

**TOWN OF OCEAN BREEZE – REGULAR TOWN COUNCIL MEETING
AGENDA**

June 8, 2020, 10:30 am

Indian Riverside Park, 1707 NE Indian River Drive, Jensen Beach, FL
Frances Langford Dockside Pavilion (up-stairs)

PLEASE TURN OFF CELL PHONES

- 1. Call to Order President De Angeles**
 - Pledge of Allegiance
 - Roll Call
- 2. Approval of Minutes** – Regular Meeting, Monday, March 9, 2020
 - Budget Workshop and Setting of Tentative Millage Rate, Monday, July 29, 2019
 - Proposed Budget and Tentative Millage Rate, Wednesday, September 11, 2019
 - Final Budget and Proposed Millage Rate, Wednesday, September 18, 2019

(Motion, second, public comments, all in favor)
- 3. Update on Corona Virus and 2020 Hurricane Season** – Bill Pecci, Deputy Director, Martin County Emergency Management
- 4. John J. Maehl, Ecosystem Restoration and Management Manager, Martin County BOCC – Request for a letter of support** echoing Martin County’s recent objections to proposed legislation that risks an unbalanced approach to future water discharges from Lake Okeechobee
(Motion to approve, second, public comment, roll call vote)
- 5. Request Motion to Accept and Transmit F/Y 2018-2019 Audit Report to appropriate State Level Governmental Agencies** – David Haughton, CPA, Berger, Toombs, Elam, Gaines & Frank, CPAs
(Motion to accept and transmit, second, public comment, all-in-favor)
- 6. Budget-to-Actual ending March 2020** – Holly Vath, Town Financial Consultant
- 7. Update on West End Blvd. Improvement Feasibility Analysis** – Marcela Camblor, Planning Consultant
- 8. Census Update** – Mayor Ostrand and Council Member Docherty
- 9. Comments from the public on topics not on the Agenda**
- 10. Comments from the Council on topics not on the Agenda**
- 11. Comments from Town Management Consultant – Terry O’Neil**
- 12. Comments from Mayor Ostrand**
- 13. Workshop Discussion: 10-year Future Vision of the Town** – Continued from February 10, 2020 meeting
- 14. Announcements** – Regular Town Council Meeting – Monday, July 13, 2020 at 10:30 am to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, FL (subject to change)
- 15. Adjourn** (Motion, second, all in favor)

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, March 9, 2020

Ocean Breeze Jensen Beach Clubhouse, Pineapple Bay Room – 10:30 a.m.
700 NE Seabreeze Way, Ocean Breeze, FL 34957

1. Call to Order – President De Angeles called the meeting to order at 10:30 a.m.

- Pledge of Allegiance – Vice-President Gerold led the Pledge of Allegiance
- Roll Call – President Kenneth De Angeles, Vice-President Richard Gerold, Council Members Bill Arnold, Kevin Docherty, Terry Locatis and David Wagner
Absent: Mayor Karen M. Ostrand
- Staff Present – Town Management Consultant, Terry O'Neil; Town Attorney, Rick Crary, Town Clerk, Pam Orr, and Bookkeeper/Clerical Assistant, Kim Stanton

2. Approval of Minutes – Council Member Wagner, seconded by Council Member Locatis, made a Motion to approve the Minutes of the February 10, 2020 Regular Meeting.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

3. Presentation by Tricia Kukuvka, Community Outreach Manager, Sheriff's Department Crime Watch Program – Ms. Kukuvka discussed the Martin County Sheriff's Department Neighborhood Watch Program. She advised that the monthly meeting was the second Thursday of each month at 6:00 p.m. She spoke about the call statistics reports which were available to the public upon request. She took questions and comments from the Council and the public.

Discussion ensued regarding a recent property crime, social media sites/messages regarding local crime, and the "Alert Martin" app for cell phones.

Janet Galante, 217 NE Coastal Drive, Ocean Breeze, suggested that a Town Council Member act as a liaison to the Neighborhood Watch Program, and report on a monthly basis. She also suggested as a backup, a community member act in this capacity.

Council Member Gerold agreed.

Council Member Docherty volunteered to represent the Council in attending the crime watch program meetings once a month.

It was agreed that Council Member Docherty would be the designated crime watch meeting attendee and Council Member Arnold stated that he would act as an alternate.

Ms. Kukuvka stated that she would give the Town information regarding identity theft and fraud scams.

Pam Orr, Town Clerk, provided her with the Town's email address.

4. Comments from the public on topics not on the Agenda – Ed Bradley, 70 NE Riptide, Ocean Breeze, asked if the Town had received a response from Sun Communities to the letter they were sent regarding his termite situation.

Mr. O'Neil answered that the Town did receive a response to Mr. Massing's letter from GFA, but that a response from Sun Communities had not been received. He added that Mr. Massing was reviewing the response and had yet to make a determination on the next course of action.

Mr. Bradley asked if a time frame was given for Sun Communities to respond.

Mr. O'Neil answered that if Sun chose not to respond, there were options available to Mr. Massing as a possible next step; and, that this matter was being handled procedurally with proper notice and opportunity to respond.

Mr. Bradley stated that he had secured legal counsel.

Janet Galante, 217 NE Coastal Drive, Ocean Breeze, asked about the hurricane meeting recently held by Sun Communities.

Council Member Locatis stated that he would address the matter under Council comments.

President De Angeles asked for further comments from the public.

There were none.

5. Comments from the Council on topics not on the Agenda – Council Member Locatis stated that at the recent hurricane meeting held by Sun Communities, Martin County Emergency Management provided interesting information. He added that Sun Communities management did not attend the meeting, therefore, he was not able to obtain answers to questions from residents regarding the removal of loose items before a storm. He remarked that, Donna Carrier, Sun Communities representative, stated that Sun planned to enforce the removal of all loose items such as porch furniture, etc. He spoke about documents that were passed out to the attendees which gave the impression that everyone was to take care of each other and Sun might not be available to assist. He mentioned that RVs were not discussed. He described how someone in the audience asked the emergency management team how to get Sun to remove or secure RVs in the event of an evacuation, and they commented that one way would be for Sun to have a rule and to enforce it. He remarked that he had a personal meeting with Sun representatives and they said they would not do it.

Council Member Locatis commented that the Emergency Management of Martin County stated that another way to enforce this issue would be for the Town to pass an ordinance regarding securing RVs. He remarked that in the past, Attorney Crary had provided the Town Council with information regarding the difficulty of enforcement within the Town with such an ordinance. He asked if the Council would like to take another look at passing an ordinance regarding just the RVs and asked for input from the audience.

President De Angeles asked Attorney Crary that if the Town were to adopt such an Ordinance regarding RVs, would the Town be responsible for enforcing that Ordinance.

Attorney Crary stated that enforcement was always an issue with any ordinance adopted.

President De Angeles agreed.

Council Member Locatis stated that the Town could hire a tow company to tow away such RVs.

Council Member Gerold remarked that he spoke to Donna Carrier, Sun Communities, and she mentioned that there was going to be a follow-up meeting in March. He added that the main issue seemed to be about the RVs and things that they leave. He commented that he did not see any RV owners at that meeting; only home owners. He commented that the problem seemed to be with the communication between Sun Communities and the owners of the RVs to let them know the rules and requirements.

Attorney Crary spoke about enforcement steps, which would not be an immediate process; and if a hurricane were approaching the process of imposing a fine, or something similar would be post-hurricane. He added that if the Town was to impound someone's property without going through certain procedures, it would expose the Town to some significant damages.

President De Angeles stated that perhaps moral pressure could be placed on the owners of RVs who refuse to relocate and/or remove loose items. He added that he believed this was the responsibility of Sun Communities and not the Town.

Council Member Locatis commented that the Emergency Management representative stated that the first way would be to encourage RV owners to comply, and second, would be to have an enforcement mechanism. He added that during the last hurricane the RV owners refused to comply with the rules, and that was the reason for bringing the matter forward again.

Cathy Berry, 46 NE Driftwood Drive, Ocean Breeze, spoke about the hurricane meeting and that Chris Walters of Sun Communities informed her that he could not attend the meeting because of the Sunshine Law. She asked for clarification about the Sunshine Law and to whom it pertained. She added the importance of Sun Communities Management attending meetings and the importance of getting these questions answered.

President De Angeles stated that several Council Members could attend a public meeting as long as their input did not include anything that might come up for a vote at a future Town Council meeting. He added that Sun Communities (management) had nothing to do with the Sunshine Law and he stated everyone should strongly encourage Sun to be more involved.

Council Member Docherty gave a report on the 2020 Census and discussed the importance of the participation of every resident. He remarked that the Census would be mailed out on March, 12, 2020 and added that it could be completed online. He stated that there was some material for the public on the information table and at various locations around the resort.

Discussion ensued regarding the importance of the Census.

Council Member Arnold asked if the Town Council could make a formal request to Sun management to attend the Town Council meetings, and request a reply to put on file.

President De Angeles answered that he had sent such a letter to Sun in May, 2019, there was no response and that the Town Council could not force Sun, nor anyone else, to attend Town Council meetings. He added that he would write another letter reemphasizing the importance of the attendance of Sun management at the Town Council meetings.

Cathy Berry, 46 NE Driftwood Drive, Ocean Breeze, spoke about the possibility of developing a group of concerned residents to address some of these important issues with Sun Communities. She asked if that would benefit the residents.

President De Angeles stated that he believed it would be helpful.

Discussion ensued regarding Sun's attendance at the Town Council meetings, forming a concerned residents group and better communications between Sun (management) and the residents.

6. Comments from Town Management Consultant Terry O'Neil – He had none.

7. Comments from Mayor Ostrand – President De Angeles stated that the Mayor was absent from the meeting due to illness and that the workshop discussion on the 10-year future vision of the Town would be continued to the April, 2020 meeting.

Mr. O'Neil asked for a Motion and second to continue Item 7, in its entirety, to the April 13, 2020 meeting.

Council Member Arnold, seconded by Council Member Gerold, made a motion to continue Item #7 to the April, 2020 meeting.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

8. Announcements – Council Member Gerold announced that a Board of County Commissioners meeting was taking place on Tuesday, March 24, 2020 at 9:00 a.m. to review the final planning for the approval of zoning requested by local establishment Conchy Joes with their recent purchase of the Admiral's Table.

Attorney Crary announced that for full disclosure, he represented Conchy Joes on this project.

Council Member Docherty announced the St. Patrick's Day parade was to be held on Sunday, March 15, 2020 in downtown Jensen Beach at 3:00 p.m. He stated that the parade route started on Church Street, continued to Indian River Drive to Jensen Beach Boulevard.

President De Angeles announced the next regular Town Council meeting on Monday, April 13, 2020 at 10:30 a.m. to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida.

9. Adjourn – Council Member Arnold, seconded by Council Member Locatis, made a motion to adjourn the meeting at 11:15 a.m.

All in Favor: Yes: De Angeles, Gerold, Arnold, Docherty, Locatis, Wagner; No: None; Motion Passed - 6 - 0

Respectfully Submitted,

Pam Orr

Town Clerk

Minutes approved: _____

TOWN OF OCEAN BREEZE
MINUTES TOWN COUNCIL SPECIAL MEETING
BUDGET WORKSHOP AND SETTING OF TENTATIVE MILLAGE RATE
Monday, July 29, 2019 5:01 p.m
Ocean Breeze Resort Clubhouse, Pineapple Bay Room,
700 NE Seabreeze Way, Ocean Breeze, FL

1. Call to Order – President De Angeles called the meeting to order at 5:01 p.m.

- Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
- Roll Call – Present: Mayor Karen Ostrand, President Kenneth De Angeles, Vice-President Ann Kagdis, Council Members Richard Gerold, Kevin Docherty, Terry Locatis and David Wagner
- Staff Present – Town Management Consultant, Terry O’Neil; Town Financial Consultant, Holly Vath; Town Clerk, Pam Orr and Bookkeeper/Clerical Assistant, Kim Stanton

2. Budget Workshop – Budget & Tax Rate for 2019/2020 fiscal year – Ms. Vath spoke to the Council about her professional background and provided them with budget documents and worksheets to be used to develop the preliminary ad valorem tax rate. She explained the causes for the differences in revenue and expenditure sources. She discussed the addition of the new Special Projects line item for digitizing records and updating the Code of Ordinances. She explained the breakdown of the Council Expenses, Conferences & Travel line item and provided the distribution detail.

Mr. O’Neil asked for guidance from the Town Council on the Conferences & Travel line item. He added that the Mayor would come before the Council to request authorization to redistribute funds, if necessary.

Mr. O’Neil explained the Budget and the process of setting the Millage rate and the two future hearings. He explained that the maximum millage rate adopted at this meeting could not be increased, but at future budget meetings it could be decreased.

Ms. Vath further explained the setting of the Millage rate process. She presented the various options for setting the millage rate. She explained the revenue ramifications of each Option, the impact on the reserve, the historical fund balance and the historical taxable value change over a ten-year period.

Ms. Vath answered questions from the Council.

Mr. O’Neil explained permit revenues and certain expense account increases would be offset by pass-through costs/revenue and permit fees associated with the building projects.

Discussion ensued regarding the Private Contributions line item, the Indian River Drive Project, the Special Revenue Fund, street lighting, budget amendments for special projects, the Engineering line item, the Town engineer, and Private Provider engineers.

Vice-President Kagdis spoke about the dues payable for the various leagues that were available to the Town, such as the Florida League of Cities and the Association of City Clerks, Treasure Coast

Regional League of Cities, Florida League of Mayors, the Jensen Beach Chamber of Commerce, the Environmental Studies Center and The History Museum of Jensen Beach. Due to the development in the Town, she suggested budgeting for the Town Clerk to attend the summer conference and academy. She stated that the conference registration was \$350, hotel and travel expenses would be roughly \$250; and suggested the item should be budgeted for \$800 - \$850. She also suggested setting this as a budget item every other year.

Discussion ensued regarding shifting the Conferences line item.

Mayor Ostrand spoke about the Special Projects line item and the importance of digitizing Town records and updating the Code of Ordinances.

Mr. O'Neil explained the process for updating the Code of Ordinances and Zoning Board involvement. He discussed digitizing the records and ways and ways to accomplish it, his fees and the legal fees involved.

Vice-President Kagdis spoke about the necessary training for new Council Members through the Florida League of Cities University (EMO). She stated that all current Council Members, except Council Member Docherty, had completed EMO training; and suggested this be considered in the amounts budgeted for Conferences and Travel.

Mr. O'Neil stated with the new system of Conferences and Travel, if dollars needed to be shifted, Staff could make a request, and he added that dollars could be shifted within the General Government operating budget for this training. He remarked that the Council could decide to accommodate Vice-President Kagdis' suggestions at this meeting.

Discussion ensued regarding the new Building Code Compliance expenditures and Code Compliance Legal Services.

Mr. O'Neil explained that the building operations were divided into expenditures by category and the State of Florida requirement to have a licensed Building Official on staff. He spoke about the cost of Mr. Massing's services for the year. He discussed the problematic building issues that the Town had been experiencing with contractors, permitting issues, etc. He explained the need to include the legal services in the budget in the event it was necessary for Mr. Cray to litigate.

Ms. Vath further explained line items of the projected expense accounts and answered questions from the Town Council.

President De Angeles asked for further questions from the Council.

There were none.

Mr. O'Neil commented that at the next budget hearing the draft budget would reflect the Town Council's comments.

The Options for the setting of the millage rate were discussed. Further discussion ensued regarding fund balance, grant activity from last year, ramifications of choosing Option 1 or Option 2, and unforeseen expenses.

Council Member Wagner, seconded by Council Member Docherty, made a Motion to adopt Option 2 with a millage rate of 5.0678.

President De Angeles asked for comments from the Mayor.

Mayor Ostrand explained her ideas relating to Option 1 and Option 2 and funding of anticipated projects.

Mr. Tom Banks, 42 NE Nautical Drive, Ocean Breeze, stated he would like to have the meeting documents in order to allow him and others to follow the Town Council's discussions.

President De Angeles explained the different millage rate options to the public.

(Unknown) recommended Option 2 which allowed for an adjustment down.

Paul DiCenso, 150 NE Buoy, asked about the Capital Outlay line item.

Ms. Vath spoke about the need for a new computer and a fire proof filing cabinet.

Mr. DiCenso asked about the line item Miscellaneous Income in the amount of \$10,000.

Ms. Vath explained that D.R. Horton paid school impact fees which included a 3% administrative fee.

Mr. DiCenso asked about the payroll increase.

Ms. Vath answered that the payroll line item was based on the number of hours the employees work, which were both part-time. She explained the reasons for the increase.

Discussion ensued regarding the increased work load, Management Consultant line item, the role of the Florida League of Cities and Florida League of Mayors, the unique issues of small towns such as Ocean Breeze, the responsibilities of the Town Council, lobbying in Tallahassee regarding the storm water treatment train project along Indian River Drive and the impact of new development on the Town.

Mr. O'Neil explained that Ocean Breeze West was a Planned Unit Development and was entirely privately developed and maintained. He stated that the Town did not provide Law Enforcement or Fire/EMS services and the community was self-sufficient.

Council Member Gerold asked about the impact fees.

Mr. O'Neil explained that the Town of Ocean Breeze had an Interlocal Agreement with the Martin County School Board and the Town would collect these impact fees through the building permit program. He further explained that the Town kept three percent (3%) of the fee as an administrative fee, and once the 143 homes were built, this temporary revenue would end.

Council Member Gerold asked why the Town did not collect a school impact fee from Sun Communities since there were school-aged children living in the Resort.

Mr. O'Neil stated that he would look into the matter and stated that when the PUD was approved for Ocean Breeze East, the School Board confirmed that it was a senior community and that a school impact fee did not apply. He added that if circumstances had changed, it would need to be addressed.

President De Angeles asked for further comments or questions from the public.

There were none.

Town Clerk, Pam Orr, read Resolution 294-2019 into the record. A RESOLUTION OF THE TOWN OF OCEAN BREEZE, FLORIDA, DETERMINING A TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2019/2020 AND PROVIDING NOTICE THEREOF TO THE APPROPRIATE AUTHORITIES.

