

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

November 8, 2021, 10:30 am
Ocean Breeze Resort Clubhouse Pineapple Bay Room
700 NE Seabreeze Way, Ocean Breeze, FL

***PLEASE TURN OFF CELL PHONES –
SPEAK DIRECTLY INTO MICROPHONE***

- 1. Call to Order, President De Angeles**
 - Pledge of Allegiance
 - Roll Call
- 2. Approval of Minutes –**
 - Budget Workshop, Monday, July 20, 2021
 - Regular Meeting, Monday, October 11, 2021
(Motion, second, all in favor)
- 3. Announcement of Election Results –** Town Clerk, Pam Orr or Maria Pierce, Assistant to Town Clerk
- 4. Oath of Office –** Rick Crary, Town Attorney
 - William “Bill” Arnold, Council Member
 - Kenneth De Angeles, Council Member
 - Kevin Docherty, Council Member
- 5. Selection of Council President and Vice President; and Review of Board and Agency Memberships**
- 6. Comments from the public on topics not on the Agenda**
- 7. Comments from the Council on topics not on the Agenda**
- 8. Comments from Town Management Consultant Terry O’Neil**
- 9. Comments from Mayor Ostrand**
- 10. Announcements –** Regular Town Council Meeting – Monday, December 13, 2021 at 10:30 am to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze
- 11. Adjourn** (Motion, second, all in favor)

TOWN OF OCEAN BREEZE
MINUTES TOWN COUNCIL BUDGET WORKSHOP
AND SETTING OF TENTATIVE MILLAGE RATE
Tuesday, July 20, 2021, 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 – Mayor Karen M. Ostrand, President Kenneth De Angeles, Vice-President Richard Gerold, Council Members Kevin Docherty and David Wagner
Absent: Council Members Bill Arnold and Terry Locatis
- Staff Present – Town Management Consultant, Terry O’Neil; Town Attorney, Rick Crary, Town Clerk, Pam Orr, Bookkeeper/Clerical Assistant, Kim Stanton, Town Financial Advisor, Holly Vath

2. Budget Workshop – Budget & Tentative Ad Valorem Millage Rate for Fiscal Year 2021/2022 – Holly Vath, Town Financial Advisor – President De Angeles introduced the Town Financial Advisor, Holly Vath, and stated that all questions were to be held until after her presentation.

Ms. Vath provided the Council with budget documents and worksheets to be used to develop the preliminary ad valorem rate. She reviewed the Summary of Budget Changes and explained the recommended ad valorem millage rate for fiscal year 2021/2022.

President De Angeles asked the Mayor and the Council for questions regarding the proposed budget and the tentative ad valorem millage rate for fiscal year 2021/2022.

Mayor Ostrand asked if the Council travel budget for each member could be shared amongst fellow Council Members.

Vice-President Gerold asked the following questions:

- What was the status of the Town’s health insurance for the employees?
- What was the status of the ½ cent sales tax?
- Why did the Auditor’s fee go down?
- Was the Town canceling the \$23,000 special project?
- To have the three options for the millage rate explained.
- If the Town Council could revote on the feasibility study for \$5,000 when all Council present?

Council Member Gerold stated that he felt the Council travel expense budget should not be shared between fellow Council Members.

Councilmember Docherty asked what the status of the Town’s health insurance was for the employees and if the Town was to adopt the \$2.00 millage rate, what would be the tax rate for the residents at Seawalk.

Vice President Gerold asked Ms. Vath to explain how the revenue from the Seawalk permits was spent.

President De Angeles asked the public for questions regarding the proposed budget and the tentative ad valorem millage rate for fiscal year 2021/2022.

Craig Bisset, resident of Seawalk, asked about the \$23,000 special project line item and asked what streets were maintained by the Town.

Seawalk resident, Liz Reece, asked what services were provided by the Town.

Cathy Berry, Ocean Breeze Resort, questioned why the Town was spending \$5,000 to study a City Hall when the Town can use the Ocean Breeze Resort clubhouse for their meetings.

President De Angeles asked if there were any more questions. There were none.

Town Clerk, Pam. Orr, read the first question regarding the Council's travel budget.

Town Manager, Terry O'Neil, stated that 3 – 4 budget years ago, Council set a policy and dollar amount for each position. He continued that the current policy also allowed Council to approve, at a regular meeting, the ability to shift travel budget monies from one Council Member's and/or Mayor's travel budget to another. He also stated that if Council wanted to change the policy, Council would need to revisit this at a future meeting.

