

The June meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held at the Manatee County Office Building June 12, 1964.

Present were:

Ellsworth G. Simmons, Chairman, Hillsborough County
 A.L. Anderson, Secretary, Pinellas County
 Mack H. Jones, Lee County
 Masel C. Huston, Sarasota County
 Richard P. Briggs, representing Manatee County vice
 Ralph Clark

George Kumpe, Executive Director
 Joe K. Merrin, Engineer
 Gilbert Smith representing Dewey A. Dye Jr., Gen. Counsel

Absent:

H.H. Anger, Vice Chairman, Charlotte County
 Ralph S. Clark, Treasurer, Manatee County
 J. Hardin Peterson Sr., Special Counsel
 Dewey A. Dye Jr., General Counsel

ADMINISTRATION

The Chairman called the meeting to order at 11 A.M. Minutes of the May 8, 1964 meeting were approved as presented. The Treasurer's Report was read and accepted. Vouchers #3735 through #3763 covering current bills were approved for payment.

Motion made at the May 8, 1964 meeting to stop payment on Check #3712 and to cancel and rewrite it was rescinded because the original check was located.

PROGRESS REPORT

The Director reported that the extension of the Sunshine Skyway borrow channel northward, the Cats Point Project, was performed during April.

It was reported that the contractor for Section 2 has stated work will begin between the middle of June and July 1st.

Commissioner Huston discussed efforts to get property owner to accept about 3500 cubic yards of spoil at S35-1. Apparently Mr. Bickel's attorney is on vacation and nothing more can be done until he returns on June 22.

The Director discussed the study being made by the Road Department on the suitability of using the canal cross section for borrow areas at the three Venice bridges and the Venice By-Pass. The Chairman stated he could see nothing but good in this because it does away with borrow pits. Mr. Huston said it was a fine thing for the Venice area.

Mr. Smith stated that as soon as the Board of Directors of the Venice Golf Association meet the \$5000 check will be delivered to them in return for the Agreement.

The Director reported that Section 2 land matters are just about completed including all of spoil area S11-1 and the Paulson tract, which was delayed due to the death of Mr. Paulson.

The situation at spoil area C-1A (Sunset Realty) was discussed. Mr. Simmons said the Board's position is that it accepted \$21,200 contribution to place spoil in C-1A and the money was forwarded to the Corps of Engineers. S/A C-1A is in the contract as a required spoil area. The Trustees objected because it was not behind an approved bulkhead line and had not met all local requirements and probably might be disqualified. The District recently was working with the Corps to determine if available (upland) areas could accommodate the spoil but WCIND then was enjoined from this approach when

Sunset Realty obtained an injunction against the Navigation District making any recommendation other than C-1A. Mr. Smith has obtained a hearing on June 18 before Judge Lynn Gerald and the Trustees have filed a petition to intervene in the case. The contract is proceeding and there are places to put the spoil but the District is in a helpless position until the Courts settle the matter.

In Section 3, Venice Gardens, the owner of large proposed spoil area S3-4 immediately north of Center Road and east of the Seaboard Airline, feel they must get considerable reimbursement. Earlier their engineer and Mr. Merrin had agreed to see what portion of the area needed spoil but apparently their engineer was instructed to withdraw from what was recommended. The Commissioners reaffirmed their position, as followed for spoil areas in the other four sections of the Waterway, that an effort will be made to acquire necessary spoil areas without any expense but if expense is necessary the least expensive method of acquisition will be used. Mr. Huston said spoil would increase the value of the area because it could not be used without spoil. The Director had told officials of Venice Gardens that he was not authorized to negotiate with them and that any agreement would have to be approved by the Board.

