

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

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

MAY 24, 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 }
PLEDGE OF ALLEGIANCE } MS. LINDA DILLON, DEPUTY CLERK
ROLL CALL }**

CONSENT AGENDA

AGENDA ITEM C 32 WAS PULLED FROM THE CONSENT AGENDA FOR A REVISION.

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

CONSTITUTIONAL OFFICERS

Clerk

Minutes—Approval

Board of County Commissioners
Regular Meeting/Rezoning
April 5, 2005

Financial Matters

- C 1. **General Warrants, Payroll Registers, and Transfer Authorizations, Including Those Previously Approved by the Chairman/Vice-Chairman Since the Last Regular Meeting of the Board of County Commissioners**

LEGISLATIVE/ADMINISTRATIVE

County Attorney

- C 2. Records Disposal – State Division of Archives – Miscellaneous Files; All Comm. Dist.
Memorandum CAO05-0041
RECOMMENDATION: Approve

County Administrator

- C 3. Application – Barbara Jean Bertucio – Engage in Occupation of Psychic Readings; All Comm. Dist.
Memorandum CA05-5026
RECOMMENDATION: Approve

DEVELOPMENT SERVICES BRANCH

Engineering Services

- C 4. Extend Task Order No. 4 – Glatting Jackson Kercher Anglin Lopez and Rinehard – Pasco County Environmental Lands Acquisition Management Program and Environmental Lands Acquisition Selection Committee; All Comm. Dist.
Memorandum ENA05-024
RECOMMENDATION: Approve

Engineering Services—Engineering Inspections

- C 5. Release the Maintenance Guarantee and Accept the Streets and Stormwater System – New River Partners, Limited – New River Lakes, Phases A, B1A, and C1; Comm. Dist. 2
Memorandum ENIA05-086
RECOMMENDATION: Approve

- C 6. Accept the Performance Guarantee – Belmar Development – Thousand Oaks East, Phase 4, Turn-Lane Improvements, Right-of-Way Permit No. 28785; Comm. Dist. 3
Memorandum ENIA05-088
RECOMMENDATION: Approve

- C 7. Release the Performance Guarantee and Accept the Maintenance Guarantee – Freemarr Development, Inc. – Oak Grove, Phases 4B and 5B; Comm. Dist. 2
Memorandum ENIA05-089
RECOMMENDATION: Approve

Engineering Services—Project Management

- C 8. Change Order No. 1 – Coastal Design Consultants, Inc. – Task Order No. EDO05-004, Countywide Mitigation, Inspection, Monitoring and Maintenance; All Comm. Dist.
Memorandum PMA05-074
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 9. Change Order No. 1 – Coastal Design Consultants, Inc. – Task Order No. 04-034 Lake Patience Road (West of Mitchell Road to U.S. 41); Comm. Dist. 2
Memorandum PMA05-081
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 10. Set Assessment – Embassy Hills – PVAS No. 745; Comm. Dist. 4
Memorandum PMA05-097
RECOMMENDATION: Approve

- C 11. Change Order No. 2 – King Engineering Associates, Inc. – Task Order No. EDO04-011, Little Road/C.R. 1; Comm. Dist. 5
Memorandum PMA05-100
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 12. Agreement – Tindale-Oliver & Associates, Inc. - to Furnish General Professional Engineering and Consulting Services; All Comm. Dist.
Memorandum PMA05-105
RECOMMENDATION: Approve and Authorize Chairman's Signature

Engineering Services—Real Estate

- C 13. Agreement for Sale and Purchase of Interest in Property – Margy F. Cosentino – Tommytown Neighborhood Revitalization Project No. X9587.00; Comm. Dist. 1
Memorandum REA05-119
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 14. Recording of a Warranty Deed, and a Resolution Canceling Taxes – Beazer Homes Inc. – Dupree Preserves, Section 6; Comm. Dist. 2
Memorandum REA05-120
RECOMMENDATION: Approve and Authorize Chairman's Signature

