

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

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

APRIL 26, 2005

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

County Commissioners	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
County Administrator	John Gallagher
County Attorney	Robert D. Sumner
Clerk to the Board	Jed Pittman

CALL TO ORDER - 1:30 P.M.

INVOCATION	}	MS. LINDA DILLON, DEPUTY CLERK
PLEDGE OF ALLEGIANCE	}	
ROLL CALL	}	

CONSENT AGENDA

**AGENDA ITEMS C 35 AND C91 WERE PULLED FROM THE CONSENT AGENDA, AND
AGENDA ITEMS C 3 AND C 45 WERE WITHDRAWN.**

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

CONSTITUTIONAL OFFICERS

Clerk

- C 1. Letter Dated April 1, 2005 RE: Tax Deed Application(s) – Listing of Parcels for which BOCC has 90 Day Option for Purchase

Minutes—Approval

Board of County Commissioners
Regular Meeting/Rezoning
February 22, 2005

Minutes—Distribution

Board of County Commissioners
Regular Meeting/Rezoning
March 8, 2005
(To Be Distributed)

Board of County Commissioners
Regular Meeting/Rezoning
March 22, 2005
(To Be Distributed)

Financial Matters

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

LEGISLATIVE/ADMINISTRATIVE

County Attorney

WITHDRAWN

- C 3. Resolution Approving Appointment of Animal Cruelty Investigators – SPCA of West Pasco, Inc.; Comm. Dist. 5
Memorandum CAO05-0036
RECOMMENDATION: Approve

THE ITEM WAS WITHDRAWN BY THE COUNTY ATTORNEY.

- C 4. Stipulated Final Judgment – State of Florida Department of Transportation vs. Florida Power Corporation, a Florida Corporation, et al. – Case No. 51-2004-2490-WS CA, Parcel No. 112; All Comm. Dist.
Memorandum CAO05-1647
RECOMMENDATION: Approve
- C 5. Retainer Letter and Scope of Services – Davis & Harmon in the Appeal of Arcarola vs. Pasco County, et al; All Comm. Dist.
Memorandum CAO05-2157
RECOMMENDATION: Approve
- C 6. Request to Defend – Pasco County vs. First Floridian Insurance Company a/s/o Gary Gilkey, Case No. 51-2004CC1281WS; All Comm. Dist.
Memorandum CAO05-2159
RECOMMENDATION: Approve
- C 7. Request to Defend – Jose M. Gordils vs. Pasco County and Gholam Shirmohammad, personally, and as Trustee for Shirmohammad Rev Living Trust – Case No. 51-2005-CA-000702WS; All Comm. Dist.
Memorandum CAO05-2163
RECOMMENDATION: Approve
- C 8. Proposed Settlement – Sullivan vs. Pasco County – Case No. 51-2002CA2464ES; All Comm. Dist.
Memorandum CAO05-2168
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 9. Name Change for Medical Expert – Keela Travis, as Personal Representative of the Estate of James Chaney vs. Pasco County; All Comm. Dist.
Memorandum CAO05-2174
RECOMMENDATION: Approve

- C 10. Access and Hold Harmless Agreement – Lexel Establishment, LTD – Clean Culverts; Comm. Dist. 2
Memorandum CAO05-2814
RECOMMENDATION: Approve
- C 11. Tampa Bay Water Request – Decision on Arbitration Regarding the Cypress Creek Wellfield Surface Water Management Project; All Comm. Dist.
Memorandum CAO05-2816
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 12. Approval of Easement and Acceptance of Letter of Credit – Trout Creek Properties, LLC – Meadow Pointe DRI; All Comm. Dist.
Memorandum CAO05-3216
RECOMMENDATION: Approve and Authorize Chairman's Signature

County Administrator

- C 13. Application – Bonnie Lee Miller James – Engage in Occupation of Psychic Readings; All Comm. Dist.
Memorandum CA05M-5022
RECOMMENDATION: Approve

County Administration—Personnel

- C 14. Pay Plan Revisions – Miscellaneous Positions; All Comm. Dist.
Memorandum PER05-0847
RECOMMENDATION: Approve

DEVELOPMENT SERVICES BRANCH

Development Review Services—Development Review

- C 15. Request for Temporary Street Closure – Farmworkers Self-Help, Inc. – Cinco de Mayo Parade on May 5, 2005 from 3:30 – 8:30 pm; Comm. Dist. 1
Memorandum DV05-121
RECOMMENDATION: Approve

Engineering Services—Engineering Design/Stormwater

- C 16. Change Order No. 3 to Task Order No. EDO04-014 – Scheda Ecological Associates, Inc. – Hudson Channel Dredging Project, Extension of Time and Increase in Agreement Price; Comm. Dist. 5
Memorandum EDA05-023
RECOMMENDATION: Approve and Authorize Chairman's Signature

Engineering Services—Engineering Inspections

- C 17. Release Performance Guarantee – U.S. Home Corporation - Heritage Pines, Village II; Comm. Dist. 5
Memorandum ENIA05-074
RECOMMENDATION: Approve
- C 18. Release Performance Guarantee – U.S. Home Corporation – Heritage Pines Village 29; Comm. Dist. 5
Memorandum ENIA05-075
RECOMMENDATION: Approve
- C 19. Release the Performance Guarantees and Accept the Maintenance Guarantee – KB Home Tampa, LLC on behalf of NRD, LLC, Developer – New River Lakes, Village A8; Comm. Dist. 2
Memorandum ENIA05-076
RECOMMENDATION: Approve

- C 20. Accept the Cash Performance Guarantee – Vari Construction Service, Inc. – Wesley Chapel Commerce Park, Project No. IIPR02-047; Comm. Dist. 2
Memorandum ENIA05-077
RECOMMENDATION: Approve
- C 21. Release Performance Guarantee – DEVCO IV, LLC – Oakstead, Parcel 2; Comm. Dist. 2
Memorandum ENIA05-078
RECOMMENDATION: Approve

