

WEST COAST INLAND NAVIGATION DISTRICT  
BOARD MEETING  
MINUTES OF SEPTEMBER 8, 2000  
ROBERT L. ANDERSON ADMINISTRATION CENTER, VENICE, FLORIDA

COMMISSIONERS PRESENT:                   Ray Judah, Chairman  
  Joe McClash, Vice-Chairman  
  Nora Patterson, Treasurer  
  Adam Cummings, Charlotte County

STAFF PRESENT:                             Charles W. Listowski, Executive Director  
  Philip E. Perrey, Counsel

Commissioner Judah opened the meeting at 4:00 p.m. Mr. Listowski called the roll. A quorum was present. There were no deletions or additions to the Agenda.

PUBLIC COMMENT – None

DEPARTMENT OF ENVIRONMENTAL PROTECTION – No one was present from DEP.

U. S. ARMY CORPS OF ENGINEERS – Mr. Don Fore from the Jacksonville office was present and spoke to the Board. Mr. Fore said the dredging of Fort Myers Beach would probably happen by February. Regarding New Pass-Longboat Pass projects, the timetable has slipped considerably because of turtle season, FEMA money for Longboat Key, and negotiation problems with contractors for plans and specifications. There's also a funding problem with the Corps. New Pass can be started and almost completed next August, and then switch to Longboat Pass. Easements on Longboat Key will expire at the end of 2001. A public meeting will be held, but no date has been set. Commissioner Patterson said the marking was not correct on New Pass. Mr. Fore offered to have a survey done and then call the Coast Guard and ask them to mark New Pass. Another reason for the delay is the diversion of funds from these projects to other projects. Commissioner McClash asked why couldn't we get the Coast Guard Auxiliaries to check channel markers and then report on the discrepancies in the various passes. Mr. Listowski volunteered to call the "Local Notice to Mariners" publication to report that the channels are deficient and then follow up with letters to the auxiliaries and other search/rescue units.

Funding for a Section 22 study of Midnight Pass will be available after October 1<sup>st</sup>. This analysis will be a first phase and funded by the Corps at a total of about \$10,000. Commissioner Patterson thought that would be acceptable. Mr. Ed Goscicki of Sarasota County Environmental Services said that the County requested a Section 22 review of the existing CDM study to see if there were any deficiencies and if there was any further direction they could get from the Corps. Another project is the habitat restoration of spoil islands in the ICW, a 75-25 cost share split with the federal government responsible for 75%. One of the islands is adjacent to the inlet and is an 1135 project.

The Corps is asking headquarters for money to do the Section 111 study of Stump Pass. That should be available pretty quickly to study the flow of water through Lemon Bay and Stump Pass since the ICW was dredged through the area. The Corps would fund up to \$100,000. Mr. Gonzales from the Corps has been invited to do a workshop on all these available programs.

CONSENT AGENDA– Commissioner Cummings moved and Commissioner McClash seconded to approve the entire Consent Agenda, no. 1-7. Motion passed unanimously.

#### ADMINISTRATIVE AGENDA

1. Phillippi Creek – Mr. Listowski reported that we just had a pre-bid meeting this week for the 500 yard oyster material relocation phase I. We are hoping for a successful bid opening on that project in our office on September 20. All phases of the project will be discussed at a public meeting with area residents scheduled for September 25.

2. FDEP Meeting on Regional Permitting – We had a meeting on August 10 with regional administrators in the Tampa office, Deborah Getzhoff and Rick Cantrell. Another meeting is scheduled for September 13 at the Fort Myers office of DEP. We are trying to iron out issues associated with the Notice General Permit (NGP). Counsel Perrey reported that the Tallahassee staff was not communicating with regional staffs regarding the NGP. We have to backtrack and bring everyone up to speed in all offices.

3. FSBPA – Mr. Listowski said that this year all elected officials are invited to discuss the A, B, and C's of beach preservation, specifically, funding, at a special FSBPA meeting on September 14, 2000 at South Seas Plantation.

4. Letter of Agreement with the Corps of Engineers on Dredged Material Site Management – We received a letter last week from the USACOE indicating a desire to work more closely with us and to revitalize the agreement which has taken us through over 50 years together. We recognize that many new needs have come up in recent years. The letter requests a letter of concurrence and a response back to the Corps. Part of the Corps' letter indicates a need to have a delineation of responsibilities between the two agencies. The Corps has a similar agreement with FIND.

This is not the funding agreement we sent to the Corps over a year ago. This agreement has more to do with operation, construction, maintenance, and management of waterway-related properties. It indicates that a Project Cooperation Agreement (PCA) is needed. Prior to 1996 the sponsor was responsible for 100% of the cost of dike construction. This will allow for an 80% federal share, and of the 20% local share, 10% can be the value of the land. Commissioner McClash moved and Commissioner Cummings seconded that the Chairman sign the draft letter and return it to the Corps. Motion passed unanimously.

5. TRIM Mini-Workshop – Counsel Perrey talked about the Agenda for the First Trim Hearing and the strict order of business. We have never had to do step #6, which involves an amendment of the tentative budget. As long as the budget is not changed so that it would require a recalculation of the millage rate, we need not concern ourselves with this step.