Engineering Services—Survey

- C 15. Recording of Plat with Performance Guarantee – M/I Homes, Inc. – Tierra del Sol Phase 2; Comm. Dist. 2
Memorandum SA05-052
RECOMMENDATION: Approve
- C 16. Recording of Plat with Performance Guarantee – M/I Homes, of Tampa, LLC – Boyette Oaks; Comm. Dist. 1
Memorandum SA05-053
RECOMMENDATION: Approve

Growth Management

- C 17. Master Planned Unit Development Amendment – Louis Smith III Corporation Mobile Homes – The Enclave at Lake Padgett; Comm. Dist. 2
Memorandum GM05-858
RECOMMENDATION: Approval with Conditions
- C 18. Correction of a Scrivener's Error - Oakley Plaza Development – Pertaining to Effective Date of the Development Order; Comm. Dist. 2
Memorandum GM05-869
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 19. Resolution Approving – WaterGrass CDD – Provide Parks and Recreation Facilities, Security Services and Facilities, and Waste Collection and Disposal; Comm. Dist. 1
Memorandum GM05-877
RECOMMENDATION: Approve and Authorize Chairman's Signature

Growth Management—Zoning/Code Compliance

- C 20. Property Maintenance Ordinance – Lien Resolutions; All Comm. Dist.
Memorandum CC05-069
RECOMMENDATION: Approve and Authorize Chairman's Signature

PUBLIC SERVICES BRANCH

Parks and Recreation

- C 21. Donation – to Pasco High School in Dade City – Old Sports Poles and Lighting Field Fixtures removed from John S. Burks Memorial Park; Comm. Dist. 1
Memorandum PRA05-0465
RECOMMENDATION: Approve

- C 22. Donation – West Pasco Chamber of Commerce – Sno-Kone Machine Valued at \$850.00 for Children’s Special Events; All Comm. Dist.
Memorandum PRA05-0510
RECOMMENDATION: Approve and Authorize Chairman's Signature

UTILITIES SERVICES BRANCH

- C 23. Service Delivery Makeover – CH2M Hill, EMA, Inc., Barrington-Wellesley Group, Inc. – Improve Service of Delivery for Water, Wastewater, and Reuse System Operation and Maintenance Activities; All Comm. Dist.
Memorandum UT05-0810
RECOMMENDATION: Approve

Utilities

- C 24. Approve Change Order No. 2 to Work Order No. 05-002 – Schaer Development of Central Florida, Inc. – As Needed Miscellaneous Pipeline Construction Contract and Approve Land O’Lakes Force Main Interconnect; All Comm. Dist.
Memorandum UTD05-0692
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 25. Task Order No. 10-05 – King Engineering Associates, Inc. – Hydraulic Modeling Services, Water, Wastewater, and Reuse; All Comm. Dist.
Memorandum UTD05-0739
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 26. Acceptance of Improvements and Maintenance Guarantee – Tri-County Development, Inc. – River Crossing Redevelopment, Project No. 04-205.00; Comm. Dist. 4
Memorandum UTD05-0758
RECOMMENDATION: Approve

- C 27. Acceptance of Improvements and Maintenance Guarantee – M/I Homes of Tampa, LLC – Ballantrae Village 2A and Ballantrae Boulevard Project No. 02-114.02; Comm. Dist. 2
Memorandum UTD05-0771
RECOMMENDATION: Approve
- C 28. Revision No. 1 to Task Order No. 8-04 – King Engineering Associates, Inc. – Master Reuse System, Storage Reservoir; Comm. Dist. 2
Memorandum UTD05-0807
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 29. Revision No. 1 to Task Order No. 2-04 – King Engineering Associates, Inc. – Southeast Water System; Comm. Dist. 1 and 2
Memorandum UTD05-0815
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 30. Task Order No. 3-05 – QORE Property Sciences, Inc. – Groundwater Mounding Analyses, Reuse System; Comm. Dist. 2 and 5
Memorandum UTD05-0819
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 31. Revision No. 1 to Task Order No. 3-05 – King Engineering Associates, Inc. – Central Pasco, Ehren Cutoff to Wesley Chapel Water Treatment Main; Comm. Dist. 1 and 2
Memorandum UTD05-0820
RECOMMENDATION: Approve and Authorize Chairman's Signature