She read that the Millage Rate for the Fiscal Year 2019/2020 shall be 5.0678.

Council Member Wagner, seconded by Council Member Docherty, made a Motion to adopt Option #2 which reflected a millage rate of 5.0678.

Roll Call Vote: Yes: De Angeles, Kagdis, Docherty, Locatis, Wagner; No: Gerold; Motion Passed: 5-1

4. Approval of two public hearing dates for Budget/Millage adoption –

- First Hearing – Wednesday, September 4, 2019 at 5:01 p.m.
- Second Hearing – Wednesday, September 11, 2019 at 5:01 p.m.

All in Favor: De Angeles, Kagdis, Gerold, Locatis, Wagner, Docherty; Opposed: None

5. Comments from the public on topics not on the Agenda – Tom Banks, 42 NE Nautical Drive, Ocean Breeze, asked if the Council had any control over the Florida East Coast Railroad to voice an opinion regarding a quiet zone for this area.

Mr. O'Neil stated that if the quiet zones come about, it would be as a result of the All-Aboard Florida Bright Line Passenger Rail proposal that was underway. He added that as counties up and down the line make improvements to their intersections to make them more pedestrian friendly and secure, which was very expensive; communities begin to qualify as a quiet zone. He stated that all the local communities had to agree to the quiet zone. He commented that the Town could play a role in coordinating with Stuart and the other municipalities.

Discussion ensued regarding FEC Railroad quiet zones and train weight loads.

Mr. Banks asked about the two (pedestrian) crossings along Indian River Drive with light-activated warnings and he asked about signs that say "stop here for pedestrians" and pointed out that Indian River Drive did not have those signs. He spoke about the difficulties in crossing Indian River Drive and the high speed of vehicles.

Mr. O'Neil spoke about the "Your Speed" radar signs that the Town recently purchased. He added that the signs had arrived, a county permit was obtained, and spoke about the timing of the installation. He mentioned Indian River Drive and the County right-of-way.

Town Clerk, Pam Orr, stated that the Town had purchased and Martin County installed two “stop for pedestrian” signs before the new Indian River Drive Project began, but that, they had been destroyed by traffic. She stated that new signs could be ordered and that installation would have to be coordinated with Martin County because it was a Martin County right-of-way.

6. Comments from the Council on topics not on the Agenda – Vice-President Kagdis stated that on Thursday, August 1st from 9:00 a.m. to 3:00 p.m. at Florida Atlantic University Harbor Branch Oceanographic Institute in Fort Pierce, Florida, would be holding a task-force meeting, open to the public, regarding the health of the Indian River Lagoon.

She advised that Governor DeSantis had signed the following bills into law:

- Prescription drug importation program; to provide lower costs prescriptions to our residents.
- Patient’s (undistinguishable) to offer incentives for lower health care services.
- Human Trafficking Bill put forth through residents of Sewall’s Point, Florida.
- State mandated changes regarding information that must be provided on the Town’s website; she stated this would require more work and more time.

Town Clerk, Pam Orr, stated that the documents for the meetings were now posted on the Town web-site, and that they were downloadable and printable.

7. Comments from Town Management Consultant, Terry O’Neil - There were none.

8. Comments from Mayor Ostrand – There were none.

9. Announcements – Meetings to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Sea breeze Way, Ocean Breeze, FL:

- Next Regular Town Council Meeting, Monday, August 12, 2019 at 10:30 a.m.
- Budget Meetings – Wednesday, September 4th and 11th at 5:01 p.m.

10. Adjourn – Vice-President Kagdis, seconded by Council Member Wagner, made a Motion to adjourn the meeting at 6:22 p.m.

All in Favor: De Angeles, Kagdis, Gerold, Docherty, Locatis, Wagner

Respectfully Submitted,

Pam Orr
Town Clerk

Minutes approved: _____

TOWN OF OCEAN BREEZE
MINUTES OF THE TOWN COUNCIL MEETING
PROPOSED BUDGET AND TENTATIVE MILLAGE RATE
Wednesday, September 11, 2019 – 5:01 p.m.
Ocean Breeze Resort Clubhouse, Pineapple Bay Room
700 NE Seabreeze Way, Ocean Breeze, FL – 5:01 p.m.

1. Call to Order – President De Angeles called the meeting to order at 5:01 p.m.

- Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
- Roll Call – Present: Mayor Karen Ostrand, President Kenneth De Angeles, Vice-President Ann Kagdis, Council Members Richard Gerold, Kevin Docherty, Terry Locatis and David Wagner
- Staff Present – Town Management Consultant, Terry O’Neil; Town Financial Consultant, Holly Vath; Town Clerk, Pam Orr and Bookkeeper/Clerical Assistant, Kim Stanton

2. Proposed Millage for Fiscal Year 2019/2020 – Ms. Vath explained the process to set the tentative budget and proposed millage rate and provided the Council with budget documents and worksheets.

President De Angeles asked that Option 1, with the millage rate of 4.8008 be considered.

Ms. Vath explained that the budget now before the Council was based on Option #2 (millage rate of 5.0678), which was set at the Budget Workshop. She stated that if the Town Council choose to adopt Option #1 at 4.8008 mills, this would reduce the budgeted revenue in the amount of \$9,329.00. She explained the effect on the reserve balance should Option #2 be adopted.

Council Member Locatis suggested reviewing the Budget first.

Ms. Vath stated that, by law, the millage rate must be adopted first.

Mr. O’Neil suggested reviewing the budget changes since the workshop and then, review the millage rate options to establish a rate. He commented that the Town Council could then review the budget with the established millage rate.

Ms. Vath summarized the budget changes from the Budget Workshop Meeting held on July 29, 2019.

Council Member Locatis asked if Sun Communities would be incurring the costs of Fire/EMS on their tax bill.

Ms. Vath answered “yes.”

Council Member Locatis asked how this change would affect the residents.

Mr. O’Neil explained that Sun had always incurred this cost, but that in the past, fees for Fire/EMS were paid directly by the Town, and then Sun would reimburse the Town for their portion. He commented that Fire/EMS costs would now be remitted directly to the Martin County Tax Collector by Sun. He added that the MSTU rate could rise and fall, but that if that occurred, the Town’s costs would also rise and fall.

Council Member Locatis asked how this method would impact what the residents would be paying for those services.

Mr. O'Neil explained that it was at Sun's discretion to absorb the costs and then redistribute them on to the residents, and he added that the Town was not privy to the methods Sun utilized. He asked if these costs appeared in residents' bills from Sun Communities as a pass-through.

Council Member Locatis answered that he did not know.

Discussed ensued regarding the Fire/EMS services and fees.

President De Angeles asked for further questions from the Council.

Council Member Locatis asked about the 3% increase in hourly rate for part-time employees. He stated that gross payroll has increased 8.2% and asked if the Town was planning on adding more employees or increasing the hours of the current employees.

Ms. Vath explained that this was due to two things: 1) the employees would be working more hours, and 2) the 3% increase in the hourly rate. She explained that the workload had increased due to the two developing properties within the Town.

Vice-President Kagdis spoke about the time consuming and tedious issues that arise in the office, i.e. the permitted and un-permitted sheds.

Mr. O'Neil remarked that the permit fees would assist in offsetting the payroll expenditures for the Town's building operations.

Discussion ensued regarding the projected building permit fees.

Discussion ensued regarding the Accountant line item and the grant activities regarding the Indian River Drive Project.

President De Angeles asked for further questions or comments.

There were none.

Ms. Vath explained the proposed millage rates and the percentage changes from the rolled-back rate.

Discussion ensued regarding the Town's current projected fund balance at September 30, 2019.

Janet Galante, 217 NE Coastal Drive, asked about line item "private contributions" on Page 2.

Mr. O'Neil explained that in a prior year, Sun Communities made a one-time contribution to the Town for the cost of the Indian River Drive Project. He further commented on obligations of all the granting agencies involved.

President De Angeles asked for further comments from the public.

There were none.

President De Angeles asked for further comments from the Council Members.

Discussion ensued regarding the proposed millage rates.

Council Member Gerold, seconded by Vice-President Kagdis, made a Motion to adopt Option #1 with a millage rate of 4.8008.

Discussion ensued regarding the millage rate adoption, fund balance and possible emergencies.

Town Clerk, Pam Orr, read Resolution No.296-2019 into the record.

Roll Call Vote: Yes: De Angeles, Kagdis, Docherty, Gerold, Locatis, Wagner; Motion Passed: 6-0

3. Proposed Budget for Fiscal Year 2019/2020 – President De Angeles stated that the budget had been overviewed and discussed earlier in the meeting. He asked for further questions from the public.

Janet Galante, 217 NE Coastal Drive, Ocean Breeze, asked if the Town had any debt service.

President De Angeles answered “no.”

Ms. Galante spoke about the Town’s millage rate as compared to surrounding towns and cities.

President De Angeles asked for further comments or questions from the public.

There were none.

President De Angeles asked for further comments from the Council.

Council Member Gerold stated that with the new construction, the millage rate was anticipated to be lower in future years.

Vice-President Kagdis, seconded by Council Member Wagner, made a Motion to accept the proposed budget for Fiscal Year 2019/2020 as presented.

Council Member Locatis asked about the “Miscellaneous Income” line item.

Ms. Vath explained that the Town was collecting school impact fees for the Martin County School Board because of the D.R. Horton development and therefore, the “Miscellaneous Income” line item was for administrative cost to collect those fees.

Mr. O’Neil further explained the need for the line item stating that the Town would retain a 3% fee for the cost of collecting the impact fees from D.R. Horton and remitting them to Martin County School Board.

Discussion ensued regarding the “Miscellaneous Income” line item.

Council Member Locatis asked if an outside contractor was going to assist with the digitizing.

Mr. O'Neil answered that the task of digitizing would be a combination of efforts including in-house and outside labor. He stated that Staff would keep the Council apprised of the progress in planning.

Discussion ensued regarding digitizing the records.

Council Member Locatis asked about the "Building Code Compliance" line item and "Code Compliance Legal Services" line item.

Mr. O'Neil explained the line items of "Building Official," "Building Code Compliance" and "Code Compliance Legal Services".

President De Angeles asked for further comments from the Council.

There were none.

Town Clerk, Pam Orr, read Resolution No.297-2019 into the record.

Vice-President Kagdis, seconded by Council Member Locatis, made a Motion to accept Resolution No. 297-2019 adopting the budget for Fiscal Year 2019/2020.

Roll Call Vote: Yes: De Angeles, Kagdis, Docherty, Gerold, Locatis, Wagner; Motion Passed: 6-0

President De Angeles asked to discuss a candidate's forum at the October 14th meeting.

Discussion ensued.

Council Member Docherty, seconded by Council Member Wagner, made a Motion to hold a Candidate's forum at the October 14, 2019 Town Council meeting.

Discussion ensued regarding Candidates resumes, qualifications and the process to hold such a forum.

All in Favor: Yes: De Angeles, Kagdis, Docherty, Gerold, Locatis, Wagner; Opposed: None; Motion Passed: 6-0

4. Announcements – Meetings to be held at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida:

- Public Hearing for Adoption of Final Millage Rate and Budget for FY 2019/2020, Wednesday, September 18, 2019 at 5:01 pm.
- Regular Town Council Meeting, Monday, October 14, 2019 at 10:30 am.

5. Adjourn – Council Member Wagner, seconded by Council Member Gerold, made a Motion to adjourn the meeting at 5:57 pm.

All in Favor: De Angeles, Kagdis, Gerold, Docherty, Locatis, Wagner

Respectfully submitted,

Pam Orr
Town Clerk

Minutes Approved

TOWN OF OCEAN BREEZE TOWN COUNCIL
MINUTES FINAL BUDGET AND PROPOSED MILLAGE RATE HEARING
Wednesday, September 18, 2019
Ocean Breeze Jensen Beach Clubhouse, Pineapple Bay Room – 5:01 p.m.
700 NE Seabreeze Way, Ocean Breeze, FL 34957

1. Call to Order – President Ken De Angeles called the meeting to order at 5:01 p.m.

- Pledge of Allegiance – Mayor Karen Ostrand led the Pledge of Allegiance
- Roll Call – Present: Mayor Karen Ostrand, President Kenneth De Angeles, Vice-President Ann Kagdis, Council Members Kevin Docherty, Richard Gerold, Terry Locatis, David Wagner
- Staff Present – Town Management Consultant, Terry O’Neil, Town Financial Officer, Holly Vath; Town Clerk, Pam Orr, and Bookkeeper/Clerical Assistant, Kim Stanton

2. Proposed Millage for Fiscal Year 2019/2020 – Ms. Vath explained the process of adopting the final operating millage rate. She announced that the proposed millage rate of 4.8008 mills, which was a 10% reduction in the rolled-back rate of 5.3343 mills was adopted at the tentative budget hearing. She added that 4.8008 mills was a 24% reduction in the actual tax rate.

She asked for comments from the public.

There were none.

President De Angeles asked for comments from the Council.

There were none.

The Town Clerk read Resolution #298-2019, in its entirety, into the record.

A RESOLUTION OF THE TOWN OF OCEAN BREEZE OF MARTIN COUNTY, FLORIDA ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE TOWN OF OCEAN BREEZE, MARTIN COUNTY FOR FISCAL YEAR 2019/2020; PROVIDING FOR AN EFFECTIVE DATE.

Council Member Locatis, seconded by Council Member Wagner, made a Motion to adopt Resolution #298-2019.

Roll Call Vote: In favor – De Angeles, Kagdis, Docherty, Gerold, Locatis, Wagner; Opposed – None; Motion Passed: (6-0)

3. Proposed Budget for Fiscal Year 2019/2020 – Ms. Vath explained the proposed budget was based on the millage rate adopted. She stated that the proposed annual budget for F/Y 2020 was \$342,115.

She asked for comments from the public.

There were none.

President De Angeles asked for comments from the Council.

The Town Clerk read Resolution #299-2019, in its entirety, into the record.

A RESOLUTION OF THE TOWN OF OCEAN BREEZE OF MARTIN COUNTY, FLORIDA,
ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2019/2020; PROVIDING FOR AN
EFFECTIVE DATE.

Council Member Wagner, seconded by Council Member Docherty, made a Motion to adopt Resolution #299-2019.

Roll Call Vote: In favor – De Angeles, Kagdis, Docherty, Gerold, Locatis, Wagner; Opposed – None; Motion Passed: (6-0)

4. Announcements – President De Angeles announced the Regular Town Council Meeting to be held at Ocean Breeze Resort Clubhouse, Monday, October 14, 2019 at 10:30 am which would include a Candidates' Forum

Vice-President Kagdis spoke about the legislative action agenda for the State of Florida which included private property rights, sales tax fairness, short-term rentals, transportation funding, water resources, digital divide, local business tax protection, medical marijuana and smoke free zones in city parks. She asked about an investment policy plan and the FMIT pool for the town. She stated that she believed Ms. Vath should research investments for the Town funds.

Ms. Vath explained city government investment types according to the State Statute, public depository banks, local governmental investment pools, the Florida Municipal Investment Trust. She asked if the Town would direct her to pursue and bring back options at a future meeting.

Discussion ensued regarding local banks, safety, liquidity and yield of funds, investment pool and private investment funds. Ms. Vath further explained FLCLASS (Florida Cooperative Liquid Asset Securities), Florida Local Government Investment Trust, Florida Prime, Florida Fixed Income Trust and the Florida Municipal Investment Trust. She spoke about public funds banks, the Statutes regarding public funds, the Town's fund balance. Ms. Vath suggested investing \$200,000 with the FL CLASS.

President De Angeles asked if the Town Council would direct Ms. Vath to investigate the local banks and the Florida Trust and return to the Council with some information and a recommendation at the next meeting.

The entire Town Council agreed.

5. Adjourn – Council Member Wagner, seconded by Council Member Kevin Docherty, made a Motion to adjourn the meeting at 5:27 pm.

All in Favor – De Angeles, Kagdis, Docherty, Gerold, Locatis, Wagner; Opposed – None; Motion Passed: (6-0)

Respectfully Submitted,

Pam Orr,
Town Clerk

Minutes approved: _____



Town of Ocean Breeze

June 8, 2020

The Honorable Peter Defazio, Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
2167 Rayburn House Office Building
Washington, DC 20515

The Honorable Sam Graves, Ranking Member
Committee on Transportation & Infrastructure
U.S. House of Representatives
2167 Rayburn House Office Building
Washington, DC 20515

The Honorable Grace Napolitano, Chair
House T&I Subcommittee on Water Resources
and Environment
2167 Rayburn House Office Building
Washington, DC 20515

The Honorable Bruce Westerman, Ranking Member
House T&I Subcommittee on Water Resources
and Environment
2167 Rayburn House Office Building
Washington, DC 20515

Colonel Andrew Kelly
US Army Corps of Engineers
4070 Boulevard Center Drive
Jacksonville, Florida 32207

Sent via Email to: Andrew.d.kelly@usace.army.mil

Dear Congressional Members:

I am writing at the unanimous direction of the Ocean Breeze Town Council in support of the attached letter from Martin County Commission Chairperson, Harold Jenkins. We strongly agree with Martin County that any future legislation or rule making that employs an unbalanced approach to future water discharges from Lake Okeechobee poses an unacceptable risk to the health of the St. Lucie Estuary and Indian River Lagoon.

Thank you for listening to our concerns.