The area S3-10/PL-3 (South of Venice Inlet) asked for by the Corps of Engineers has not been obtained and there are no other areas available. Commissioner Anderson moved that the legal department bring necessary legal procedures to acquire

the property as described in the meeting (subject to failure in negotiations). The motion carried and resolution/authorizing condemnation of the pipeline easement was adopted. (Page 68 WCIND annex to Minutes)

The Road Department had sent an additional agreement on payment of dredging costs at Manasota bridge, to use the money which is available over and above that required for construction of the Albee and Manasota bridges. Mr. Huston made a motion that the proper signatures be affixed to the Agreement. The motion carried.

The Director stated that the State Road Department must have in hand before July 7 the cost of the Venice Avenue bridge, estimated at \$1,150,000. This is a major step which will change the financial situation of the District. Possible ways of making this money available and operating until December, when tax funds will again be received, were discussed. If all time deposits except those reserved for specific purposes are withdrawn and the balance paid from the checking account it will not leave adequate funds in the checking account for operational expenses until December. Borrowing against future tax revenue was considered. An agreement on financing the Venice Avenue bridge, prepared by Mr. Smith and Mr. Bryan Henry, Road Board Attorney, was adopted and proper signatures authorized, also signatures on warrants from time deposits and checking account to transfer funds to SRD were authorized. The Chairman will investigate leaving the money in escrow in Manatee County Banks to be available on order of SRD Chairman. The officers of the Board were authorized to work out a sound financial structure for the District to proceed

on for the rest of the year. The staff was instructed to send letters to the Boards of Commissioners of the six counties asking them to furnish a statement that WCIND millage established May 8, 1964 would be included in the county budget and also a statement of the estimated valuation upon which millage will be levied.

The Director stated that the Audit Report for the District for the two years ending Oct. 1, 1961 and Sept. 30, 1963 had been received and that no exceptions were taken.

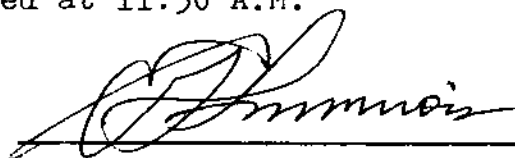
Mention was made that the House Appropriations Committee had approved the \$700,000 included in the President's Budget Message, but not the additional \$300,000 needed to place Section 3 under contract. ^(page 69 WCIND annex to Minutes) The Board adopted a resolution thanking Senator Holland for his past interest and assistance, and soliciting his future help in this matter. Copies of the resolution will be mailed to each of the Boards of Commissioners of the member counties.

The Progress Report was accepted.

NEW BUSINESS

Schedule of meetings for the summer was discussed. The regular July meeting date, July 10th, was confirmed.

The meeting adjourned at 11:50 A.M.



Chairman



Secretary

PROGRESS REPORT

8 May 1964-12 June 1964

CONSTRUCTION

Section 2 - Parkhill-Goodloe Company is expected to start work the latter half of June.

Section 4 - Evidence furnished by the State Road Department and the Corps of Engineers confirmed that necessary dredging at Blackburn Point bridge had been accomplished. Check for \$1,950 was sent to the State Road Department.

S/A S35-1 - Efforts continued to obtain permission from Mr. Bickel to utilize southern portion of spoil area to receive material washed out from original use of spoil area.

Cats Point Project - Dredging was completed during the period 20-22 April; 3,071 cubic yards of material was dredged.

S/A C-1A (Sunset Realty) - On May 21 Mr. Smith and the Director met with Mr. Kidd and Mr. Rees Williams of the Trustees of the Internal Improvement Fund and Mr. Robert Parker, Assistant Attorney General. It was determined that within the time limits of the contract there is no possibility of obtaining State approval of the use of the submerged portion of the spoil area. The Corps of Engineers was asked to investigate possible additional costs if all material intended for this spoil area were placed upon Jacks Point.

Attempts were made to arrange a meeting among the Corps of Engineers, the Contractor, Sunset Realty and WCIND to determine how spoil could be placed on uplands owned by Sunset Realty. On June 5, however, Sunset Realty obtained an injunction against WCIND, prohibiting any recommendation by WCIND that any area other than S/A C-1A be used.

