
| RECOMMENDATION: | Approve   |

C 72. Bid No. 05-008K

Item: Mobile Radios  
Department: Emergency Services  
Vendor: Communications International, Inc.  
Amount: \$55,276.00  
Memorandum PU05-154  
RECOMMENDATION: Approve

C 73. Bid No. 05-017F

Item: Liquid Dispersion Polymer  
Department: Utilities  
Vendor: Polydyne, Inc.  
Amount: Anticipated \$85,000.00  
Memorandum PU05-157  
RECOMMENDATION: Approve

C 74. Bid No. 05-025F

Item: Purchase of Flow Pump and Seal  
Department: Utilities  
Vendor: Tencarva Machinery Company d/b/a Hudson Pump  
& Equipment  
Amount: \$70,910.00  
Memorandum PU05-165  
RECOMMENDATION: Approve

C 75. Bid No. 05-026F

Item: Breakaway Posts  
Department: Road and Bridge  
Vendor: Annat, Inc. d/b/a Municipal Supply & Sign Company  
Amount: Anticipated \$30,500.00  
Memorandum PU05-166  
RECOMMENDATION: Approve

**Tourist Development**

- C 76. Addendum – University of Florida – Research Project Agreement; All Comm. Dist.  
Memorandum TD05-026  
RECOMMENDATION: Approve and Authorize Chairman's Signature

**Budgeting—Budget Amendment**

- C 77. BA05-124 TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE TREE FUNDS TO PARKS AND RECREATION FOR TREES PURCHASED AT LAKE LISA PARK - \$225.00
- C 78. BA05-127 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$2,000.00
- C 79. BA05-128 RESOLUTION REDUCING ANTICIPATED REVENUES WITHIN THE HOME PROGRAM - HUD FUND - \$(27,834.22)
- C 80. BA05-129 RESOLUTION REDUCING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF HUD FUND - \$(104,590.34)
- C 81. BA05-130 RESOLUTION REDUCING ANTICIPATED REVENUES WITHIN THE COURT COSTS FOR COURT FACILITIES FS 939.18 FUND - \$(88,868.00)
- C 82. BA05-131 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE CAPITAL IMPROVEMENT FUND - \$35,753.97
- C 83. BA05-132 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE CAPITAL IMPROVEMENT FUND - \$79,835.00
- C 84. BA05-133 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE ½ CENT SALES TAX CIP FUND - \$489,373.00

- C 85. BA05-134 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE STATE HOUSING INITIATIVES PARTNERSHIP FUND - \$3,864,734.00
- C 86. BA05-135 TRANSFER WITHIN THE GUARANTEED ENTITLEMENT CIP FUND/PARKS AND RECREATION TO REALIGN FUNDS TO THE TRINITY-ODESSA PARK; - \$1,800,000.00
- C 87. BA05-136 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$1,244.61
- C 88. BA05-137 TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE FUNDS PREVIOUSLY BUDGETED IN FISCAL YEAR 2003-2004 FOR THE PURCHASE OF ITEMS TO BE USED IN THE COMMUNITY SERVICES BUILDING EXPANSION - \$1,628.00

## **REGULAR AGENDA**

### **COMMISSIONERS' ITEMS**

#### **Chairman Mulieri**

- R 1. Letter from Sarasota County Board of County Commissioners dated January 11, 2005 RE: A Resolution Urging the 2005 Florida Legislature to Authorize Local Governments to use Photographic Traffic Control Systems in the Enforcement of Red Light Running Violations

**STAFF WAS DIRECTED TO PLACE THE LETTER ON THE MPO AGENDA FOR DISCUSSION.**

- R 2. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, COMMENDING ROSEMARY LYONS FOR BEING AWARDED HUMANE EDUCATOR OF THE YEAR

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

- R 3. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, RECOGNIZING THE EIGHTH ANNUAL "PASCO ART OF RECYCLING" ART COMPETITION AND WELCOMING THE SPECIAL SHOWING OF THE ENTRIES DURING THE MONTH OF FEBRUARY AT THE WEST PASCO GOVERNMENT CENTER AND DURING MARCH AT THE OFFICE OF THE DISTRICT SCHOOL BOARD OF PASCO COUNTY

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

- R 4. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, RECOGNIZING THE 2005 NATURE COAST REGIONAL ENVIROTHON ON FEBRUARY 16, 2005