Engineering Services—Project Management

- C 22. Change Order No. 1 – Highway Safety Devices, Inc. – Starkey Signals (Starkey Boulevard and Decubellis Road, and Starkey Boulevard and River Crossing Boulevard Intersections); Comm. Dist. 4
Memorandum PMA05-050
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 23. Approval to Reimburse – Ryland Communities, Inc. – for Expenses to Construct Gulf Trace Boulevard Extension; Comm. Dist. 3
Memorandum PMA05-069
RECOMMENDATION: Approve
- C 24. Set Assessment – Wisper Run Court – PVAS No. 746; Comm. Dist. 2
Memorandum PMA05-090
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 25. Set Assessment – West Shore Drive – PVAS No. 781; Comm. Dist. 3
Memorandum PMA05-091
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 26. Change Order No. 1 – Florida Design Consultants, Inc. – Countywide Program Management Services, Task Order No. EDO04-016; All Comm. Dist.
Memorandum PMA05-092
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 27. Change Order No. 1 – Kisinger Campo & Associates Corporation – Countywide Project Management and Inspection Services, Task Order No. EDO04-010; All Comm. Dist.
Memorandum PMA05-093
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 28. Set Assessment – Williams Acres – PVAS No. 764; Comm. Dist. 2
Memorandum PMA05-095
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 29. Set Assessment – Colonial Hills – PVAS No. 729; Comm. Dist. 3
Memorandum PMA05-096
RECOMMENDATION: Approve and Authorize Chairman's Signature

Engineering Services—Real Estate

- C 30. Resolution Canceling Taxes – Clara Christine Phillips – Old Pasco Road, Project No. C6505.10; Comm. Dist. 1 and 2
Memorandum REA05-102
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 31. Declaring County Property Surplus and a Resolution Authorizing the Transfer of Property – Southwest Florida Water Management District – Ridge Road (Broad Street to Moon Lake/DeCubellis Road); Comm. Dist. 4
Memorandum REA05-103
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 32. Agreement for Sale and Purchase of Interest in Property – Leonard J. and Joan M. Connors and William and Patricia Ann Clayton – Tommytown Neighborhood Target Area Project, Project No. X9587.00; Comm. Dist. 1
Memorandum REA05-104
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 33. Recording of Perpetual Easement for Right-of-Way and Subordination of Encumbrance – Claire A. Larson – Rinaldi Road, Section 35; Comm. Dist. 1
Memorandum REA05-107
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 34. Resolution Canceling Taxes – Jane H. Lindsley and Andrea L. Satterfield – Trouble Creek Road and Thys Road, Project No. X9744; Comm. Dist. 3
Memorandum REA05-108
RECOMMENDATION: Approve and Authorize Chairman's Signature

PULLED BY THE COUNTY ADMINISTRATOR

- C 35. Agreement for Sale and Purchase of Interest in Property – Louis T. Demosky, Jr. – Chancey Parkway, Parcel, Section 23; Comm. Dist. 2
Memorandum REA05-109
RECOMMENDATION: Approve and Authorize Chairman's Signature

COMMISSIONER SCHRADER MOVED APPROVAL OF THE CORRECTION TO THE AMOUNT FROM \$100,500.00 TO \$100,050.00, WHICH WOULD CHANGE THE TOTAL FROM \$109,614.00 TO \$109,164.00; COMMISSIONER HILDEBRAND AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.

- C 36. Resolution and Conveyance - Community Outreach Center of Pasco County, Inc. – Moon Lake Estates, Tract A, Unit 10; Comm. Dist. 4
Memorandum REA05-110
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 37. Resolution Canceling Taxes – Patrick Deck and Janiece Howard – Old Pasco Road, Project No. C6505.10; Comm. Dist. 2
Memorandum REA05-111
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 38. Agreement for Sale and Purchase of Interest in Property – Mary Elaine Hunter n.k.a. Mary Elaine Sharp – Old Pasco Road, Project No. C6505.10; Comm. Dist. 2
Memorandum REA05-112
RECOMMENDATION: Approve and Authorize Chairman's Signature

Engineering Services—Survey

- C 39. Recording of Plat without a Maintenance Guarantee – Clearwater Bay Associates, Inc. – Meadow Pointe IV Parcel “J”; Comm. Dist. 2
Memorandum SA05-016
RECOMMENDATION: Approve
- C 40. Recording of Plat with a Maintenance Guarantee – Lake Bernadette, LLC – Lake Bernadette Parcel 15B; Comm. Dist. 2
Memorandum SA05-032
RECOMMENDATION: Approve
- C 41. Recording of Plat with a Performance Guarantee – Belmar Development Corporation – Thousand Oaks East Phase 4; Comm. Dist. 3
Memorandum SA05-046
RECOMMENDATION: Approve
- C 42. Recording of Plat with a Performance Guarantee – Pine Development, LLC – Pine Ridge at Sugar Creek Phase 2; Comm. Dist. 2
Memorandum SA05-047
RECOMMENDATION: Approve
- C 43. Recording of Plat with a Performance Guarantee – The Ryland Group – Waters Edge One Tract B Replat; Comm. Dist. 4
Memorandum SA05-048
RECOMMENDATION: Approve

Growth Management

- C 44. City of Zephyrhills Annexation – PPB Enterprises – Location on Autumn Palm Drive, Parcel ID No. 15-26-21-0030-08100-0010; Comm. Dist. 1
Memorandum GM05-715
RECOMMENDATION: Approve

WITHDRAWN

- C 45. Development Amendment – Lake Bernadette Master Planned Unit – Rezoning Petition No. 5526; Comm. Dist. 1 and 2
Memorandum GM05-721
RECOMMENDATION: Approval with Conditions

THE ITEM WAS WITHDRAWN BY THE COUNTY ADMINISTRATOR.

Growth Management—Zoning/Code Compliance

- C 46. Property Maintenance Ordinance – Lien Resolution; All Comm. Dist.
Memorandum CC05-057
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 47. Property Maintenance Ordinance – Lien Resolution; All Comm. Dist.
Memorandum CC05-060
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 48. Property Maintenance Ordinance – Lien Resolution; All Comm. Dist.
Memorandum CC05-061
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 49. Property Maintenance Ordinance – Lien Resolution; All Comm. Dist.
Memorandum CC05-062
RECOMMENDATION: Approve and Authorize Chairman's Signature

PUBLIC SERVICES BRANCH

Community Services—Elderly Nutrition Program

- C 50. Donation – Mrs. Jean B. Smith – LG Refrigerator/Freezer valued at \$1,965.00 for the Benefit of the Participants of the Hudson Dining Site; All Comm. Dist.
Memorandum ENP05-081
RECOMMENDATION: Approve and Authorize Chairman's Signature

Emergency Services

- C 51. Assignment of Account Number – Travelers Rest Resort Inc., - Volunteer Fire Rescue Operation; All Comm. Dist.
Memorandum ES05-1099
RECOMMENDATION: Approve
- C 52. Assignment of Account Number – Tri-Community Fire Association, Inc. – Volunteer Fire Rescue Operation; All Comm. Dist.
Memorandum ES05-1109
RECOMMENDATION: Approve