Vice-President Gerold asked that the current Travel Budget policy be revisited prior to adopting the proposed budget.

Town Clerk, Pam Orr, read the question about the Employee's Health Insurance.

Town Manager, Mr. O'Neil provided the history of the health insurance and explained that with the staffing changes, the employees no longer needed the Town to provide health insurance; which provided a cost savings to the Town, and salaries were adjusted accordingly.

Town Clerk, Pam Orr, read the question regarding the cost of the Audit decreasing.

Town Financial Advisor, Holly Vath, explained the Town did a Request For Proposal (RFP) for audit services. She explained that a new firm was selected and approved by the Council and the auditing services fee was now less.

Town Clerk, Pam Orr, read the question regarding canceling or keeping the special projects line item.

Ms. Vath, explained that there were three items budgeted in the special project line item – the rewrite of the Code of Ordinances was \$13,000, \$5,000 was budgeted for digitizing the Town's documents and \$5,000 was budgeted for the feasibility study for a new Town Hall.

Town Clerk, Pam Orr, read the question requesting Ms. Vath review the options for the millage rate as well as the cost from the reserves for the 2.20 millage rate.

Ms. Vath explained three options proposed in the millage rate and the cost from the reserves coinciding with each option. She also explained how the millage rates were calculated.

Town Clerk, Pam Orr, read the question regarding the feasibility study.

Mayor Ostrand explained the benefits of having a Town Hall. Town Manager, Mr. O'Neil stated that per the PUD West agreement, the Town had permission to use the Pineapple Bay Room for Town meetings.

President De Angeles asked what the need for a Town Hall would be once all the development was completed. Mayor Ostrand explained that a Town Hall would allow citizens and businesses to have functions without having to request permission from Sun Communities; along with staff having adequate office space. Vice-President Gerold asked if the Town had looked at the possibility of placing walls in the current Town office. Town Manager, Mr. O'Neil stated that the options of walls inside the Town office had not been considered.

Council member Wagner asked about the Town's cyber security. Town Manager, Mr. O'Neil confirmed that the Town was protected and stated the Town's exposure was very low given the Town's demographics. Town Clerk, Pam Orr, explained that she contacted Council Members when there were phishing or spam emails sent with directions not to reply or open attachments.

Council member Dougherty asked if the feasibility study for the Town Hall was limited to within the Town of Ocean Breeze. President De Angeles remarked that Vice-President Gerold requested that the feasibility study be discussed at a future Town Council meeting when all Council members were present.

Town Clerk, Pam Orr, read the question regarding a millage rate of 2.00 and the amount the Seawalk residents would pay in property taxes.

Town Financial Advisor, Holly Vath gave an example, stating that a millage rate of 2.00 with a home valued at \$350,000 with a \$50,000 exemption would cost a Seawalk resident taxes to the Town of approximately \$600.00 a year. She commented that at the current millage rate of 3.08 it costs Seawalk residents \$924.00 a year for a home valued at \$300,000. She continued that with the millage rate of 1.80, the annual taxes for the same home would be \$540.00 a year.

Seawalk residents asked what services were provided by the Town for the property taxes paid. Discussion ensued regarding the services provided by the Town.

Mayor Ostrand explained that the Town did not own any property and that the Town was a municipality with their own resolutions, laws, and permitting. Vice-President Gerold stated that the Town did not pay for the street lights in Ocean Breeze Resort, but did pay for the street lights in the Town along Indian River Drive. Discussion ensued regarding the Town services and the options upon build out.

Ms. Orr asked if anyone had any other questions regarding the special projects. A brief discussion ensued about the \$13,000 code re-write.

Ms. Orr stated there were no further questions to be answered regarding the proposed budget.

President De Angeles asked if there were any other questions from the audience.

Seawalk residents asked if the Town could assist with getting a left hand turn out of the Publix parking lot onto Skyline Drive.

Town Management Consultant, Mr. O'Neil stated that the Town could coordinate with the Plaza and possibly advocate to the County for a change to that intersection.

3. Resolution #313-2021 - A RESOLUTION OF THE TOWN OF OCEAN BREEZE, FLORIDA, DETERMINING A TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2021/2022 AND PROVIDING NOTICE THEREOF TO THE APPROPRIATE AUTHORITIES.