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

#### **EMERGENCY RESOLUTION**

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

**RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, EXPRESSING APPRECIATION TO A. KAY CHILDERS, DEPUTY CLERK OF THE CIRCUIT COURT FOR HER OUTSTANDING SERVICES TO PASCO COUNTY**

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

#### **CONSTITUTIONAL OFFICERS**

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**Clerk**

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

COMMISSIONER SCHRADER MOVED APPROVAL OF THE SPECIFIC APPROVALS WITH THE RELEASE OF CHECK NUMBER 339997 IN THE AMOUNT OF \$113,052.61 PAYABLE TO COMMERCIAL RISK MANAGEMENT, INC. CONTINGENT UPON BOARD APPROVAL OF AGENDA ITEM C 17, AND THE RELEASE OF WIRE TRANSFER 2477 IN THE AMOUNT OF \$2,906,618.96 PAYABLE TO COVANTA PASCO, INC. CONTINGENT UPON BOARD APPROVAL OF AGENDA ITEM C 56; HILDEBRAND SECONDED; MOTION CARRIED.

**COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS**

None Scheduled

**Committee Reports**

None Scheduled

**DISTRICT ONE – COMMISSIONER SCHRADER**

1. COMMISSIONER SCHRADER CONGRATULATED MR. RICK BUCKMAN ON HIS APPOINTMENT AS PARKS AND RECREATION DIRECTOR.
  
2. COMMISSIONER SCHRADER CONGRATULATED CHAIRMAN MULIERI ON HER RECENT RETIREMENT FROM PASCO HERNANDO COMMUNITY COLLEGE.
3. COMMISSIONER SCHRADER CONGRATULATED COMMISSIONER SIMON ON BECOMING A GRANDFATHER.
  
4. COMMISSIONER SCHRADER DIRECTED MR. GALLAGHER TO LOOK INTO HIRING A TRANSPORTATION SPECIFIC LOBBYIST TO ASSIST MR. JOE MANNION REGARDING U.S. 19 AND S.R. 52 AND TO BRING THE LIST BACK TO THE BOARD.

**DISTRICT THREE – COMMISSIONER HILDEBRAND**

1. COMMISSIONER HILDERAND DIRECTED STAFF TO INSTALL “NO DUMPING” SIGNS ALONG THE RIGHT-OF-WAY ON STRAUBER MEMORIAL HIGHWAY.

2. COMMISSIONER HILDEBRAND DIRECTED STAFF TO LOOK AT INSTALLING “NO THRU TRUCK TRAFFIC DURING THE EVENING” SIGNS ON TRINITY BOULEVARD NEAR THE PINELLAS END.

#### **DISTRICT FOUR – COMMISSIONER SIMON**

1. COMMISSIONER SIMON DIRECTED MR. GALLAGHER TO LOOK INTO PROVIDING A TEMPORARY BUILDING SUCH AS A PORTABLE TO BE USED FOR THE SUPERVISED EXCHANGE OF CHILDREN DUE TO CUSTODY ISSUES. HE NOTED THE SHERIFF WAS AGREEABLE TO PROVIDING SUPERVISORY PERSONNEL.

#### **DISTRICT FIVE – COMMISSIONER MARIANO**

1. COMMISSIONER MARIANO MOVED APPROVAL TO APPOINT MR. RANDALL BOWEN TO THE PASCO HERNANDO JOBS AND EDUCATION PARTNERSHIP REGIONAL BOARD; COMMISSIONER SIMON AND COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.
2. COMMISSIONER MARIANO MOVED APPROVAL TO APPOINT MR. JOHN BALLASTERI TO THE PASCO HERNANDO JOBS AND EDUCATION PARTNERSHIP REGIONAL BOARD; COMMISSIONER SIMON SECONDED; MOTION CARRIED.
3. COMMISSIONER MARIANO THANKED THE COMMISSIONERS AND CITIZENS FOR THE HUDSON DREDGING PROJECT.
4. COMMISSIONER MARIANO NOTED HE WOULD BE TRAVELING WITH THE WEST PASCO CHAMBER OF COMMERCE TO TALLAHASSEE REGARDING THE U.S. 19 TRANSPORTATION PROJECTS.
5. COMMISSIONER MARIANO NOTED HE HAD BEEN CONTACTED BY RESIDENTS FROM BEAR CREEK REGARDING A BUFFER WALL. CURRENTLY, THERE WAS NO FUNDING MECHANISM IN PLACE AND THE ANTICIPATED COST OF THE WALL WAS \$200,000.00. THE BOCC HAD OFFERED TO PAY ONE-THIRD OF THE COST. MR. GALLAGHER SUGGESTED POST CARDS BE SENT TO THE RESIDENTS SUCH AS WITH PAVING ASSESSMENTS TO SEE IF THE RESIDENTS WERE INTERESTED IN AN