Facilities Management

- C 53. Vacation of Right-of-Way, Waiver of Vacation of Right-of Way Fee, and Permission for a Public Hearing – The Magnolia Valley Volunteer Fire Station No. 29 - Provide Resolution of Existing Encroachment Issue and Redevelopment of Fire Station Site with New Building and Parking Area; Comm. Dist. 4
Memorandum FAC05-245
RECOMMENDATION: Approve
- C 54. Change Order No. 2 – Heery International, Inc. – Architectural Design of the West Pasco Judicial Center Expansion and Renovation; Comm. Dist. 4
Memorandum FAC05-247
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 55. Lease Agreement – Pasco County Fair Association, Inc. – Cooperative Extension Office; Comm. Dist. 1
Memorandum FAC05-252
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 56. Agreement – Spring Engineering, Inc. – Furnish Professional Architectural Services Related to Design of Fire Stations; All Comm. Dist.
Memorandum FAC05-253
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 57. Change Order No. 3 – Bandes Construction Company, Inc. – Renovation at Fire Station No. 15, No. 22, & No. 28; Comm. Dist. 2 and 3
Memorandum FAC05-258
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 58. Modification of Contract – Spring Engineering, Inc. – Galen Wilson Expansion Project; Comm. Dist. 4
Memorandum FAC05-271
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 59. Increase Contract Price – J. Kokolakis Contracting, Inc. – Expansion & Renovation of the West Pasco Judicial Center; Comm. Dist. 4
Memorandum FAC05-273
RECOMMENDATION: Approve and Authorize Chairman's Signature

Libraries Services

- C 60. Records Disposition Request – State of Florida General Records Schedule for State and Local Government Agencies – 48.0 Cubic Feet of Records No Longer Useful; All Comm. Dist.
Memorandum LI05-110
RECOMMENDATION: Approve

Parks and Recreation

- C 61. On-Site Security Agreement – Deputy John E. Hayhurst – Holiday Recreation Complex; Comm. Dist. 3
Memorandum PRA05-0360
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 62. Consultant Services Agreement – American Consulting Engineers of Florida, LLC – Grove Park Renovation; Comm. Dist. 3
Memorandum PRA05-0427
RECOMMENDATION: Approve and Authorize Chairman's Signature

UTILITIES SERVICES BRANCH

Utilities

- C 63. Change Order No. 2 – Schaer Development of Central Florida, Inc. – As- Needed Miscellaneous Pipeline Construction Work; Comm. Dist. 1 and 2
Memorandum UTD05-0499
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 64. Change Order No. 1 – Brandes Design-Build, Inc. – Bid No. 04-060, Extension for the Waste Water Treatment Plan Abandonment and Force Main Interconnects Project; Comm. Dist. 2 and 4
Memorandum UTD05-0619
RECOMMENDATION: Approve
- C 65. Acceptance of Improvements and Maintenance Guarantee – Spyglass Perrine, Inc. – Magnolia Estates, Project No. 03-203.01; Comm. Dist. 3
Memorandum UTD05-0621
RECOMMENDATION: Approve

- C 66. Acceptance of Improvements and Maintenance Guarantee – Sam’s East, Inc. – Sam’s Club, Project No. 04-131.00; Comm. Dist. 2
Memorandum UTD05-0622
RECOMMENDATION: Approve
- C 67. Work Order No. 04-004 Authorization – Schaer Development of Central Florida, Inc. – As-Needed Miscellaneous Pipeline Construction; Comm. Dist. 1 and 2
Memorandum UTD05-624
RECOMMENDATION: Approve
- C 68. Acceptance of Improvements and Maintenance Guarantee – DEVCO Communities – Meadow Pointe Boulevard, Project No. 99-236.06; Comm. Dist. 2
Memorandum UTD05-0625
RECOMMENDATION: Approve
- C 69. Task Order No. 5-05 – King Engineering Associates, Inc. – Moon Lake Road, Ridge Road to S.R. 52 Utility Adjustments; Comm. Dist. 4
Memorandum UTD05-0626
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 70. Acceptance of Improvements and Maintenance Guarantee – Muratte Development Corporation – Oak Villa and Deerfield Villages Subdivisions, Sewer, Project No. 01-282.00; Comm. Dist. 2
Memorandum UTD05-0627
RECOMMENDATION: Approve
- C 71. Acceptance of Improvements and Maintenance Guarantee – Muratte Development Corporation – Oak Villa and Deerfield Villages Subdivisions, Water System, Project No. 01-282.00; Comm. Dist. 2
Memorandum UTD05-0628
RECOMMENDATION: Approve

- C 72. Acceptance of Improvements and Maintenance Guarantee – SB Associates, LP – Seven Oaks, Project No. 99-111.17; Comm. Dist. 2
Memorandum UTD05-0630
RECOMMENDATION: Approve
- C 73. Highway Contractor Agreement – Florida Department of Transportation – Relocations for S.R. 52, Moon Lake to Suncoast Parkway; Comm. Dist. 2 and 4
Memorandum UTD05-0648
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 74. Agreement – Water's Edge Limited Partnership – Water's Edge, Oak Villa Pump Station Ingress and Egress Easement; Comm. Dist. 2
Memorandum UTD05-0653
RECOMMENDATION: Approve and Authorize Chairman's Signature

Utilities Fiscal Services/Special Projects

- C 75. Request – Martin Gioia – Solid Waste Assessment Appeal; Comm. Dist. 4
Memorandum UTFSSP05-0343
RECOMMENDATION: Approve
- C 76. Increase Purchase Order No. 135523 – Electric Motors – \$50,000.00 for Pump Repairs; All Comm. Dist.
Memorandum UTFSSP05-0364
RECOMMENDATION: Approve
- C 77. Approval – Chemical Lime Company of Alabama – for Supply of Dolomitic Lime; All Comm. Dist.
Memorandum UTFSSP05-0366
RECOMMENDATION: Approve

- C 78. Delivery Agreement – Check Free Service Corporation – Direct Electronic Payment;
All Comm. Dist.
Memorandum UTFSSP05-0369
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 79. Approval to Pay – Leachem Industries, Inc. – Order placed with wrong Vendor; All
Comm. Dist.
Memorandum UTFSSP05-0372
RECOMMENDATION: Approve
- C 80. Solid Waste Assessment – Mr. & Mrs. Sims of Sims Furniture – Year 2000, Parcel
06-24-17-0000-01200-0010; Comm. Dist. 5
Memorandum UTFSSP05-0376
RECOMMENDATION: Approve
- C 81. Buyback of Outstanding Debt – Joseph L. Turco, Revocable Trust, Jacqueline A.
Turco and Angeline C. Duhaime, TTEES – East Pasco Utilities; All Comm. Dist.
Memorandum UTFSSP05-0378
RECOMMENDATION: Approve