PULLED FOR A REVISION

- C 32. Agreement – Fleischman and Garcia Architects and Planners, AIA, P.A. – Architect-Engineer Services; All Comm. Dist.
Memorandum UTD05-0821
RECOMMENDATION: Approve and Authorize Chairman's Signature

COMMISSIONER SIMON MOVED APPROVAL OF STAFF'S RECOMMENDATION TO INCLUDE THE REVISION TO THE AMOUNT ON PAGE 19 REGARDING THE COMPLETION OF THE PROJECT FROM \$34,000.00 TO \$35,000.00; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

- C 33. Change Order No. 1 (Final) to Work Order No. 05-003 – Schaer Development of Central Florida, Inc. – As-Needed Miscellaneous Pipeline Construction; Comm. Dist. 1 and 2
Memorandum UTD05-0829
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 34. Final Change Order to Work Order No. 04-004 – Schaer Development of Central Florida, Inc. – As-Needed Miscellaneous Pipeline Construction; Comm. Dist. 1 and 2
Memorandum UTD05-832
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 35. Continuing Equipment Rental – Ring Power CAT of Tarpon – 25 Yard Off Road Dump Truck; All Comm. Dist.
Memorandum UTD05-0833
RECOMMENDATION: Approve

Utilities Fiscal Services/Special Projects

- C 36. Joint Participation Agreements – Florida Department of Transportation – Hurricanes Frances and Jeanne; All Comm. Dist.
Memorandum UTFSSP05-0342
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 37. Emergency Purchase Order – Cornerstone Business, Inc. – Indian Creek Outfall Restoration Project; Comm. Dist. 1 and 2
Memorandum UTFSSP05-0467
RECOMMENDATION: Approve

OFFICE OF MANAGEMENT AND BUDGET

- C 38. Application – U.S. Department of Justice, Office of Community Oriented Policing Services – Grant; All Comm. Dist.
Memorandum OMB05-5354
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 39. Revenue Bonds – Florida Development Finance Corporation – Relocation of Florida Customer Mold, Inc. to Gunn Highway, Odessa; All Comm. Dist.
Memorandum OMB05-5362
RECOMMENDATION: Approve

Community Development

- C 40. FY 2004-2005 Program Amendment – City of San Antonio – Watershed Management Plan; Comm. Dist. 1
Memorandum CD05-225
RECOMMENDATION: Approve
- C 41. Program Amendment – U.S. Department of Housing Urban Development – Sandy Drive, Indian Creek Restoration Project; All Comm. Dist.
Memorandum CD05-251
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 42. Addendum No. 1 to Agreement – Community Aging and Retirement Services, Inc. – Elfers Senior Center; Comm. Dist. 3
Memorandum CD05-254
RECOMMENDATION: Approve and Authorize Chairman's Signature
- C 43. Program – Pasco Fix! – Assistance to Families with Emergency or Minor Home Projects; All Comm. Dist.
Memorandum CD05-259
RECOMMENDATION: Approve

- C 44. Sale and Transfer of Property – Central Pasco Habitat – Humanity Parcel ID: 22-24-18-0010-00500-0110; Comm. Dist. 2
Memorandum CD05-260
RECOMMENDATION: Approve

Purchasing

- C 45. Agreement – Wheeled Coach Industries, Inc. – Purchase of Ambulances and Ongoing Purchase Agreement; All Comm. Dist.
Memorandum PU05-322
RECOMMENDATION: Approve

- C 46. Bid No. 05-048

Item:	Construction of the Wesley Center Subregional Reuse Facility – 6.0 MGD Expansion
Department:	Utilities
Vendor:	Encore Construction Company
Amount:	\$18,520,000.00
Memorandum PU05-280	
RECOMMENDATION:	Approve

- C 47. Bid No. 05-068F

Item:	Fleet Vehicles
Department:	Fleet Management
Vendor:	Orville-Beckford Ford-Mercury & Autoway Ford
Amount:	\$309,283.44
Memorandum PU05-326	
RECOMMENDATION:	Approve

