

The July meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held at the Manatee County Office Building July 10, 1964.

Present were:

- Ellsworth G. Simmons, Chairman, Hillsborough County
- H.H. Anger, Vice Chairman, Charlotte County
- A.L. Anderson, Secretary, Pinellas County
- Ralph S. Clark, Treasurer, Manatee County
- Masel C. Huston, Sarasota County

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

Absent:

- Mack H. Jones, Lee County
- J. Hardin Peterson, Sr., Special Counsel
- Dewey A. Dye Jr., General Counsel

ADMINISTRATION

The Chairman called the meeting to order at 2 P.M. Minutes of the 12 June 1964 meeting were approved as presented. The Treasurer's Report was read and accepted. Vouchers #3764 through #3784 covering current bills were approved for payment.

PROGRESS REPORT

Under "Construction" the Director reported that Mr. Bickel has consented to extend the use of the south portion of S/A S35-1 so that the County can deposit material which had washed out into the channel. With this consent the County will advertise the work and bids should be opened in two weeks. The area will need some grading both before and after this work is done, estimated by Mr. Merrin at \$400. Motion was made and carried authorizing this grading on hourly basis under the direction of the engineer, Mr. Huston and the

Director, ceiling of \$500 being paid for the job. Commissioner Huston remarked that expenditures at the spoil area would still be within the \$1000 bond which was forfeited.

The Director told of attending a meeting of the Board of Commissioners of Sarasota County and discussing mosquito control problems in some of the inactive spoil areas. He had written to the Corps of Engineers recommending that in future specifications include some provisions for improving this condition, which is worse in the South than other parts of the United States. It is understood that Sarasota County will work through the State Health Department.

The Board was brought up-to-date on spoil area C-1A. A hearing has been set for July 16 on the merits of the injunction at which time it is hoped the Court will dissolve the injunction. It is expected the Attorney General's office will appeal if the injunction is sustained. Should the injunction be dismissed probably S/A C-1A will not be used and the Navigation District will probably have to refund the \$21,200 contribution made by Sunset Realty Co. In such case the Corps of Engineers would negotiate with the contractor for reduction in price and would return to WCIND any saving received. The legality of WCIND's refunding the contribution was discussed and Commissioner Anderson felt it would be well to have an Attorney General's ruling in writing. A possibility was also mentioned that the Court might order the District to return the contribution as the District was the intermediary between Sunset Realty and the Corps of Engineers. Mr. Anderson

commented that if the Court has jurisdiction and orders the refund, when that order becomes final WCIND would have to abide by it.

Mr. Merrin has all the information on water and sewer crossings planned at Venice Avenue and will meet again next week with SRD. Question was asked if this work could not be included in some other contract and Mr. Merrin said there were no provisions in Road Department contract that they could do this work and, therefore, the District must do it.

Regarding modifications of telephone crossings at Venice Avenue a contract has been drawn up similar to one used on Interstate Highway systems. The contract is between General Telephone Company and SRD, subject to WCIND approval. It has been sent to the Telephone Company and SRD for signature. Motion was made that proper signatures be affixed for the District if this contract is agreeable to the other parties. Motion carried.

An agreement has been prepared on financing the Venice Avenue bridge wherein all unencumbered time deposits in the District together with \$87,945.30 from checking account would be placed in escrow accounts for the State Road Department's use in constructing the bridge, placing \$1,000,000 at their disposal, with the Navigation District to deposit any anticipated additional costs before December 15. Motion was made by Commissioner Clark that proper signatures be affixed to the Agreement when it is approved by the State Road Department.

(Page 70 WCIND annex to minutes)  
Resolution was adopted transferring \$87,945.30 from Manatee

National checking account to Bank of Palmetto and establishing the necessary escrow accounts of \$1,000,000.

The Director reported that the Coast Guard had informed the Corps of Engineers that Cats Point and Sunshine Skyway projects would be marked in July or August.

The Director reported that he had been asked by the Board of Commissioners of Sarasota County if the District would participate in the estimated \$10,000 costs of riprapping the channel face of the County Island north of Albee road, which is eroding very badly. The County has applied for a federal permit to do this work. Commissioner Huston discussed the matter for his Board. Chairman Simmons felt that to contribute would set a precedent the Board could not live with, that it was a problem which might occur up and down the waterway. Commissioner Anger said it would probably be a problem in upper Lemon Bay. The matter was dropped.

The Progress Report was accepted.

