

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

**ANNOTATED AGENDA**

**JANUARY 24, 2023**

**PREPARED IN THE OFFICE OF  
NIKKI ALVAREZ-SOWLES, Esq., CLERK & COMPTROLLER**

**THE MINUTES WERE PREPARED IN AGENDA ORDER  
AS PUBLISHED AND NOT IN THE ORDER  
IN WHICH THE ITEMS WERE HEARD**

**10:00 A.M.**

**WEST PASCO GOVERNMENT CENTER, BOARD ROOM  
8731 CITIZENS DRIVE, NEW PORT RICHEY, FL 34654**

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| <b>County Commissioners</b> | Honorable Jack Mariano, Chairman, District 5<br>Honorable Ronald E. Oakley, Vice-Chairman, Dist.1<br>Honorable Seth Weightman, District 2<br>Honorable Kathryn Starkey, District 3<br>Honorable Gary Bradford, District 4 |
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| <b>Clerk &amp; Comptroller</b> | Honorable Nikki Alvarez-Sowles, Esq. |
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| <b>County Administrator</b> | Mike Carballa, P.E. |
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| <b>County Attorney</b> | Jeffrey N. Steinsnyder, Esq. |
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**Call To Order**

Chairman Mariano called the meeting to order at 10:05 a.m.

**Invocation**

**Pledge of Allegiance**

Ms. Alvarez-Sowles gave the Invocation and led the Pledge of Allegiance to the Flag.

**Roll Call**

Ms. Alvarez-Sowles called the roll. All Commissioners were present.

## **Public Comment**

Citizens are given an opportunity to comment on items listed on the Agenda by participating via WebEx during the meeting or attending in person. A WebEx pre-registration process can be found on the Public Comment Options page and must be completed to participate.

Citizens may also comment on items listed on the Agenda in person inside the Board Room. The Board will take Public Comment on items on this agenda. It is requested that when you address the Board, that comments are not directed personally against a commissioner or team member, but rather directed at the issues. This provides mutual respect between the board members and the public.

Mr. James Mallo spoke regarding his respect for the Board, the court case between the Clerk and Comptroller's Office and the Board of County Commissioners, budget prioritization, employee pay for the Clerk's Office, County challenges, his request for a discussion between the County and the Clerk's Office to negotiate a solution, negative impacts to the County and to the State, and the need for communication between all Constitutionals.

Chairman Mariano spoke regarding a previous discussion he had with Ms. Alvarez-Sowles on ways to go forward.

Mr. Steinsnyder stated it was a DEC action that the Clerk's Office had filed against the County Commission, the legal issue was what her State responsibility and what her local responsibility were, there was a difference of opinion, and that it was a legal issue that would impact 67 Counties.

Mr. Mallo spoke regarding their leadership and the waste of taxpayer money.

Chairman Mariano noted he was happy to work with Ms. Alvarez-Sowles to get it resolved but they had to stand with their County Attorney.

Commissioner Starkey noted they were in litigation and that their discussion was limited.

Mr. Steinsnyder noted if the Board wished to have a litigation assessment meeting on this case, he could do so at their next meeting.

Mr. Mallo spoke regarding his request for them all to lead as one.

Ms. Cathy Julian spoke regarding a previous School Board meeting, the ability for students to access porn on a school website, books with questionable materials available in the Pasco County Library, a law that was passed regarding books in schools, and accountability for the issue.

Chairman Mariano instructed Ms. Julian to speak with Cathy Pearson, Assistant County Administrator.

Ms. Cindy Skarda spoke regarding materials available in the public school libraries, the Parental Bill of Rights law, Florida Statute 847.012, and books available to children.

Pastor Troy Pederson spoke regarding a recent prayer meeting, his welcome of Commissioners Bradford and Weightman, the Protect Our Children Project, the Stop Cell Phone Porn Project, books available at the Pasco Library, and a story from the Book of Haggai in the Bible.

Mr. Douglas Chinchar, CFO of SNS Events, spoke regarding volleyball, his background, recent volleyball events and tournaments, data for room nights associated with their organization compared to another out of state organization, and the 2024 MLK Tournament taken away from their organization.

Mr. Brian Paris spoke regarding the change of zoning from Agriculture to Community Farm and Garden for his neighborhood, his supply of food for others in the community, his defense of his farm and animals, the involvement of Code Enforcement in the situation, and his request for help stopping others from filing false reports.