Tourist Development

- C 48. Grant Agreement – Kiefer Village Jewels/Dade Battle of Brilliance – Revised for Name Correction and Additional Funding; All Comm. Dist.
Memorandum TD05-032
RECOMMENDATION: Approve and Authorize Chairman's Signature

- C 49. Grant – Little Everglades Steeplechase Foundation, Inc. – Addendum to Agreement; All Comm. Dist.
Memorandum TD05-034
RECOMMENDATION: Approve and Authorize Chairman's Signature

Budgeting—Budget Amendment

- C 50. BA05-186 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE GENERAL FUND - \$218.79
- C 51. BA05-187 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE MUNICIPAL SERVICE FUND - \$958.00
- C 52. BA05-188 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF HUD FUND - \$220,940.32
- C 53. BA05-189 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE DEPARTMENT OF HOMELAND SECURITY FUND - \$799,160.00
- C 54. BA05-190 TRANSFER WITHIN THE GENERAL FUND/SOIL AND WATER CONSERVATION TO REALIGN FUNDS FOR THE REMAINDER OF FISCAL YEAR 2004-2005 - \$1,756.00
- C 55. BA05-194 RESOLUTION INCREASING ANTICIPATED REVENUES WITHIN THE EQUIPMENT SERVICE FUND - \$2,100,000.00

REGULAR AGENDA

COMMISSIONERS' ITEMS

Chairman Mulieri

- R 1. Letters from Marion County's Commissioner Randy Harris RE: Hurricane Debris Removal/FEMA Reimbursement

MS. MICHELE BAKER WAS DIRECTED TO WRITE A LETTER OF RESPONSE FOR CHAIRMAN MULIERI'S SIGNATURE.

- R 2. Presentation by Denni S. Mihalenic RE: State Trail Extension

MR. DENNI S. MIHALENIC SPOKE REGARDING THE STATE TRAIL AND REQUESTED THE TRAIL BE EXTENDED FROM TRILBY TO DADE CITY.

COMMISSIONER SCHRADER MOVED TO RECEIVE AND FILE A PETITION WITH 1,000 NAMES OF APPROVAL; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

- R 3. A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, RECOGNIZING THE FLORIDA STATE ASSOCIATION OF SUPERVISORS OF ELECTIONS ANNUAL SUMMER CONFERENCE JUNE 5TH THROUGH 9TH, 2005

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

- R 4. RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY COMMENDING WILLIAM E. NELSON, BUS DRIVER WITH PASCO COUNTY PUBLIC TRANSPORTATION, FOR MANY YEARS OF DEDICATED SERVICE TO PASCO COUNTY AND ITS CITIZENS, AND CONGRATULATING HIM ON HIS RETIREMENT

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

CHAIRMAN MULIERI INDICATED MS. MITTIE WOOD REQUESTED TO SPEAK BEFORE THE BOARD.

MS. MITTE WOOD SPOKE REGARDING THE MOTHER'S DAY POW WOW FESTIVAL AND PRESENTED EACH BOARD MEMBER WITH PLAQUES.

CONSTITUTIONAL OFFICERS

Clerk

R 5. Minutes and Financial Matters—Specific Approvals

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

COMMITTEE REPORTS AND MISCELLANEOUS OLD BUSINESS

None Scheduled

Committee Reports

None Scheduled

DISTRICT ONE – COMMISSIONER SCHRADER

1. COMMISSIONER SCHRADER SAID HE RECEIVED A TELEPHONE CALL FROM THE CRYSTAL SPRINGS FOUNDATION, INC. WHO HAD CONDUCTED A CLEAN-UP OF THE HILLSBOROUGH RIVER. THEY WERE REQUESTING THE FEES BE WAIVED IN ORDER TO DISPOSE OF THE ITEMS AT THE COUNTY FACILITIES.