#### NEW BUSINESS

S/A S3-5 - This large spoil area in Section 3 was discussed. The owner, in Chicago, is not willing to do any grading but does not wish to leave any unsightly, ungraded area. The area and location are very definitely needed and rough grading would cost approximately \$1500. After discussions the Commissioners decided that they would not establish a policy of grading spoil areas; that each case must be judged on its own merits. Mr. Huston thought the spoil was going to be valuable and that more people are going to seek it. Motion was made and carried that this be left with the attorney and Mr. Huston to continue investigating and report back to the Board.

The Board authorized signatures on easement to SRD for drainage on each side of Venice Avenue.

Mr. Smith discussed missing deed granted in adjustment of Bartlett right-of-way immediately north of Venice Avenue. He was sure the deed had been delivered because the District had received a check from the Bartlett interest in final settlement. A duplicate deed has been requested. Commissioner Anderson made a motion that the attorney be directed to prepare from the office copy another deed and the Chairman be authorized to sign and the deed be delivered to the grantee; that it be recited in the deed that the deed is made to replace original deed which was lost. The motion carried.

The Director read a letter from the Lee County Recreational and Development Committee asking support in getting Estero Bay marked by the Coast Guard. Resolution <sup>(Page 71 WCIND annex to minutes)</sup> was adopted supporting this request.

The Director was authorized to attend the quarterly meeting of the Florida Waterway Association at Pensacola, Friday, July 17th.

Discussion was held on time of future meetings, particular emphasis on the August meeting as many of the Commissioners will be out of the state on the regularly scheduled date. Date of the August meeting was left to the discretion of the Director; if sufficient business, it will be scheduled early in the month, if not, later in the month. Preference was expressed by several of the Commissioners for Monday mornings at 11 o'clock.

Mr. Smith reported that additional right-of-way at the SAL bridge to Gasparilla Island had been acquired from IIB. Motion was made and carried that the proper signatures be affixed to the conveyance of this right-of-way to the United States.

The meeting adjourned at 3 P.M.

*George Ruzer*  
Asst

Secretary

*C. J. Morrison*

Chairman

## PROGRESS REPORT

12 June 1964-10 July 1964

CONSTRUCTION PLANNING

Section 2. S/A S3-1 (Caspersen) - The Corps of Engineers reported that decision on modifying the spoil area to eliminate the private beaches was in abeyance waiting a response from the contractor.

Section 3 - The State Road Department on June 11 completed foundation investigations on the possible use of canal right-of-way as borrow pits for the bridges and Venice By-Pass. SRD filed a request with the Corps of Engineers for the use of a 280' section of the canal at Venice Avenue to borrow material for bridge approaches.

S/A S3-8A (Bartlett et al) - the Corps of Engineers approved this area and realignment of Hatchett Creek between US 41 and SAL Railroad.

S/A S3-9 (Baynard) - The Corps of Engineers confirmed that no portion of upland within canal right-of-way could be considered as spoil area.

Mosquito Control - On June 30 the Director met with the Board of Commissioners of Sarasota County and discussed mosquito control problems presented by spoil areas. The Director offered to cooperate with the County Mosquito Control Officer and wrote to Colonel Parfitt suggesting improvements in specifications for Section 3.

LANDS

Lee County. S/A C-1A - On June 18 the Navigation District was heard on its request that a restraining injunction be vacated. This injunction prohibited the Navigation District from recommending the use of any alternate spoil area. The Assistant Attorney General was permitted to intervene on behalf of the Trustees of the Internal Improvement Fund. On June 23 the Judge ruled on the hearing, denying the request to vacate....Pertinent correspondence and papers on this case were furnished to Senator Elmer O. Friday, Jr., at his request.

The Director asked the Corps of Engineers to estimate possible costs involved if the contractor used only the upland portion of Hogar Key and Jack's Point within the limits of the spoil area. The Corps of Engineers determined that these areas were adequate with substantial diking. On June 29 the contractor submitted an estimate of \$52,826 for the use of the upland area only, including costs for diking and extra pumping.

Charlotte County Right-of-Way - Additional right-of-way was received from the Trustees, necessitated by 10' greater width of navigation channel under the SAL Railroad Gasparilla bridge.

Sarasota County, S/A S-1A (Chapman, Goodwin et al) - Proponents of this spoil area had asked the contractor if the use of the area were feasible provided administrative provisions of bulkhead line and purchase could be met. Answer of the contractor indicated misunderstanding. The Director furnished to the proponents additional information for further negotiations. The contractor then advised Mr. Goodwin that the area was feasible and stated the consideration required. Final negotiations and possible initiation of administrative procedures rest upon proponents of the area.