**ASSESSMENT. THE BOARD WAS IN AGREEMENT WITH MR. GALLAGHER'S SUGGESTION.**

**DISTRICT TWO – CHAIRMAN MULIERI**

- 1. COMMISSIONER HILDEBRAND MOVED APPROVAL FOR CHRISTIAN SOCIAL SERVICES TO USE THE LAND O' LAKES REC CENTER ON MAY 5, 2005 FROM 10:00 A.M. TO 2:00 P.M. FOR THE NATIONAL DAY OF PRAYER; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**
  
- 2. STAFF WAS DIRECTED TO LOOK AT THE COST OF HIRING A DEPUTY AS AN INTERIM FIX UNTIL THE TRAFFIC LIGHT ON COLLIER PARKWAY NEAR THE PARK WAS INSTALLED. MR. GALLAGHER STATED STAFF WOULD BRING BACK THE ANTICIPATED COST AT THE 6:30 P.M. MEETING.**

**AT THE 6:30 P.M. MEETING CHAIRMAN MULIERI STATED SHE HAD BEEN INFORMED THE COST WOULD BE \$600.00 TO HIRE TWO OFF-DUTY DEPUTIES FOR TEN HOURS. SHE NOTED THIS COST WAS FOR A SPECIFIC DAY AT THE COMPLEX THEY HAD SCHEDULED POP WARNER, THE END OF SOCCER, AND THE BEGINNING OF BASEBALL. SHE REQUESTED APPROVAL OF THE REQUEST FOR THE ONE DAY ONLY.**

**COMMISSIONER HILDEBRAND MOVED APPROVAL TO ALLOCATE THE FUNDS NOT-TO-EXCEED \$600.00 FOR THE TWO OFF-DUTY DEPUTIES; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

**Miscellaneous Old Business**

- R 6. Water Issues – Annual Report 2004; All Comm. Dist.  
Memorandum CAO05-2806**

**MR. JOE RICHARDS UPDATED THE BOARD REGARDING THE GROUNDWATER PUMPING REDUCTIONS, THE DESAL PLAN, NEW WATER SOURCES, THE MASTER WATER PLAN, THE DEFERRED LIST, AND SWFWMD ACTIVITIES INCLUDING THE SALE OF RECLAIMED WATER.**

**MS. ANN MARIE HAMMOND UPDATED THE BOARD REGARDING THE CONSOLIDATED USE PERMIT, CANDIDATE SITES EVALUATION STUDY, RESTORATION PROJECTS, BIG FISH LAKE GW AUGMENTATION PROJECT, THE CROSS BAR RANCH NATURAL SYSTEMS RESTORATION PROJECT, THE SOUTH PASCO WELLFIELD WETLAND RESTORATION PROJECT, THE STARKEY ECOSYSTEM ENHANCEMENT PROJECT FEASIBILITY STUDY, THE STARKEY RECLAIMED WATER PILOT PROJECT, THE CYPRESS CREEK SURFACE WATER MANAGEMENT PROJECT, AND RECOVERY, ALTHOUGH LONG-TERM RECOVERY HAD NOT BEEN ACHIEVED.**

**MR. WARREN HART OF TAMPA BAY WATER SPOKE REGARDING THE PROJECTS.**

**County Administrator**

- 1. MR. GALLAGHER SAID ON JANUARY 20, 2005, THE LOCAL CHAPTER OF THE NATIONAL ASSOCIATION OF FIREFIGHTERS FILED A PETITION TO REPRESENT SOME OF THE EMERGENCY SERVICES WORKERS. HE WAS AWAITING A CONSENT ELECTION ASSIGNMENT BY THE IFF. THE DOCUMENT WOULD NEED TO BE SIGNED AND RETURNED TO THE STATE GOVERNMENT PRIOR TO THE NEXT BOCC MEETING. HE ASKED IF THE BOARD COULD EITHER AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENT OR FOR HIM TO SIGN THE DOCUMENT ON THEIR BEHALF.**