OFFICE OF MANAGEMENT AND BUDGET

- C 82. Certification of Participation – Florida Department of Law Enforcement – Edward
Byrne Memorial State and Local Law Enforcement Assistance Formula Grant; All
Comm. Dist.
Memorandum OMB05-5313
RECOMMENDATION: Approve and Authorize Chairman's Signature

Community Development

- C 83. Agreement – City of New Port Richey – Block Grant Program; Comm. Dist. 4
Memorandum CD05-028
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 84. Transfer of Property – East Pasco Habitat for Humanity - East Lake Park in Dade City; Comm. Dist. 1
Memorandum CD05-197
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 85. Pasco Opportunity Program (POP) – Largo Area Housing Development Corporation – Not-For Profit Agencies to Develop New and Rehabilitate Existing Homes for Homeownership for Very-Low and Low-Income Households; All Comm. Dist.
Memorandum CD05-208
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 86. Approval of Legal Services – Tommytown – Review of Loan Documents for Section 108 Loan; Comm. Dist. 1
Memorandum CD05-214
RECOMMENDATION: Approve
- C 87. Finance of Transfer of Property – Deborah Van Deursen – 9733 Richwood Lane, Port Richey; All Comm. Dist.
Memorandum CD05-215
RECOMMENDATION: Approve
- C 88. Agreement for CDBG Program – Gulf Coast Jewish Family Services, Inc. – Darlington Residential Facilities; Comm. Dist. 3
Memorandum CD05-217
RECOMMENDATION: Approve and Authorize Chairman's Signature

Fleet Management

- C 89. Classification and Disposal of Surplus Property – Tampa Machinery Auction, Inc. – Items have been Deemed to be Obsolete, Serve no Useful Function, Uneconomical, or Inefficient if Use is Continued; All Comm. Dist.
Memorandum FM05-063
RECOMMENDATION: Approve

Information Management

- C 90. Addendum 3 – KPMG, LLP – Technical Architecture Design Study; All Comm. Dist.
Memorandum IT05-055
RECOMMENDATION: Approve and Authorize Chairman's Signature

PULLED BY THE COUNTY ADMINISTRATOR

- C 91. Agreement – Sunera LLC – Professional Services; All Comm. Dist.
Memorandum IT05-068
RECOMMENDATION: Approve

COMMISSIONER HILDEBRAND MOVED APPROVAL OF STAFF'S RECOMMENDATION AND TO INCLUDE THE ADDITION OF THE HIPAA BUSINESS AGREEMENT; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

- C 92. Maintenance Agreement – Oce' North America, Inc. – Annual Equipment; All Comm. Dist.
Memorandum IT05-072
RECOMMENDATION: Approve and Authorize Chairman's Signature
(Continued from April 5, 2005)

- C 93. Approval – Pejot Law, P.A. – Personal Computer Dial-Up System Agreement(s); All Comm. Dist.
Memorandum IT05-078
RECOMMENDATION: Approve

- C 94. Contract – AAJ Technologies d/b/a AAJ Technologies Project Management Office – Consulting Services; All Comm. Dist.
Memorandum IT05-079
RECOMMENDATION: Approve and Authorize Chairman's Signature

Purchasing

C 95. Request to Purchase – Ellis K. Phelps & Company – Mixers and Pumps, Sole Source; All Comm. Dist.
Memorandum PU05-276
RECOMMENDATION: Approve

C 96. Classification and Disposal of Surplus Property – Star Asset Recovery – Sale of Surplus Electronics; All Comm. Dist.
Memorandum PU05-283
RECOMMENDATION: Approve

C 97. Bid No. 05-010K

Item:	Wide Area Network
Department:	Information Technology
Vendor:	Bright House Networks
Amount:	\$131,136.00 Annual
Memorandum PU05-260	
RECOMMENDATION:	Approve

C 98. Bid No. 05-036K

Item:	Plumbing
Department:	Facilities Management
Vendor:	Multiple Vendors
Amount:	Anticipated \$39,000.00 Annual Award
Memorandum PU05-262	
RECOMMENDATION:	Approve

C 99. Bid No. 05-040F

Item:	Sludge Truck
Department:	Utilities
Vendor:	Pat's Pump & Blower, LLC
Amount:	\$108,569.00
Memorandum PU05-279	
RECOMMENDATION:	Approve

Tourist Development

- C 100. Addendum to Agreement – Pasco County Fair Association – Bug Jam 2004 Volkswagen Show; All Comm. Dist.
Memorandum TD05-033
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 101. Addendum to Agreement – West Pasco Chamber of Commerce – Chasco Fiesta; All Comm. Dist.
Memorandum TD05-036
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 102. Grant – Addendum – Rattlesnake and Gopher Enthusiast, Inc. – San Antonio Rattlesnake Festival; All Comm. Dist.
Memorandum TD05-039
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 103. Grant Agreement – Central Pasco Chamber of Commerce, Inc. – Land O'Lakes Flapjack Festival; All Comm. Dist.
Memorandum TD05-041
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 104. Addendum to Agreement – Pasco County Fair Association, Inc. – Pasco County Fair; All Comm. Dist.
Memorandum TD05-042
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 105. Grant – Addendum – Alzheimer's Family Organization, Inc. – Rally to Remember; All Comm. Dist.
Memorandum TD05-043
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 106. Grant – Addendum – Athlete’s Who Care, Inc. – Pasco Triathlon; All Comm. Dist.
Memorandum TD05-044
RECOMMENDATION: Approve and Authorize Chairman's Signature

C 107. Grant – Addendum – South Regional US Amateur Confederation of Roller Skating – Roller Skating Championship
Memorandum TD05-045
RECOMMENDATION: Approve and Authorize Chairman's Signature

Budgeting—Budget Amendment

C 108. BA05-170 TRANSFER WITHIN THE DEPARTMENT OF HUD FUND/RESERVES TO APPROPRIATE FUNDS FOR RENOVATIONS AT THE GULF COAST JEWISH FAMILY SERVICES AND THE PREMIER HEALTH CLINIC, PER AGENDA MEMO CD05-217 FOR BOARD APPROVAL ON 4/26/05 - \$515,991.79

C 109. BA05-172 TRANSFER WITHIN THE DEPARTMENT OF HUD FUND/NEW PORT RICHEY MADISON NEIGHBORHOOD ALLEY IMPROVEMENTS TO REALLOCATE THE FUNDS TO COMPLETE THE OELSNER DRIVE DRAINAGE IMPROVEMENTS, PER AGENDA ITEM CD05-028 FOR BOARD APPROVAL ON APRIL 26, 2005 - \$80,000.00

C 110. BA05-173 TRANSFER WITHIN THE GENERAL FUND/INFORMATION TECHNOLOGY LESS CHARGE PURCHASES TO APPROPRIATE FUNDS FOR I/T RELATED PURCHASES - \$49,000.00