#### **Commissioners Items – Vice Chairman Oakley**

- RS1      A Resolution By The Board Of County Commissioners Of Pasco County, Florida, Designating January 22-28, 2023, As Certified Registered Nurse Anesthetists Week To Recognize The Importance Of The Their Role In Providing High-Quality Care For The Citizens Of Pasco County  
**File Number**              CAO23-5130  
**Comm. Dist.**              All  
**Recommendation**      Approve

Approved to adopt.

#### **Commissioners Items - Commissioner Starkey**

- RS2      A Resolution By The Board Of County Commissioners Of Pasco County, Florida, Expressing Appreciation To The Pasco Citizens Committee For Their Efforts And Hard Work Promoting The Penny For Pasco Referendum  
**File Number**              CAO23-5125  
**Comm. Dist.**              All  
**Recommendation**      Approve

Approved to adopt.

**Commissioners Items - Commissioner Bradford**

- RS3      A Resolution By The Board Of County Commissioners Of Pasco County, Florida, Commending Friends Of Animal Services, Inc. For Their Generous Support To Pasco County Animal Services  
**File Number**            CAO23-5128  
**Comm. Dist.**            All  
**Recommendation**    Approve

Approved to adopt.

**Commissioners Items - Chairman Mariano**

- RS4      A Resolution By The Board Of County Commissioners Of Pasco County, Florida, Commending The 2022 Star Performer Star Leader, And Star Team Of The Year  
**File Number**            CAO23-5129  
**Comm. Dist.**            All  
**Recommendation**    Approve

Approved to adopt.

**Consent**

Approved the Consent Agenda with the exception of Agenda items C11 and C27 which had been pulled for discussion or revision and Agenda items C12, C29, and C35 which were withdrawn.

**Constitutional Officers - Clerk - Minutes Approval**

- C5      Annotated Minutes - Board of County Commissioners Regular Meeting/Rezoning - October 11, 2022 10 a.m.  
**File Number**            CO23-0131  
**Comm. Dist.**            All  
**Recommendation**    Approve
- C6      Annotated Minutes - Board of County Commissioners - Regular Meeting/Rezoning - October 25, 2022 10 a.m.  
**File Number**            CO23-0132  
**Comm. Dist.**            All  
**Recommendation**    Approve

C7           Annotated Minutes - Board of County Commissioners - Special Meeting - November 9, 2022 10 a.m.  
**File Number**           CO23-0133  
**Comm. Dist.**           All  
**Recommendation**   Approve

**Constitutional Officers - Clerk - Financial Matters**

C8           Specific Approvals, General Warrants, Payroll Items, and Transfer Authorizations Including Those Previously Approved by the Chairman/Vice-Chairman Since the Last Regular Meeting of the Board of County Commissioners  
**File Number**           CO23-0108  
**Comm. Dist.**           All  
**Recommendation**   Approve

**Constitutional Officers - Supervisor of Elections**

C9           Precinct Line Changes - Brian E. Corley, Supervisor of Elections – Letter Dated January 4, 2023 - No Funding Required  
**File Number**           CO23-0135  
**Comm. Dist.**           All  
**Recommendation**   Approve

**Legislative/Administrative - County Administrator**

C10          Commission on the Status of Women - Intergovernmental Affairs - Appointment of Nomination - No Funding Required  
**File Number**           CA23-5008  
**Comm. Dist.**           All  
**Recommendation**   Approve

C11          Confirmation of Assistant County Administrator – Public Infrastructure – Branford Adumuah – \$187,000 Annually  
**File Number**           CA23-5009  
**Comm. Dist.**           All  
**Recommendation**   Approve

Approved Staff's recommendation with the noted revision Mr. Carballa had submitted in regards to the fiscal and revenue statement, and some accounts issues that had been corrected.

### **Legislative/Administrative - Government Affairs**

- C12      Second One-Year Renewal and Additional Purchase Authority – Shawn Foster, LLC d/b/a Sunrise Consulting Group – Lobbyist Services (State Government) for Local Government General Legislative Issues – \$60,000.00  
**File Number**            IGA23-0001  
**Comm. Dist.**            All  
**Recommendation**    Approve

The item was withdrawn. No action was taken.