**COMMISSIONER SCHRADER MOVED TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN THE DOCUMENT; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- 2. MR. GALLAGHER NOTED HE AND MR. SUMNER HAD RECENTLY MET WITH SCHOOL SUPERINTENDENT FIORENTINO REGARDING IMPACT FEES. MR. GALLAGHER WAS DIRECTED TO CONTACT THE SCHOOL BOARD TO TRY AND SCHEDULE A JOINT WORKSESSION BETWEEN THE SCHOOL BOARD AND THE BOCC ON MARCH 15, 2005, AT 10:00 A.M. AT THE DISTRICT SCHOOL BOARD OFFICE.**

- 3. EMERGENCY ITEM**

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

**APPROVE REFUND OF MEDICARE OVERPAYMENT; FILING OF APPEAL**

**COMMISSIONER SCHRADER MOVED APPROVAL TO AUTHORIZE THE PAYMENT OF THE REFUND IN THE AMOUNT \$110,674.44, TO AUTHORIZE THE CHAIRMAN TO SIGN A LETTER PRESERVING THE COUNTY'S RIGHTS, AND TO DIRECT THE CLERK TO IMMEDIATELY PROCESS THE REFUND AND SUBMIT TO THE ADDRESS LISTED ON THE AGENDA ITEM TO AVOID ANY ACCRUAL OF INTEREST OR LATE FEES IN THIS MATTER; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

- 4. EMERGENCY ITEM**

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

**BA05-145 – TRANSFER WITHIN THE GENERAL FUND/RESERVES TO APPROPRIATE FUNDS FOR THE REFUND OF PRIOR YEAR REVENUE DUE TO MEDICARE OVERPAYMENTS RECEIVED BY AMBULANCE BILLING**

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

5. **COMMISSIONER GALLAGHER REQUESTED THE BOARD MEMBERS CONTACT MS. JUDY PARKER AND LET HER KNOW WHETHER THEY WOULD BE ATTENDING THE AWARDS DINNER ON FEBRUARY 17, 2005. A TABLE FOR EIGHT HAD BEEN RESERVED. HE ALSO ASKED THEM LET HIS OFFICE KNOW WHETHER THEY WERE ATTENDING, SO THAT IF THEY WERE NOT SOME OF THE STAFF MEMBERS COULD ATTEND.**

**County Attorney**

**NO ITEMS.**

**Clerk to the Board**

**NO ITEMS.**

**Miscellaneous Matters**

None Scheduled

**INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES**

- R 7. **AN ORDINANCE ESTABLISHING THE BOUNDARIES OF THE WATERGRASS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTERS 189 AND 190, FLORIDA STATUTES; PROVIDING FOR AUTHORITY AND POWER OF THE DISTRICT; PROVIDING FOR THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR THE DISTRICT BUDGET; PROVIDING FOR FUNCTIONS OF THE DISTRICT; PROVIDING FOR MISCELLANEOUS PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; Comm. Dist. 1 Memorandum GM05-231**

**COMMISSIONER SCHRADER MOVED TO INTRODUCE THE ORDINANCE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

**DEPARTMENTAL MATTERS**

None Scheduled

**DEVELOPMENT SERVICES BRANCH**

**Engineering Services—Project Management**

- R 8. Route and Pond Studies – Florida Design Consultants, Inc. – Task Order No's. EDO03-021 and EDO04-028 Perrine Ranch Road; Comm. Dist. 3  
Memorandum PMA05-065

**A PRESENTATION WAS GIVEN BY MR. ROY CHAPMAN REGARDING THE ROUTE STUDY.**

**COMMISSIONER SIMON MOVED APPROVAL TO MOVE FORWARD; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.**

**Growth Management—Zoning/Code Compliance**

- R 9. Reduction of Lien - Janet Hardin – Parcel ID No. 26-24-17-0010-00001-0051; Comm. Dist. 2  
Memorandum ZN05-57

**COMMISSIONER SIMON MOVED TO ACCEPT THE OFFER BY MS. HARDIN TO REDUCE THE LIEN TO \$5,000.00 AND THAT THE LIEN BE PAID WITHIN 30 DAYS IN ORDER TO REMOVE THE LIEN FROM THE PROPERTY; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