COMMISSIONER SCHRADER MOVED APPROVAL TO WAIVE THE FEES; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

2. COMMISSIONER SCHRADER BROUGHT UP FOR DISCUSSION THE POSSIBILITY OF THE COUNTY PURCHASING THE DADE CITY BAPTIST CHURCH TO BE USED FOR A GOVERNMENT BUILDING. EXTENSIVE DISCUSSION FOLLOWED.

COMMISSIONER SCHRADER MOVED TO DIRECTED STAFF TO NEGOTIATE A SALES PRICE IN ORDER TO OBTAIN A CONTRACT ON THE PROPERTY SUBJECT TO AN APPRAISAL AND SUBJECT TO A PHASE II AUDIT, AND TO BRING THE SALES PRICE INFORMATION BACK TO THE NEXT DADE CITY BOARD MEETING; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

DISTRICT THREE – COMMISSIONER HILDEBRAND

NO ITEMS.

DISTRICT FOUR – COMMISSIONER SIMON

NO ITEMS.

DISTRICT FIVE – COMMISSIONER MARIANO

1. **COMMISSIONER MARIANO UPDATED THE BOARD REGARDING THE MEETING THAT WAS HELD WITH THE CITIZENS ON THE HUDSON DREDGING PROJECT.**

2. **COMMISSIONER MARIANO INFORMED THE BOARD A LANDSCAPING ORDINANCE MEETING WAS SCHEDULED FOR MAY 31ST, FROM 3:00 P.M. TO 5:00 P.M. AT THE WEST PASCO GOVERNMENT CENTER.**

3. **COMMISSIONER MARIANO STATED THERE WERE THREE TREE TRIMMING COMPANIES INTERESTED IN ASSISTING HANDICAPPED AND LOW INCOME RESIDENTS WITH TREE REMOVAL DUE TO LAST YEAR'S STORMS. THEY REQUESTED THE TIPPING FEES BE WAIVED FOR ONE MONTH.**

COMMISSIONER MARIANO MOVED TO WAIVE THE TIPPING FEES FOR THE MONTH OF JUNE FOR THE THREE TREE TRIMMING COMPANIES; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

4. **COMMISSIONER MARIANO INFORMED THE BOARD HE ATTENDED A FACC SEMINAR ON LAND USE. HE SAID THE POLK COUNTY ADMINISTRATOR SPOKE ON TRANSPORTATION AND STATED THEY HAD A TRANSPORTATION LOBBYIST IN TALLAHASSEE AND ALSO ONE IN WASHINGTON, DC. HE SPOKE FURTHER. DISCUSSION FOLLOWED.**

5. COMMISSIONER MARIANO SAID HIS DAUGHTER, AMBER, RECEIVED STRAIGHT "A"'S THROUGHOUT THE SCHOOL YEAR.

DISTRICT TWO – CHAIRMAN MULIERI

1. CHAIRMAN MULIERI ASKED STAFF IF THERE WOULD BE A LIBRARY FACILITY IN THE SHADY HILLS AREA.

MR. DAN JOHNSON STATED THE MASTER PLAN WHICH WAS ADOPTED A FEW YEARS AGO DID NOT IDENTIFY A LIBRARY IN THE SHADY HILLS AREA.

2. CHAIRMAN MULIERI SAID SHE RECEIVED A REQUEST FROM DEVELOPERS OF THE HIDDEN RIVER AREA, WHO WANTED TO EXCHANGE LAND WITH PASCO COUNTY. THE PROPERTY WAS FRONTAGE ON THE HILLSBOROUGH RIVER. SHE EXPLAINED FURTHER AND EXTENSIVE DISCUSSION FOLLOWED.

MR. GALLAGHER SUGGESTED HE MEET WITH THE DEVELOPERS AND THAT STAFF PREPARE A REPORT AND BRING IT BACK TO THE BOARD.

3. CHAIRMAN MULIERI REQUESTED A MOTION TO APPOINT MAYOR TIPTON TO THE TOURIST DEVELOPMENT COUNCIL TO REPLACE GINNY MILLER.