### **Development Services**

- C13      Additional Purchase Authority - Carahsoft Technology Corporation - Accela Software Implementation Services for Production and Project Support - \$374,025.60  
**File Number**            BCS23-0001  
**Comm. Dist.**            All  
**Recommendation**    Approve

### **Fire Rescue**

- C14      Exempt Purchase and Budget Amendment Journal No. 2267 – Ten-8 Fire & Safety, LLC – Fire/Rescue Refurbished Ambulance – \$219,433.00  
**File Number**            FR23-1153  
**Comm. Dist.**            All  
**Recommendation**    Approve

### **Internal Services - Department of Emergency Services/911**

- C15      Additional Purchase Authority – License Upgrades - \$19,038.06  
**File Number**            DES23-0002  
**Comm. Dist.**            All  
**Recommendation**    Approve

### **Internal Services - Facilities Management**

- C16      Accept Deed – State of Florida Department of Transportation – I-75 and Overpass Road Interchange Remainder Parcels - No Funding Required  
**File Number**            FAC23-0037  
**Comm. Dist.**            2  
**Recommendation**    Approve

- C17      Accept Deeds – State of Florida Department of Transportation– County Road 578 (County Line Road) - No Funding Required  
**File Number**            FAC23-0038  
**Comm. Dist.**            5  
**Recommendation**    Approve
- C18      Piggyback Agreement – Ally Facility Solutions, Inc. d/b/a City Wide Maintenance of Tampa – Countywide Janitorial Services and Supplies - \$2,150,000.00  
**File Number**            FAC23-0088  
**Comm. Dist.**            All  
**Recommendation**    Approve
- C19      Grant Easement – Duke Energy Florida, LLC – Easement Area Located at Fire Station 3 – No Funding Required  
**File Number**            FAC23-0094  
**Comm. Dist.**            5  
**Recommendation**    Approve
- C20      Construction Contract Closeout Agreement to Task Order No. FM21-038 – Bandes Construction Company, Inc. – David “Hap” Clark Jr. Building First and Second Floor Renovations - No Funding Required  
**File Number**            FAC23-0098  
**Comm. Dist.**            4  
**Recommendation**    Approve

**Internal Services - Fleet Management**

- C21      Cooperative Purchase – Orlando Freightliner, Inc. – Freightliner M2-106 Service Truck – \$236,145.00  
**File Number**            FM23-0014  
**Comm. Dist.**            All  
**Recommendation**    Approve

**Internal Services - Office of Management and Budget**

- C22      Budget Amendment – Transfer from Reserves – Public Infrastructure Branch, Engineering Services Department – Transfer Funds for Signal Contributions – \$370,000.00  
**File Number**            BA23-0042  
**Comm. Dist.**            2  
**Recommendation**    Approve

C23 Budget Amendment – Program Budget Corrections – Public Infrastructure Branch, Engineering Services Department – Realign Fund Budget to Separate the Tower Road Project into Two Projects for West and East Segments – \$4,774,066.45

**File Number** BA23-0043

**Comm. Dist.** 2

**Recommendation** Approve

C24 Budget Amendment - Transfer from General Fund Reserves - Public Services Branch, Community Services Department - Appropriate Reserve Funding to be Used for the Human Services Office Moving into the Youth Lane Building - \$77,073.00

**File Number** BA23-0050

**Comm. Dist.** All

**Recommendation** Approve

**Internal Services - Purchasing**

C25 Classification, Sale, and Disposal of Surplus County Property – No Funding Required

**File Number** PU23-0017

**Comm. Dist.** All

**Recommendation** Approve

**Public Infrastructure - Engineering Services**

C26 Task Order No. EDO23-007 – Kisinger Campo & Associates, Corp. – Old County Road 54 Sidewalk (from SR 54 to West of Little Road) – \$222,856.10

**File Number** PMA23-0019

**Comm. Dist.** 3, 4

**Recommendation** Approve

C27 Recording of Plat with Performance Guarantees – Two Rivers Parcel A1 Phase A – Two Rivers North CDD and R-Hearthstone Lot Option Pool 05, LP – No Funding Required

**File Number** SA23-0020

**Comm. Dist.** 1

**Recommendation** Approve

Approved Staff's recommendation.

C28      Recording of Plat with Performance Guarantees – Bexley North Parcel 2 North – NNP - Bexley, LLC – No Funding Required  
**File Number**            SA23-0023  
**Comm. Dist.**            4  
**Recommendation**    Approve

**Public Infrastructure - Public Works**

C29      Change Order No. 3 – Professional Service Agreement – Land & Water Engineering Science, Inc. – Sea Pines Neighborhood Flood Abatement – \$63,499.62  
**File Number**            PW23-0049  
**Comm. Dist.**            5  
**Recommendation**    Approve

The item was withdrawn. No action was taken.