Sincerely,

Kenneth De Angeles
President

cc: Martin County Board of County Commissioners

P. O. Box 1025 • Jensen Beach, FL 34958
Office: 772-334-6826 • Fax: 772-334-6823 • townofoceانبreeze@bellsouth.net



MARTIN COUNTY

BOARD OF COUNTY COMMISSIONERS
2401 S.E. MONTEREY ROAD • STUART, FL 34996

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Commissioner, District 1

STACEY HETHERINGTON

Commissioner, District 2

HAROLD E. JENKINS II

Commissioner, District 3

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Commissioner, District 4

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Commissioner, District 5

TARYN KRYZDA, CPM

County Administrator

KRISTA A. STOREY

Acting County Attorney

TELEPHONE (772) 288-5400

WEBSITE www.martin.fl.us

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May 19, 2020

The Honorable Peter Defazio
Chairman

Committee on Transportation and Infrastructure
U.S. House of Representatives
2167 Rayburn House Office Building
Washington, DC 20515

The Honorable Sam Graves
Ranking Member

Committee on Transportation & Infrastructure
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4070 Boulevard Center Drive
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Sent via Email to: Andrew.d.kelly@usace.army.mil

Dear Congressional Members,

Martin County fully supports the implementation of the Comprehensive Everglades Restoration Plan ("CERP") and the development of effective Lake Okeechobee operations ("Lake operations") that do not continue to damage coastal estuaries, Lake Okeechobee and the Greater Everglades ecosystem. Our local economy is dependent on a healthy environment to drive our marine and tourism-based industries and our quality of life. Communities in and around Martin County have been fully engaged in the development, implementation and authorization of CERP projects and we have actively participated in separate, but related, efforts to modify Lake operations.

Recently, there have been efforts to extend the "Savings Clause" in Water Resources Development Act ("WRDA") 2000 to the ongoing development of the Lake Okeechobee System Operating Manual ("LOSOM") being conducted pursuant WRDA 2018 and other federal law including the National Environmental Policy Act ("NEPA"). The stakeholders advancing this extension are

implicitly advocating for a prior Lake operation schedule, known as Water Supply and Environment (“WSE”), and the larger water storage capacity / supply benefits it mandates. We oppose this effort for the basic principle that the Savings Clause applies to CERP “projects”; LOSOM is not a CERP project.

The Savings Clause itself was included in WRDA 2000 as *a protective mechanism* for “assurances” to prohibit an elimination or transfer of water due to CERP *project* implementation “until a new source of water supply of comparable quantity and quality as that available on the date of enactment of this Act is available to replace the water to be lost as a result of implementation of the Plan.” The Savings Clause was not crafted as *guarantee* for a certain quantity of water out of Lake Okeechobee (a source) from that point forward in perpetuity. The stakeholders advancing the extension of Savings Clause applicability are not simply relying on the protective aspect of the clause. Instead, they appear to be using the clause as a tool to extend federal protections for all Lake operations for their water supply benefit, thereby disregarding state water law, which is the means to permit and safeguard water supply.

Through multiple congressional authorizations since 2000, the Savings Clause has never been extended to apply to Lake operations, contrary to the arguments advancing the broad application of the Savings Clause. We find no authority within WRDA 2000 or its implementing regulations that extend the Savings Clause and the larger Lake storage capacity offered under WSE to all future regulation schedules. Since clearly WSE was the existing Regulation Schedule at the time of WRDA 2000, Congress could have expressly extended that application of the Savings Clause to WSE in this manner. Had Congress written that language into WRDA 2000, it would have made the WSE the only Lake schedule that could ever exist unless and until a comparable capacity of water sources was developed through subsequent CERP “projects.”

Congress has recognized that there would likely be modified Lake schedules in the future to include subsequent CERP projects that are authorized, but this is distinct from the Savings Clause that applies to CERP projects. CERP and its implementing regulations distinguish between CERP as a “Plan” and CERP “projects”. Revisions to Lake operations are not identified as separate CERP projects. Modifications of the schedule are not necessarily needed to implement individual CERP projects, but new schedules are necessary for the operation of the overall CERP Plan once additional components of the CERP Plan are completed and other needs for Central and Southern Florida (“C&SF”) purposes, such as flood control and enhancement of fish and wildlife.

In fact, the result of such a proposed broad extension of the Savings Clause of WRDA 2000 to Lake operations would be to solidify in perpetuity a Lake Okeechobee operational regime that disregards the purpose of the current NEPA process. There have been significant changes in Florida since WSE was implemented in 2000. Among those changes are increases to the scientific body of the knowledge which has grown considerably in regards to operation of the system’s infrastructure to address water quality and water quantity and the resulting environmentally devastating impact on the Florida ecosystem from prior and current Lake operations. The schedule

in place at the time of WRDA 2000 would be a scientifically blunt instrument by today's standards. Lake regulation schedules in place to date have subjected our communities to receiving environmentally damaging high-volume discharges during the rainy season while limiting environmental water supply for our environment during the dry season with a predisposition to water supply and irrigation over ecosystem health. Such an interpretation ignores other applicable Federal Law that applies, such as the Clean Water Act ("CWA") and NEPA, when either a CERP or non-CERP project, or as in this case, a new Lake operation schedule is developed.

The bottom line is that our communities want to see CERP projects implemented, where storage north, south, east and west of Lake Okeechobee will provide water at the right quantity, quality, timing and distribution. Our communities also want a healthier Lake schedule through the LOSOM process as contemplated by WRDA 2018, and currently subject to a NEPA process, which should ensure that any future Lake schedule is not inconsistent with the goals and purposes of CERP as well as ensuring the state's role in protecting water supply.

CERP as a "Plan" is about ecosystem restoration and that includes the system as whole. The "projects" to achieve the CERP Plan require the application of the Savings Clause on a project by project basis. The Lake operation schedules are neither CERP projects nor were they ever intended to be subject to the application of the Savings Clause. Now is not the time for permanent policy changes that have immense environmental, and thus, economic impacts, ignoring decades of existing legal authority for implementation of CERP projects and new C&SF Lake operations.

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA



HAROLD E. JENKINS II, CHAIRMAN

cc: Florida Delegation U.S. House of Representatives
Governor Ron DeSantis
Senator Marco Rubio
Senator Rick Scott
Congressman Brian Mast
The Honorable R.D. James, Assistant Secretary of the Army- Civil Works
Lt. General Todd Semonite, Commanding General and Chief of Engineers, U.S. Army Corps of Engineers
Major General Scott Spellmon, U.S. Army Corps of Engineers
Chauncey Goss, Governing Board of Chairs, South Florida Water Management District
Secretary Noah Valenstein, Florida Department of Environmental Protection
Drew Bartlett, Executive Director, South Florida Water Management District
Dr. Timothy R. Petty, Assistant Secretary for Water and Science, U.S. Department of Interior
Adam Gelber, Director, Office of Everglades Restoration initiatives, U.S. Department of Interior
Senator John Barasso, Chairman, Senate Committee on Environment and Public Works
Senator Thomas Carper, Ranking Member at Large, Senate Committee on Environment and Public Works

townclerk@townofoceanbreeze.org

From: John Maehl <jmaehl@martin.fl.us>
Sent: Friday, May 15, 2020 1:40 PM
To: townclerk@townofoceanbreeze.org; Patrick Dayan; strent@tji.martin.fl.us; MBerger@sewallspoint.org; hbrown@indiantownfl.gov
Subject: RE: LOSOM/Water Savings Clause
Attachments: Draft_Savings Clause Correspondence 5.14.20 5.22 pm.docx

All,

This is the final version of the letter that Martin County will be sending next week regarding the Water Savings Clause. The BOCC gave unanimous approval for it this morning.

The City of Stuart has voted to join as a signatory and we will be happy to add any others that would like to do the same.

We expect to send the letter by COB Monday or early Tuesday. If your boards choose to join in this letter after Tuesday, you, of course, are welcome to use the letter with your letterhead.

Please don't hesitate to reach out if you have any questions.

Thanks,
John

From: John Maehl
Sent: Wednesday, May 13, 2020 4:29 PM
To: townclerk@townofoceanbreeze.org; Patrick Dayan <DayanP@stlucieco.org>; strent@tji.martin.fl.us; MBerger@sewallspoint.org; hbrown@indiantownfl.gov; Ben Hogarth (bhogarth@ci.stuart.fl.us) <bhogarth@ci.stuart.fl.us>
Subject: RE: LOSOM/Water Savings Clause

The attached version of the letter opposing the Water Savings Clause for LOSOM will be going before the Martin County BOCC on Friday. We expect that Lee County, City of Sanibel, Cape Coral and perhaps some others on the West coast will be singing on to this letter as well.

Thanks,
John

From: John Maehl
Sent: Tuesday, May 12, 2020 8:38 AM
To: townclerk@townofoceanbreeze.org; Patrick Dayan <DayanP@stlucieco.org>; strent@tji.martin.fl.us; MBerger@sewallspoint.org; hbrown@indiantownfl.gov; Ben Hogarth (bhogarth@ci.stuart.fl.us) <bhogarth@ci.stuart.fl.us>
Subject: LOSOM/Water Savings Clause

Good morning St. Lucie River stakeholders,

Lee County and Martin County have continued to lightly edit the letter that has been drafted to show our support for the Corps of Engineers position on Water Savings Clause not applying to LOSOM.

If your leadership chooses to join the consortium of local governments signing on to this letter, I can provide the final version in the next couple of days.

Also, if you have any suggested edits, please let me know. I am trying to coordinate our participation with the West coast stakeholders so we are all approving the same draft.

Thanks,

John J. Maehl

Ecosystem Restoration and Management Manager
Martin County Board of County Commissioners
2401 S.E. Monterey Road
Stuart, FL 34996
Ofc.: (772) 463-3263
Cell: (305) 433-0585



COVID-19 HOTLINE (772) 287-1652

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MARTIN COUNTY

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May 19, 2020

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U.S. House of Representatives
2167 Rayburn House Office Building
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Sent via Email to: Andrew.d.kelly@usace.army.mil

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MARTIN COUNTY, FLORIDA


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Governor Ron DeSantis
Senator Marco Rubio
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Lt. General Todd Semonite, Commanding General and Chief of Engineers, U.S. Army Corps of Engineers
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Senator John Barasso, Chairman, Senate Committee on Environment and Public Works
Senator Thomas Carper, Ranking Member at Large, Senate Committee on Environment and Public Works

DRAFT

Town of Ocean Breeze, Florida

ANNUAL FINANCIAL REPORT

September 30, 2019

Town of Ocean Breeze, Florida
ANNUAL FINANCIAL REPORT
September 30, 2019

DRAFT

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DRAFT

REPORT OF INDEPENDENT AUDITORS

To the Honorable Mayor and Council Members
Town of Ocean Breeze, Florida
Jensen Beach, Florida

Report on the Financial Statements

We have audited the accompanying financial statements of the Town of Ocean Breeze, Florida as of and for the year ended September 30, 2019, and the related notes to financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

To the Honorable Mayor and Council Members
Town of Ocean Breeze, Florida

DRAFT

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Town of Ocean Breeze, Florida as of September 30, 2019, and the respective changes in financial position and the budgetary comparison for the General Fund and the Special Revenue Fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economical or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted principally of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with the sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued a report dated June XX, 2020 on our consideration of the Town's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations and contracts. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Town of Ocean Breeze, Florida's internal control over financial reporting and compliance.

Berger, Toombs, Elam, Gaines & Frank
Certified Public Accountants PL
Stuart, Florida

June XX, 2020

**Town of Ocean Breeze, Florida
Management's Discussion and Analysis
September 30, 2019**

DRAFT

As management of the Town of Ocean Breeze, Florida (Town), we offer readers of the Town's financial statements this narrative overview and analysis of the financial activities of the Town for the fiscal year ended September 30, 2019. The information contained in the Management's Discussion and Analysis is intended to highlight significant transactions, events and conditions and should be considered in conjunction with the Basic Financial Statements.

Financial Highlights

- The assets of the Town exceeded its liabilities at September 30, 2019 by \$450,794 (net position). Of this amount, \$350,978 (unrestricted net position) may be used to meet the Town's ongoing obligations.
- The Town's operations increased net position by \$103,310.
- Governmental fund balances increased by \$134,821 or 45.5 percent.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the basic financial statements. The basic financial statements are comprised of three components: (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the financial statements.

Government-wide financial statements. The government-wide financial statements are designed to provide readers with a broad overview of the Town, in a manner similar to a private-sector business. The statement of net position presents information on all of the Town's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Town is improving or deteriorating. The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

Fund financial statements. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Town, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The fund financial statements consist of the balance sheet of the governmental funds as well as the statement of revenues, expenditures and changes in fund balance of the governmental funds. The Town maintains two governmental funds, the General Fund and Special Revenue Fund. The governmental fund financial statements focus on near term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near term financing requirements.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

Town of Ocean Breeze, Florida
Management's Discussion and Analysis
September 30, 2019

Town of Ocean Breeze
Statement of Net Position – Governmental Activities
September 30, 2019 and 2018

DRAFT

	<u>2019</u>	<u>2018</u>
ASSETS		
Current and other assets	\$ 440,107	\$ 538,555
Capital assets	20,558	26,316
Total assets	<u>460,665</u>	<u>564,871</u>
 LIABILITIES		
Current liabilities	<u>9,871</u>	<u>217,387</u>
 NET POSITION		
Invested in capital assets	19,608	26,316
Restricted	80,208	77,082
Unrestricted	350,978	244,086
	<u>\$ 450,794</u>	<u>\$ 347,484</u>

Town of Ocean Breeze
Changes in Net Position – Governmental Activities
September 30, 2019 and 2018

	<u>2019</u>	<u>2018</u>
REVENUES:		
Program revenues		
Charges for services	\$ 190,485	\$ 167,845
Operating grants and contributions	95,980	1,137,093
General revenues		
Property taxes	183,987	142,948
Other general revenue	35,261	38,361
Investment earnings	1,594	867
Total revenues	<u>507,307</u>	<u>1,487,114</u>
 EXPENSES:		
Program expenses		
General government	271,304	255,136
Public safety	99,128	82,777
Physical environment	32,121	1,255,478
Transportation	1,444	6,370
Total expenses	<u>403,997</u>	<u>1,599,761</u>
Increase (decrease) in net position	103,310	(112,647)
Net position, beginning	347,484	460,131
Net position, ending	<u>\$ 450,794</u>	<u>\$ 347,484</u>

**Town of Ocean Breeze, Florida
Management's Discussion and Analysis
September 30, 2019**

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Governmental Activities

The Town's net position increased by \$103,310 for 2019. Total revenues decreased \$979,807 while expenses decreased by \$1,195,764 from the prior year which is mainly attributed to the following:

- \$1,051,113 decrease in operating grants and contributions.
- \$1,223,357 decrease in physical environment expenses.
- There was an increase of \$41,039 in property tax revenue.
- Charges for services increased \$22,640 or 13.5 percent.

Governmental Funds

The purpose of the Town's governmental fund financial statements is to provide information on near-term inflows, outflows, and balances of spendable resources. At September 30, 2019, the Town's Governmental Funds reported an ending fund balance of \$431,186, which was a \$134,821 increase in comparison to the prior year. Of this amount, \$301,105 or 69 percent is unassigned fund balance, which is available for spending at the government's discretion. The remainder of fund balance is non-spendable (\$11,623) or restricted or assigned for specific purposes (\$118,458).

Budgetary Highlights

There were no differences between the General Fund original budget and the final budget. The General Fund exceeded budget expectations by \$159,926. The General Fund expenditures were below appropriations by \$19,541 while revenue exceed expectations by \$140,385.

The Special Revenue Fund budget was amended by \$13,000 to purchase speed notification signs.

Capital Assets and Debt

Capital Assets. The Town's investment in capital assets for its governmental activities at September 30, 2019, amounts to \$19,608 (net of accumulated depreciation). The Town added \$8,272 in improvements and equipment.

Town of Ocean Breeze

Capital Assets
(net of depreciation)

	<u>2019</u>	<u>2018</u>
Improvements and equipment	\$ 19,608	\$ 26,316
Total capital assets	<u>\$ 19,608</u>	<u>\$ 26,316</u>

Debt. The Town has no debt outstanding at September 30, 2019.

**Town of Ocean Breeze, Florida
Management's Discussion and Analysis
September 30, 2019**

Economic Factors and Next Year's Budgets and Rates

For fiscal year 2020, the Town Council adopted a General Fund budget of \$342,115 representing a \$51,181 increase from the original budget for fiscal year 2019.

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The Town will see an increase in the property tax base as the Ocean Breeze West homes are completed. Property taxes represent approximately 49 percent of the 2019 budgeted operating revenues of the Town. The balance of revenues comes from intergovernmental revenues and licenses and permits.

Requests for Information

This financial report is designed to provide a general overview of the Town's finances and to demonstrate the Town's accountability. Questions concerning information provided in this report or requests for additional financial information should be directed to the Town Clerk at the Town of Ocean Breeze, Florida, PO Box 1025, Jensen Beach, Florida 34958 or telephone (772) 334-6826.

Town of Ocean Breeze, Florida
STATEMENT OF NET POSITION
September 30, 2019

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**Governmental
Activities**

Assets

Current Assets

Cash and equivalents

\$ 348,887

Accounts receivable

80,547

Prepaid expenses

10,673

Total Current Assets

440,107

Non-Current Assets

Deposits

950

Capital assets being depreciated:

Improvements and equipment

25,824

Less: accumulated depreciation

(6,216)

Total Non-Current Assets

20,558

Total Assets

460,665

Liabilities

Current Liabilities

Accrued expenses

9,871

Net Position

Net investment in capital assets

19,608

Restricted for transportation

80,208

Unrestricted

350,978

Total Net Position

\$ 450,794

See accompanying notes.

Town of Ocean Breeze, Florida
STATEMENT OF ACTIVITIES
For the Year Ended September 30, 2019

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Net

Functions/Programs	Expenses	Program Revenues		(Expense) Revenues and Changes in Net Assets
		Charges for Services	Capital Grants and Contributions	
Governmental Activities				
General government	\$ (271,304)	\$ 189,415	\$ -	\$ (81,889)
Public safety	(99,128)	1,070	-	(98,058)
Physical Environment	(32,121)	-	95,980	63,859
Transportation	(1,444)	-	-	(1,444)
Total Governmental Activities	<u>\$ (403,997)</u>	<u>\$ 190,485</u>	<u>\$ 95,980</u>	<u>(117,532)</u>

General Revenues

Ad valorem taxes	183,987
Communication services taxes	6,334
State revenue sharing	13,995
Mobile home tags	1,908
1/2 cent sales tax	15,287
Fuel taxes	4,172
Local option taxes	5,986
Loss on disposal of fixed assets	(12,421)
Investment earnings	1,594
Total General Revenues	<u>220,842</u>

Change in Net Position	103,310
------------------------	---------

Net Position - October 1, 2018	347,484
Net Position - September 30, 2019	<u>\$ 450,794</u>

See accompanying notes.

