

**MINUTES FROM A REGULAR MEETING OF THE UTILITY BOARD OF THE CITY OF KEY WEST, FLORIDA, HELD AT 5:00 P.M. ON MARCH 10, 2010 AT THE WILLIAM ARNOLD SERVICE BUILDING LOCATED AT 1001 JAMES STREET, KEY WEST, FLORIDA**

The above referenced meeting of the Utility Board of the City of Key West, Florida, convened at 5:00 P.M., on the above date and location and was called to order by Chairman Hernandez. Present and answering to the roll call were Utility Board members: Peter Batty, Charles Bradford, Mona Clark and Ty Symroski. Also present at the meeting: Lynne Tejeda, General Manager & CEO; Nathan Eden, Board Attorney; Jack Wetzler, Assistant General Manager & CFO; Alex Tejeda, Customer Services Director; Suzanne Greager, Management Services Director; Dale Finigan, Director of Engineering/Control Center; David Price, Director of T&D; Eddie Garcia, Director of Generation; and Stan Rząd, Compliance Administrator.

**AGENDA ITEM #4 – SET AGENDA**

There were no changes to the agenda and the agenda was set.

**AGENDA ITEM #5 – RECOGNITION AND PRESENTATION**

**Agenda Item #5a – Completion of Second Year Apprentice Substation Electrician Training – James Davis**

Chairman Hernandez said the Board would like to recognize James Davis on his Completion of Second Year Apprentice Substation Electrician Training.

Mr. Davis was not present to accept his certificate.

**AGENDA ITEM #6 – INFORMATIONAL ITEMS**

**Agenda Item #6a – Generation Report**

Mrs. Tejeda informed the Board that the Generation Report is included in the Board meeting packet and staff is prepared to answer any questions they may have.

**No Name Key**

Mrs. Tejeda reported that KEYS opened bids for various components of the line extension for No Name Key on Friday and the prices were extremely favorable. The bids came in at an estimated \$90,000 under budget. She said next week KEYS will provide the Homeowners with pricing and the contract for signature.

Mrs. Tejeda said that KEYS will not award the bid until KEYS has a signed agreement, payment in full and the assurance that they met the requirements that Florida Fish and Wildlife presented to them.

Chairman Hernandez asked if requirements by other agencies were met. Mrs. Tejada said that Florida Fish and Wildlife is the only agency that KEYS sought input from. Florida Fish and Wildlife made recommendations of other agencies to seek input from.

Mrs. Tejada said that KEYS still needs to provide the County with information regarding the bridge attachment and will need to award the bid prior to receiving approval from the County.

Mr. Symroski asked if they amended the comp plan. Mrs. Tejada said they did not.

Mr. Symroski asked if they have to amend the comp plan. Mrs. Tejada said it does not appear so at this time.

Mr. Batty asked once Florida Fish and Wildlife signs off does KEYS go forward. Mrs. Tejada said yes.

Mr. Batty asked if there were additional letters of approval required by the County. Mrs. Tejada said that KEYS is seeking approval for the bridge attachment from the County.

### **Upcoming Events**

Mrs. Tejada informed the Board of the following upcoming events:

- Employee Easter Egg Hunt – Saturday March 20<sup>th</sup> at 10am
- FMEA Legislative Rally – Monday March 22<sup>nd</sup> – March 23<sup>rd</sup>
- True All Requirements Project (TARP) Workshop-Thursday March 25<sup>th</sup> at 2pm
- Eco Discovery Solar Dedication- Friday March 26<sup>th</sup> at 11am

### **AGENDA ITEM #7 – CONSENT AGENDA**

- a) Approve Minutes - Regular Meeting - February 17, 2010  
Approve Minutes- Legislative Briefing and FMPA Update Workshop - February 12, 2010  
Approve Minutes – Strategic Planning Workshop – February 17, 2010
- b) Approve Disbursements Report
- c) Approve the Purchase of Servers, Data Storage Devices, Fiber Channels, Associated Material, Professional Services, Approve Budget Amendment #10-06, and Declare related equipment as surplus
- d) Approve the Purchase of Core Network Switches, Multiple Edge Switches, Associated Material, and Professional Services, and Declare related equipment as surplus

Motion was made by Mr. Batty and seconded by Mr. Symroski to Approve the Consent Agenda. The motion passed unanimously.

