

The November meeting of the Commissioners of the WEST COAST INLAND NAVIGATION DISTRICT was held November 9, 1964 at the Manatee County Office Building.

Present were:

Ellsworth G. Simmons, Chairman, Hillsborough County
 A. L. Anderson, Secretary, Pinellas County
 Ralph S. Clark, Treasurer, Manatee County
 Kenneth W. Daniels, Lee County
 Masel C. Huston, Sarasota County

George Kumpe, Executive Director
 J. Hardin Peterson, Sr., Special Counsel
 Joe K. Merrin
 Dewey A. Dye, Jr., General Counsel

Absent:

H. H. Anger, Vice Chairman, Charlotte County

ADMINISTRATION

The Chairman called the meeting to order at 11 a.m. Minutes of the October 12, 1964 meeting were approved as presented. The Treasurer's Report was read and accepted. Vouchers #3870 through #3900 were approved for payment.

PROGRESS REPORT

The Director reported that the detailed progress report on Sec. 2 dredging was not available but that at the end of October the contract was 19% complete.

Detailed discussion was held on future action of the District with respect to S/A S35-1. Mr. Dye advised the Board that the original agreement for the use of this spoil area had expired and that under the extension of time granted the District the area was to be graded and material mixed in place. This extension in time does not affect the question of damages resulting from the use of the tract as part of the spoil area. Mr. Merrin reported that

before the area had been used a second time most of the available desirable sand and shell had been graded into the soft pockets so that the second filling of the area would produce the most satisfactory result. Unfortunately, the material placed in the spoil area by the county contractor contained a much smaller portion of sand and shell than had been anticipated and as a result a large amount of silt had been deposited in the area. Mr. Merrin continued that it was not feasible to blend the materials in the spoil area as he had determined that sand and shell in some cases was five feet below the surface. Mr. Huston commented that in his opinion the present condition of the area was an improvement over the swampy condition which existed before the first use of the spoil area.

On the question of what should be done by the Navigation District it was agreed that the cost of further work should be considered in relation to the possible condemnation award. Mr. Merrin reported that the dikes could be pulled down now to the level of the fill by a dragline working from outside of the spoil area; that the same work could be done by a bulldozer when the area had further consolidated, but that when the area could support a tractor was uncertain and the work by bulldozer could be further delayed if there were heavy rains. Mr. Merrin stated that the contractor who had done other work in the area was willing to do the dragline work on an hourly basis with a maximum cost of \$450. Mr. Huston noted that the bond forfeited by the previous contractor working in the spoil area was not completely exhausted.

Mr. Simmons expressed the opinion that it was to the interest of the public and the Board to conclude operations in the spoil area before January. It was moved and passed that Mr. Merrin proceed with the grading of dikes by dragline as discussed at the meeting on an equipment-hour basis with the total cost not to exceed \$450. Mr. Simmons asked Mr. Dye to conclude the condemnation award without delay so that the matter could be fully concluded.

The Director referred at the North and South bridges, where the District had agreed with SRD to pay dredging costs and had been billed \$30,000 by SRD. Mr. Smith had talked with the SRD attorney and that it was agreeable to place the amount in escrow for this purpose. The District has this amount in its checking account and can make payment now or when desired. Motion was made, passed unanimously that escrow account of \$30,000 be established for this dredging.

Mr. Simmons asked Mr. Dye to report on condemnation suit in S/A Sec. 3. He reported that order of taking was filed on November 2, that appraisers should be appointed on November 16. Mr. Simmons asked if it were a preliminary hearing; Mr. Dye said November 16 was hearing for appointment of appraisers, and that he expected the hearing after the appraisal has been completed will be around the first week in December. The Director reported that condemnation of pipeline easement at the Venice Yacht Club may be settled by agreement. In the meantime the District will go ahead with condemnation. Mr. Simmons asked if the report included all spoil areas. Mr. Dye advised all that were necessary,

but some alternates may be acquired by agreement.

The Director reported contracts for North and South bridges have been awarded, although the contracts have not been signed. Mr. Simmons suggested that it be followed through.