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

4. CHAIRMAN MULIERI SAID LAST SATURDAY FOUR AMERICAN LEGIONS PRESENTED BANNERS TO CITIZENS WHO HAVE FAMILY IN THE SERVICE. SHE WAS PRESENT TO ACCEPT A BANNER FOR HER GRANDSON, MICKEY. CHAIRMAN MULIERI STATED THAT MR. CHUCK GREY HAD THREE CHILDREN IN THE SERVICE.

Miscellaneous Old Business

R 6. Water Issues

COMMISSIONER SCHRADER MET WITH NEW PORT RICHEY MAYOR TIPTON, HIS CITY MANAGER, JERRY MAXWELL, AND BRUCE KENNEDY. THEY TOURED THE

TAMPA BY-PASS CANAL, THE SURFACE WATER TREATMENT PLANT, THE RESERVOIR, AND THE DESAL FACILITY. THEY DRANK DESALINATED SEA WATER OUT OF THE TEST PILOT PROJECT. HE INFORMED THE BOARD THAT HILLSBOROUGH COUNTY WAS CONCERNED WITH THE "SMART MODEL" THAT TAMPA BAY WATER WAS DEVELOPING. AT THE JUNE TAMPA BAY WATER BOARD MEETING, THE BOARD WILL BE ASKED TO APPROVE THE UPCOMING YEAR'S BUDGET TO ESTABLISH THE RATE AND THE PRIORITIES. HE SUGGESTED MR. JOE RICHARDS, ASSISTANT COUNTY ATTORNEY, REVIEW AND EVALUATE THE SMART MODEL. DISCUSSION FOLLOWED REGARDING THE SMART MODEL; GROUNDWATER PUMPING; AND THE RESERVOIR.

County Administrator

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

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

UNITED STATES MARSHALS SERVICE – COOPERATIVE AGREEMENT PROGRAM
OMB05-5379

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

2. MR. GALLAGHER STATED HE HAD A "MOTHER MAY I" ORDINANCE REGARDING THE TEEN COURT PROGRAM. HE REQUESTED BOARD APPROVAL FOR THE COUNTY ATTORNEY TO REWRITE THE ORDINANCE AND BRING IT BACK FOR INTRODUCTION.

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

County Attorney

1. MR. SUMNER REQUESTED THE BOARD APPROVE AN ADDITIONAL AMOUNT NOT TO EXCEED \$50,000.00 TO ALLOW THE CONSULTANTS TO CONTINUE TO WORK ON THE DEVELOPMENT OF THE TECHNOLOGICAL TREATMENT STANDARDS, PREPARATION, AND ATTENDANCE AT PUBLIC HEARINGS FOR THE ADOPTION OF THE ORDINANCE RELATIVE TO ALOHA UTILITIES.

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

Miscellaneous Matters

- R 7. Memorandum dated May 3, 2005 Requesting Disposal of Records for the West Pasco County Law Library

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

INTRODUCTION AND REFERENCE OF PROPOSED ORDINANCES

- R 8. AN ORDINANCE AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, ORDINANCE NO. 89-21, AS AMENDED; **PROVIDING FOR THE REPEAL OF SECTION 521, PUD PLANNED UNIT DEVELOPMENT**; SEVERABILITY; INCLUSION IN CODE; MODIFICATION THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE; All Comm. Dist.
Memorandum ZN05-123

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

DEPARTMENTAL MATTERS

County Attorney

- R 9. Land O' Lakes Wal-Mart Agreement – Department of Transportation and CSX Transportation, Inc. – Approval of Roadway and Rail Crossing and Access Boulevard Maintenance; All Comm. Dist.
Memorandum CAO05-1254

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

DEVELOPMENT SERVICES BRANCH

Engineering Services

- R 10. Task Order No. EDO05-009 – Camp Dresser and McKee – Update the Stormwater Utility Study; All Comm. Dist.
Memorandum ENA05-020

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

- R 11. Award of Bid 05-095 and Negotiated Contracts – Southwest Contracting, Inc., Crowder-Gulf & Florida Natives Nursery, Inc. - NRCS Emergency Debris Removal and Indian Creek Restoration Project; All Comm. Dist.
Memorandum ENA05-025
(Contracts to be distributed)

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 Reports

None Scheduled

Motions

- R 12. Request for Introduction of Ordinance Establishing Chapel Creek Community Development District; Comm. Dist. 1
Memorandum GM05-848

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

Noted Items AGENDA ITEMS R 13 THROUGH R 31 WERE NOTED.