C30      Relocation of Existing Electric Power Facilities and Budget Amendment Journal No. 551 – Duke Energy – Colonial Manor Drainage Improvements Project – \$77,231.39  
**File Number**            PW23-0058  
**Comm. Dist.**            3  
**Recommendation**    Approve

C31      Sole Source Purchase – Menzi USA Sales, Inc. – Menzi Muck Excavator – \$570,817.93  
**File Number**            PW23-0065  
**Comm. Dist.**            All  
**Recommendation**    Approve

**Public Infrastructure - Utilities**

C32      Interlocal Bulk Water and Wastewater Agreement – Hillsborough County – Providing Bulk Water and Wastewater Connections for the Two Rivers Development Project – No Funding Required  
**File Number**            UT23-0138  
**Comm. Dist.**            1  
**Recommendation**    Approve

- C33 Budget Amendment Journal No. 2322 – Reimbursement to Taylor Morrison of Florida, Inc. for the Reclaimed Water Line Size Increase Beyond the Size Required for Provision of Service to the River Landing Development – \$1,030,014.00  
**File Number** UTD23-0149  
**Comm. Dist.** 2  
**Recommendation** Approve

**Public Services - Community Services**

- C34 Amendment 004 to the Standard Contract No. EP021-PASCO, Purchase Order Amendment EP021-PASCO-004, and Budget Amendment Journal No. 1352 – Area Agency on Aging of Pasco Pinellas, Inc. – Emergency Home Energy Assistance for the Elderly Program – \$100,000.00  
**File Number** HS23-0041  
**Comm. Dist.** All  
**Recommendation** Approve

**Public Services - Parks, Recreation and Natural Resources**

- C35 Amendment No. 1 to Task Order No. PRNR22-004 – Land & Water Engineering Sciences, Inc. – Additional Funding for Magnolia Valley Park Stormwater Design & Permitting – \$20,628.25  
**File Number** PRN23-0018  
**Comm. Dist.** 3  
**Recommendation** Approve

The item was withdrawn. No action was taken.

- C36 As-Needed Re-Establishment of Change Fund - Pasco County Parks, Recreation, and Natural Resources Department - SunWest Park - \$200.00  
**File Number** PRN23-0058  
**Comm. Dist.** 5  
**Recommendation** Approve

## Regular

### **Internal Services - Purchasing**

- R37 (11:30 a.m. Time Certain) Bid Protest Decision by County Administrator - MegaScapes Landscape and Maintenance, Inc. - Award to Sunbelt Sod & Grading Company of Bid No. IFB-SN-22-171, As-Needed Sod Multi-Year Award - No Funding Required
- File Number** PU23-0018  
**Comm. Dist.** All  
**Recommendation** Approve

Approved Staff's recommendation.

### **Miscellaneous Business - District One - Commissioner Oakley**

- Commissioner Oakley spoke regarding the Moffitt Cancer Center Groundbreaking Ceremony, the road into the Center named Wilton Way, and the Center named W.E. Simpson Concourse for Cures as photos were displayed.

### **Miscellaneous Business - District Two - Commissioner Weightman**

- Commissioner Weighman thanked Chairman Mariano for his appointment to the Tampa Bay Water Board, Commissioner Oakley for his welcome to the Board, and Commissioner Starkey for her kind words. He spoke regarding a recent meeting and the upcoming large projects. He noted it was exciting to have a Pasco County Chairman at the helm.
- He spoke regarding the Moffitt Cancer Center Groundbreaking Ceremony.
- He thanked the Board and Staff for support while he attended virtually at the previous meeting.
- He spoke regarding build-to-rent developments, quality and consistency, what downtowns were and how they should look, a framework for connectivity, and the need for a discussion regarding the big picture policy.

Discussion followed regarding a previous discussion about downtown Land O'Lakes; developments that attract people; the intention to have a more downtown feel; Comp Plan discussions; incentivization and regulation for a sense of place; the purchase and zoning of properties by the County to fit the design of downtown; quality of life in Pasco County; redevelopment of areas;

impacts from the hurricane; lack of hotels in Hudson; SunWest; upcoming projects; and the need for redevelopment.

Commissioner Starkey displayed a photo of the Mitchell Development. She spoke regarding the main street feel of the development, the attraction of restaurants to the area, and density.

Discussion followed regarding what people do for work and for fun; the uniqueness of the County; and the need for restaurants on the East side.

### **Miscellaneous Business - District Three - Commissioner Starkey**

- Commissioner Starkey noted she was excited about Moffitt and her inability to attend the Moffitt groundbreaking.
- She spoke regarding the recent TBARTA meeting, the disbandment of TBARTA, transit solutions, a meeting with the Tampa Bay Partnership, a route from Wesley Chapel to St. Petersburg, a purchased environmental permit, and the continuation of discussions for which group would be responsible.
- Commissioner Starkey distributed a document to the Board and spoke regarding the loss of federal benefits after arrests, the County's responsibility to pay, future discussions to occur, her position as chair of the FAC Committee, and advocacy of health care cost issues.

