

**CITY OF KEY COLONY BEACH UTILITY BOARD  
EMERGENCY MEETING  
MINUTES**

**Wednesday, December 15, 2020 – 11:00 p.m.  
Marble Hall**

**Call to Order, Roll Call:**

The Emergency meeting of the Utility Board was called to order immediately following the regular Utility Board meeting adjournment at 10:03am by Board Chairman John Dalton. *Answering to roll call was:* John Dalton, Tom DiFransisco, Mike Alexander and Lin Walsh.

*Excused:* Steve Flood

Also Present: Jason Shepler, Mittauer and Associates, Utility Clerk Pat Hyland  
Public – 1

**Review the Revised Design Center Bid for Retention Pond Improvement and Make Recommendation to the City Commission**

Board Chairman John Dalton provided the background of this revised bid, and the Utility Board's decision to have the attorney review the bid and process.

A legal analysis was obtained from attorney Rich Malafy regarding whether this modified bid could be accepted or whether the project would require a rebid. Attorney Malafy stated "The Utility Board is within its rights to accept the \$24,000.00 modified bid and is not required to rebid the project".

The board members agreed the usual procedure should be followed regarding preparing the award letter and contract, which Mittauer & Associates will prepare and have executed by both the contractor and the City. In addition, Mr. Shepler will speak with the contractor regarding changing the amount paid up front and amount due at completion. There will be a percentage held as retainage and paid out only when the project has been completed to the City's satisfaction. The Board members discussed who would be inspecting the work area for the City, as well as who would be giving final approval of the completed work and releasing the funds for payment to the contractor.

**Motion** – Moved by Chair John Dalton and seconded by Mike Alexander to approve the revised bid received from Design Center in the amount of \$24,000.00.

**On the Motion:** Roll Call Vote. Unanimous Approval.

Tom DiFransisco suggested one or more television or video cameras be purchased and placed in the retention pond area to record the work being done, as well as to record the real-time tides coming in and going out. Mr. DiFransisco suggested Mike Guarino speak with the engineer regarding what type of information, measurements, etc. Mr. Shepler may need in the future if this project must be revisited after completion. Mike Alexander suggested perhaps a City employee drive by the area and record what condition the retention pond area is in, especially after a rain event.

A Utility Board member will attend the next scheduled City Commission meeting to advise them the Board has accepted the bid received from Design Center in the amount of \$24,000.00.

**The meeting adjourned at 10:46 a.m.**

Respectfully Submitted by:

*Pat Hyland*

Pat Hyland, Utility Clerk

\*\*\* Note: A mechanical recording has been made of the meeting of which these minutes are a part, and a copy is on file in the office of the Utility Clerk, as a public record. \*\*\*