

# **MINUTES**

## **KEY COLONY BEACH CITY COMMISSION**

### **SPECIAL MEETING**

Monday, April 27<sup>th</sup>, 3:30 PM

Marble Hall, 600 W. Ocean Drive, Key Colony Beach  
& via Zoom Conferencing

- 1. Call to Order, Pledge of Allegiance, Prayer, and Roll Call:** The Key Colony Beach City Commission Special Meeting was called to order at 3:30 PM, followed by the Pledge of Allegiance, Prayer, and Rollcall. **Present:** Vice-Mayor Doug Colonell, Commissioner Tom Harding (via Zoom), Commissioner Tom DiFrancisco, Commissioner Diehl. **Absent:** Mayor Freddie Foster. **Also present:** City Attorney Scott Black, Building Official Tony Loreno, Administrative Assistant Par Darnall, City Clerk Silvia Roussin, CPH Architect Brandan DeCaro.

Vice-Mayor Colonell acknowledged the passing of longtime resident Chet Dunn and requested a moment of silence.

Vice-Mayor Colonell found good cause for Commissioner Harding to attend via Zoom and for Mayor Foster to be excused from attending.

**Public Attendance:** 0

- 2. Approval of the Agenda** (*Additions, changes, and deletions can be made via one motion and a second to approve by a majority vote*)

There were no changes to the agenda, and Vice-Mayor Colonell asked for a motion to approve.

**MOTION:** Motion made by Commissioner DiFrancisco to approve the agenda. Commissioner Diehl seconded the motion.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

- 3. Citizen Comments and Correspondence**

There was no correspondence or citizen comments.

- 4. Discussion Action Items**

- a.** Discussion/Approval of a Request by Pedro Falcon Contractors for Change Order #012 for Pin Piles and New Slab for \$143,798.35

Vice-Mayor Colonell introduced the agenda item and asked for a motion to approve, with the exception of 58-day timeline listed in the change order.

**MOTION:** Motion made by Vice-Mayor Colonell to approve Change Order No. 012 for the dollar value and scope of work only, excluding any approval of the requested 58-day time extension. Commissioner Diehl seconded the motion.

**DISCUSSION:** Commissioner Diehl expressed support for approving the cost and scope of work while raising questions about the requested timeframe. Vice-Mayor Colonell stated he had extensive discussions with the contractor, who committed to providing a recovery plan and a revised timeline. Commissioner DiFrancisco raised questions about monitoring pile installation, rebar, and slab installation. Vice-Mayor Colonell clarified that these inspection services fall within the contracted inspection services and responsibilities.

Commissioner Harding raised questions about pin pile testing and whether load testing of the new piles should be required. Discussion followed regarding the need for load testing, the distinction between pile testing and concrete slab testing, the timing of any testing, prior testing, testing procedures for concrete and pin piles, and whether such testing was included in the current engineering inspection scope. City Attorney Black noted that load testing was not included in the engineering scope but could be commissioned separately if desired. Commissioner DiFrancisco asked for CPH's

Engineer's opinion on the benefit of load testing.

Registered Project Architect Brandan DeCaro advised that load testing had not been requested by the project engineers and stated that, if the piles were installed properly, he did not believe testing would be necessary. Commissioner Harding requested a written statement from the structural engineer confirming whether testing was necessary or unnecessary. Additional discussion addressed load-testing procedures, the number of sample piles to be tested, technical details, and the potential impact of further testing on the project schedule. Commissioner Harding reiterated his request for an opinion from the structural engineer regarding the necessity of testing for future reference. Further discussion followed on terminology and contractors' practices.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**b. Discussion/Approval of requested Time Extensions**

City Attorney Black advised that the Commission could authorize Vice-Mayor Colonell to negotiate a proposed timeline with the contractor or return the matter to the Commission for further consideration at a later meeting. City Attorney Black noted that approval of the monetary portion of Change Order No. 12 did not bind the Contractor to accept the approved change order without the requested time extension. Vice-Mayor Colonell discussed project delays, the contractor's position on prior delays, and the need for a recovery plan, noting that the contractor was expected to provide additional information. Vice-Mayor Colonell also offered additional comments on possible risks of delay claims and efforts to move the contractor along.

**MOTION:** Motion made by Commissioner Diehl to designate Vice-Mayor Colonell to negotiate the timeframe for the project. Commissioner DiFransico seconded the motion.

**DISCUSSION:** The Commission discussed whether to grant the requested 58-day extension or defer action pending additional documentation and negotiations. Commissioner DiFransico commented on a possible extension with conditions for the contractor. Architect Brandan DeCaro advised against Commissioner DiFransico's suggestion, a position City Attorney Black agreed with. Vice-Mayor Colonell discussed potential liquidated damages, ongoing communication with the architect and contractor, and the expectation that the contractor would submit the requested documentation and a recovery plan for review.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

Additional discussion addressed project delays, work start dates, approval dates, and possible schedule recovery measures, including Saturday work. Vice-Mayor Colonell stated that the anticipated recovery plan would identify measures to bring the project back on schedule, and he hoped to receive further information and recommendations from the contractor on Wednesday. City Attorney Black confirmed that there was no need to go out to bid on the change order and that it was not a sole-source project.

**5. Adjournment:** The meeting adjourned at 4:11 PM.

Respectfully submitted,

*Silvia Roussin*

City Clerk

**ADOPTED: June 18, 2026**

***Silvia Roussin***

***City Clerk***