CONSTRUCTION PLANNING

Major General A.C. Welling, Division Engineer, South Atlantic Division, visited Sections 2 and 3 on May 3.

Section 2 - The contractor asked that spoil areas not be cleared in advance of the placement of spoil. The District Engineer stated an opinion that such clearing could possibly lead to a claim for additional payment to the contractor. The contractor also indicated that he would prefer not to use any alternate spoil areas.

The Navigation District asked the Corps of Engineers to advise the District what spoil areas the contractor proposes to use, when the decision is made by the contractor.

Section 3 - On May 19 representatives of the State Road Department District office met with the staff. The Road Department will conduct soil investigations to determine whether or not material within the canal cross section can be used economically in the abutment of the three bridges and in construction of the Venice By-Pass.

LANDS

Charlotte County - The Corps of Engineers requested a slight amount of additional right-of-way near the Seaboard Airline bridge at Placida, due to the provision of 90' rather than 80' of horizontal clearance.

Sarasota County, Section 2, S-1 Alt. - Proponents of this spoil area have written to Parkhill-Goodloe Company to determine it's interest in the development of this area.

S/A S-2 - Deeds for the Paulson purchase have been issued by the Trustees.

S/A S-8 - The Trustees have advertised the sale of the remaining portion of the Piper tract.

S/A S-11A - Mr. Maddin asked that his property be included in the spoil area, completing the entire area as originally planned. Mr. Maddin was advised that the exclusion of any portion of the property could not be considered and that there still could be no assurance that any portion of the spoil area north of the Stirling tract would be used. Mr. Maddin agreed.

Sarasota County, Section 3, Red Lake Spoil Area - The Corps of Engineers was asked to estimate the contribution required for the placement of the maximum feasible amount of material in this spoil area. Computation cannot be made until field surveys have been conducted.

S/A S3-4 - On May 28 Mr. Huston and the staff met with Mr. Porte and Mr. Kennedy, President and Engineer of Venice Gardens, Inc., to discuss granting of spoil area. Additional data were later furnished Mr. Kennedy.

S/A S3-8 & 9 - Sarasota County has set June 16 for public hearing on these spoil areas.

UTILITIES

The Power Company has advised there will be no charge for utility modifications at Venice Avenue and Center Road bridges. On June 8 Mr. Kenneth Daniels discussed with the Director power crossings at the Section 2 bridges.

Turin Street - There have been no developments on claim by the contractor for additional compensation.

BRIDGES

Cape Haze Bridge - The Secretary for Cape Haze Corporation was furnished information on vertical clearances for a movable bridge to replace the fixed bridge. Cape Haze Corporation was notified that the date set for removing the Bland bridge had not been extended.

Bland Bridge - Mr. Harry J. Allen, property owner on Palm Island, wrote to verify that the bridge would be removed. He was provided with copy of letter on this subject from the Corps of Engineers.

Venice Avenue Bridge - The State Road Department proposes to include this contract in July letting. An agreement on the details of financing is being prepared. This contract will include a requirement on the contractor that vehicular traffic be maintained during construction.

ADMINISTRATION

Florida Waterway Ass'n. Meeting - On May 15 the Director attended a meeting in Stuart to discuss the desirability of establishing an Okeechobee Waterway Navigation District.

Appropriation Testimony - Copies were received of the testimony by the Cabinet in Washington on the Appropriations Bill. For the West Coast Waterway a request was made for the \$700,000 in the Budget and an additional \$300,000 to permit the start of Section 3. Committee reports are now being completed.

Channel Conditions, Section 4 - The Corps of Engineers investigated a report that a local channel in the vicinity of Oyster Bay, Sarasota County, had shoaled. No evidence of this shoaling could be determined.

National Rivers & Harbors Congress - Commissioner Ralph S. Clark, Mr. Dye and the Director attended the meeting of the National Rivers & Harbors Congress in Washington on June 2-5.

Audit report for the period October 1, 1961-September 20, 1963 was received. No exception was taken to the District records.