## **AGENDA ITEM #8 – ACTION ITEMS**

### **Agenda Item #8a – Appoint New Member to Advisory Committee, District Two**

Mrs. Tejada informed the Board that as reported last month, Mr. Henry Hamilton (District 2) Advisory Committee termed out. She said KEYS advertised the position and received three applications. Applicants were Chris Fogarty, Donald Lanman, Michael Rice. In the audience was Chris Fogarty.

Mrs. Tejada said the Board can either make a motion to appoint or use ballots and tally the scores.

Motion was made by Mr. Batty and seconded by Mr. Symroski to use the ballots.

The Board members filled out their ballots and handed them to Mr. Wetzler to tally. Mrs. Tejada announced that Mr. Chris Fogarty will serve as the Advisory Committee District 2 Representative.

The Board congratulated and thanked Mr. Fogarty.

There being no further discussion the motion passed unanimously.

### **Agenda Item #8b – Approve Resolution #769 - Amending The Plan Document, Article Two By Adding Section 2.13 – Career Average Compensation; Amending Article Four Section 4.01 (B); Amending Article Four Section 4.02(B); and Amending Article Four Section 4.03(B)**

Mrs. Tejada informed the Board that during Union Contract Negotiation, KEYS and Local 1990 negotiated a change to the Pension Plan for employee's hires after June 1, 2010. She said the Plan Document has been review and the Resolution is included in the packet provides the needed amendments to the plan to accomplish the change.

Mrs. Tejada said that the Board of Trustees met last week and unanimously agreed that the Resolution and the proposed language carries out the collective bargaining agreement between the Union and the Utility Board.

Mrs. Tejada said it is staff's recommendation to approve Resolution #769.

Motion was made by Mr. Bradford and seconded by Ms. Clark to Approve Resolution #769 - Amending the Plan Document, Article Two By Adding Section 2.13 – Career Average Compensation; Amending Article Four Section 4.01 (B); Amending Article Four Section 4.02(B); and Amending Article Four Section 4.03(B)

The roll was called and the following vote was recorded:

Mr. Batty	Yes
Mr. Bradford	Yes
Ms. Clark	Yes
Mr. Symroski	Yes
Chairman Hernandez	Yes

**Agenda Item #8c – Approve Change Order #1 to Power Engineers, Inc. for Structural Repair of Utility Poles Over Water – Monitoring Services, and Budget Amendment #10-12**

Mrs. Tejada informed the Board that in August, the Utility Board approved a contract to Structural Preservation Systems for structural repairs to utility poles over the water. She said at the time the Board also approved hiring Power Engineers to monitor the work that Structural Preservation Systems was doing.

Mrs. Tejada said in January the Utility Board approved a Change Order to Structural Preservation Systems to expand the scope of work for structural repairs to utility poles over the water. She said that KEYS must also increase the duration of Power Engineers monitoring contract for an additional four months to ensure that the project is effectively monitored.

Mrs. Tejada said it is staff's recommendation to approve the Change Order for an additional \$110,668.

Motion was made by Ms. Clark and seconded by Mr. Bradford to Approve Change Order #1 to Power Engineers, Inc. for Structural Repair of Utility Poles Over Water – Monitoring Services, and Budget Amendment #10-12.

Mr. Batty questions the amount of the Change Order and it is a large amount of money to monitor work for four months. He asked if there is anyone in house that could monitor the work.

Mrs. Tejada said that Mr. Eden strongly advises that KEYS have a third party.

Mr. Eden said if KEYS is involved in a lawsuit for faulty construction and KEYS employees was monitoring the construction it tremendously confounds process of getting restitution. He compared hiring a third party is an additional insurance policy.

There being no further discussion the motion passed unanimously.

**OTHER BUSINESS**

There was none.

**ADJOURNMENT**

Motion was made by Mr. Symroski and seconded by Mr. Symroski to adjourn the Regular Utility Board meeting of March 10, 2010 at 5:15 p.m.

APPROVE:

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Lou Hernandez, Chairman

ATTEST:

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Lynne E. Tejeda, General Manager/CEO & Secretary

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