COMMISSIONERS' ITEMS – None

WCIND COUNSEL'S REPORT – None

EXECUTIVE DIRECTOR'S REPORT – Mr. Listowski reported that the Tampa Bay Estuary Program is offering county governments free beach access signs. He will make respective county and city staffs aware of this. Orders have to be placed by October 2, 2000.

Also, he has received a letter from Howard Marlowe, a Washington, D. C. lobbyist, relative to Water Resources Development Act of 2000 (WRDA 2000). The question from the SWFRPC director was whether or not all agencies desired to be signatory to this letter, which is supportive of WRDA 2000, and all funding relative to coastal issues. Mr. Fore said that every two years Congress does an authorization. It applies to navigation and flood control projects. Commissioner Patterson moved to authorize WCIND's signature, and Commissioner McClash seconded. Motion approved unanimously.

The meeting was adjourned at 4:50 p.m. and the WCIND Board of Commissioners would reconvene at 5:01 p.m. for the First Budget Hearing.

FIRST TRIM HEARING ON THE 2000-2001 WCIND BUDGET AT 5:01 P.M.

Chairman Judah announced the opening of the public hearing on WCIND's proposed millage rate and tentative budget for FY 2000-2001. He publicly announced the proposed millage rate of .04 mill. He announced that the percentage increase in millage over the rolled back rate necessary to fund the tentative budget is 5.82%. Therefore, the percentage increase in property taxes based on the proposed millage rate is 5.82%.

Mr. Listowski, Executive Director, was asked to discuss the specific purposes for which ad valorem tax revenues are being increased. He said that proposed total funds available would be \$3,276,079, which is a consolidation of funding including a cash carryover for capital projects, ad valorem tax revenue, and lease and interest income. Proposed expenditures include the Waterway Development Program, which funds the counties' requested projects, and the Cooperative Assistance Program. Other expenditures include the categories of state/federal required match project, maintenance, administration, commissions, tax refunds, and contingency. When the Capital Improvement – Projects in Progress category is added in, total expenditures equal \$3,276,079.

Chairman Judah opened the hearing for public comment. Mr. Glenn Compton, representing Manasota 88 and himself, spoke. He isn't a boater or waterfront property owner. He would prefer a tiered system of taxation. He thinks that WCIND is a difficult agency to monitor. He thought that this meeting was not advertised. Commissioner Judah very definitely said that this TRIM Hearing was advertised correctly. He suggested that the Agenda be published and the meetings televised. Commissioner McClash spoke about direct and indirect benefits of taxation and the near impossibility of a fair system for each taxpayer. Also, not all boaters live along the waterway. Some who live along the waterway do not use it at all.

Mr. Listowski spoke about the WCIND web site, which is always being updated, and the enormous amount of high visibility regarding the dredging of Shakett Creek. We are also involved as the local sponsor of the Section 1135 program, which will require a 1.25 million dollar match from the District for an ecosystem restoration project involving islands in Sarasota Bay. Mr. Listowski suggested a meeting with Mr. Compton to go over our project list and work closer with us.

Commissioner Patterson said Sarasota County's meetings are broadcast from the same room used by WCIND for most meetings. Mr. Listowski said our web site is linked to other sites. Agendas can be posted on our web site.

The Public Hearing was closed.

Commissioner Patterson questioned a decision from the previous meeting in July, which should show up as an increase of \$450,000 in reserves and \$300,000 still remaining in committed funds but earmarked for Stump Pass. The "reserves" line in the budget has not changed from July to this meeting. She wants to be able to follow the budget in future years. We need a different format, perhaps a capital budget and an operating budget.

Commissioner Cummings thought that perhaps WCIND's budget process could be assisted by the use of county staff resources in some way.

Commissioner McClash thinks we ought to be able to track all carryover projects and asked for a spreadsheet by the next meeting. Mr. Listowski said he would do that. He said our auditor will do an analysis and write all the Board members about delineating between capital and operating budgets.

Chairman Judah suggested having a budget workshop some time during the next fiscal year or at least devote a portion of a regular meeting to this issue.

Commissioner Patterson said that Sarasota County wants to use part of their committed funds to repair a collapsed seawall in Nokomis. They have the money in various funds which have already been approved several years ago.

Commissioner Cummings moved to adopt the tentative millage rate for FY2000-2001 of .04 mill. Commissioner Patterson seconded. Motion approved unanimously.

Commissioner Cummings moved to adopt the tentative budget for FY2000-2001 with projected funds available of \$3,276,079 and total expenditures of \$3,276,079. Motion approved unanimously.

Chairman Judah announced a Final Public Hearing to finalize the budget and adopt a final millage rate at 5:01 p.m. on Friday, September 15, 2000 in Commission Chambers at the Robert L. Anderson Administration Center in Venice, Florida.

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Commissioner Patterson would like the budget hearings on a day of the week other than Friday, but that would be difficult since other agency scheduled meetings are in conflict for the more desirable times.

Chairman Judah adjourned the Budget Hearing at 5:40 p.m.