**PUBLIC SERVICES BRANCH**

**Parks and Recreation**

**WITHDRAWN**

- R 10. Alternatives – Wesley Chapel District, Park Design Services Agreement; Amendment No. 2 – Wannemacher Russell, Inc. - Additional Consideration;

BOCC 02/08/2005

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**WITHDRAWN BY THE COUNTY ADMINISTRATOR.**

**UTILITIES SERVICES BRANCH**

None Scheduled

**OFFICE OF MANAGEMENT AND BUDGET**

**Community Development**

- R 11. Public Workshop – Tommytown Target Area – PVAS No. 716, Initiated Assessment;  
Comm. Dist. 1  
Memorandum CD05-124

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

- R 12. Agreement – Neighborhood Lending Partners of West Florida, Inc. – Underwrite Rental Applications for Senior Housing Developments; All Comm. Dist.  
Memorandum CD05-149

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

**COMMISSIONER SCHRADER AMENDED THE MOTION SO THAT THE PROJECT WOULD INCLUDE ELEVATORS; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

- R 13. Match Funding - Finlay Acquisitions – Apartments; Comm. Dist. 1  
Memorandum CD05-150

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

**MISCELLANEOUS PAPERS, PETITIONS, AND REPORTS**

None Scheduled

**Departmental Follow-up per Board Request**

None Scheduled

**Motions**

- R 14. Proposed Amendment of Section 105.2 of Pasco County Land Development Code;  
All Comm. Dist.  
Memorandum ZN05-62

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

**Noted Items**

- R 15. Letter from Lake Bernadette Community Development District dated January 12,  
2005 RE: Record of the Town Hall Meeting held October 19, 2004
- R 16. Florida Public Service Commission Docket No. 041304-TC Issued January 7, 2005
- R 17. Florida Public Service Commission Docket No. 041017-TI Issued January 7, 2005
- R 18. Letter from Bright House Networks dated January 14, 2005 RE: Digital Phone
- R 19. Letter from Matthew Potter received January 14, 2005 RE: Legal Notice –  
Application for a Transfer of Majority Organizational Control

- R 20. Florida Public Service Commission Docket No. 041252-WS Issued January 19, 2005
- R 21. Florida Public Service Commission Docket No. 040246-WS Issued January 21, 2005
- R 22. Memorandum from Community Services Department dated January 21, 2005 RE: Trinity Memorial Gardens Cemetery donating Polar Packs of Blue Ice
- R 23. Memorandum from Community Services Department dated January 21, 2005 RE: Mr. Wayne D. Baldwin for donation of \$75.00
- R 24. Meeting Notice from Southwest Florida Water Management District for Tuesday, February 1, 2005 at 1 p.m.
- R 25. Southwest Florida Water Management District – Pinellas-Anclote River Basin Board Meeting Agenda on Wednesday, February 2, 2005

**Noted Items— Agenda**

- R 26. Development Review Committee dated January 13, 2005

**Noted Items—Minutes**

- R 27. District School Board Meeting dated December 7, 2005
- R 28. District School Board Meeting dated January 18, 2005

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

R 29. Letter dated January 28, 2005

- a. Minutes and Meeting Documentation – Tampa Bay Water – November 9, 2004
  
- b. Minutes and Meeting Documentation – Construction/Licensing Board of Adjustments and Appeals – November 15, 2004
  
- c. Minutes and Meeting Documentation – Citizens’ Ordinance Review Committee (CORC) – November 3, 2004
  
- d. Minutes and Meeting Documentation – Construction/Licensing Board of Adjustments and Appeals – July 21, 2004
  
- e. Minutes and Meeting Documentation – Construction Code Enforcement Board – July 21, 2004
  
- f. Certificate of Liability Insurance - Producer: Suncoast Insurance Associates - Insured: TBE Group, Inc. - Dated 1/11/05
  
- g. Letter of Authorization to Commence Work with Benedict Engineering Co., Inc. – Expert Engineering Services Related to Fennell vs. Pasco County – Case No. 51-2003-CA-003052ES –Letter Dated November 9, 2004
  
- h. Letter from Genesis Group - Dated 01/14/05 - RE: Agreement for Highway Signage for the Great Florida Birding Trail, Florida Fish and Wildlife Conservation Commission – FWC Contract Number 03032 – FDOT CFDA Number 20.205 – Genesis Project No. 5247-003