With respect to the Venice Avenue utilities the Director reported that the City has requested certain changes in the contract provisions. SRD has requested the District to comment upon these requests and Mr. Merrin has reviewed them. The Navigation District proposes to discuss these items with the SRD before making a formal recommendation to the SRD upon the City's requests. Mr. Merrin reported that certain of the items desired by the City are covered in the plans or specifications, but not both, that other matters involved interpretation of the documents. Mr. Simmons directed that Mr. Dye be brought into the matter and that the Navigation District live up to any agreement previously made, but should not make any additional commitments. Mr. Simmons directed that negotiations on this matter be completed and that if any additional costs are involved an estimate should be obtained from the contractor and then presented to the Board of Commissioners for final action.

Mr. Dye reported on the Venice access road, stating that during the month the City completed the dedication of the alternate route of the access road on the west side of the airport. The Coast Guard dedication of right-of-way was not perpetual so an alternate route, going around the station, has been dedicated. Mr. Dye advised the Board that probably this project has reached the point where the District is liable for the first payment from the escrow account for the construction of the road. Mr. Huston

indicated that if the attorney and engineer are satisfied that the terms of the agreement on the access road have been met, money should be released in accordance with that agreement. A motion to that effect was made and passed unanimously.

In reference to the negotiations of loans, authorized at the October meeting, Mr. Clark reported he had talked with several bankers, and said this could be handled in several ways, but he felt the District should negotiate the loan of up to \$300,000, at the rate of 3%, and withdraw money only as needed. Depending upon tax receipts by the District and on the timing of expenditures, the District may not need the full amount of loan. Mr. Simmons then suggested a resolution ^(p 74 Annex to WCND minutes) authorizing a borrowing of up to \$300,000 at 3% interest, to be repaid not later than June 30, 1965; and that from the loan proceeds there must be taken an amount sufficient to increase the Venice Avenue Bridge escrow account to \$1,215,000. Motion was made and passed unanimously. Mr. Simmons noted that through the cooperation of the SRD certain of funds had been utilized subject to replacement by the District. The outgoing administration has requested the District to settle these and others by around December 1. He repeated that our obligations should be cleared up.

The Progress Report was accepted.

NEW BUSINESS

The next meeting was set for Monday, December 14, at 11:00 a.m. and Mr. Simmons suggested that something be worked out for the following year so there would be a minimum conflict of meeting dates.

The Director called attention to the copies of the latest brochure of the Florida Waterway Association and Canal Authority, stating that it gives a good picture of the state waterway's development program. Additional copies are available and can be obtained through Mr. Dye.

Mr. Simmons reported he plans to attend the Florida Waterway Association meeting in Orlando Tuesday, November 10, and hopes other members will be there. Mr. Anderson reported that many of their newly elected officials are planning to attend.


Mr. Simmons commented that the Board ought to give consideration to having prepared a resolution of appreciation, to be forwarded to the Governor and the SRD, for without their cooperation in this project, we would not have progressed so far. Mr. Peterson stated he would be glad to draft the resolution. Director suggested it be made for the signatures of each member of the Board, one for the Governor and one for Mr. Cason.


The Chairman complimented Mr. Huston for the tremendous help he has been in his county and this project, and asked that a motion be made asking the attorneys to prepare an appropriate resolution. Mr. Anderson suggested a resolution in scroll or plaque form, containing the signatures of each Board member. Motion was made and seconded and passed unanimously. Mr. Anderson remarked if this did not meet with the approval of the auditors, each member could pay his share. Mr. Huston expressed his appreciation, and said as a private citizen he would do everything in his power in the Venice area to help the Board any time.

Mr. Simmons asked Mr. Peterson if federal appropriations will probably continue for completion of the project. Mr. Peterson answered that he felt this would be no problem but that he had discussed this matter in Washington recently to keep the matter before proper authorities. Mr. Simmons said he realized no one can say officially, but wondered if anyone was willing to give a projected date for completion. The Director answered that the Corps of Engineers hope to make the award for Sec. 3 some time next spring and the contract will run for 20 to 24 months. Mr. Simmons asked how much money it will take to complete the federal government part of it. Mr. Peterson replied he does not know exactly - the Corps of Engineers probably can spend about \$1,600,000 in the next fiscal year and then probably one more appropriation will complete the project.

Mr. Simmons reported receipt of a copy of resolution passed by the Pinellas Board of County Commissioners regarding the Cross Bayou channel and forwarded to the congressional delegation. Mr. Anderson advised that the County sent the District a copy of resolution regarding their interest in the county and that it should be received as part of our records. Mr. Anderson made the motion that it be received, the motion was adopted.

The meeting adjourned at 11:50 a.m.