C 111. BA05-174 TRANSFER WITHIN THE GENERAL FUND/CONTRACTS – ADA 2/3 TO REIMBURSE PARKS AND RECREATION FOR EXPENSES ASSOCIATED WITH AN ADA RESTROOM CONVERSION AT ENGLE PARK - \$1,076.00

C 112. BA05-175 RESOLUTION REDUCING ANTICIPATED REVENUES WITHIN THE U.S. DEPARTMENT OF JUSTICE FUND - \$(11.00)

C 113. BA05-176 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$1,152.13

REGULAR AGENDA

COMMISSIONERS' ITEMS

Chairman Mulieri

R 1. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING THE MONTH OF MAY AS CIVILITY MONTH

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

R 2. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING APRIL 30, 2005 AS "EARTH DAY" IN PASCO COUNTY

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

R 3. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, PROCLAIMING MAY 1, 2005, AS LAW DAY

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

Commissioner Simon

- R 4. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, RECOGNIZES THE COMMUNITY EMERGENCY RESPONSE TEAM PROGRAM OF PASCO COUNTY

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

Commissioner Schrader

- R 5. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, RECOGNIZING THE 2005 NATURE COAST REGIONAL ENVIROTHON COUNTY CHAMPIONS FROM PASCO COUNTY HIGH SCHOOL

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

CONSTITUTIONAL OFFICERS

Clerk

- R 6. **Minutes and Financial Matters—Specific Approvals**

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

COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS

None Scheduled

Committee Reports

None Scheduled

DISTRICT ONE – COMMISSIONER SCHRADER

1. COMMISSIONER SCHRADER INFORMED THE BOARD THE NORTH END OF OLD PASCO ROAD WAS NOW PAVED. HE SAID THE COUNTY CREWS HAD WORKED DILIGENTLY AND HE APPRECIATED THEIR EFFORTS AND HARD WORK.

2. COMMISSIONER SCHRADER UPDATED THE BOARD REGARDING AN INCIDENT THAT HAPPENED AT STANLEY PARK OVER THE WEEKEND. HE SAID THAT THIS INCIDENT COULD BE A PRELUDE TO AN UPCOMING PLANNED EVENT. THE PARK FACILITY WAS RESERVED FOR AN ANNUAL BALL GAME, AND THE RESIDENTS WERE CONCERNED THAT THE INCIDENT NOT BE REPEATED. HE ASKED IF THE BOARD SHOULD REQUEST A SHERIFF'S DEPUTY BE PRESENT. THE BOARD DISCUSSED THE ITEM.

MR. GALLAGHER SAID HE AND MR. DAN JOHNSON HAD BEEN DISCUSSING THE ISSUE. THEY WOULD TRY TO INTERVENE ADMINISTRATIVELY AND THEN ASK THE SHERIFF'S OFFICE TO HELP IF NECESSARY.

THE BOARD DISCUSSED THE POSSIBILITY OF HAVING A LAW ENFORCEMENT OFFICER LIVE ON-SITE.

3. COMMISSIONER SCHRADER SAID HE AND CHAIRMAN MULIERI ATTENDED THE DADE CITY BUSINESS CENTER DEDICATION FORMALLY THE OLD PASCO BEVERAGE BUILDING. MS. JOEY HAMPTON WITH CONGRESSWOMAN BROWN-WAITE'S OFFICE MENTIONED THAT ALL THE OTHER COUNTIES WERE RECOGNIZING THE 60TH ANNIVERSARY OF THE END OF WORLD WAR II. SHE ASKED IF PASCO COUNTY WOULD BE INTERESTED IN PARTICIPATING. HE DIRECTED DIANE JONES TO CONTACT MS. HAMPTON.

DISTRICT THREE – COMMISSIONER HILDEBRAND

1. COMMISSIONER HILDEBRAND MOVED TO APPOINT MS. JUNE JEFFERIES TO THE LIBRARY ADVISORY BOARD; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

2. COMMISSIONER HILDEBRAND MOVED TO APPOINT DR. CARLOS COMPOSE TO THE ANIMAL ADVISORY BOARD; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

DISTRICT FOUR – COMMISSIONER SIMON

NO ITEMS.

DISTRICT FIVE – COMMISSIONER MARIANO

- 1. COMMISSIONER MARIANO SAID HE RECEIVED A LETTER FROM A LAKE FRIARSON RESIDENT. STAFF WOULD BE LOOKING AT THE WATER AND SEWER AND WOULD BE SENDING AN ESTIMATE OF THE COST TO HOOK UP TO THE UTILITIES TO THE RESIDENTS IN THE AREA.**

- 2. COMMISSIONER MARIANO ATTENDED A SEMINAR WITH COMMISSIONER SCHRADER, THE SECRETARY OF THE DCA, THE DEP, AND THE ASSISTANT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION. THEY RECEIVED GOOD INFORMATION REGARDING FUNDING ON US 19 AND 52.**

COMMISSIONER SCHRADER SAID THE KEY WORD WAS CONCURRENCY WITH RESPECT TO WATER, SCHOOLS AND TRANSPORTATION.

CHAIRMAN MULIERI SAID THERE WAS A PRESENTATION GIVEN BY PALM BEACH COUNTY AT THE FLORIDA ASSOCIATION OF COUNTIES TWO YEARS AGO. MS. KAREN MARCUS FROM PALM BEACH COUNTY SAID THEY WOULD BE WILLING TO COME AND TALK TO THE BOARD REGARDING SCHOOL CONCURRENCY.

- 3. COMMISSIONER MARIANO SAID THERE WERE 35 FIRMS FROM PASCO COUNTY THAT HELPED THE DOLAN FAMILY BUILD A NEW HOME. HE THANKED LEXINGTON HOMES FOR THEIR HELP. ON SUNDAY THERE WOULD BE A TWO HOUR “EXTREME MAKEOVER” SHOW THAT WILL FEATURE PASCO COUNTY HELPING THE COMMUNITY.**

DISTRICT TWO – CHAIRMAN MULIERI

1. CHAIRMAN MULIERI SAID MR. AND MRS. SHAMBAUGH HAD REQUESTED A REDUCTION IN A FINE REGARDING OBTAINING A PERMIT. SHE ASKED MS. KRISTI WOODEN TO EXPLAIN THE ITEM.

COMMISSIONER SCHRADER MOVED APPROVAL TO REDUCE THE FINE FROM \$500.00 TO \$100.00 TO BE PAID WITHIN 30 DAYS; COMMISSIONER HILDEBRAND AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.