- i. Letter dated January 12, 2005 to Honorable Jed Pittman, Clerk of the Circuit Court – From William O. Monroe - Pasco-Hernando Community College – Re: Attachment - Report No. 2005-096, a Financial Audit of Pasco-Hernando Community College for the fiscal year ended June 30, 2004
  
- j. Notice to Proceed Extension – D.A.B. Constructors, Inc. – Society Drive, PVAS No. 727 – W/O # P1431.02 – Contract No. 03-158 – BCC Approved 8/12/03, 9/23/03, 11/18/03, 8/10/04, 11/9/04, & 1/11/05
  
- k. Minutes - Southwest Florida Water Management District, Governing Board – November 16, 2004
  
- l. Agenda - Southwest Florida Water Management District, Governing Board – January 25-26, 2005
  
- m. Certificate of Insurance - Producer: United Service Agency, Inc. - Insured: APAC-Southeast, Inc. – RE: County Line Road, Timber Trace Drive to Mansfield Boulevard, Bid No. 04-087
- n. Certificate of Liability Insurance – Producer: Paragon Insurance Service, Inc. – Insured: Nodarse & Associates Inc. – Dated: 12/28/04 & Certificate of Liability Insurance – Producer: George Eidson Agency, Inc. d/b/a Eidson Insurance – Insured: Nodarse & Associates, Inc. – Dated 12/22/04
  
- o. Certificate of Liability Insurance – Producer: J. Rolfe Davis Insurance – Insured: Driggers Engineering Services – Dated: 9/29/04
  
- p. Certificate of Liability Insurance – Producer: Willis North America, Inc., Regional Cert Center – Insured: Ardaman & Associates, Inc. – Dated: 12/30/04 – RE: Various Geotechnical Services & Certificate of Liability Insurance - Producer: Willis North America, Inc., Regional Cert Center - Insured: Ardaman & Associates, Inc. – Dated: 12/30/04 – RE: Various

jobs for Pasco County

- q. Letter to Jed Pittman, Clerk of Circuit Court - Dated 1/22/05 - From Tampa Bay Water – Re: Required Filing of Annual Financial Report and Audited Financial Statements – Financial Statement booklet attached
  
- r. Minutes and Meeting Documentation – Metropolitan Planning Organization (MPO) – September 10, 2004
  
- s. Minutes and Meeting Documentation \_ Development Review Committee (DRC) – September 9, 2004
  
- t. Minutes and Meeting Documentation – Development Review Committee (DRC) – October 28, 2004

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

### **Proposed Ordinances**

- P 1. AN ORDINANCE ESTABLISHING THE **BOUNDARIES OF THE LAKESHORE RANCH 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 FUNCTIONS OF THE DISTRICT; PROVIDING FOR MISCELLANEOUS PROVISIONS; PROVIDING FOR AND EFFECTIVE DATE; Comm. Dist. 2  
Memorandum GM05-199  
**(Introduced on 1/25/05)**

**COMMISSIONER SCHRADER MOVED APPROVAL; COMMISSIONER SIMON SECONDED; MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.**

- P 2. AN ORDINANCE **ESTABLISHING THE BOUNDARIES OF THE WATERS EDGE 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 FUNCTIONS OF THE DISTRICT; PROVIDING FOR MISCELLANEOUS PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; Comm. Dist. 4  
Memorandum GM05-207  
**(Introduced on 1/25/05)**

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

- P 3. 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 AND AT-LARGE 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 ZN05-053  
**(Final Public Hearing)**

**COMMISSIONER SIMON MOVED APPROVAL; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.**

### **Public Hearings**

- P 4. Vacation of Portion of Easement, Forest Hills Unit No. 19, Lot 1093, 5507 Mosaic Drive, Petitioners are Kristin L. Givens and Walter Givens, Section 32, Township 26, South, Range 16 East, REV04-021; Comm. Dist. 3  
Memorandum REA05-052  
**(Continued from 1/25/05)**

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

- P 5. Vacation of a Portion of Easement, Palm Terrace Estates, Tract 17, Lot 271, 10901 Rexdale Ave., Petitioner is John P. Martin, Section 15, Township 25 South, Range 16 East; Comm. Dist. 5

Memorandum REA05-054

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

- P 6. Vacation of a Portion of Easement, Orangewood Village Unit Nine, Lot 495, 4537 Aegean Avenue, Petitioner is Beverly Vouvalis, Section 30, Township 26 South, Range 16 East; Comm. Dist. 3  
Memorandum REA05-070