Chairman


Asst Secretary

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PROGRESS REPORT

12 October - 9 November 1964

CONSTRUCTION

Construction Progress - During October the contractor's dredge excavated 204,174 cu. yds. and advanced 13,503 linear ft. On October 31 the contract was 19 % complete. With the permission of the District Engineer, the contractor was off the job for six days dredging at the Boca Grande Harbor slips.

Marking Spoil Areas - Several conversations were held with the contractor on the marking of the upland spoil areas. On Oct. 21 the staff engineer met with the engineer of the contractor to go over field markings.

S/A C10D - CE notified Mr. Cole that work by him on an alternate access channel should be discontinued until a Department of Army permit had been requested and issued.

S/A S35-1 - Material placed in the area in September is consolidating and has no undrained pockets. Leveling of dikes should be feasible during November.

CONSTRUCTION PLANNING

SRD Borrow Pits - The Road Department decided to eliminate two borrow pits located in canal excavation. All other borrow areas have been approved by the CE.

Dredging at the North and South bridges - SRD submitted bills for the estimated cost of dredging the waterway under these bridges. After discussion between District and Road Department attorneys, it was agreed that this money could be placed in escrow.

Bank Stabilization - CE was notified that the contracts for the three bridges in the Venice area provided for the excavation of the waterway under these bridges but not for protection of the side slopes, and that where such protection is necessary it should be provided by the waterway contractor.

Spoil Areas within city of Venice - On November 2 City advised the Navigation District that spoil areas proposed within city limits were acceptable.

S/A S3-5 & 5A - This spoil area was conveyed to the U.S. with a restriction that not more than 430,000 cu. yds. of material would be placed therein, a stipulation set by the owners when the easement was granted. CE advised that this limitation might lead to a requirement for contribution for increased pumping distance.

VeNoLa Spoil Area - CE was furnished sketches showing a proposed spoil area owned by VeNoLa Land Corp. on Curry Creek immediately west of the Venice Byway. An estimate of the contribution required to utilize this area was requested.

S/A S3-8 (Eagle Point, Inc.) - CE furnished an estimate of contribution of \$12,600 or \$8,000 (depending upon who performed diking) for the placement of 100,000 cu. yds. of material in the spoil area. Estimate was furnished Mr. Burket with request for the earliest possible decision by the owners.

LANDS

Section 2, S/A S1 Alternate - Oct. 26 Mr. Goodwin submitted an application for bulkhead line change, fill permit and approval of purchase of submerged land. The Director advised the Deputy County Clerk that the alternate area was agreeable to the Navigation District but suggested that the agreement between the proponents and the contractor require the elimination of S/A S1.

Section 3, Spoil Area Condemnation Suit - Notice of order of taking was mailed on November 2. The hearing date set for November 16 on appointment of appraisers.

BRIDGES

SRD opened bids for the North and South bridges, with the Bay Dredging Company being the low bidder on each bridge, with bids of \$654,656 for the North bridge and \$642,248 for the South bridge.

Venice Avenue Bridge - Staff attended a pre-construction conference on October 22, held by SRD with the bridge contractor and representatives of the utilities.

UTILITIES

Venice Avenue - City agreed to the transfer of the \$19,078.09 reserved for these crossings to the escrow account for the Venice Avenue bridge. First National Bank was advised of this change on October 27.

At the pre-construction conference on October 22, City of Venice requested nine changes in the provisions of the Venice Avenue bridge contract for lowering of utility crossings. These changes are being studied by the SRD and the Navigation District.

Access Road - October 22 the Director asked Mayor Brohard to expedite title information on the revised route on the access road west of the airport.

ADMINISTRATION

Annual Report and legal advertisement of the financial condition of the District were issued as authorized at the October meeting.

Borrowing in Anticipation of Taxes - Mr. Simmons and Mr. Clark made arrangements for borrowing as authorized at the October meeting.

Cats Point Refund - On November 3 CE refunded \$12,793.11 of the \$22,500.00 contribution made for the project.

S/A P19 & 20 - Mr. Page Jackson, Pinellas County Attorney, visited Mr. Dye on October 23 to determine the background of an alternate spoil area in Eoca Ciega Bay which permitted the elimination of these spoil areas.

Bland Bridge - CE furnished Mr. Dye copies of correspondence relating to the construction of a ferry slip at the east abutment of the former bridge.

Aids to Navigation - The U.S. Coast Guard completed marking the Sunshine Skyway borrow channel in October.