S/A S-2 - Papers on this spoil area have been received and are being recorded in preparation of conveyance to the United States.

S/A S-7 - Mr. Fred Lovejoy, purchaser of the Harter tract, was informed that no action by him was necessary for the tract to be included in the spoil area.

S/A S-8 - Mrs. Morrissey asked that tentative negotiations be undertaken on structures in her tract in anticipation of her protracted absence.

Section 3, S/A S3-8 & 9 - (Eagle Point Inc.) - Public Hearing was held by the Sarasota Water & Navigation Control Authority on June 16. Purchase of the submerged tracts was authorized. Due to an error in advertisement, hearing on the establishment of bulkhead line and dredge and fill permits was deferred until July 21.

#### UTILITIES

Venice Avenue crossings - Mr. Merrin has all data needed for plans and specifications for the City water and sewer line crossings. When completed they will be checked with State Road Department and City of Venice.

Venice Avenue telephone crossings - Mr. E.A. Thompson, SRD utility engineer, prepared agreement for execution by Telephone Company and SRD with Navigation District approval. The Navigation District will bear actual cost of modification. The telephone company estimate of \$14,057 will probably be reduced by taking advantage of the bridge contractor's excavation.

Power Crossings Section 3 - On July 7 Mr. Smith and the Director met with Mr. Daniels of the Florida Power & Light Co. to discuss crossings of the Waterway. Priority will be given to the Venice Avenue site.

Venice Access Road - The City of Venice is starting work on the road along the west side of the airport. FAA approval has been received and USCG will grant easement over its property. Mr. Slider, City Planning Director, was informed of procedures for release of funds in escrow.

#### BRIDGES

Cape Haze bridge - At request of the owner, the completion date for removal of the bridge was deferred to August 1 in view of delay in starting the dredging of Section 2.



Bland bridge - Data on the background of removal of this bridge were furnished to the State Board of Conservation. At the request of Congressman Haley, State Representative Smoak of Punta Gorda was furnished information on the possibility of delaying the removal of this bridge. He was advised that the Corps of Engineers had been obliged to call upon the bonding company to effect the removal of the bridge. When a time extension was granted for the removal of the Cape Haze bridge the bonding company had been informed that a similar delay for the Bland bridge would be considered, if requested. The bonding company had not answered and when questioned by the Corps of Engineers stated that all arrangements had been made and a favorable bid for the removal had been received. Accordingly the contractor for the bonding company started the removal on June 15. Work was completed about July 2.

Manasota bridge - The work order for the contractor to start construction of this bridge was issued by the State Road Department on June 12.

Venice Avenue bridge - On June 15, at the request of Mayor Brohard, a meeting was held in Venice attended by the City Council, City Planning Director, representatives of the State Road Department and the Navigation District. The City had two requests to make with respect to the right-of-way deed, first that ornamental planting in the right-of-way could be removed by the City, and secondly that a reverter clause be included, in case the project should ever be abandoned. On July 1 the State Road Department furnished a revised deed meeting these desires of the City. - At the June 15 meeting Mr. Cochran of the State Road Department went over the plans for the Venice Avenue bridge project. City officials expressed gratification at the extent to which all their desires were being met. At the meeting Mr. Cochran informed the Director that it was impossible to meet his goal of July letting but that August letting would be met.

#### ADMINISTRATION

Financial data - As directed at the last meeting information on tax revenue, to substantiate a loan if necessary, was received from Hillsborough, Pinellas and Lee County. Data from other counties are expected.

Appropriations - Resolutions from the counties to Senator Holland urging total appropriation of \$1,000,000 for the West Coast Waterway were received except from Charlotte County. The Sarasota Chamber of Commerce also wrote to Senator Holland for the same purpose.

Cats Point Contribution - The Corps of Engineers was asked to refund that portion of the contribution not required due to reduced construction costs. This refund will be made when the total cost of the project has been determined.

Channel Conditions Pine Island Sound - The Corps of Engineers answered a report of shoaling in Cut L-1 east of St. James City. A recent investigation did not reveal the reported shoal and a further check will be made.

Channel marking - The Corps of Engineers learned from the Coast Guard that the Cats Point project will be marked in July or August. This is the same period the Coast Guard has announced that the Sunshine Skyway Channel will be marked.

Erosion - On June 30 the Director met with the Board of County Commissioners of Sarasota County to discuss erosion on County Island north of Albee Road. The County is soliciting Navigation District cooperation in riprapping the channel face of the island to eliminate further erosion.