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

- P 7. Vacation of a Portion of Easement, Heritage Springs Village 17, Lot 36, Petitioner US Home Corporation, Section 32, Township 26 South, Range 17 East, REV05-001; Comm. Dist. 3  
Memorandum REA05-074

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

- P 8. Additional Streetlights – Withlacoochee River Electric Cooperative, Inc. – Pleasure Isles, 3<sup>rd</sup>; Comm. Dist. 5  
Memorandum UTFSSP05-0193

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

- P 9. Special Assessment Ordinance No. 02-17 - Lakes of Regency – PVAS No. 754; Comm. Dist. 4  
Memorandum PMA05-047

COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION AND TO INCREASE THE TERM TO 10 YEARS, IF REQUESTED; COMMISSIONER MARIANO SECONDED; MOTION CARRIED WITH COMMISSIONER SCHRADER AND COMMISSIONER HILDEBRAND VOTING NAY.

COMMISSIONER SIMON MOVED TO RECONSIDER THE MOTION; COMMISSIONER MARIANO SECONDED; MOTION CARRIED.

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

### **PUBLIC COMMENT**

1. **MS. MARY QUILLIN SPOKE REGARDING PAYMENT OF ASSESSMENTS, PROCEDURES FOLLOWED AND THE ORDINANCE AS WRITTEN.**
  
2. **MS. AMYE COX, CENTRAL PASCO SPORTS COALITION, COMMENDED THE BOARD FOR THEIR CHOICE OF MR. RICK BUCKMAN AS PARKS DIRECTOR. SHE SPOKE REGARDING THE PROPOSED TRAFFIC LIGHT TO BE LOCATED AT THE NORTH END OF THE LAND O'LAKES RECREATION CENTER.**

### **RECESS**

**THE BOARD RECESSED AT 4:32 P.M. AND RECONVENED AT 6:30 P.M. ALL MEMBERS WERE PRESENT.**

### **PUBLIC HEARINGS AND TIME CERTAIN ITEMS**

#### **Proposed Ordinances**

- P 10. 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, AND REQUIRING A PERMIT FOR FILLS OF MORE THAN FIVE CUBIC YARDS, AND FOR CERTAIN FILLS OF LESS THAN FIVE CUBIC YARDS**, PROVIDING FOR AMENDMENT OF ARTICLE 200 (DEFINITIONS) TO ADD DEFINITIONS FOR THE WORD "FILL", 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 CAO05-0425

**(Introduction 1/11/05)**

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE THE ITEM TO FEBRUARY 22, 2005, AT 6:30 P.M. IN DADE CITY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

**Public Hearings**

- P 11. Special Assessment Ordinance No. 02-17 – Regency Park – PVAS No. 782;  
Comm. Dist. 4  
Memorandum PMA05-048

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

- P 12. Appeal of 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 12/7/04 and 1/11/05)**

**COMMISSIONER SIMON MOVED TO DENY THE REQUEST FOR A CONTINUANCE AND TO HEAR THE CASE; COMMISSIONER MARIANO SECONDED.**

**COMMISSIONER SIMON WITHDREW THE MOTION; COMMISSIONER MARIANO WITHDREW THE SECOND.**

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE THE ITEM TO MARCH 8, 2005, AT 1:30 P.M. IN NEW PORT RICHEY, BASED UPON THE STIPULATION THAT THERE WOULD BE NO MORE CONTINUANCES; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

- P 13. Meadow Oaks MPUD Order of Compliance Lifting the Order Suspending All Construction and Preliminary/Site Plan Approvals for Parcels Owned by Tam Bay Developers, Inc., its Successors or Assigns; All Comm. Dist.  
Memorandum GM05-498

**COMMISSIONER SIMON MOVED APPROVAL OF THE CONSTRUCTION OF THE EXTENSION OF THE 700 FEET FOR FAIRWINDS AT THE SAME TIME OF THE ASSESSMENT OF THE CONDITION OF FAIRWINDS WITH THE INTENT TO LEVEL THE COURSE OVER THE ENTIRE PASSAGEWAY, THE FINAL COATING TO BE HELD ALONG WITH THE ISSUANCE OF THE REST OF THE PERMITTING AND C-0 FOR THE THREE MODELS NOT TO EXCEED THREE IN THE NORTH OR THE SOUTH TIER, AFTER THOSE WERE OPENED THE FINAL BLACKTOP WOULD RUN ACCORDINGLY TO THE WHOLE THING, THE LANGUAGE IN THE ORIGINAL ORDER THAT GAVE POWER TO A STAFF MEMBER TO REVOKE PLAT WOULD BE REPLACED WITH THE LANGUAGE**