Mr. John Murphy, Assistant County Administrator, noted they were digging in to her request and they were trying to get specific answers.

Commissioner Starkey spoke regarding the process to have it reinstated.

Chairman Mariano spoke regarding a meeting with members of the Opioid Task Force, jail diversion programs, support for mental health treatment options instead of jail, and data needed in terms of inmate health care costs.

Mr. Murphy noted he would get the requested data.

- Commissioner Starkey read 406.1.5 subsection non-commercial speech for commercial speech of the Sign Ordinance regarding feather banners. She spoke regarding enforcement of the Ordinance and the number of signs allowed on a property.

Ms. Denise Hernandez, Planning and Development, spoke regarding the number of feather banners allowed per location.

Commissioner Starkey spoke regarding the need for more Code Enforcement Officers, the number of cars allowed in parking lots per the Used Car Sales Ordinance, and the presence of too many boats at a boat repair place on Massachusetts Avenue. She displayed photos to the Board and spoke regarding unallowed work done on a property near Perrine Ranch Road and Seven Springs Boulevard.

Discussion followed regarding zoning of the property; discussions between Duke and Mr. Carballa; and chain link fences in front of neighborhoods.

Commissioner Starkey spoke regarding construction debris near the road and unpermitted land clearing on a property off of Trouble Creek Road.

Ms. Hernandez spoke regarding the zoning of the two parcels as MF-1, the submitted timing and phasing on a substandard road review application, and the application for a Special Exception application for temporary storage of utility service trucks.

Commissioner Starkey spoke regarding the wetlands filled in, the removal of oak trees, the appearance of the area, the unapproved Special Exception, the road, and the nearby houses.

Mr. Carballa noted a stop work order had been issued.

Discussion followed regarding the Tree Mitigation Ordinance; the number of trees removed; the investigatory process; potential penalties; the length of time for the temporary use; rezoning of properties after the land had been cleared; the current zoning of the property; the filled in Class II Wetlands; nonconforming use determinations for a property subject to the Land Development Code and site development permits; Code Enforcement at a nearby business; knowledge needed by Code Enforcement; and another issue on a property off of State Road 54.

- Commissioner Starkey displayed photos to the Board and spoke regarding a fire pit built in proximity to a neighbor's screen in Champions Club, issues caused by smoke, and the Ordinance.

Mr. Justin Frum, Fire Marshal of Pasco County, spoke regarding the Ordinance, the determination of open burning compared to recreational burning, and the lack of setback requirements.

Extensive discussion followed regarding the type of fire pit; the fact that there were no required setbacks by the law; caution associated with adding more regulations; the ability for people to have a fire pit on their property; restrictions in other Counties; lot sizes; self-extinguishing fire materials; open burning unallowed in Dade City per City Ordinance; the removal of "nuisance smoke"

in the 2008 revision of the Florida Administrative Code; the inability to enforce any extinguishment action or Ordinance violation; the need to be neighborly and work things out; fugitive smoke in Europe; the possibility for civil action in case of damages; and the Beacon Woods Civic Association and local HOAs that do not allow fire pits.

- Commissioner Starkey noted she looked forward to seeing Chairman Mariano in Washington and spoke regarding the work of lobbyists.
- Commissioner Starkey spoke regarding language in the State Statute about golf carts crossing highways, U.S. 19 in Gulf Harbors, “no golf cart crossing” signs in New Port Richey, and a potential petition to DOT for crossings to be allowed.

Mr. Steinsnyder spoke regarding the legislative history of amendments and the prior prohibition.

Mr. Ralph Lair, Government Affairs Officer, spoke during the discussion.

Discussion followed regarding the potential request to DOT for crossings to be allowed at intersections; property owned by the County compared to DOT; the County and the City of New Port Richey to make the request to DOT; the control of traffic light timing; the potential to take control of the highway and intersection; traffic operations; red light cameras; and control of the intersections.

- She spoke regarding people contacting her office about soccer.

Commissioner Weightman spoke regarding youth sports and field issues, collaboration with Parks and Recreation, and discussions with stakeholders.

Discussion followed regarding discussions with the Wesley Chapel Athletic Association, Florida Premier, and Tampa Bay United; upcoming meetings with stakeholders; taking care of kids and promotion of the County; a meeting with Saddlebrook residents; and the need for more information.

#### **Miscellaneous Business - District Four - Commissioner Bradford**

- Commissioner Bradford spoke regarding the Moffitt Cancer Center, how it would transform Pasco, and finding the cure for cancer.
- He spoke regarding small businesses as the economic engine of Pasco County, revitalization of neglected areas, and the partnership between New Port Richey and Pasco County.