Town of Ocean Breeze, Florida
BALANCE SHEET - GOVERNMENTAL FUNDS
September 30, 2019

DRAFT
Total
Governmental
Funds

	General Fund	Special Revenue Fund	
Assets			
Cash and equivalents	\$ 267,389	\$ 81,498	\$ 348,887
Accounts Receivable	80,547	-	80,547
Prepaid expenses	10,673	-	10,673
Deposits	950	-	950
Total Assets	<u>\$ 359,559</u>	<u>\$ 81,498</u>	<u>\$ 441,057</u>
Liabilities and Fund Balances			
Liabilities			
Accounts payable	<u>\$ 8,581</u>	<u>\$ 1,290</u>	<u>\$ 9,871</u>
Fund balances:			
Nonspendable	11,623	-	11,623
Restricted for transportation	-	80,208	80,208
Assigned - permits	38,250	-	38,250
Unassigned	301,105	-	301,105
Total Fund Balances	<u>350,978</u>	<u>80,208</u>	<u>431,186</u>
Total Liabilities and Fund Balances	<u>\$ 359,559</u>	<u>\$ 81,498</u>	<u>\$ 441,057</u>

See accompanying notes.

Town of Ocean Breeze, Florida
RECONCILIATION OF TOTAL GOVERNMENTAL FUND BALANCES
TO NET POSITION OF GOVERNMENTAL ACTIVITIES
September 30, 2019

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Total Governmental Fund Balances

\$ 431,186

Capital assets being depreciated (improvements and equipment (\$25,824) less accumulated depreciation (\$6,216)) used in governmental activities, are not financial resources and therefore, are not reported in the funds.

19,608

Net Position of Governmental Activities

\$ 450,794

See accompanying notes.

Town of Ocean Breeze, Florida
**STATEMENT OF REVENUES, EXPENDITURES AND
 CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS**
 For the Year Ended September 30, 2019

DRAFT

	General Fund	Special Revenue Fund	Total Governmental Funds
Revenues			
Ad valorem taxes	\$ 183,987	\$ -	\$ 183,987
Licenses and permits	112,579	-	112,579
Intergovernmental revenues	35,616	10,158	45,774
Charges for services	79,813	-	79,813
Government grants	74,960	-	74,960
Private contributions	45,825	-	45,825
Investment earnings	901	693	1,594
Total Revenues	533,681	10,851	544,532
Expenditures			
Current:			
General government	268,746	-	268,746
Public safety	99,128	-	99,128
Physical environment	32,121	-	32,121
Transportation	-	1,444	1,444
Capital Outlay	1,249	7,023	8,272
Total Expenditures	401,244	8,467	409,711
Net change in fund balances	132,437	2,384	134,821
Fund Balances - October 1, 2018	218,541	77,824	296,365
Fund Balances - September 30, 2019	\$ 350,978	\$ 80,208	\$ 431,186

See accompanying notes.

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Town of Ocean Breeze, Florida
**STATEMENT OF REVENUES, EXPENDITURES AND
 CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND**
 For the Year Ended September 30, 2019

DRAFT

	Original Budget	Final Budget	Actual	Variance with Final Budget Positive (Negative)
Revenues				
Ad valorem taxes	\$ 170,836	\$ 174,836	\$ 183,987	\$ 9,151
Licenses and permits	55,100	55,100	112,579	57,479
Intergovernmental revenues	29,000	25,000	35,616	10,616
Charges for services	58,260	58,260	79,813	21,553
Government Grants	80,000	80,000	74,960	(5,040)
Private contributions	-	-	45,825	45,825
Investment earnings	100	100	901	801
Total Revenues	<u>393,296</u>	<u>393,296</u>	<u>533,681</u>	<u>140,385</u>
Expenditures				
Current				
General government	253,085	283,085	268,746	14,339
Public safety	82,700	99,800	99,128	672
Physical environment	80,000	32,900	32,121	779
Capital outlay	5,000	5,000	1,249	3,751
Total Expenditures	<u>420,785</u>	<u>420,785</u>	<u>401,244</u>	<u>19,541</u>
Net change in fund balances	(27,489)	(27,489)	132,437	159,926
Fund Balances - October 1, 2018	<u>218,541</u>	<u>218,541</u>	<u>218,541</u>	-
Fund Balances - September 30, 2019	<u>\$ 191,052</u>	<u>\$ 191,052</u>	<u>\$ 350,978</u>	<u>\$ 159,926</u>

See accompanying notes.

Town of Ocean Breeze, Florida
**STATEMENT OF REVENUES, EXPENDITURES AND
 CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - SPECIAL REVENUE FUND**
 For the Year Ended September 30, 2019

DRAFT

	Original Budget	Final Budget	Actual	Variance with Final Budget Positive (Negative)
Revenues				
Intergovernmental revenues	\$ 10,000	\$ 10,000	\$ 10,158	\$ 158
Investment Interest	-	-	693	693
Total Revenues	<u>10,000</u>	<u>10,000</u>	<u>10,851</u>	<u>851</u>
Expenditures				
Current				
Transportation	5,000	9,000	1,444	7,556
Capital outlay	-	9,000	7,023	1,977
Total Expenditures	<u>5,000</u>	<u>18,000</u>	<u>8,467</u>	<u>1,977</u>
Net change in fund balances	5,000	(8,000)	2,384	2,828
Fund Balances - October 1, 2018	<u>77,824</u>	<u>77,824</u>	<u>77,824</u>	<u>-</u>
Fund Balances - September 30, 2019	<u>\$ 82,824</u>	<u>\$ 69,824</u>	<u>\$ 80,208</u>	<u>\$ 2,828</u>

See accompanying notes.

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Town of Ocean Breeze, Florida ("Town") have been prepared in conformity with generally accepted accounting principles (GAAP) in the United States as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The Town's more significant accounting policies are described below.

1. Reporting Entity

The Town is a municipal corporation organized in 1960 under the authority of Chapter 165, Florida Statutes. The Town has a mayor-council form of government and operates under a charter that was amended in 1991. The fiscal year of the Town is from October 1 to September 30, as established pursuant to Section 166.241(2), Florida Statutes. The governing body of the Town is the Town Council which is comprised of a maximum of six council members elected at large.

As required by GAAP, these financial statements present the Town (the primary government) as a stand-alone government. The reporting entity for the Town includes all functions of government in which the Town Council exercises oversight responsibility, including, but not limited to, financial interdependency, selection of governing authority, designation of management, significant ability to influence operations and accountability for fiscal matters.

Based upon the application of the above-mentioned criteria as set forth by the Governmental Accounting Standards Board the Town has identified no component units.

2. Measurement Focus and Basis of Accounting

The basic financial statements of the Town are composed of the following:

- Government-wide financial statements
- Fund financial statements
- Notes to financial statements

a. Government-wide Financial Statements

Government-wide financial statements report all non-fiduciary information about the reporting government as a whole. These statements include all the governmental activities of the primary government. The effect of interfund activity has been removed from these statements.

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

2. Measurement Focus and Basis of Accounting (Continued)

a. Government-wide Financial Statements (Continued)

Governmental activities are supported by ad valorem taxes, utility franchise taxes and apportioned sales and fuel taxes and revenue sharing from the State of Florida as well as investment earnings. Program revenues include charges for services and payments made by parties outside of the reporting government's citizenry if that money is restricted to a particular program. Program revenues are netted with program expenses in the statement of activities to present the net cost of each program. Amounts paid to acquire capital assets are capitalized as assets, rather than reported as capital expenditures.

b. Fund Financial Statements

The underlying accounting system of the Town is organized and operated on the basis of separate funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures or expenses, as appropriate. Governmental resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

Fund financial statements for the primary government's governmental funds are presented after the government-wide financial statements. These statements display information about major funds individually.

When both restricted and unrestricted resources are combined in a fund, qualified expenses are considered to be paid first from restricted resources, and then from unrestricted resources. Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are considered to be available when they are collected within the current period or soon thereafter to pay liabilities of the current period. For this purpose, the Town considers revenues to be available if they are collected within 60 days of the end of the current fiscal period.

Expenditures generally are recorded when a liability is incurred, as under the accrual basis of accounting. Interest associated with the current fiscal period is considered to be an accrual item and so has been recognized as revenue of the current fiscal period.

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

2. Measurement Focus and Basis of Accounting (Continued)

b. Fund Financial Statements (Continued)

Under the current financial resources measurement focus, only current assets and current liabilities are generally included on the balance sheet. The reported fund balance is considered to be a measure of "available spendable resources". Governmental fund operating statements present increases (revenues and other financing sources) and decreases (expenditures and other financing uses) in net current assets. Accordingly, they are said to present a summary of sources and uses of "available spendable resources" during a period.

Because of their spending measurement focus, expenditure recognition for governmental fund types excludes amounts represented by non-current liabilities. Since they do not affect net current assets, such long-term amounts are not recognized as governmental fund type expenditures or fund liabilities.

Amounts expended to acquire capital assets are recorded as expenditures in the year that resources are expended, rather than as fund assets.

3. Basis of Presentation

a. Governmental Major Funds

General Fund - The General Fund is the primary operating fund of the Town. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

Special Revenue Fund - The Special Revenue Fund accounts for the revenues received and subsequently expended for specific purposes (other than special assessments and major capital projects) requiring separate accounting because of legal or regulatory provisions or administrative action of the Town.

b. Non-current Governmental Assets

Governmental Accounting Standards Board Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments*, requires that non-current governmental assets, such as land, buildings and improvements and equipment be reported in the governmental activities column in the government-wide statement of net assets.

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

4. Assets, Liabilities, and Net Assets or Equity

a. Cash and Investments

Chapter 280, Florida Statutes require state and local governmental units to deposit monies with financial institutions classified as "Qualified Public Depositories," whose public funds are held in a multiple financial institution pool administered by the State of Florida, whereby groups of securities pledged by the various financial institutions provide common collateral from their deposits. This pool is provided as additional insurance to the federal depository insurance and allows for additional assessments against the member institutions, providing full insurance for public deposits.

The Town is authorized to invest in those financial instruments as established by Section 218.415, Florida Statutes. The authorized investments consist of:

1. Direct obligations of the United States Treasury;
2. The Local Government Surplus Funds Trust or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperative Act of 1969;
3. Interest-bearing time deposits or savings accounts in authorized qualified public depositories;
4. Securities and Exchange Commission, registered money market funds with the highest credit quality rating from a nationally recognized rating agency.

b. Capital Assets

The Town defines capital assets as assets with an initial, individual cost of \$500 or more and an estimated useful life in excess of one year. The valuation basis for acquired assets is historical cost and for donated assets is fair market value.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend its useful life are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed and depreciated over their useful lives beginning at the time they are placed in service.

Depreciable capital assets are depreciated using the straight-line method over estimated useful lives ranging from five (5) to thirty (30) years.

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

4. Assets, Liabilities, and Net Assets or Equity (Continued)

c. Budgets

Budgets are prepared for the governmental funds and adopted after public hearings, pursuant to Section 200.065 of the Florida Statutes. The Town utilizes the same basis of accounting for budgets as it does for revenues and expenditures in its various funds. The legal level of budgetary control is at the fund level. All budgeted appropriations lapse at year end. Formal budgets are adopted for both the general fund and the special revenue fund. As a result, deficits in the budget columns of the accompanying financial statements may occur.

d. Governmental Fund Balance

The Town has adopted GASB Statement 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. Governmental fund balances are reported within fund balance classifications that comprise a hierarchy based primarily on the extent to which the government is bound to honor constraints on the specific purpose for which amounts in those funds can be spent. The classifications include non-spendable, restricted, committed, assigned and unassigned.

Non-Spendable Fund Balance – The classification is either not in spendable form or is legally or contractually required to remain intact.

Restricted Fund Balance – The classification includes amounts that can be spent only for specific purposes stipulated by constitution, external resource providers, or through enabling legislation.

Committed Fund Balance – This classification includes amounts that can be used only for the specific purposes determined by a formal action of the Town's highest level of decision making authority.

Assigned Fund Balance – This classification is intended to be used by the government for specific purposes but do not meet the criteria to be classified as restricted or committed.

Unassigned Fund Balance – This classification is the residual classification for the government's general fund and includes all spendable amounts not contained in the other classifications. Unassigned fund balance is considered to be utilized first when an expenditure is incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE B – CASH AND EQUIVALENTS

All deposits are held in qualified public depositories and are included on the accompanying statement of net position and balance sheets as cash and equivalents.

Custodial Credit Risk – Deposits

Custodial credit risk is the risk that in the event of a bank failure, the Town's deposits may not be returned. The Town has a formal policy for custodial credit risk and they follow the provisions of Chapter 280, Florida Statutes, regarding deposits and investments. As of September 30, 2019, the Town's carrying value for deposits was \$348,887 while the bank balance was \$413,541. Exposure to custodial credit risk was as follows; Cash and equivalents are deposited in a qualified public depository in accordance with the provisions of Chapter 280, Florida Statutes, which means that all deposits are fully insured by Federal Depositors Insurance or collateralized under Chapter 280, Florida Statutes.

Cash equivalents consist principally of money market funds held in public depositories with interest rates at .90 to 1.10%.

The types of deposits and investments and their level of risk exposure as of September 30, 2019 were typical of these items during the fiscal year then ended. The Town considers any decline in fair value for certain investments to be temporary. In addition, the Town has the ability to hold investments to maturity that have fair values less than cost. The Town's deposits and investments are recorded at fair value, which approximates their cost.

NOTE C – AD VALOREM TAX CALENDAR

Ad Valorem tax revenues recognized for the 2018-2019 fiscal year were levied in October 2018. All taxes are due and payable on November 1 or as soon as the assessment roll is certified and delivered to the Tax Collector. Per Section 197.162, Florida Statutes, discounts are allowed for early payment at the rate of 4% in November, 3% in December, 2% in January, and 1% in February. Taxes paid in March are without discount.

NOTE D – PREPAID EXPENSES

As of September 30, 2019 prepaid expenses consisted of the following:

Prepaid expenses	\$ 470
Prepaid insurance	<u>10,203</u>
Total	\$ <u>10,673</u>

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE E - CAPITAL ASSETS

Capital asset activity for the year ended September 30, 2019 was as follows:

	Balance 10/01/18	Additions	Deletions	Balance 9/30/19
Capital assets, being depreciated:				
Improvements and equipment	48,760	\$ 8,272	\$ (31,208)	\$ 25,824
Accumulated depreciation	(22,444)	(2,559)	18,787	(6,216)
	<u>\$ 26,316</u>	<u>\$ 5,713</u>	<u>\$ (12,421)</u>	<u>\$ 19,608</u>

Depreciation charged to general government activities was \$2,559 for the year ended 9/30/19.

NOTE F - COMMITMENTS

Cost Reimbursable Subcontract Agreement

The Town entered into a Cost Reimbursable Agreement with Cape Canaveral Scientific, Inc. (CCS) for grant management services related to the Ocean Breeze Indian River Lagoon Stormwater Quality Retrofit Project (Project). The Project is supported by funding from the State of Florida 2015/2016 General Appropriations Act; the Fiscal Year 2016 TMDL Water Quality Restoration Act; and the 2014 South Florida Water Management District Indian River Lagoon License Plate Funding Agreement. The grants are administered and paid by the Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District. As part of the agreement CCS agrees to provide all the necessary qualified personnel, equipment and materials to perform the work described in the agreement. As part of the agreement the Town agreed to pay CCS on a cost reimbursement basis through the end of the project, which is December 31, 2019.

Cost Share Agreement for the Ocean Breeze Indian River Lagoon Stormwater Quality Retrofit Project

The Town has entered into an agreement with the Indian River Lagoon Council. The Indian River Lagoon Council provided cost share funding to the Town for the purposes of the project. The Town, as recipient and in partnership with Martin County, constructed a treatment train project with bio-swale excavation, a baffle box installation, exfiltration pipe, and additional storm water improvements. Upon satisfactory completion of the project, the Council paid the Town approximately 12% of the total cost of the project, which amounted to \$180,000. The Town agreed to provide \$1,315,000 in the form of cash and /or in-kind services for the project and cost sharing funds from other agencies. This project is part of a \$5,000,000 community altering improvement project to remove 500 septic tanks and replace with a new sewer system and remove 500 mobile homes and replace with 350 bungalow-style constructed homes. The treatment system was constructed along Indian River Drive from Jensen Beach through Ocean Breeze and should remove 65% of the pollutants flowing to the Indian River Lagoon. The \$1,315,000 provided by the Town is funded through cost sharing agreements with the

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE F – COMMITMENTS (CONTINUED)

Cost Share Agreement for the Ocean Breeze Indian River Lagoon Stormwater Quality Retrofit Project (Continued)

following agencies: \$560,000 from the Florida Department of Environmental Protection; \$150,000 from a State of Florida Legislative Appropriation; \$66,171 from the South Florida Water Management District Lagoon License Plate Program; \$75,000 from the Town's General Fund and \$463,829 from the Town in a cost sharing agreement with Martin County.

As part of the Project the Town required Pre-Construction (Bidding) and Post Construction services which are provided by CAPTEC Engineering in the form of Bid Documents, including Cost Estimates, Bid Forms, Technical Specifications, and Bidding Assistance.

Right of Way Maintenance Agreement

In 2012 the Town entered into an Interlocal Agreement with Martin County for the purpose of assigning each party its responsibilities for the design, permitting, and construction of certain traffic improvements along NE Indian River Drive, which is a County road within Town limits. In July 2016, the agreement was amended to incorporate stormwater management and treatment components to the traffic calming project. The Project includes enhanced landscaping and irrigation, a stormwater treatment facility with a bioswale, decorative lighting and textured pavement. All maintenance, repair, and replacement of the aforementioned enhanced landscape improvements and the bioswale shall be the sole responsibility of the Town. All maintenance, repair, and replacement of the irrigation system shall be the sole responsibility of the Town, including, but not limited to, ensuring that the irrigation system is kept in proper working order. All aesthetic maintenance of the roadway textured pavement shall be the sole responsibility of the Town. Should the Town be unable or unwilling to complete the required maintenance work, the County may complete or contract to have such maintenance performed and bill the Town for all costs incurred. The County agrees to provide written notice of its intent to perform such maintenance at least five days in advance of performing the work.