2. CHAIRMAN MULIERI SAID MR. GALLAGHER GAVE HER A LETTER FROM A LOBBYING FIRM IN WASHINGTON, D.C.

MR. GALLAGHER STATED IT WAS FOR INFORMATION ONLY.

3. CHAIRMAN MULIERI RECEIVED A REQUEST FROM THE UNITED STATES BOARD ON GEOGRAPHIC NAMES REGARDING A NOTICE TO NAME COQUINA KEY AS A SMALL ISLAND.

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

4. CHAIRMAN MULIERI SUGGESTED A WORK SESSION BE SCHEDULED IN ORDER FOR KAREN MARCUS, PALM BEACH COUNTY PLANNING DEPARTMENT AND THE PALM BEACH SCHOOL DISTRICT TO GIVE A PRESENTATION ON CONCURRENCY. THE BOARD AGREED TO SCHEDULE A WORK SESSION ON JUNE 14TH.

5. CHAIRMAN MULIERI THANKED MR. FRANK JAMES AND MR. DAN JOHNSON FOR THEIR WORK AT THE HAP CLARK PROFESSIONAL CENTER IN CENTRAL PASCO FOR IMPROVEMENTS TO THE CENTER.

6. CHAIRMAN MULIERI RECOGNIZED DR. JONES WHO WAS IN THE AUDIENCE. SHE MENTIONED HE HAD HIRED HER AT PHCC TWENTY-SIX YEARS AGO.

Miscellaneous Old Business

R 7. Water Issues

NO ITEMS.

County Administrator

1. **MR. GALLAGHER REQUESTED AN EMERGENCY ITEM BE HEARD.**

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

LETTER REQUESTING AN EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND IN THE AMOUNT OF \$10,000.00 FOR EXPENDITURES RELATING TO PUBLIC SERVICE ANNOUNCEMENTS

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

2. **MR. GALLAGHER REQUESTED AN EMERGENCY ITEM BE HEARD.**

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

INDIAN CREEK RESTORATION PROJECT

COMMISSIONER MARIANO MOVED APPROVAL OF STAFF'S RECOMMENDATION, WHICH WAS TO PURSUE THE UTILIZATION OF CDBG FUNDS AND AUTHORIZE THE ORDER FOR PIPE AND INLETS; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

County Attorney

NO ITEMS.

Clerk to the Board

NO ITEMS.

Miscellaneous Matters

- R 8. Presentation of Capital Credit Refund Check in amount of \$112,327.98, by Mr. Bob Arnett and Mr. Joe Marina, Representatives for Withlacoochee River Electric Cooperative, Inc.

COMMISSIONER SCHRADER MOVED TO RECEIVE AND FILE A CAPITAL CREDIT REFUND CHECK IN THE AMOUNT OF \$112,327.98, PRESENTED BY MR. BOB ARNETT AND MR. JOE MARINA; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

- R 9. Presentation by Mr. Ed Blommel, Chairman of the Business Incentive Commission, RE: Incentive Application Received from Eastern Ribbon and Roll

COMMISSIONER SCHRADER MOVED APPROVAL OF THE REIMBURSEMENT OF IMPACT FEES REGARDING THE EASTERN RIBBON AND ROLL; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES

- R 10. AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, ORDINANCE 89-21, AS AMENDED, ARTICLE 600, SECTION 610.15(B) **RELATING TO NEIGHBORHOOD PARKS; CLARIFYING USES/LAND AREAS EXCLUDED FROM REQUIRED NEIGHBORHOOD PARK ACREAGE; PROVIDING ADDITIONAL STANDARDS FOR THE OPEN PLAY AREA PORTION OF NEIGHBORHOOD PARKS;** PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR MODIFICATION; AND PROVIDING FOR EFFECTIVE DATE; All Comm. Dist. Memorandum CAO05-3215

COMMISSIONER SCHRADER MOVED TO INTRODUCE; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

- R 11. AN ACT TO BE ENTITLED AN ORDINANCE AMENDING THE PASCO COUNTY CODE OF ORDINANCES, SCHOOL IMPACT FEES, CHAPTER 78 ARTICLE II AS AMENDED; PROVIDING FOR AMENDMENTS TO SECTIONS 78-62, 78-67, 78-81, 78-92, 78-93, 78-94, 78-95, 78-97, 78-112, 78-113 TO **AMEND DEFINITIONS AND PROCEDURES FOR REVIEW, IMPOSITION, CALCULATION, INDEPENDENT FEE CALCULATION, OFFSETS AND CREDITS, PAYMENT AND COLLECTION, APPEALS, APPROPRIATION OF SCHOOL IMPACT FEE FUNDS, AND**

REFUNDS BY THE SCHOOL BOARD; PROVIDING FOR AUTHORITY AND POWER; PROVIDING FOR REPEALER, SEVERABILITY, INCLUSION INTO THE CODE OF ORDINANCES, MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE; All Comm. Dist.

Memorandum CAO05-2442

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

DEPARTMENTAL MATTERS

County Attorney

- R 12. Three H Learning Center, Inc. Vs. Florida Youth Conservation Corps., a Florida Not-For-Profit Corporation vs. Pasco County – Stipulated Consent Judgment; All Comm. Dist.

Memorandum CAO05-0810

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

- R 13. Request to File Petition for Administrative Proceedings Challenging a Department of Community Affairs' Binding Letter Regarding Gulf Harbors; Comm. Dist. 3

Memorandum CAO05-3217

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

DEVELOPMENT SERVICES BRANCH

Engineering Services—Engineering Design/Stormwater

- R 14. Change Order No. 3 – Subaqueous Services Inc. – Hudson Channel Dredging Project, Time Extension and Line Item Adjustments; Comm. Dist. 5

Memorandum EDA05-026

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

Engineering Services—Project Management

- R 15. Task Order No. EDO04-021 – Coastal Design Consultants, Inc. – S.R. 54 and Allen Road Intersection Improvements Route Study/Alignment Selection; Comm. Dist. 1 Memorandum PMA05-094

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

- R 16. Task Order No. EDO03-024 – URS Corporation Southern – Overpass Road (Old Pasco Road to Ft. King Rd) Route Study/Alignment Selection; Comm. Dist. 1 Memorandum PMA05-098

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

PUBLIC SERVICES BRANCH

NONE SCHEDULED

UTILITIES SERVICES BRANCH

NONE SCHEDULED

OFFICE OF MANAGEMENT AND BUDGET

NONE SCHEDULED

MISCELLANEOUS PAPERS, PETITIONS, AND REPORTS

None Scheduled

Departmental Follow-up Request

- R 17. Former Hudson Library Site – Old Dixie Highway; Comm. Dist. 5
Memorandum REA05-118

COMMISSIONER MARIANO MOVED APPROVAL OF THE COUNTY ADMINISTRATOR'S RECOMMENDATION; COMMISSIONER SIMON SECONDED;

Motions

- R 18. Initiated Assessment – Public Workshop – East Brown Acres Target Area – PVAS No. 778; Comm. Dist. 5
Memorandum PMA05-099

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

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

- R 19. Initiated Assessment – Kingslanding – PVAS No. 748; Comm. Dist. 2
Memorandum PMA05-101

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

Noted Items AGENDA ITEMS R 20 THROUGH R 42 WERE NOTED.