- He spoke regarding fast food restaurants on State Road 54.
- He thanked Chairman Mariano for his Committee assignments, his support, and his confidence.
- Commissioner Bradford spoke regarding the shortage of Code Enforcement Officers, the inability to enforce rules, and the volume of responsibilities for Code Enforcement Officers.

### **Miscellaneous Business – District Five – Commissioner Mariano**

- Chairman Mariano spoke regarding transit, an approved bridge which accommodated rail, conversations with CSX, encouragement from Mr. Moffitt to discuss with State and Federal delegations, regional rail line transit opportunities, and cooperation with TMA.

Commissioner Starkey spoke regarding the need to discuss the value of a property owned by CSX impacting the extension of Rangeland Boulevard/Tower Road with a representative.

Chairman Mariano noted he would share the CSX representative's contact information with Commissioner Starkey.

- He spoke regarding his first meeting with the Tourist Development Council.
- He noted the Pasco Economic Development Council (PEDC) and the Tampa Bay Builders Association had economic report meetings. He thanked Commissioner Starkey for bringing the Builders Association to his attention. He spoke regarding the desire by millennials to own their own home, the need to rethink apartments and build-to-rent communities, and the benefits of townhouses.
- He spoke regarding the homeless population, collaboration with Catholic Charities, Code Enforcement, and Community Development Services, and the need for Code Enforcement Officers to work closely with the Sheriff's Office for the removal of dangerous people.

Commissioner Starkey noted she spoke to the Sheriff's Office about the inability for Code Enforcement Officers to go into homeless camps without deputies present.

Discussion followed regarding the safety of Code Enforcement Officers; the destruction of properties by homeless people; the need for additional tools for Code Enforcement Officers to protect themselves; Hernando County Staff

allowed to carry on the job; Statutory limitations on what Code Officers were allowed; and the extraction of employees when safety was a concern.

Ms. Sally Sherman, Assistant County Administrator for Development Services, thanked the Board and Mr. Carballa for their insight and spoke regarding incidents that had occurred which elevated concerns, the ability for Code Officers to protect themselves, and meetings scheduled with law enforcement to discuss the handling of encampments.

Extensive discussion followed regarding a prior clean out of an encampment on Hudson Avenue and U.S. 19; collaboration with the Sheriff's Office; difficulty with obtaining a signed no trespass form from a property owner; the citation of another property owner for operating a campground without a permit; potential Code citations for property owners; and recourse after difficulty servicing property owners.

- He spoke regarding trash on roadways and the need for a plan.

Mr. Branford Adumuah, Assistant County Administrator for Public Infrastructure, noted they could come up with a plan.

Commissioner Oakley noted they had the same issue on the east side.

#### **Miscellaneous Business - County Administrator**

- Mr. Carballa commended the Community Development Team as recipients of the 2023 Audrey Nelson Community Development Achievement Award for their collaboration on the Family Services Center. He spoke regarding the programs offered by the Family Services Center.

#### **Miscellaneous Business - County Attorney**

- Mr. Steinsnyder spoke regarding the positive order issued in the Sierra Club and Rametta versus the Army Corps of Engineers and Pasco County case, also known as the Ridge Road extension case, on January 20<sup>th</sup> by the Federal District Court. He noted the Federal Judge hearing the case granted the Army Corps and Pasco County's motion for summary judgement, there was still the potential for an appeal, but the order was well written, and it should be difficult for them to challenge.
- He spoke regarding his ability to set up a litigation assessment meeting with outside counsel for the February 7<sup>th</sup> meeting with regard to the declaratory judgement action filed by the Clerk if desired.

### **Miscellaneous Business - Clerk and Comptroller**

- Ms. Alvarez-Sowles spoke regarding noted item N68, the Annual Audit Plan that the Clerk's Inspector General's Office was moving forward with, and how the plan was developed.
- She spoke regarding noted item N69, the report from the jail transfer, what was transferred from the Sheriff's Office to the County, the partnership with an audit company to complete the audit, and that there were no significant variances noted in any of the areas. She noted her thanks and appreciation for County Staff, Clerk Staff, and Sheriff Office Staff for their work, specifically Ms. Chantell Sicard, Ms. Kathy Donoghue, Captain Kimberly Riggans, Major Stacey Jenkins, Ms. Jessica Bleser, Ms. Tiffany Paloff, Mr. Manny Long, Mr. Matt Lazar, Ms. Patrice Monaco-McBride, Ms. Christine Caliano, Ms. Erika Hendricks, and Mr. Andrew Henson.
- She spoke regarding the comments made by Mr. James Mallo during Public Comment, her agreeance with Mr. Steinsnyder's comments regarding the request for an interpretation of a specific Statute, the lengthy lawsuit process, her agreeance with Mr. Mallo regarding the ability to settle the case, and her willingness to discuss the resolution.