Interlocal Agreement Between Martin County and the Town of Ocean Breeze

The Town has entered into an Interlocal agreement with Martin County concerning the enhanced roadway and stormwater improvement project. The Town has requested that the County agree to construct the expanded project as well as provide interim funding for the Project costs pending reimbursement from the granting agencies. The Town has agreed to provide, at its sole cost and expense, designs, plans and technical specifications necessary for the County to bid and oversee construction of the Project in accordance with all applicable Federal, State and County laws, rules and regulations. The Town has provided \$120,000 to the County and has agreed that the funds will be used for the Project and will go towards the Town's matching requirements. The County has budgeted \$252,000 for the roadway enhancement project and has amended its Capital Improvement Plan and its budget so the funds may be used for the expanded project. The Town has agreed to be solely responsible for all remaining costs and expenses associated with construction of the Project including items not reimbursed by subject grants. The Town and the County have agreed to cooperate in the

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE F – COMMITMENTS (CONTINUED)

Interlocal Agreement Between Martin County and the Town of Ocean Breeze (Continued)

implementation of the project whereby the County will contract and oversee the Project on the Town's behalf. In the event that there is a funding shortfall, the Town agrees that it will annually remit to Martin County a minimum of \$5,000 until the entire shortfall amount is repaid to the County. The County shall be responsible for any maintenance and repair of improvements within the County's right-of-way and easements with the exception that the Town shall pay \$1,000 per year toward the maintenance, repair and electrical usage of all lighting improvements located in the County right-of-way specifically added as a part of this project. The Interlocal Agreement terminates the original Interlocal Agreement dated October 9, 2012 between the Town and Martin County.

NOTE G – FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT

The Town entered into an agreement with the Florida Department of Environmental Protection (FDEP) for FDEP to provide financial assistance for the Ocean Breeze Indian River Lagoon Stormwater Quality Retrofit Project. The original agreement was amended on January 4, 2017. As part of the amended agreement and as consideration for the satisfactory completion of services rendered by the Town, FDEP shall pay the Town on a cost reimbursement basis up to a maximum of \$715,000 towards the total estimated project cost of \$1,495,000. The parties agree that this agreement requires at least a 52% match on the part of the Town. Therefore, the Town is responsible for providing \$780,000 through cash or third-party in-kind contributions. It is understood that any additional funds necessary for the completion of the project are the responsibility of the Town. Grant funds received or receivable from FDEP from project inception through September 30, 2019 amount to \$715,000. Matching requirements have been met by the Town for all project activity through September 30, 2019. This agreement is in effect for project activity through the revised expiration date of December 31, 2019.

NOTE H - LEASES

The Town has committed to an office space lease for a term of five years and five months, commencing on August 15, 2017 and ending January 31, 2023. The Town will occupy the premises rent free from August 15, 2017 to January 31, 2018, with payments commencing in February 2018. The lease has a base monthly payment of \$950 with annual increases of 3% culminating in a monthly payment of \$1,069 for the period ending January 31, 2023. The Town has also committed to a copier lease with a monthly rental payment of \$123 through 2021.

Future minimum rental payments are as follows:

Fiscal Year ending September 30,

2020	13,453
2021	13,812
2022	13,075
2023	4,277
Total minimum future rental payments	<u>\$ 44,617</u>

Town of Ocean Breeze, Florida
NOTES TO FINANCIAL STATEMENTS
September 30, 2019

DRAFT

NOTE I - ECONOMIC DEPENDENCY

A substantial portion of the Town's activity is dependent upon the continued allocation of sales, franchise and fuel taxes received from the State of Florida, the loss of which could have a materially adverse effect on the government without levying additional ad valorem taxes.

NOTE J - RISK MANAGEMENT

The Town is exposed to various risks of loss related to torts, including worker's compensation claims; theft of, damage to and destruction of assets; errors and omissions; and natural disasters for which the Town carries commercial property and liability insurance.

NOTE K – COVID-19

On January 30, 2020, The World Health Organization declared the coronavirus outbreak a "Public Health Emergency of International Concern" and on March 10, 2020, declared it to be a pandemic. Actions taken around the world to help mitigate the spread of the coronavirus include restrictions on travel, quarantines in certain areas, and forced closures of certain types of public places and businesses. The coronavirus and actions taken to mitigate it are expected to continue to have an adverse impact on the economies and financial markets of many countries, including the geographical area in which the Town operates. It is unknown how long these conditions will last and what the complete financial effect will be to the Town.

DRAFT

**Independent Auditor's Report on Internal Control over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements
Performed in Accordance with Government Auditing Standards**

To the Honorable Mayor and Council Members
Town of Ocean Breeze, Florida
Jensen Beach, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the Town of Ocean Breeze, Florida (the "Town") as of and for the year ended September 30, 2019, and the related notes to the financial statements and have issued our report thereon dated June XX, 2020.

Internal Control over Financial Reporting

In planning and performing our audit, we considered the Town's internal control over financial reporting to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Town's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

DRAFT

To the Honorable Mayor and Council Members
Town of Ocean Breeze, Florida

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Town's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Berger, Toombs, Elam, Gaines & Frank
Certified Public Accountants PL
Stuart, Florida

June XX, 2020

DRAFT

Management Letter

To the Honorable Mayor and Members
of the Town Council
Town of Ocean Breeze, Florida
Jensen Beach, Florida

June XX, 2020

Report on the Financial Statements

We have audited the financial statements of the Town of Ocean Breeze, Florida (the "Town") as of and for the fiscal year ended September 30, 2019, and have issued our report thereon dated June XX, 2020.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and Chapter 10.550, Rules of the Florida Auditor General.

Other Reporting Requirements

We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* and our Independent Auditor's Report on an examination conducted in accordance with AICPA Professional Standards, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports which are dated June XX, 2020, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we address in the Management Letter, if not already addressed in the auditors' report on compliance and internal controls, whether recommendations made in the preceding annual financial report have been followed. There were no findings or recommendations made in the preceding financial audit report.

Financial Condition and Management

Section 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor, requires us to apply appropriate procedures and communicate the results of our determination as to whether or not the Town has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific conditions met. In connection with our audit, we determined

Financial Condition and Management (continued)

that the Town did not meet any of the conditions described in Section 218.503(1), FL Statutes. Pursuant to Sections 10.554(1)(i)5.c. and 10.556(8), Rules of the Auditor General, we applied financial conditions assessment procedures. It is Management's responsibility to monitor the Town's financial condition; our financial condition assessment was based in part on the representations made by management and the review of financial information provided by the same.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Additional Matters

Section 10.554(1)(i)3., Rules of the Auditor General, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

Purpose of this Letter

Our Management Letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, the Town Council, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.

Berger, Toombs, Elam, Gaines & Frank
Certified Public Accountants PL
Stuart, Florida

June XX, 2020

DRAFT

Independent Accountant's Report/Compliance with Section 218.415, Florida Statutes

To the Honorable Mayor and Council Members
Town of Ocean Breeze, Florida
Jensen Beach, Florida

We have examined Town of Ocean Breeze, Florida's compliance with Section 218.415, Florida Statutes during the year ended September 30, 2019. Management is responsible for Town of Ocean Breeze, Florida's compliance with those requirements. Our responsibility is to express an opinion on Town of Ocean Breeze, Florida's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about Town of Ocean Breeze, Florida's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on Town of Ocean Breeze, Florida's compliance with the specified requirements.

In our opinion, Town of Ocean Breeze, Florida complied, in all material respects, with the aforementioned requirements during the year ended September 30, 2019.

Berger, Toombs, Elam, Gaines & Frank
Certified Public Accountants PL
Fort Pierce, Florida

June XX, 2020

Town of Ocean Breeze General Fund Profit & Loss Budget vs. Actual October 2019 through March 2020

Item #6

	Oct '19 - Mar 20	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
6001 • Taxes from other Governments			
312300 • State Fuel Tax	2,069.76	2,500.00	-430.24
312410 • Local Option Gas Tax	1,760.77	1,250.00	510.77
312420 • New Local Option Gas Tax	1,299.72	1,250.00	49.72
314200 • Local Communications Svc Tax	3,595.29	3,250.00	345.29
335120 • State Revenue Sharing	7,068.23	6,900.00	168.23
335140 • Mobile Home Tags	1,649.87	800.00	849.87
335160 • Alcoholic Beverage Licenses	0.00	0.00	0.00
335180 • 1/2 Cent Sales Tax	7,766.97	7,500.00	266.97
Total 6001 • Taxes from other Governments	25,210.61	23,450.00	1,760.61
6002 • Licenses & Permits			
322000 • Building Permits	62,159.77	55,000.00	7,159.77
338200 • Occupational Licenses	50.41	150.00	-99.59
Total 6002 • Licenses & Permits	62,210.18	55,150.00	7,060.18
6003 • Other Fees for Services			
322001 • Fire Inspections	290.00	600.00	-310.00
322004 • Charges for Services	2,563.39		
Total 6003 • Other Fees for Services	2,853.39	600.00	2,253.39
6004 • Investment & Other Earnings			
361000 • Interest Income	280.92	500.00	-219.08
Total 6004 • Investment & Other Earnings	280.92	500.00	-219.08
6005 • Ad Valorum Revenue			
312100 • Ad Valorum	168,204.07	167,755.00	449.07
Total 6005 • Ad Valorum Revenue	168,204.07	167,755.00	449.07
6007 • Miscellaneous Income			
369000 • Misc Inc - MCSB Admin Fee, Etc.	1,515.13	5,000.00	-3,484.87
Total 6007 • Miscellaneous Income	1,515.13	5,000.00	-3,484.87
Total Income	260,274.30	252,455.00	7,819.30
Expense			
6101 • General Government			
513150 • Gross Payroll	38,869.87	41,876.00	-3,006.13
513297 • Grant Management Consultant	0.00	0.00	0.00
513301 • Management Consultant	8,645.50	14,000.00	-5,354.50
513302 • Rent	7,213.73	6,026.00	1,187.73
513304 • Communications / Website	3,873.17	3,462.00	411.17
513305 • Engineering	0.00	1,250.00	-1,250.00
513306 • Accountant	690.00	4,000.00	-3,310.00
513308 • Insurance W/C	2,325.00	700.00	1,625.00
513309 • Insurance Package	9,714.00	9,600.00	114.00
513311 • Public Advertising Notices	564.84	2,000.00	-1,435.16

Town of Ocean Breeze General Fund Profit & Loss Budget vs. Actual October 2019 through March 2020

	Oct '19 - Mar 20	Budget	\$ Over Budget
513312 • Office Equipment & Supplies	4,153.93	4,650.00	-496.07
513313 • Postage	425.70	336.00	89.70
513315 • Audit	0.00	0.00	0.00
513316 • Utilities	286.53	360.00	-73.47
513317 • Dues	1,154.50	750.00	404.50
513318 • Mileage Reimb. - Clerks	138.03	1,000.00	-861.97
513319 • Conferences & Travel - Council	2,171.85	4,500.00	-2,328.15
513321 • Election Expenses	525.00	1,200.00	-675.00
513323 • Special projects Code of Ord	760.00	7,500.00	-6,740.00
513324 • Special Project-Digitizing	0.00	5,000.00	-5,000.00
514100 • Legal Counsel	15,336.43	12,000.00	3,336.43
514200 • Computer Services	607.50	600.00	7.50
531110 • Payroll Taxes - Fica	2,409.94	2,596.00	-186.06
531111 • Payroll Taxes - Medicare	563.64	606.00	-42.36
531112 • Benefits	11,135.12	9,550.00	1,585.12
Total 6101 • General Government	111,564.28	133,562.00	-21,997.72
6102 • Public Safety			
522300 • M.C. Fire Rescue	0.00	0.00	0.00
524200 • Building Official Services	17,512.50	7,500.00	10,012.50
524210 • Building Code Compliance Ser	1,625.00	7,500.00	-5,875.00
524220 • Code Compliance Legal	1,350.00	10,000.00	-8,650.00
524300 • Fire Safety Inspector	85.00	600.00	-515.00
Total 6102 • Public Safety	20,572.50	25,600.00	-5,027.50
6104 • Transportation			
541300 • Road and Street Maintenance	1,967.00	1,750.00	217.00
541301 • Street Lights	574.75	750.00	-175.25
Total 6104 • Transportation	2,541.75	2,500.00	41.75
6200 • Physical Environment			
531000 • Grants - Contract Labor	0.00	0.00	0.00
Total 6200 • Physical Environment	0.00	0.00	0.00
6600 • Capital Outlay			
555000 • Furniture & Equipment	1,196.00	6,000.00	-4,804.00
Total 6600 • Capital Outlay	1,196.00	6,000.00	-4,804.00
Total Expense	135,874.53	167,662.00	-31,787.47
Net Ordinary Income	124,399.77	84,793.00	39,606.77
Net Income	124,399.77	84,793.00	39,606.77



MARCELA CAMBLOR & ASSOCIATES, INC
Town Planning • Architectural Design

MEMORANDUM

To: Terry O'Neil, Town Manager; Town of Ocean Breeze Council

From: Marcela Camblor-Cutsaimanis, Marcela Camblor & Associates, Inc. (MCA)

Date: 05.28.2020

Subject: West End Blvd. Preliminary Feasibility Analysis

Introduction:

At the request of the Town of Ocean Breeze, MCA analyzed physical conditions and ownership patterns of potential paths to identify/allow for safe multimodal (vehicular, pedestrian, bicycle and golf cart) connections between the Ocean Breeze Resort and the commercial destinations within Town and in Jensen Beach. MCA additionally researched golf cart regulations and their circulation options.

Initial findings:

1. Regarding a safe pedestrian path to and from the Ocean Breeze Resort:

The Ocean Breeze Resort is strategically embedded in a network of highly interconnected streets. The resort was re-designed in 2014 with walkability/connectivity as a central feature. Maple St. connects to Nautical Dr. and in turn to the connector path that traverses the resort.

It is possible today with the current public right-of-way configuration to go from point A to point B as shown on *Figure 1* while on safe wide sidewalks. The distance from point A to point B along Maple St. is 1,114 feet (slightly over 4 min. walk). The distance from Point A to Point B along West End Blvd. is 1,104 feet. The distance difference is negligible and makes both routes equal pedestrian options. Both Maple St. and Jensen Beach Blvd. have wide sidewalks and a pedestrian friendly environment.

Under current Florida Statutes, it is also possible to ride street-approved vehicles through neighborhood streets into the Town's commercial core. *More on this on item 3.*

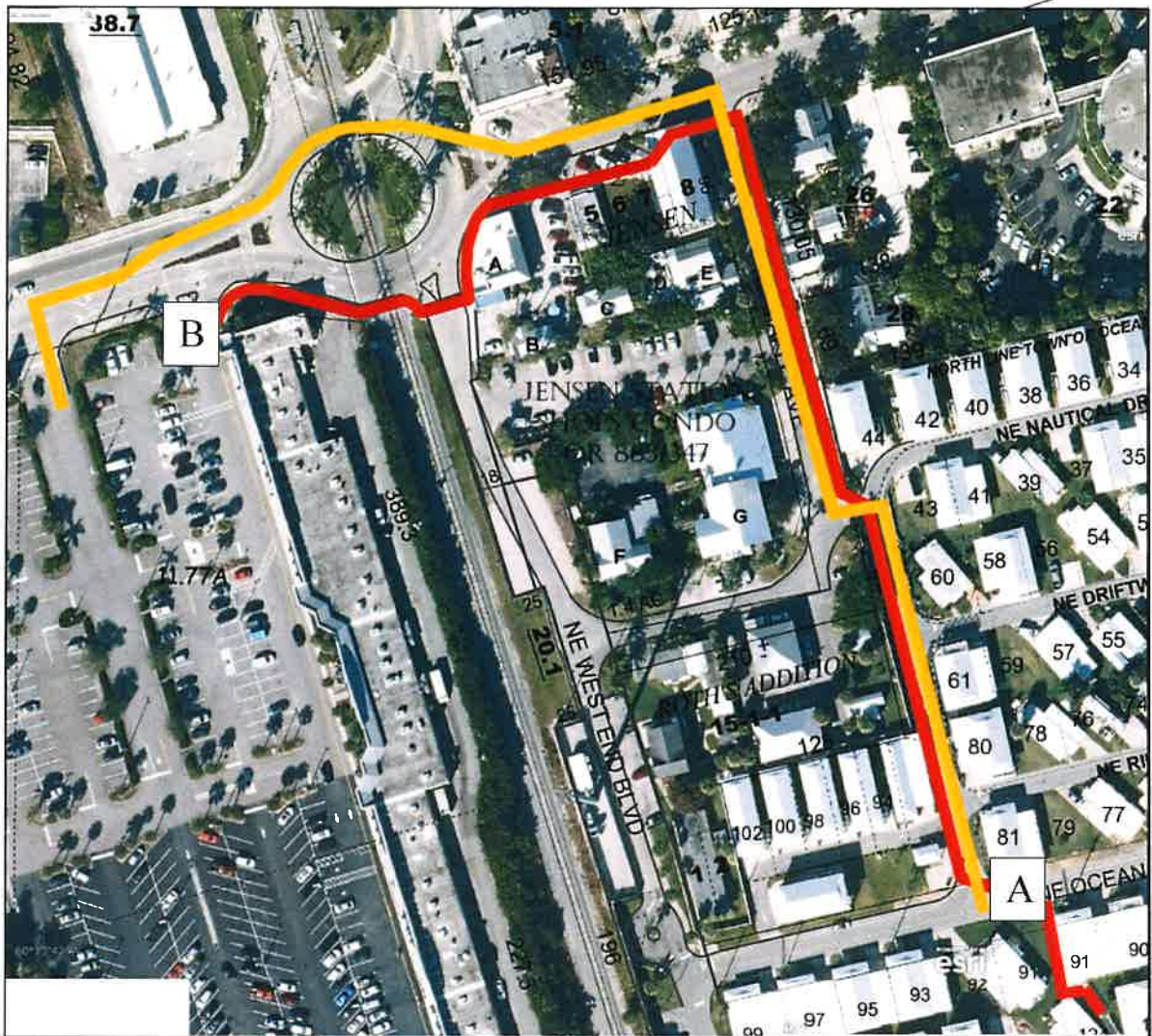


Figure 1: Existing safe pedestrian & street-approved vehicle paths.