- R 20. Letter from the Area Agency on Aging of Pasco-Pinellas, Inc. issue date March 2005
RE: Crisis Funding

- R 21. Letter from Bright House Networks dated March 21, 2005 RE: Offer Popular Local Channel in High Definition

- R 22. Florida Public Service Commission Docket No. 991473-TP – Issued March 22, 2005

- R 23. Memorandum DR05-1118 Development Review Committee Annotated Agenda for March 24, 2005

- R 24. Letter from Team Florida 2005 dated March 24, 2005 RE: Installment 8

- R 25. Memorandum dated March 24, 2005 RE: Tampa Bay Regional Planning Council – Financial Audit for Period Ended September 30, 2004

- R 26. Florida Public Service Commission Docket No. 050108-OT – Issued March 25, 2005

- R 27. Florida Public Service Commission Docket No. 99143-TP – Issued March 25, 2005

- R 28. Letter from Ginny Brown-Waite, House of Representatives dated March 30, 2005 RE: State Road 54 west-bound off Ramp on Interstate 75

- R 29. Letter from Progress Energy dated March 30, 2005 RE: Upgrading Electric Meters in your Community

- R 30. Memorandum LI05-111 dated April 1, 2005 RE: I Love My Library Bookmark Contest Winners

- R 31. Letter from Florida Department of Health dated April 1, 2005 RE: FY 2004-2005 Contract between Board of County Commissioners and the Department of Health for Operation of the Pasco County Health Department

- R 32. Memorandum LI05-112 dated April 4, 2005 RE: South Holiday Branch Library Letter of Compliment

- R 33. Florida Public Service Commission Docket No. 040156-TP Issued April 8, 2005

- R 34. Notice of Meeting - Lake Bernadette Community Development District to be held on Tuesday, April 19, 2005 @ 6:00 pm

Noted Items— Agenda

- R 35. Southwest Florida Water Management District – Coastal Rivers Basin Board Meeting Agenda on Tuesday, April 5, 2005

- R 36. Southwest Florida Water Management District – Pinellas-Anclote River Basin Board Meeting Agenda on Wednesday, April 13, 2005

Noted Items—Minutes

- R 37. Pasco Economic Development Council dated March 30, 2005

- R 38. District School Board dated April 5, 2005

- g. District School Board Meeting Agenda for April 5, 2005

- h. Florida Department of Revenue Child Support Enforcement Program RE: FFY2003 Incentive Allocation Plan

- i. Southwest Florida Water Management District RE: Comprehensive Annual Financial Report - Fiscal Year Ended September 30, 2004

- j. Department of Community Affairs RE: Waters Edge Community Development District Established by Pasco County Ordinance No. 05-02

- k. Watergrass Community Development District RE: Proposed Budget for Fiscal Year 2004/2005.

- l. Water Edge Community Development District RE: Proposed Budget for Fiscal Year 2004/2005

- m. Certificate of Liability Insurance – Producer: Paragon Insurance Service, Inc – Insured: Nodarse & Associates Inc.

- n. Certificate of Insurance – Producer: Marsh Risk & Insurance Services – Insured: Metcalf & Eddy Inc. RE: General Utility Consulting Services.

- o. Certificate of Liability Insurance – Producer: Acordia Southeast Inc. – Insured: Highway Safety Devices Inc., Drill Shaft, Inc. RE: Starkey Signals Project.

- p. Certificate of Liability Insurance – Producer: Fessler Agency – Clearwater – Insured: Atlantis Construction of Tampa Bay, Inc. – Project: Starkey Blvd.. Mitigation and Gopher Tortoise Relocation Project.

- q. Certificate of Liability Insurance – Producer: The Norris Agency – Insured: Biological Research Associates – Project: Ridge Road Extension Project.

- r. Letter From Livermore, Freeman & McWilliams, P.A. RE: Proposed Tommytown Neighborhood \$13,000.000 HUD Section 108 Loan (The “HUD” 108 Loan.

- s. Lakeshore Ranch Community Development District RE: Proposed Budget for Fiscal Year 2004/2005

- t. Order – Terrie G. and Julie L. Patterson - Special Exception Petition No. 6049 – Dated February 2, 2005.

- u. Order – Gulf Winds, LLLP – Special Exception Petition No. 6325 – Dated February 2, 2005

- v. Order – Withlacoochee River Electric Co-op, Inc. – Special Exception Petition No. 6327 – Dated February 2, 2005

- w. Order – Withlacoochee River Electric Co-op, Inc. – Special Exception Petition No. 6328 – Dated February 2, 2005

- x. Order – Adam Smith Enterprises, Inc. – Special Exception Petition No. 6329 – Dated February 2, 2005

- y. Order – Paul D. and Marcella A. Steward – Variance Application No. 1821 – Dated February 24, 2005

- z. Order – Craig C. and Damaris Rau and James Charles Rau – Variance Applications No. 1822 – February 24, 2005

- aa. Rezoning Resolution No. 05-17RZ - Application No. 6244 – BOCC Approved February 8, 2005

- bb. Rezoning Resolution No. 05-18RZ – Application No. 6292 – BOCC Approved February 8, 2005

- cc. Rezoning Resolution No. 05-19RZ – Application No. 6305 – BOCC Approved February 8, 2005

- dd. Rezoning Resolution No. 05-20RZ – Application No. 6311 – BOCC Approved February 8, 2005

- ee. Rezoning Resolution No. 05-21RZ – Conditional Use Application No. CU05-01 - BOCC Approved February 8, 2005

- ff. Rezoning Resolution No.05-22RZ – Application No. 6298 – BOCC Approved February 22, 2005

- gg. Rezoning Resolution No. 05-23RZ – Application No. 6316 – BOCC Approved February 22, 2005

- hh. Rezoning Resolution No. 05-24RZ – Application No. 6319 – BOCC Approved February 22, 2005

- ii. Rezoning Resolution No. 05-25RZ – Application No. 6322 – BOCC Approved February 22, 2005

- jj. Rezoning Resolution No. 05-26RZ – Application No. 6323 – BOCC Approved February 22, 2005

- kk. Rezoning Resolution No. 05-27 – Application No.; 6324 – BOCC Approved February 22, 2005

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

- R 40. Heritage Springs Community Development District – Landowners Meeting held November 15, 2004 and Board Meeting held November 15, 2004

R 41. Lake Bernadette Community Development District dated January 18, 2005

R 42. Community Redevelopment Agency of New Port Richey Annual Report 2003-2004 Fiscal Year

PUBLIC HEARINGS FOR 1:30 P.M. MEETING

P 1. Conditional Use Request – Pasco Lakes, Inc. - Central Pasco County; All Comm. Dist.
Petition #CU05-14

THE ITEM WAS WITHDRAWN BY STAFF.