Chairman Mariano spoke regarding his recommendation for Ms. Alvarez-Sowles to sit down with Mr. Steinsnyder.

Mr. Steinsnyder noted they had outside counsel who wanted to mediate the case if that is what the Board wanted.

Discussion followed regarding the lengthy process; the desire to not set a precedence; the preliminary indication from the Court expected in February; future opportunities for mediation; the request by the Board for a briefing on the case to be placed on the February 7, 2023 Agenda; the IT responsibilities portion of the Court case; the declined offer by the outside opposing counsel for mediation; the ability by the Board to settle the case; and future discussions to occur during the litigation assessment meeting.

### **Miscellaneous Business - Sheriff**

- Absent.

**THE BOARD RECESSED AT 12:01 P.M. AND RECONVENED AT 1:34 P.M. ALL COMMISSIONERS WERE PRESENT.**

## Public Hearings

### **Proposed Ordinances at 1:30 p.m.**

- P38      An Ordinance By The Board Of County Commissioners Of Pasco County, Florida, Repealing Chapter 67-1889, Laws Of Florida And Section 218-1 Of The Pasco County Code Of Ordinances; Regulating Fees For Health Department Documents And Services; Providing For Ratification Of Past Actions; And Providing For An Effective Date.

**File Number**            CAO23-4301

**Comm. Dist.**            All

**Recommendation**    Approve

Approved to adopt.

- P39      An Ordinance Amending The Pasco County Comprehensive Plan; Providing For A Small-Scale Comprehensive Plan Amendment To The Future Land Use Map (Map 2-15 And Sheet 23) From RES-3 (Residential-3 Du/Ga) To PD (Planned Development) On 3 Acres Of Real Property Located Northeast Side Of Gall Boulevard Approximately .7 Miles From State Road 56 Intersection With Gall Boulevard To The Southwest Of The Parcel; And A Map Amendment To The Future Land Use Map 2-9 Modifying Subarea Map 2-9(11) Two Rivers; And Providing For Additional Text Amendments As Necessary For Internal Consistency; Providing For A Repealer, Severability, And An Effective Date.

**File Number**            PDD23-0030

**Comm. Dist.**            1

**Recommendation**    Approve

Approved to adopt.

- P40        An Ordinance Amending The Pasco County Comprehensive Plan; Providing For A Small-Scale Comprehensive Plan Amendment To The Future Land Use Map (Map 2-15 And Sheet 17) From RES-6 (Residential-6 Du/Ga) To PD (Planned Development) On Approximately 2.57 Acres Of Real Property Located On The East Side Of Baillies Bluff Road; And A Map Amendment To The Future Land Use Map 2-9 Amending Subarea Map 2-9(41) Anclote Resort, A Tradewinds Resort; And Providing For Additional Text Amendments As Necessary For Internal Consistency; Providing For A Repealer, Severability, And An Effective Date.

**File Number**            PDD23-0031

**Comm. Dist.**            3

**Recommendation**    Approve

Approved to adopt.

- P41        An Ordinance Amending Pasco County Ordinance No. 05-35 Expanding The Boundaries Of The Chapel Creek Community Development District Pursuant to Chapter 190, Florida Statutes; Providing For Miscellaneous Provisions; Providing For An Effective Date.

**File Number**            PDD23-0140

**Comm. Dist.**            1

**Recommendation**    Approve

Approved to adopt.

**Public Hearings at 1:30 p.m.**

- P42        Zoning Amendment (Continuance) – Reima Investments LLC/Apple Enterprises Trust – Change in Zoning from a R-2 Low Density Residential District to a C-2 General Commercial District – South Central Pasco County – On the South Side of Catfish Lake Road, North of State Road 54 – Containing Approximately 8.39 Acres

**File Number**            PDD23-7665

**Comm. Dist.**            2

**Recommendation**    Continuance Requested

Approved to continue the item to the February 7, 2023 Board of County Commissioners meeting at 1:30 p.m. in Dade City.

## Noted Items

Agenda items N43 through N69 were noted.