2. Regarding Right-of-Way Availability along West End Blvd.:

Preliminary analysis shows that there is physical room to create a street section along West End boulevard that includes:

- Two 9' travel lanes. This an acceptable travel lane width for slow-traffic environments. When larger vehicles are involved these narrow travel lanes function as 2-way yield streets. Two-way yield streets are appropriate in environments where drivers are expected to travel at low speeds.
- Areas of on-street parallel parking
- A continuous 8' multi-modal path

While the above proposed configuration is physically feasible, there are property ownership, lease agreements and easements that would be affected and need to be resolved in order to configure the road as shown in *Figures 2 through 5*. Should the town

council decide to pursue this road configuration the next step would be to discuss impact and possible configurations with affected parties.

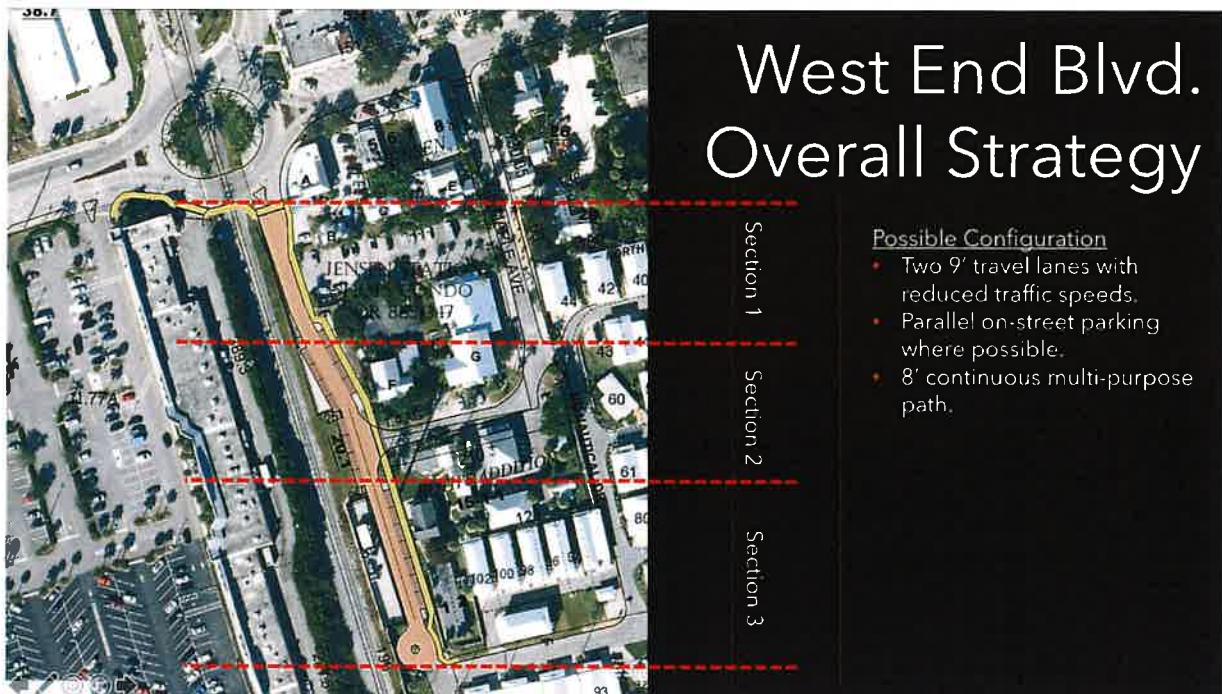


Figure 2: Proposed Overall Strategy

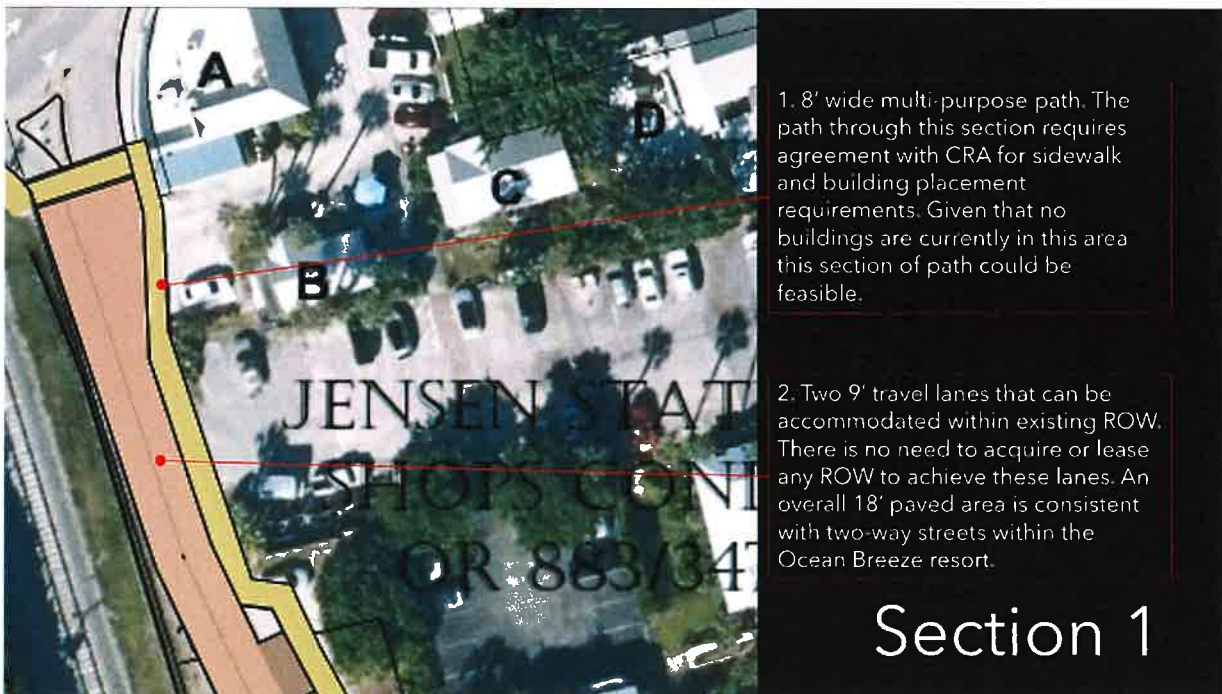


Figure 3: Detail of Proposed Overall Strategy



Figure 4: Detail of Proposed Overall Strategy

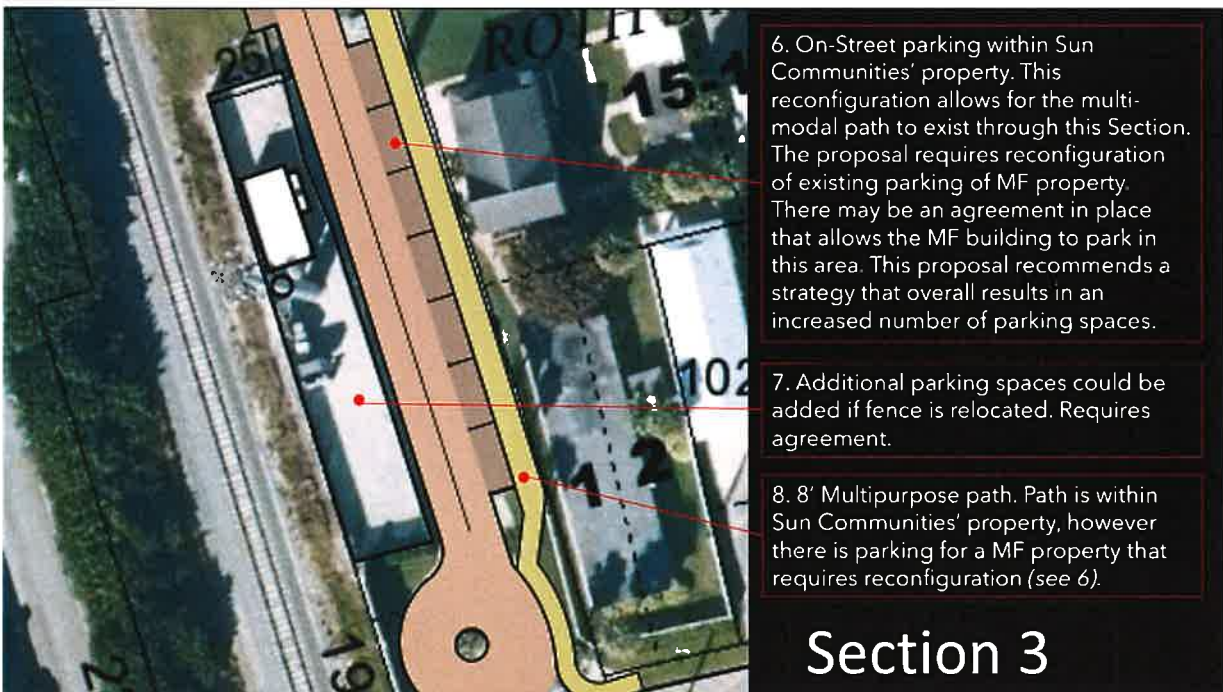


Figure 5: Detail of Proposed Overall Strategy

3. Regarding Legal Street Vehicles & Golf Carts:

Florida Statutes F.S. 316.2122 allows Legal Street Vehicles (LSV's) to circulate on roads posted 35 mph or under. The statutes also allow golf carts to circulate on municipal roads if the local government allows it. Golf carts are not allowed to circulate on State roads.

LSV's must include the following equipment:

- Turn signal
- Reflex reflectors
- Parking break
- Rearview mirror
- Windshield
- Seat belt
- Vehicle identification number
- Vehicle must be registered and insured
- Driver must be over 18 and have a valid driver's license.

Indian River Drive is posted at 25mph. Jensen Beach Blvd east of the rail road tracks is posted at 25 mph. The roundabout is not posted but is designed for speed limits of 15 to 20mph. Jensen Beach Blvd west of the rail road tracks is posted at 35mph. Nothing prohibits town residents to move freely in LSV's mostly anywhere in the town and adjacent destinations.

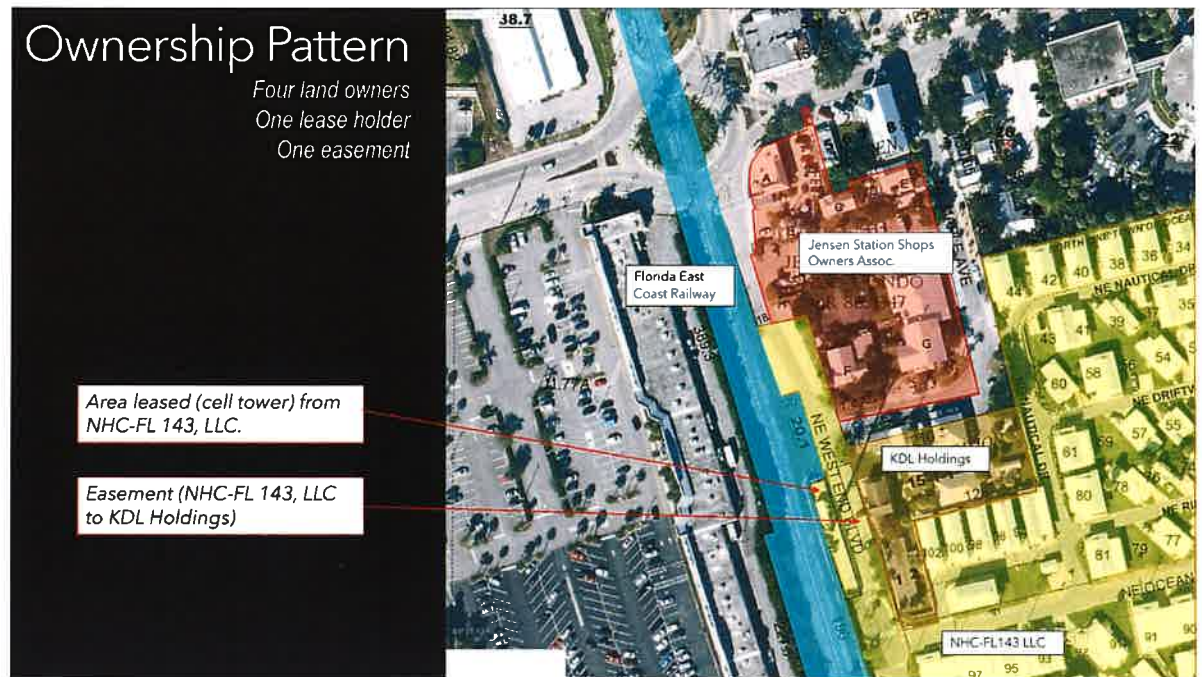
The Martin County BOCC is currently discussing an ordinance that would allow individual neighborhoods or communities that wish to circulate on conventional golf carts on County roads. Some of the conditions that the ordinance is contemplating include:

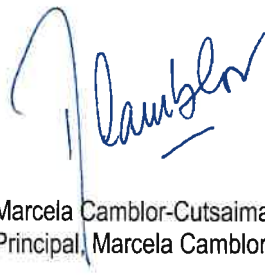
- The County's engineering department needs to deem the roads safe.
- A majority of the property owners need to agree to allow golf carts to circulate. In the case of West End Blvd. it is not clear how many county residents/business owners would be considered for this decision as the road in question is outside town limits.
- The roads need to proper signage.
- Sheriff's notification is required.
- Limited time of operation (sunrise to sunset).
- Martin County determination of compliance.
- Martin County BOCC resolution.

The town council needs to decide if it wants to ask the County to pursue an ordinance to allow for golf carts to traffic on County roads around the Town limits. Per Florida Statutes, golf carts will not be allowed on State roads (west Jensen Beach Blvd. or the roundabout).

4. Regarding Ownership Patterns:

Figure 6 depicts ownership patterns. Should the town wish to pursue the reconfiguration of West End Blvd. these are the entities/owners that would need to be engaged and agree to a joint vision.



A handwritten signature in blue ink, appearing to read "Marcela Cambor-Cutsaimanis". The signature is stylized with a large initial "M" and a horizontal line under the last name.

Marcela Cambor-Cutsaimanis, AICP
Principal, Marcela Cambor & Associates, Inc.

Town of Ocean Breeze

To: Town Council and Mayor
From: President De Angeles
Date: March 4, 2020
Re: Workshop Process- Agenda – Agenda Item ~~#7. C.~~ #13

- Late last year the Council agreed to schedule a “workshop” to discuss the Town’s future.
- The Mayor has provided us with a memo and is seeking Council/Public feedback on certain initiatives.
- I’m going to invite the Mayor to discuss each item, one at a time, followed by public comment, and then I’ll ask for comments from individual Council members.
- The Council is not being asked for a formal vote, however, based on individual comments, staff will get a general indication on whether to further explore a particular initiative.
- After the Mayor’s comments, I will invite individual Council members to raise any topics of interest they may have. Again, this will be followed by public comment and feedback from the other Council members. And, again, in terms of future action, staff will be guided by the discussion.

Town of Ocean Breeze

To: Town Council
From: Mayor Ostrand
Date: February 26, 2020
Re: Discussion for March 9, 2020 Workshop 10-year Future Vision for the Town of Ocean Breeze

Future ideas to make living and serving all are important for our wonderful, growing Town.

These ideas of yours and mine will be discussed only to decide if they should be brought to future Council meetings.

For example:

- Changes in the Charter
- Town Hall
- Promotional Events
- Annexation

These are some of the ideas we would like to discuss.

What are your ideas for a 10-year future vision?

This will be discussion only; no action will be taken.

Thank you!

GENERAL INFORMATION ITEMS

The attached items (i.e.: correspondence, e-mails, reports, etc.) are provided as general information and are not necessarily subject to discussion during this morning's meeting unless Council Members or the Mayor wish to do so.

FYI- Re: Minor PUD Amendment For Docks

townclerk@townofoceanbreeze.org

From: Marcela Cambor <marcela@marcelacambor.com>
Sent: Thursday, May 28, 2020 4:01 PM
To: Terry O'Neil; townclerk@townofoceanbreeze.org
Cc: Chris Walters; Gena May
Subject: Ocean Breeze East PUD Minor Amendment

Dear Mr. O'Neil

Sun Communities wishes to proceed with the minor amendment to the Ocean Breeze East PUD.

The July 13th date discussed works. Assuming openings continue as planned, the community building in the resort should be open.

I will call you to coordinate the review/advertising/etc.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Marcela

Marcela Cambor-Cutsaimanis AICP | Principal
MARCELA CAMBLOR & ASSOCIATES, INC
47 W Osceola St.. #203 - Stuart, FL 34994
Tel: (772) 708.1108

townclerk@townofoceanbreeze.org

From: Terry O'Neil <twoneil@aol.com>
Sent: Monday, June 1, 2020 9:56 AM
To: alannah.irwin@floridadep.gov
Cc: townclerk@townofoceanbreeze.org
Subject: Air quality complaint: Town of Ocean Breeze, Martin County

Dear Ms. Irwin,

I spoke with your colleague, Gloria, on Friday and she suggested that you may be able to address an air quality question. Specifically, we've had some complaints from older residents of the Ocean Breeze Resort that the resort's lawn maintenance crews are habitually blowing dust and other particulates on and into occupied homes. Some of those who've spoken to us advise that they have respiratory health issues. Town staff has not observed the offending conduct directly, but wanted to confirm that your agency has jurisdiction over outside air quality and that you're the right person to consult?

Is the alleged activity a potential violation? Can you tell us about the complaint process?

Look forward to hearing from you.