- R 13. Florida Yards & Neighborhoods – Quarterly Report – January 1, 2005 – March 31, 2005
- R 14. Florida Public Service Commission Docket No.991473-TP issued April 14, 2005
- R 15. Florida Public Service Commission Docket No. 041017-TI issued April 19, 2005
- R 16. Letter from Operation PAR Inc. dated April 18, 2005 RE: Building Healthier Communities One Family at a Time
- R 17. Letter from Bright House Networks dated April 19, 2005 RE: The Black Family Channel and Seven New Favorites
- R 18. Florida Public Service Commission Docket No.040130-TP issued April 21, 2005

- R 19. Letter from District School Board dated April 21, 2005 RE: Impact Fees – Monthly Report

- R 20. Letter from Northwood Community Development District dated May 3, 2005 RE: Transmittal of Proposed Budget Fiscal Year 2006

- R 21. Memorandum CAO05-0446 dated May 4, 2005 RE: Quarterly Average Ranking List as of December 2004

- R 22. Letter from Meadow Pointe Community Development District dated May 5, 2005 RE: Proposed Budget Fiscal Year 2006

- R 23. Letter from The Preserve at Wilderness Lake Community Development District dated May 5, 2005 RE: Wilderness Lake CDD

- R 24. Meeting Notice – Lake Bernadette Community Development District – Tuesday, May 17, 2005

- R 25. Meeting Notice – Southwest Florida Water Management District has been changed from June 7, 2005 to June 21, 2005 @ 1 P.M. in Brooksville

Noted Items—Minutes

- R 26. Tampa Bay Water dated February 28, 2005

R 27. Heritage Springs Community Development District dated February 28, 2005

R 28. Development Review Committee dated April 14, 2005

R 29. Development Review Committee dated April 28, 2005

R 30. District School Board dated May 3, 2005

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

R 31. Heritage Pines Community Development District dated January 24, 2005

PUBLIC HEARINGS FOR 1:30 P.M. MEETING

Proposed Ordinances

P 1. AN ORDINANCE AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, ORDINANCE NO. 89-21, AS AMENDED; SECTION 100, GENERAL PROVISIONS; TO REPEAL SECTION 105.2; **EXCEPTIONS FOR PROJECTS WITH UNEXPIRED DEVELOPMENT PLANS**; PROVIDING FOR INCLUSION IN CODE; MODIFICATION AT PUBLIC HEARING; SEVERABILITY AND AN EFFECTIVE DATE; All Comm. Dist.
Memorandum ZN05-117

COMMISSIONER HILDEBRAND MOVED ADOPTION; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

- P 2. AN ORDINANCE AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, ORDINANCE NO. 89-21, AS AMENDED; PROVIDING FOR AMENDMENTS TO SECTION 303.1.B, **ADDING REQUIREMENTS TO QUALIFY FOR EXEMPTION FROM ENFORCEMENT OF SETBACK AND HEIGHT RESTRICTIONS**; REPEALER; SEVERABILITY; INCLUSION IN CODE; MODIFICATION THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE; All Comm. Dist.
Memorandum ZN05-118

COMMISSIONER SCHRADER MOVED APPROVAL OF STAFF'S RECOMMENDATION TO INCLUDE THE DATE OF JANUARY 1, 1995; COMMISSIONER MARIANO SECONDED; MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

- P 3. AN ORDINANCE AMENDING SECTION 530.19 OF THE PASCO COUNTY LAND DEVELOPMENT CODE **PROVIDING FOR THE INCLUSION OF A-R AGRICULTURAL-RESIDENTIAL, AR-1 AGRICULTURAL-RESIDENTIAL, A-C AGRICULTURAL, AC-1 AGRICULTURAL, E-R ESTATE-RESIDENTIAL, ER-2 ESTATE-RESIDENTIAL, AND MPUD MASTER PLANNED UNIT DEVELOPMENT ZONING DISTRICTS WITHIN WHICH PARKING OF CERTAIN COMMERCIAL VEHICLES AND EQUIPMENT IS PROHIBITED**; PROVIDING FOR CERTAIN EXCEPTIONS TO THOSE PROHIBITIONS; 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 ZN05-119

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO 1:30 P.M., JULY 12, 2005, NEW PORT RICHEY; COMMISSIONER SCHRADER AND COMMISSIONER SIMON SECONDED; MOTION CARRIED.