COMMISSIONER SCHRADER MOVED TO RESCHEDULE AND READVERTISE THE ITEM FOR MAY 24, 2005, 1:30 P.M., DADE CITY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

P 2. Settlement Agreement – Pasco Lakes, Inc. – vs. Pasco County Middle District Court of Florida – Case No. 8:03-CV-830-T-26-EAJ; All Comm. Dist.
Memorandum CAO05-2817

THE ITEM WAS WITHDRAWN BY STAFF.

COMMISSIONER SCHRADER MOVED TO RESCHEDULE AND READVERTISE THE ITEM FOR MAY 24, 2005, 1:30 P.M., DADE CITY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

P 3. Settlement Agreement and Amended and Restated Development Order - Department of Community Affairs vs. Pasco County – Cypress Creek Town Center; Comm. Dist. 2
Memorandum CAO05-3219

COMMISSIONER SCHRADER MOVED TO RECEIVE AND FILE A LETTER PRESENTED BY MS. SHIRLEY JONES; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH THE NOTED CHANGES THAT WERE SUGGESTED AND AGREED UPON BY THE DEVELOPER TO PLACE THE AREA AS A CONSERVATION EASEMENT; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

- P 4. Request for Administrative Appeal – Sherrod Croft Subdivision; Comm. Dist. 1
Memorandum DV05-116
(Continued from March 22, 2005)

COMMISSIONER SIMON MOVED TO RECEIVE AND FILE PICTURES PRESENTED BY MR. DOUG TONY; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

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

COMMISSIONER SCHRADER MOVED APPROVAL OF THE APPLICANT'S APPEAL, WHICH WAS TO DENY THE SUBDIVISION THAT WAS PRESENTED FOR APPROVAL AND TO OVERTURN STAFF'S RECOMMENDATION; COMMISSIONER SIMON SECONDED.

COMMISSIONER SCHRADER AMENDED HIS MOTION TO INCLUDE IF THE SUBDIVISION WAS REAPPLIED FOR THEN THE SITE PLAN WOULD BE BROUGHT BACK TO THE DRC; COMMISSIONER SIMON SECONDED THE AMENDMENT; MOTION CARRIED.

- P 5. Special Assessment Ordinance No. 02-17 – Shadowlawn, PVAS No. 780; Comm. Dist. 1
Memorandum PMA05-083

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

PUBLIC COMMENT

NO ONE SPOKE.

RECESS

THE BOARD RECESSED AT 4:45 P.M. AND RECONVENED AT 6:30 P.M. ALL BOARD MEMBERS WERE PRESENT.

PUBLIC HEARINGS BEGINNING AT 6:30 P.M.

PUBLIC HEARINGS AND TIME CERTAIN ITEMS

Public Hearings

None Scheduled

Public Hearings—Rezoning -- 6:30 pm

Z 1. Memorandum ZN05-103

Table of Contents

Location Maps

Board of County Commissioners Agenda

Consent-Rezoning

COMMISSIONER HILDEBRAND MOVED APPROVAL OF THE CONSENT AGENDA WITH EXCEPTION OF THE NOTED PETITIONS AND THE ADDITION OF PETITION 6341 TO THE CONSENT AGENDA; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

RZ-6262 Freeman F. & Gwendolyn J. Polk; Comm. Dist. 1
PULLED FROM THE CONSENT AGENDA AND MOVED TO THE REGULAR AGENDA BY STAFF.

RZ-6335 John W. & Betty J. Prater; Comm. Dist. 1
APPROVED ON THE CONSENT AGENDA.

RZ-6349 Clara Grantham Phillips et al; Comm. Dist. 1
APPROVED ON THE CONSENT AGENDA.

RZ-6346 Feliciano & Celia Morales; Comm. Dist. 2
APPROVED ON THE CONSENT AGENDA.

RZ-6347 Charles A. & Brigitte Kirton; Comm. Dist. 2
APPROVED ON THE CONSENT AGENDA.

CU05-10 Pasco County Land Trust; Comm. Dist. 2
APPROVED ON THE CONSENT AGENDA.

RZ-6341 Florida Equity Partners LLC; Comm. Dist. 2
ADDED TO THE CONSENT AGENDA AND APPROVED.

Regular-Rezonings

CONTINUED

RZ-6340 Andrew V. Pittman; Comm. Dist. 1

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO MAY 24, 2005, 6:30 P.M., DADE CITY; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

RZ-6262 Freeman F. & Gwendolyn J. Polk; Comm. Dist. 1
PULLED FROM THE CONSENT AGENDA AND MOVED TO THE REGULAR AGENDA BY STAFF.

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

COMMISSIONER SCHRADER MOVED APPROVAL OF R-2. THERE WAS NO SECOND TO THE MOTION.

COMMISSIONER SCHRADER MOVED APPROVAL OF R-3 WITH A CAP OF 100; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED WITH CHAIRMAN MULIERI VOTING NAY.

RZ-6350 Daniel E. & Douglas A. Dewitt; Comm. Dist. 1

COMMISSIONER SIMON MOVED APPROVAL TO INCLUDE THE LANGUAGE REQUESTED BY THE COUNTY ADMINISTRATOR REGARDING THE RIGHT-OF-WAY; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

RZ-6351 Andrew V. Pittman Heritage Trust et al; Comm. Dist. 1

COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION WITH THE CONDITIONS STATED BY MS. ZAMPETTI AND WITH THE SITE PLAN TO BE BROUGHT BACK TO THE DRC; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RZ-6341 Florida Equity Partners LLC; Comm. Dist. 2
ADDED TO THE CONSENT AGENDA AND APPROVED.

Miscellaneous Matters

None Scheduled

PUBLIC COMMENT

A GENTLEMAN FROM THE AUDIENCE ASKED A QUESTION REGARDING THE ZONING CONSENT AGENDA. HE WAS REFERRED TO MS. ZAMPETTI.

ADJOURN

THE BOARD ADJOURNED AT 7:40 P.M.

Prepared by:cms