Regards,

Terry O'Neil
Town of Ocean Breeze
Town Manager
772-486-2190 c

Sent from Mail for Windows 10

FYI



From the office of Laurel Kelly, CFA

May 29, 2020

Town of Ocean Breeze
c/o Pamela Orr, Town Clerk
Post Office Box 1025
Jensen Beach, FL 34958

Re: 2020 Estimated Preliminary Taxable Value - Town of Ocean Breeze

Dear Ms. Orr:

Pursuant to F.S. 200.65(8), the Estimated Taxable Value of the above referenced taxing authority is 42,883,454. This value is an estimation of line 4 on the DR-420 (Current year gross taxable value for operating purposes) that will be certified by July 1.

Please note the values are preliminary and, like every other year, the estimate reflects a work in progress and values will change somewhat.

Although our next report to you is not due until on or about July 1, we will keep you informed on any changes which may affect your budget process.

Respectfully submitted,

Karl Andersson, CFE | Director of Tax Roll & Appraisal Services
Representing Laurel Kelly, CFA | Martin County Property Appraiser
3473 SE Willoughby Blvd. | Suite 101 | Stuart, FL 34994
772.419.5387 work | 772.288.5993 fax
Karl.Andersson@pa.martin.fl.us | www.pa.martin.fl.us



Website: pa.martin.fl.us

Hobe Sound Office
11726 SE Federal Highway
Hobe Sound, FL 33455
(772) 546-1309

Stuart Main Office
3473 SE Willoughby Blvd., Suite 101
Stuart, FL 34994
(772) 288-5608

Indiantown Office
16550 Warfield Blvd.
Indiantown, FL 34956
Call for office hours (772) 288-5608



From the office of Laurel Kelly, CFA

May 30, 2019

Pamela Orr
Town Clerk
Town of Ocean Breeze
Post Office Box 1025
Jensen Beach, FL 34958

Re: 2019 Estimated Preliminary Taxable Value - Town of Ocean Breeze

Dear Ms. Orr:

Pursuant to F.S. 200.65(8), the Estimated Taxable Value of the above referenced taxing authority is 34,834,982. This value is an estimation of line 4 on the DR-420 (Current year gross taxable value for operating purposes) that will be certified by July 1.

Please note the values are preliminary and, like every other year, the estimate reflects a work in progress and values will change somewhat.

Although our next report to you is not due until on or about July 1, we will keep you informed on any changes which may affect your budget process.

Respectfully submitted,

Karl Andersson, CFE | Director of Tax Roll & Appraisal Services
Representing Laurel Kelly, CFA | Martin County Property Appraiser
1111 SE Federal Hwy. | Suite 330 | Stuart, FL 34994
772.419.5387 work | 772.288.5993 fax
Karl.Andersson@pa.martin.fl.us | www.pa.martin.fl.us



Website: pa.martin.fl.us

Hobe Sound Office
11726 SE Federal Highway
Hobe Sound, FL 33455
(772) 546-1309

Stuart Main Office
1111 SE Federal Highway, #330
Stuart, FL 34994
(772) 288-5608

Indiantown Office
16550 Warfield Blvd.
Indiantown, FL 34956
Call for office hours (772) 288-5608

Martin County Sheriff's Office

Title: Development Stats (Reoccurring Report)

Printed on: May 4, 2020 at 1:03 PM

Dist Desc Summary

Dist Desc	Count
OCEAN BREEZE PARK	23
OVERALL Count:	23

OCEAN BREEZE PARK Summary

Call Type Desc	Count
911 TRANSFER	3
COVID-19 COMPLAINT	2
DRUNK PERSON	1
HARASSING/OBSCENE PX CALLS	1
INFORMATION	1
POLICE SERVICE CALL	11
RECKLESS VEHICLE	1
SUSPICIOUS PERSON	2
UNRESPONSIVE 911 CALL	1
OVERALL OCEAN BREEZE PARK Count:	23

OCEAN BREEZE PARK : 911 TRANSFER

Call	Date	Location	Call Type Desc	Dist	Dist Desc
2007723 9	Apr 6, 2020	17 NE INDIAN RIVER DR	911 TRANSFER	3G	OCEAN BREEZE PARK
2008384 2	Apr 13, 2020	3 NE NAUTICAL DR	911 TRANSFER	3G	OCEAN BREEZE PARK
2008766 3	Apr 18, 2020	39 NE NAUTICAL DR	911 TRANSFER	3G	OCEAN BREEZE PARK
911 TRANSFER Count: (3 items)					

OCEAN BREEZE PARK : COVID-19 COMPLAINT

Call	Date	Location	Call Type Desc	Dist	Dist Desc
2007601 5	Apr 4, 2020	NE CIRCLE DR/NE INDIAN RIVER DR; OCEAN BREEZE	COVID-19 COMPLAINT	3G	OCEAN BREEZE PARK
2007653 7	Apr 5, 2020	3000 NE INDIAN RIVER DR; OCEAN BREEZE RESORT	COVID-19 COMPLAINT	3G	OCEAN BREEZE PARK
COVID-19 COMPLAINT Count: (2 items)					

OCEAN BREEZE PARK : DRUNK PERSON

Call	Date	Location	Call Type Desc	Dist	Dist Desc
2009776 5	Apr 30, 2020	98 NE SHOAL DR	DRUNK PERSON	3G	OCEAN BREEZE PARK
DRUNK PERSON Count: (1 items)					

OCEAN BREEZE PARK : HARASSING/OBSCENE PX CALLS

Martin County Sheriff's Office

Title: Development Stats (Reoccurring Report)

Printed on: May 4, 2020 at 1:03 PM

Call	Date	Location	Call Type Desc	Dist	Dist Desc
2009379 9	Apr 25, 2020	297 NE COASTAL DR	HARASSING/OBSCE NE PX CALLS	3G	OCEAN BREEZE PARK
HARASSING/OBSCENE PX CALLS Count: (1 items)					

OCEAN BREEZE PARK : INFORMATION

Call	Date	Location	Call Type Desc	Dist	Dist Desc
2008021 0	Apr 9, 2020	270 NE COASTAL DR	INFORMATION	3G	OCEAN BREEZE PARK
INFORMATION Count: (1 items)					

OCEAN BREEZE PARK : POLICE SERVICE CALL

Call	Date	Location	Call Type Desc	Dist	Dist Desc
2007767 4	Apr 6, 2020	3000 NE INDIAN RIVER DR; OCEAN BREEZE RESORT	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2007914 1	Apr 8, 2020	3000 NE INDIAN RIVER DR; OCEAN BREEZE RESORT	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2007916 7	Apr 8, 2020	NE INDIAN RIVER DR/NE OCEAN BREEZE DR; OCEAN BREEZE	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2008098 9	Apr 10, 2020	NE CIRCLE DR/NE INDIAN RIVER DR; OCEAN BREEZE	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2008112 9	Apr 10, 2020	3000 NE INDIAN RIVER DR; OCEAN BREEZE RESORT	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2009015 0	Apr 21, 2020	3000 NE INDIAN RIVER DR #179; OCEAN BREEZE RESORT	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2009035 1	Apr 21, 2020	NE CIRCLE DR/NE INDIAN RIVER DR; OCEAN BREEZE	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2009137 1	Apr 22, 2020	NE INDIAN RIVER DR/NE OCEAN BREEZE DR; OCEAN BREEZE	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2009303 5	Apr 24, 2020	NE CIRCLE DR/NE INDIAN RIVER DR; OCEAN BREEZE	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2009677 6	Apr 29, 2020	NE CIRCLE DR/NE INDIAN RIVER DR; OCEAN BREEZE	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
2009736 1	Apr 29, 2020	3000 NE INDIAN RIVER DR #254; OCEAN BREEZE RESORT	POLICE SERVICE CALL	3G	OCEAN BREEZE PARK
POLICE SERVICE CALL Count: (11 items)					

OCEAN BREEZE PARK : RECKLESS VEHICLE

Call	Date	Location	Call Type Desc	Dist	Dist Desc
2008214 9	Apr 11, 2020	NE INDIAN RIVER DR/NE OCEAN BREEZE DR; OCEAN BREEZE	RECKLESS VEHICLE	3G	OCEAN BREEZE PARK
RECKLESS VEHICLE Count: (1 items)					

OCEAN BREEZE PARK : SUSPICIOUS PERSON

Call	Date	Location	Call Type Desc	Dist	Dist Desc
2007653 6	Apr 5, 2020	27 NE NAUTICAL DR	SUSPICIOUS PERSON	3G	OCEAN BREEZE PARK
2007834 6	Apr 7, 2020	3000 NE INDIAN RIVER DR; OCEAN BREEZE RESORT	SUSPICIOUS PERSON	3G	OCEAN BREEZE PARK
SUSPICIOUS PERSON Count: (2 items)					

OCEAN BREEZE PARK : UNRESPONSIVE 911 CALL

Martin County Sheriff's Office

Title: Development Stats (Reoccurring Report)

Printed on: May 4, 2020 at 1:03 PM

Call	Date	Location	Call Type Desc	Dist	Dist Desc
2009610 6	Apr 28, 2020	NE CIRCLE DR/NE INDIAN RIVER DR;@ OCEAN BREEZE	UNRESPONSIVE 911 CALL	3G	OCEAN BREEZE PARK
UNRESPONSIVE 911 CALL Count: (1 items)					



ÉlanCité



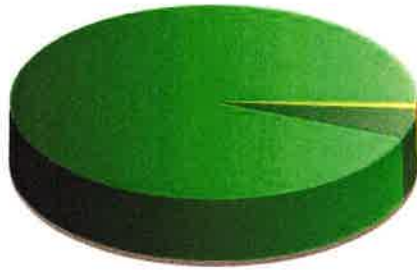
DÉTECTER • INFORMER • SÉCURISER

Start date: Wednesday, January 1, 2020 3:30 PM
End date: Tuesday, March 31, 2020 12:00 PM

Location:

Comments:

Incoming vehicles



■	<= 25 Mph : 402,358 - (93.93 %)
■	26 - 30 Mph : 21,655 - (5.06 %)
■	31 - 35 Mph : 3,859 - (0.90 %)
■	36 - 40 Mph : 377 - (0.09 %)
■	41 - 45 Mph : 87 - (0.02 %)
■	46 - 65 Mph (et +) : 42 - (0.01 %)

Start date: Wednesday, January 1, 2020 3:30 PM
End date: Tuesday, March 31, 2020 12:00 PM

Location:

Comments:

Start date: Wednesday, January 1, 2020 3:30 PM
End date: Tuesday, March 31, 2020 12:00 PM

Location:

Comments:

ÉlanCité



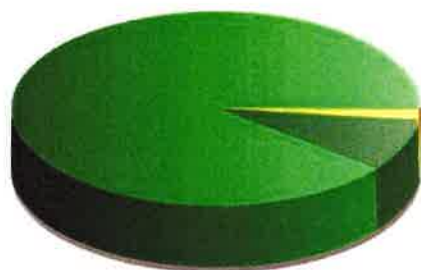
DÉTECTER • INFORMER • SÉCURISER

Start date: Wednesday, January 1, 2020 2:30 PM
End date: Tuesday, March 31, 2020 12:00 PM

Location:

Comments:

Incoming vehicles



≤ 25 Mph	: 414,133	- (89.39 %)
26 - 30 Mph	: 40,589	- (8.76 %)
31 - 35 Mph	: 8,030	- (1.73 %)
36 - 40 Mph	: 452	- (0.10 %)
41 - 45 Mph	: 49	- (0.01 %)
46 - 65 Mph (et +)	: 26	- (0.01 %)

Start date: Wednesday, January 1, 2020 2:30 PM
End date: Tuesday, March 31, 2020 12:00 PM

Location:

Comments:

Start date: Wednesday, January 1, 2020 2:30 PM
End date: Tuesday, March 31, 2020 12:00 PM

Location:

Comments:

FYI ONLY - appears to be a Sun Community issue

townclerk@townofoceanbreeze.org

From: sbsokel <sbsokel@comcast.net>
Sent: Wednesday, May 27, 2020 8:46 PM
To: Lrumer@suncommunities.com
Subject: Safety at Ocean Breeze

Cathy, I would be happy to assist in whatever way to ensure that what happened last weekend doesn't occur again. This is my home town and I live/own here permanently. To not have the appropriate control over such a situation, or to ignore the rights of our residents by not providing the proper employment of persons who can enforce the rules is not acceptable. A holiday weekend, or any weekend, that sees an influx of renters requires that top level personnel be present and involved in keeping the peace.

Sue Sokel

175 NE Portside Dr

772-208-5260

Sue Sokel

*Make you the world
a bit better or more beautiful
because you have lived in it.*

Eduard W Bok



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From: Cathy Berry <cathy.berry57@gmail.com>
Sent: Wednesday, May 27, 2020 1:06 PM
To: townclerk@townofoceanbreeze.org
Subject: letter to Lori Rumer regarding Ocean Breeze Resort

Lori,

I am a homeowner in Ocean Breeze Florida. I am writing you because we are getting no where with our safety concerns for issues that keep cropping up around every holiday.

Our beautiful amenities and especially our pool/hot tub opened two years ago. Since then we have had issues with under staff or in some cases no staff to monitor the facility. Specifically the pool rules/regulations which includes non residents coming and going, infants in the hot tub, glass bottles in and around in the pool and unruly guests not asked to leave the property.

Since the shut down because of the Covid 19 virus, we in the 55+ Community have done a great job of self isolating, keeping our distance, in spite of Sun allowing RV's to continue to rolling in.

We got passed that. For the most part the new RVers kept to themselves with everything being shut down.

With the lifting of some restricting from the governor of Florida, our pool was opened last week with continued rules, two chairs per tables, lounge chairs spaced 6 feet apart, no chairs at the bar etc and everyone in here, homeowners, annual and seasonal RVers abided by these new rules.

This past Memorial weekend, our pool was overrun by weekend campers not following the rules and regulations which is a huge safety concern for all of us. But not surprised with a \$60 (and in some cases \$30) a night you can only imagine what type of people that were here in our beautiful "5 star" resort.) following the rules and regulations which is a huge safety concern for us.

I have gone to local management numerous times. We sit we talk but nothing gets done.

This past weekend was the breaking point for many of us.

We need management that will look out for the best interest of the homeowners and the investment Sun has made into this resort. Our home.

Sincerely,

Cathy Berry
46 NE Driftwood Dr
Ocean Breeze

From: tbanks1@bellsouth.net
Sent: Wednesday, May 27, 2020 1:27 PM
To: townclerk@townofoceanbreeze.org
Subject: Fw: Memorial Day Weekend

Thomas Banks

[954-253-7414](tel:954-253-7414)

Sent from my LG V30, an AT&T 5G Evolution capable smartphone

----- Original message-----

From: tbanks1@bellsouth.net
Date: Wed, May 27, 2020 12:42 PM
To: Gena May;
Cc:
Subject: Re: Memorial Day Weekend

First of all, the railings should have been taken care of over a year go with out checklist and should not have been an issue for the attorney. Secondly, I am already working on the leaking roof which was just another ongoing aggrevation. Finally, reference the issues over the past weekend, who would have done anything concerning any of it. They ignored the Ocean Breeze staff and talked to them very rudely. They came here because of a poor decision made by Sun Staff. You can agree or disagree with all of this. At this point, I no longer care. During last year with the hurricane I kept trespassers out of the park because I cared and there was nobody here. Rest assurd, there will be law suits when something happens hear that affects a homeowner and/or camper and Sun will pay heavily. As for me, I am turning everything over to our new law firm that handles these things directly no matter what the cost. I have had enouth!

Thomas Banks

[954-253-7414](tel:954-253-7414)

<div dir="auto" font-size:9pt;"=" ">Sent from my LG V30, an AT&T 5G Evolution capable smartphone</div >

----- Original message-----

From: Gena May
Date: Wed, May 27, 2020 11:48 AM
To: tbanks1@bellsouth.net;
Cc: Chris Walters;Gena May;
Subject: RE: Memorial Day Weekend

Mr. Banks,

If you have a roof leak that is part of your home warranty, please let Kevin know if you need assistance in getting that looked at. He will be more than happy to assist you.

If you are speaking of the handrail concern, that was all put on hold due to the initial attorney you had working your behalf. He had put this item as part of the "agreement" which made us put the matter on hold. Chris is copied on this email, so he will speak to Kevin about getting that rail replaced. If you have any questions regarding that matter, please feel free to reach out to Kevin.

I have spoken to several folks now regarding their concerns over a couple of guests this past holiday weekend. Two of your pictures I have already seen. Adults that choose to have their infant child with them at the hot tub is not something that is breaking the rules or the law. It's poor judgment for sure, something I would have never considered doing for the welfare of the child. However, we can't be the moral police and can only enforce the rules of law as written.

The picture of people walking across the back of a home was a new picture for us. We don't recognize the group, and assure you had someone reported the matter quickly to us, we would have easily addressed. We certainly don't condone the behavior, but need quick reports of these type matters if we are to properly address the situation.

With that said, I've already spoken to Chris and Cindy, and we are taking everyone's concerns to heart to ensure going forward we have a couple more folks working the pool area on holiday weekends. We want everyone to enjoy their amenities.

Respectfully,

Gena May

<p class="MsoNormal">Regional Vice President

Sun Communities

From: tbanks1@bellsouth.net <tbanks1@bellsouth.net>

Sent: Wednesday, May 27, 2020 10:08 AM

To: Gena May <gmay@suncommunities.com>

Subject: Memorial Day Weekend

EXTERNAL EMAIL - Verify sender before opening links or attachments!

Here are some pictures from this past weekend just in case you did not see them. I am still dealing with issues with my home because of JD Simmerman, items not corrected from my checklist from 2018, and now a roof leak. This past weekend was the final straw. I have been in contact with another legal firm that handles civil litigation. My previous lawyer was my law enforcement law firm and does not handle these types of cases. I have attached pictures from the hot tub and campers trespassing on homeowners

property and children jumping over bushes. If you check the cameras, I am sure you will see a lot more. I just wanted to enjoy my retirement and my new home. Not the case for my wife and I. We even have health issues related to all of this!