Public Hearings

- P 4. CU05-14 - Pasco Lakes Inc.; Comm. Dist. 1
(To Be Withdrawn)

THE ITEM WAS WITHDRAWN.

- P 5. Settlement Agreement – Pasco Lakes, Inc. v. Pasco County Middle District Court of Florida – Case No.: 8:03-CV-830-T-26-EAJ; All Comm. Dist.
Memorandum CAO05-2817
(To Be Withdrawn)

THE ITEM WAS WITHDRAWN.

PUBLIC COMMENT

1. **MS. NANCY DALTON SPOKE REGARDING A PAVING ASSESSMENT IN BRIGHTWOOD ESTATES.**

COMMISSIONER SIMON MOVED TO RECEIVE AND FILE PICTURES PRESENTED BY MS. DALTON; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

COMMISSIONER SIMON MOVED TO BRING THE ITEM BACK TO THE BOARD AS AN AGENDA ITEM REGARDING A BOARD INITIATED PAVING ASSESSMENT; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RECESS

THE BOARD RECESSED AT 4:55 P.M. AND RECONVENED AT 6:30 P.M. ALL BOARD MEMBERS WERE PRESENT.

PUBLIC HEARINGS AND TIME CERTAIN ITEMS

Proposed Ordinances

- P 6. 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, AND 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 CAO05-2450

COMMISSIONER SCHRADER MOVED TO RECEIVE AND FILE A LETTER PRESENTED BY MR. DANNY PRATER; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

COMMISSIONER HILDEBRAND MOVED TO CONTINUE TO JUNE 7, 2005, 6:30 P.M., NEW PORT RICHEY; COMMISSIONER SIMON SECONDED; MOTION CARRIED.

Public Hearings

- P 7. Special Assessment Ordinance No. 02-17 – East Brown Acres – PVAS No. 778;
Comm. Dist. 5
Memorandum PMA05-102

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

Public Hearings—Rezoning

- Z 1. Memorandum ZN05-121

Table of Contents

Location Maps

Board of County Commissioners Agenda

Consent-Rezoning

COMMISSIONER SIMON MOVED APPROVAL OF THE CONSENT AGENDA; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RZ-6362 Beth L Devane and Leona Pickering; Comm. Dist. 2
APPROVED.

RZ-6365 Kenneth T. and Marjorie L. Keith; Comm. Dist. 2
APPROVED.

Regular-Rezonings

RZ-6340 Andrew V. Pittman Heritage Trust, et al; Comm. Dist. 2

COMMISSIONER SCHRADER MOVED TO CONTINUE TO JULY 26, 2005, 6:30 P.M., DADE CITY; COMMISSIONER HILDEBRAND SECONDED; MOTION CARRIED.

RZ-6366 St. Gregorios Properties, Inc.; Comm. Dist. 2

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

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

RZ-6363 Charles and Marjorie A Dickson and Michael J and Mary Beth Cherry; Comm. Dist. 2

COMMISSIONER SIMON MOVED TO CONTINUE TO JULY 26, 2005, 6:30 P.M., DADE CITY; COMMISSIONER SCHRADER SECONDED; MOTION CARRIED.

CU05-12 Crescent Resources, LLC/ABC Liquors, Inc.; Comm. Dist. 2

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

Miscellaneous Matters

N/A

PUBLIC COMMENT

NO ONE SPOKE.

ADJOURN

THE BOARD ADJOURNED AT 7:07 P.M.

PREPARED BY:CMS