**THAT GAVE THEM A PRE-DEFAULTED DISPOSITION TOWARDS REINSTITUTING THE NON-COMPLIANCE NOTICE IN THE EVENT OF FAILURE WITH PROPER NOTICE AND HEARING BEFORE THE BOARD; COMMISSIONER HILDEBRAND SECONDED.**

**COMMISSIONER GALLAGHER CLARIFIED THE MODEL HOMES WOULD NOT RECEIVE A C-O UNTIL THE ROADS WERE CONSTRUCTED.**

**COMMISSIONER SIMON SAID THAT WAS THE INTENT.**

**COMMISSIONER SIMON MODIFIED THE MOTION TO INCLUDE TWO BONDS, ONE BOND LEVELED AT PERFORMANCE AND THE OTHER BOND FOR MAINTENANCE FOR ONE YEAR FOR ALL THE POTENTIAL ROADWORK TO BE PERFORMED, AND TO AUTHORIZE THE CHAIRMAN TO SIGN THE REVISED ORDER OF COMPLIANCE ONCE IT HAD BEEN AMENDED BY STAFF; COMMISSIONER HILDEBRAND SECONDED THE MODIFICATION; MOTION CARRIED.**

- P 14. Appeal Denial of Special Exception Petition No. 6255 Applicant: Darla J. Pope;  
Comm. Dist. 2  
Memorandum PCA05-01

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION TO REMAND THE ITEM BACK TO THE PLANNING COMMISSION AT THEIR APRIL MEETING; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

### **Public Hearings—Rezoning**

- Z 1. Memorandum ZN05-49

Table of Contents

Consent-Rezoning

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

**PULLED FROM THE CONSENT AGENDA TO CONTINUE**

RZ-6244 Thad M. and Barbara M. Lowrey, and Ronald E. Forguson Living Trust; Comm. Dist. 1

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE PETITION RZ-6244 IN THE NAME OF THAD M. AND BARBARA M. LOWREY, AND RONALD E. FORGUSON LIVING TRUST TO APRIL 5, 2005; COMMISSIONER SIMON SECONDED; MOTION CARRIED.**

**COMMISSIONER SIMON AND COMMISSIONER HILDEBRAND MOVED TO RECONSIDER; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

**COMMISSIONER HILDEBRAND MOVED APPROVAL OF PETITION RZ-6244; COMMISSIONER SIMON AND COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.**

RZ-6292 Mortgage Income Capital, Inc./West Trace PUD; Comm. Dist. 3

**APPROVED ON CONSENT.**

RZ-6305 Chelsea Place Preserve, Inc. & J.H. Williams Oil Company, Inc. Comm. Dist. 3

**APPROVED ON CONSENT.**

**PULLED FROM THE CONSENT AGENDA**

RZ-6311 Michael J. Birren; Comm. Dist. 4

Location Maps

Board of County Commissioners Agenda

Regular-Rezonings

**PULLED FROM THE CONSENT AGENDA**

RZ-6311 Michael J. Birren; Comm. Dist 4

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

CU05-01 52 Venture, LLC; Comm. Dist. 2

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

CU05-02 Donald L. & Kathy Cooley; Comm. Dist. 2

**COMMISSIONER HILDEBRAND MOVED TO CONTINUE CU05-02 IN THE NAME OF DONALD L. & KATHY COOLEY TO APRIL 5, 2005; COMMISSIONER SIMON SECONDED; MOTION CARRIED**

**Miscellaneous Matters**

None Scheduled

**PUBLIC COMMENT**

1. **MR. JERRY RYAL SPOKE REGARDING THE POPE ISSUE WHICH WAS REMANDED BACK TO THE PLANNING COMMISSION ON APRIL 5, 2005.**
  
2. **MS. MARGARET HALPERT SPOKE REGARDING THE POPE ISSUE.**

**ADJOURN**

**THE BOARD ADJOURNED AT 9:22 P.M.**

Prepared by: ds