Thomas Banks

954-253-7414

Sent from my LG V30, an AT&T 5G Evolution capable smartphone

</p>

From: tbanks1@bellsouth.net
Sent: Wednesday, May 27, 2020 1:26 PM
To: townclerk@townofoceanbreeze.org
Subject: Fw: Memorial Day Weekend
Attachments: FB_IMG_1590376322381.jpg; FB_IMG_1590376343923.jpg; FB_IMG_1590376413113.jpg; FB_IMG_1590376421640.jpg

Thomas Banks

954-253-7414

Sent from my LG V30, an AT&T 5G Evolution capable smartphone

----- Original message-----

From: tbanks1@bellsouth.net

Date: Wed, May 27, 2020 10:07 AM

To: Gena May;

Cc:

Subject: Memorial Day Weekend

Here are some pictures from this past weekend just in case you did not see them. I am still dealing with issues with my home because of JD Simmerman, items not corrected from my checklist from 2018, and now a roof leak. This past weekend was the final straw. I have been in contact with another legal firm that handles civil litigation. My previous lawyer was my law enforcement law firm and does not handle these types of cases. I have attached pictures from the hot tub and campers trespassing on homeowners property and children jumping over bushes. If you check the cameras, I am sure you will see a lot more. I just wanted to enjoy my retirement and my new home. Not the case for my wife and I. We even have health issues related to all of this!

Thomas Banks

954-253-7414

Sent from my LG V30, an AT&T 5G Evolution capable smartphone

From: Sara Herr <SHerr@suncommunities.com>
Sent: Wednesday, April 8, 2020 10:42 AM
To: 'townclerk@townofoceanbreeze.org'
Cc: Gena May
Subject: Attendance at Monthly Meetings



April 1, 2020

Town of Ocean Breeze
Mr. Kenneth De Angeles, Town Council President
P.O. Box 1025
Jensen Beach, FL 34958

RE: Letter dated March 4, 2020
Attendance at Monthly Meetings

Dear Mr. De Angeles:

Thank you for reaching out to me regarding this matter.

We will always have a representative present should we have an item on the agenda. We may have our Resort Manager sit in from time to time depending upon his schedule, but certainly not now with the virus threat. We are asking all our folks to take every precaution to stay safe.

Respectfully,

A handwritten signature in black ink that reads "Nick DiBella". The signature is fluid and cursive.

Nick DiBella
Senior Vice President
Sun RV Resorts

CC: Gena May, Regional Vice President

Sara Herr

Regional Administrative Assistant

Sun Communities, Inc.

27777 Franklin Road, Suite 200

Southfield, MI 48034

(248) 864-0189

sherr@suncommunities.com

COMMITMENT * INTENSITY * EMPOWERMENT * ACCOUNTABILITY * SERVICE



Town of Ocean Breeze

May 30, 2019

Mr. Tom O'Branovic
Senior Vice-President
Sun Communities
27777 Franklin Road
Suite 200
Southfield, MI 48034

Dear Mr. O'Branovic:

I am writing on behalf of the Ocean Breeze Town Council to let Sun Communities know that attendance by a Sun representative at our Town Council meetings is always welcome, if not encouraged. That said, we certainly recognize that attendance at our meetings is entirely at Sun's discretion. Whatever your decision, please be assured that the Town will continue to provide any and all public records you request in a timely manner.

Sincerely Yours,

Kenneth De Angeles
Town Council President

cc: Karen Ostrand, Mayor
Town Council
Gena May, Regional VP, Sun Communities
Chris Walters, General Manager Sun Communities
Terry O'Neil, Town Manager

From: Cotner, Kate <Kate.Cotner@fpl.com>
Sent: Friday, March 13, 2020 12:34 PM
To: townclerk@townofoceanbreeze.org
Subject: RE: Status of wire tied to a tree

Good afternoon,

Our team did an onsite meeting with the owner two or so weeks ago. We discussed options and the owner was pleased with the plan to move forward.

With this said, we are currently waiting on AT&T to help remove some of its old equipment so we can install a pole in a new location. Our team emailed them again today to get an estimate on when the equipment will be removed.

Thank you, and I hope you are having a great Friday!

Kate

Kate P. Cotner
Senior External Affairs Advisor
Florida Power & Light Company
Mobile: 772-214-7438
Office: 561-304-5913
Email: kate.cotner@fpl.com
Website: <http://www.fpl.com>

From: townclerk@townofoceanbreeze.org <townclerk@townofoceanbreeze.org>
Sent: Thursday, February 27, 2020 11:51 AM
To: Cotner, Kate <Kate.Cotner@fpl.com>
Subject: Status of wire tied to a tree

Caution - External Email (townclerk@townofoceanbreeze.org)

[Report This Email](#) [Tips](#)

Hi Kate:

I trust all is well. I am writing to follow-up on the wire that is tied to a tree in Ocean Breeze. Could you please give us an update?

Thank you!

Pam Orr
Town Clerk



Town of Ocean Breeze
P. O. Box 1025
Jensen Beach, FL 34957
772-334-6826 office
772-224-6822 fax

FyI

townclerk@townofoceanbreeze.org

From: Lisa Wichser <lwichser@martin.fl.us>
Sent: Friday, May 29, 2020 11:25 AM
To: Kristen L Northup
Cc: Karl K Albertson; Keith Francis Xavier Leonard; Gary W Brunk;
townclerk@townofoceanbreeze.org
Subject: RE: [External] RE: Resident issue

Kristen,

Have you requested assistance from FPL? If the FPL lines are intertwined in the tree, perhaps FPL has a mechanism in which they can trim the tree for safety reasons?

Lisa A. Wichser, P.E., CFM
County Engineer
Public Works Department
Martin County Board of County Commissioners
772-223-7945 (office)

From: Kristen L Northup <KLNorthup@drhorton.com>
Sent: Friday, May 29, 2020 10:38 AM
To: Lisa Wichser <lwichser@martin.fl.us>
Cc: Karl K Albertson <kkalbertson@drhorton.com>; Keith Francis Xavier Leonard <KFLeonard@drhorton.com>; Gary W Brunk <gwbrunk@drhorton.com>; townclerk@townofoceanbreeze.org
Subject: RE: [External] RE: Resident issue



Good morning Lisa! I think the biggest challenge is that the top branches are intertwined in the FPL lines. Otherwise we would have yanked it at trunk level and simply dragged it away. That's where we need the bucket truck so we can reach over his property to cut the top branches down. I believe we are scheduled for next Wednesday to try it again. We will keep you apprised every step of the way tho... thank you for your continued support on this and of course if there's anything you want us to be doing please let us know that as well! Thank you have a good day!

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Lisa Wichser <lwichser@martin.fl.us>
Date: 5/29/20 9:41 AM (GMT-05:00)
To: Kristen L Northup <KLNorthup@drhorton.com>
Cc: Karl K Albertson <kkalbertson@drhorton.com>, Keith Francis Xavier Leonard <KFLeonard@drhorton.com>, Gary W Brunk <gwbrunk@drhorton.com>, townclerk@townofoceanbreeze.org
Subject: RE: [External] RE: Resident issue

Thanks Kristen. Is there anyway that the tree can be removed without encroaching on Mr. Richmond's property, either on-foot or aerially? We don't know what law Mr. Richmond could ask the Sherriff's Office to enforce if sawdust fell on his property. If not, could the fence be shifted south of the tree to avoid further conflict with Mr. Richmond?

Lisa A. Wichser, P.E., CFM
County Engineer
Public Works Department
Martin County Board of County Commissioners
772-223-7945 (office)

From: Kristen L Northup <KLNorthup@drhorton.com>

Sent: Wednesday, May 27, 2020 1:24 PM

To: Lisa Wichser <lwichser@martin.fl.us>; townclerk@townofoceanbreeze.org

Cc: Karl K Albertson <kkalbertson@drhorton.com>; Keith Francis Xavier Leonard <KFLeonard@drhorton.com>; Gary W Brunk <gwbrunk@drhorton.com>

Subject: RE: [External] RE: Resident issue



Good afternoon Lisa,

Hope you are doing well!

Thank you, and yes we agree with your assessment below.

Since February, fortunately or unfortunately, nothing has transpired. We've attempted 3 times to cut down the tree, and he's kicked us off his property every time.

The latest time, which was just a couple weeks ago, we even rented a bucket truck to reach the overhanging branches, and he said if any saw dust fell in his yard, he was calling the sheriff, so the crew left.

We recently had an internal meeting, and are going to attempt again, and rent an AWD bucket truck again, but perhaps we bring the sheriff with us, or perhaps Martin Cty. can assist?

We are trying to be good neighbors....we are (or have) installing "homeowner selected landscaping" for just about every resident on South St., that abuts our community. We meet with all the neighbors and listen to their concerns and attempt to come to solutions that work for both. But this particular resident, we cannot seem to please.

Thanks Lisa and please let us know if there's anything additional you'd like us to be doing with this....

Have a wonderful day!

P.S. did anything ever come of code enforcement visiting the premises?



Kristen L. Northup
Entitlements Manager

Southeast Florida Division
6123 Lyons Road, Coconut Creek, Florida 33073
o: 954.949.3000 x 4261

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From: Lisa Wichser <lwichser@martin.fl.us>
Sent: Wednesday, May 27, 2020 11:55 AM
To: Kristen L Northup <KLNorthup@drhorton.com>; Gary W Brunk <gwbrunk@drhorton.com>
Cc: Karl K Albertson <kkalbertson@drhorton.com>; townclerk@townofocceanbreeze.org; Keith Francis Xavier Leonard <KFLeonard@drhorton.com>
Subject: [External] RE: Resident issue

Hi Kristen,

Mr. Richmond called the Commissioner's Office again yesterday. Here's what I sent the Commissioner on February 28th:

I received a voice message from Tony Richmond on Wednesday. He lives at 1592 NE South Street in Jensen Beach. His message simply indicated that DR Horton was "in his back yard." I contacted the Town of Ocean Breeze to see if they had any information to share. They indicated that Mr. Richmond contacted the Clerk's Office to claim:

- Water is still draining into his backyard
- The silt fence has been down
- There is tree debris from removal of a tree
- There is no seed or sod on the lots, which was discussed in October last year

I contacted DR Horton. A representative visited the County Administrative Center yesterday. A viewed a video of the work on the lots adjacent to his property.

- There is a an existing hill that straddles the two properties. DR Horton has graded on the Ocean Breeze side of hill, but this does not appear to add any runoff onto Mr. Richmond's property.
- There are two silt fences set five feet apart. The outside fence is up and functioning. A small segment of the inside fence was down and DR Horton said they would reset that portion of the fence yesterday.
- There is a tree on the Ocean Breeze property that DR Horton is planning to remove, however the tree has grown so that portion of the canopy overhangs Mr. Richmond's property. DR Horton has asked Mr. Richmond for access to his property to gain access to the upper canopy and safely remove the tree. The tree root and trunk are in Ocean Breeze. Mr. Richmond has declined access to DR Horton.
- DR Horton is constructing a white opaque fence along the property line between the Town and Martin County. The tree is in line with the fence. Once the tree is removed, DR Horton will complete the fence and sod the cleared Ocean Breeze property.

I understand that Mr. Richmond has also called the Commissioner's office. If you could relay this information to Mr. Richmond, I'd appreciate it. The way I see it, Mr. Richmond needs to cooperate with DR Horton to allow removal of the tree, which will allow for DR Horton to complete the construction of the fence and sod the adjacent property.

Please let me know if you need further clarification. Thank you.

He seems to be reiterating the same concerns as before. Could you let me know what progress has been made since February? I'd certainly appreciate it. I'll send an Engineering Inspector out to take a look as well. Thanks in advance.

Lisa A. Wichser, P.E., CFM
County Engineer
Public Works Department
Martin County Board of County Commissioners
772-223-7945 (office)

From: Lisa Wichser
Sent: Wednesday, February 26, 2020 4:56 PM
To: Kristen L Northup <KLNorthup@drhorton.com>; Gary W Brunk <gwbrunk@drhorton.com>
Cc: Karl K Albertson <kkalbertson@drhorton.com>; townclerk@townofoceanbreeze.org; Michael Uhazie <muhazie@martin.fl.us>; Keith Francis Xavier Leonard <KFLeonard@drhorton.com>
Subject: RE: Resident issue

Thanks for your help.

Lisa A. Wichser, P.E., CFM
County Engineer
Public Works Department
Martin County Board of County Commissioners
772-223-7945 (office)

From: Kristen L Northup <KLNorthup@drhorton.com>
Sent: Wednesday, February 26, 2020 4:52 PM
To: Gary W Brunk <gwbrunk@drhorton.com>; Lisa Wichser <lwichser@martin.fl.us>
Cc: Karl K Albertson <kkalbertson@drhorton.com>; townclerk@townofoceanbreeze.org; Michael Uhazie <muhazie@martin.fl.us>; Keith Francis Xavier Leonard <KFLeonard@drhorton.com>
Subject: RE: Resident issue



Hi Lisa, I will also be up in the area tomorrow and will report back. I'm also coming to Growth Mgmt to pick up a bond, so perhaps I can come speak with you, if you have time? Thanks!



Kristen L. Northup
Entitlements Manager

Southeast Florida Division
6123 Lyons Road, Coconut Creek, Florida 33073
o: 954.949.3000 x 4261

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From: Gary W Brunk
Sent: Wednesday, February 26, 2020 4:43 PM
To: Lisa Wichser <lwichser@martin.fl.us>
Cc: Karl K Albertson <kkalbertson@drhorton.com>; Kristen L Northup <KLNorthup@drhorton.com>; townclerk@townofoceanbreeze.org; Michael Uhazie <muhazie@martin.fl.us>; Keith Francis Xavier Leonard <KFLeonard@drhorton.com>
Subject: RE: Resident issue

I have not been out to the job site to see this personally. Let me get some details and I will respond tomorrow.

Keith, will you please see below and respond?

Thank You,



Gary W. Brunk
Operations Manager

D.R. HORTON
6123 Lyons Road Coconut Creek, FL 33073
o: 954 949-3033 m: 904 626-4572

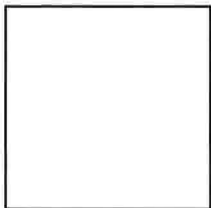
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From: Lisa Wichser <lwichser@martin.fl.us>
Sent: Wednesday, February 26, 2020 4:35 PM
To: Gary W Brunk <gwbrunk@drhorton.com>
Cc: Karl K Albertson <kkalbertson@drhorton.com>; Kristen L Northup <KLNorthup@drhorton.com>;
townclerk@townofoceanbreeze.org; Michael Uhazie <muhazie@martin.fl.us>
Subject: RE: Resident issue

Thanks. Can you tell me whether you agree that water is entering his property, that the silt fence is down, and that the lots are not stabilized with seed or sod? If you do agree, can you give me a timeframe for when the concerns will be addressed?

Lisa A. Wichser, P.E., CFM
County Engineer
Public Works Department
Martin County Board of County Commissioners
772-223-7945 (office)

From: Gary W Brunk <gwbrunk@drhorton.com>
Sent: Wednesday, February 26, 2020 4:02 PM
To: Lisa Wichser <lwichser@martin.fl.us>
Cc: Karl K Albertson <kkalbertson@drhorton.com>; Kristen L Northup <KLNorthup@drhorton.com>;
townclerk@townofoceanbreeze.org; Michael Uhazie <muhazie@martin.fl.us>
Subject: Re: Resident issue



Our land development manager will be calling him tomorrow and has been in touch with him for sometime now. It is my understanding that we have attempted to address some issues and Mr. Richmond is not allowing us to.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Lisa Wichser <lwichser@martin.fl.us>

Date: 2/26/20 3:58 PM (GMT-05:00)

To: Gary W Brunk <gwbrunk@drhorton.com>

Cc: Karl K Albertson <kkalbertson@drhorton.com>, Kristen L Northup <KLNorthup@drhorton.com>, townclerk@townofoceanbreeze.org, Michael Uhazie <muhazie@martin.fl.us>

Subject: FW: Resident issue

Gary,

Mr. Richmond called me to talk about the work you are doing "in his back yard." Before I return his call, I'd like to know your position on the issues he raised with the Town as I suspect he wants me to assist him in getting them resolved. Your prompt response would be much appreciated.

Respectfully,

Lisa A. Wichser, P.E., CFM

County Engineer

Public Works Department

Martin County Board of County Commissioners

772-223-7945 (office)

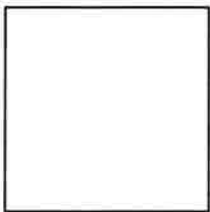
From: townclerk@townofoceanbreeze.org <townclerk@townofoceanbreeze.org>

Sent: Wednesday, February 26, 2020 3:48 PM

To: Lisa Wichser <lwichser@martin.fl.us>

Cc: townclerk@townofoceanbreeze.org

Subject: FW: Resident issue



Lisa,

Forwarding the email Pam sent today on Mr. Richmond's behalf to Gary Brunk, Construction Supervisor with DR Horton...

Thank you for your help,

Kim

Assistant to Pam Orr, Town Clerk

Bookkeeping

Pam Orr
Town Clerk



Town of Ocean Breeze
P. O. Box 1025
Jensen Beach, FL 34957
772-334-6826 office
772-334-6823 fax
townofoceanbreeze.org

Please make note of our new email address.

From: townclerk@townofoceanbreeze.org <townclerk@townofoceanbreeze.org>
Sent: Wednesday, February 26, 2020 2:32 PM
To: 'Gary W Brunk' <gwbrunk@drhorton.com>
Cc: 'Karl K Albertson' <kkalbertson@drhorton.com>
Subject: Resident issue

Hi Gary:

I received a call from the homeowner at 1592 NE South Street stating the following:

Water is still draining into his backyard
The silt fence has been down
Tree debris from removal of a tree
No seed or sod on the lots which was discussed in October last year

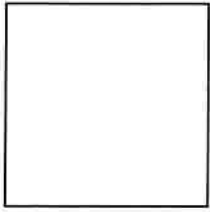
Thank you for addressing these issues with Mr. Richmond, his cell phone number is 772-285-8286 and his home number is 772-334-5995.

Pam Orr
Town Clerk



Town of Ocean Breeze
P. O. Box 1025
Jensen Beach, FL 34957
772-334-6826 office
772-334-6823 fax
townofoceanbreeze.org

Please make note of our new email address.



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