### Agendas and Minutes

- |     |                                                                                                                                                                                              |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| N43 | Minutes of Meeting - Chapel Crossings Community Development District - February 22, 2022<br><b>File Number</b> NI23-0339<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File |
| N44 | Minutes of Meeting - New River Community Development District - July 21, 2022<br><b>File Number</b> NI23-0340<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File            |
| N45 | Minutes of Meeting - New River Community Development District - August 18, 2022<br><b>File Number</b> NI23-0341<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File          |
| N46 | Agency Mailing - New River CDD - September 20, 2021<br><b>File Number</b> NI23-0342<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File                                      |
| N47 | Minutes of Meeting - New River Community Development District - September 20, 2021<br><b>File Number</b> NI23-0343<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File       |
| N48 | Agency Mailing - Chapel Crossings CDD - August 23, 2021<br><b>File Number</b> NI23-0344<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File                                  |
| N49 | Agency Mailing - New River CDD - July 21, 2022<br><b>File Number</b> NI23-0345<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File                                           |

|     |                                                                                                                                                                                             |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| N50 | Agency Mailing - New River CDD - August 18, 2022<br><b>File Number</b> NI23-0346<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File                                        |
| N51 | Agency Mailing - New River CDD - June 16, 2022<br><b>File Number</b> NI23-0347<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File                                          |
| N52 | Agency Mailing - Chapel Crossings CDD - February 28, 2022<br><b>File Number</b> NI23-0348<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File                               |
| N53 | Agency Mailing - Chapel Crossings CDD - May 23, 2022<br><b>File Number</b> NI23-0349<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File                                    |
| N54 | Agency Mailing - Chapel Crossings CDD - June 27, 2022<br><b>File Number</b> NI23-0350<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File                                   |
| N55 | Agency Mailing - Chapel Crossings CDD - August 22, 2022<br><b>File Number</b> NI23-0351<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File                                 |
| N56 | Minutes of Meeting - Chapel Crossings Community Development District -<br>May 23, 2022<br><b>File Number</b> NI23-0352<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File  |
| N57 | Minutes of Meeting - Chapel Crossings Community Development District -<br>June 27, 2022<br><b>File Number</b> NI23-0353<br><b>Comm. Dist.</b> All<br><b>Recommendation</b> Receive and File |

- N58 Minutes of Meeting - Chapel Crossings Community Development District - August 22, 2022  
**File Number** NI23-0354  
**Comm. Dist.** All  
**Recommendation** Receive and File
- N59 Minutes of Meeting - Chapel Crossings Community Development District - August 23, 2021  
**File Number** NI23-0355  
**Comm. Dist.** All  
**Recommendation** Receive and File
- N60 Agency Mailing - Lake Bernadette CDD - July 26, 2022  
**File Number** NI23-0356  
**Comm. Dist.** All  
**Recommendation** Receive and File
- N61 Minutes of Meeting - Lake Bernadette Community Development District - July 26, 2022  
**File Number** NI23-0357  
**Comm. Dist.** All  
**Recommendation** Receive and File
- N62 Minutes of Meeting - New River Community Development District - June 16, 2022  
**File Number** NI23-0358  
**Comm. Dist.** All  
**Recommendation** Receive and File
- N63 Minutes of Meeting - New River Community Development District - July 16, 2021  
File Number NI23-0359  
Comm. Dist. All  
Recommendation Receive and File
- N64 Agency Mailing - New River CDD - July 16, 2021  
**File Number** NI23-0360  
**Comm. Dist.** All  
**Recommendation** Receive and File

## Miscellaneous

- N65      PSC-2022-0434-TRF-EI - Docket No 20220148-EI - Tampa Electric Company - Issued December 21, 2022  
**File Number**      NI23-0506  
**Comm. Dist.**      All  
**Recommendation** Receive and File
- N66      Additional Purchase Authority – Maintenance – \$25,614.17  
**File Number**      NI23-0509  
**Comm. Dist.**      All  
**Recommendation** Receive and File
- N67      Additional Purchase Authority – Maintenance – \$9,450.42  
**File Number**      NI23-0510  
**Comm. Dist.**      All  
**Recommendation** Receive and File
- N68      Department of Inspector General 2023 Annual Audit Plan  
**File Number**      NI23-0511  
**Comm. Dist.**      All  
**Recommendation** Receive and File
- N69      BCC: 2022-04 Jail Transition Final Report  
**File Number**      NI23-0512  
**Comm. Dist.**      All  
**Recommendation** Receive and File

## Walk-Ons

There were none.

## Post Meeting Materials

To view post meeting materials, click the following link:  
<http://www.pascocountyfl.net/4449/Pasco-Agenda-and-Minutes>

## Adjourn

The meeting adjourned at 3:24 p.m.

Prepared by: Meaghan Legnini, Records Clerk I, Board Records Division