Town Clerk, Pam Orr, read into the record Resolution #313-2021 adopting the tentative millage rate of 1.80 for the 2021/2022 fiscal year.

Vice President Gerold, seconded by Council Member Docherty, made a motion to adopt Resolution #313-2021, with a millage rate of 1.80.

Roll Call Vote: Yes: Docherty, Wagner, Gerold, De Angeles; Absent: Arnold, Locatis; No: None; Motion Passed - 4 - 0

4. Comments from the public on topics not on the Agenda – President De Angeles asked for comments from the public on topics not on the agenda.

There were none.

5. Comments from the Council on topics not on the Agenda – President De Angeles asked for comments from the Council on topics not on the agenda.

There were none.

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

7. Comments from Mayor Ostrand – She had none.

8. Announcements – President De Angeles announced the following meetings to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida:

- Regular Town Council Meeting – Monday, August 9, 2021 at 10:30 am
- Regular Town Council Meeting – Monday, September 13, 2021 at 10:30 am
- Proposed Budget and Tentative Millage Hearing, Wednesday, September 15, 2021 at 5:01 pm
- Final Budget and Millage Rate Hearing, Wednesday, September 22, 2021 at 5:01 pm

9. Adjourn – Council Member Wagner, seconded by Council Member Docherty, made a motion to adjourn the meeting at 6:32 p.m.

All in Favor: Yes: De Angeles, Gerold, Docherty, Wagner; Absent: Arnold, Locatis; No: None; Motion Passed - 4 - 0

Respectfully Submitted,

Pam Orr

Town Clerk

Minutes approved: _____

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, October 11, 2021, 10:30 a.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 10:30 a.m.
 - Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
 - Roll Call – Present: Mayor Karen M. Ostrand, President Kenneth De Angeles, Vice-President Richard Gerold, Council Members, Bill Arnold, Kevin Docherty, Terry Locatis and David Wagner
 - Staff Present – Town Management Consultant, Terry O’Neil; Town Attorney, Rick Crary; Town Clerk, Pam Orr; and Bookkeeper/Clerical Assistant, Maria Pierce
2. **Approval of Minutes** – Council Member Arnold, seconded by Council Member Wagner, made a motion to approve the minutes of the September 13, 2021 regular meeting.

President De Angeles asked for public comments.

There were none.

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

3. **Resolution #319-2021 – A RESOLUTION OF THE TOWN OF OCEAN BREEZE, FLORIDA, ADOPTING THE TOWN OF OCEAN BREEZE CAPITAL ASSET POLICY, PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.** – Town Clerk, Pam Orr, read into the record the title of Resolution #319-2021.

Council Member Wagner, seconded by Council Member Arnold, made a Motion to approve Resolution #319-2021.

President De Angeles asked for public comment.

There was none.

Roll Call Vote: Yes: Locatis, Arnold, Wagner, Gerold, De Angeles & Docherty; No: None; Motion Passed: 6 – 0

4. **Resolution #320-2021 – A RESOLUTION OF THE TOWN OF OCEAN BREEZE, FLORIDA, ADOPTING THE MOST RECENT VERSION OF THE MARTIN COUNTY UNIFIED LOCAL MITIGATION STRATEGY PLAN DATED OCTOBER 8, 2020 AS THE OFFICIAL DOCUMENT FOR THE TOWN’S INCLUSION IN THE STATE-WIDE HAZARD MITIGATION STRATEGY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.** – Town Clerk, Pam Orr, read the title of the Resolution into the record.

Mr. O’Neil explained the reasons for adopting the Resolution.

Council Member Wagner, seconded by Council Member Arnold, made a motion to approve Resolution #320-2021.

President De Angeles asked for public comments.

There were none.

Roll Call Vote: Yes: Docherty, Locatis, Wagner, Gerold, Arnold & De Angeles; No: None; Motion Passed: 6 – 0

5. Discussion of Changing the Time for the Town Council Meetings – Kevin Docherty

Council Member Docherty stated that he wanted Council to discuss the option of changing the Town Council Meeting time from 10:30 am to 5:00 pm or later. He explained that he felt that there would be more participation if the Regular Town Council meeting was held in the evening.

Council Member Docherty made a motion to change the Town Council Meetings from 10:30 am to 5:00 pm.

Vice-President Gerold asked if the Town Charter would need to be amended to adjust the meeting times.

Town Management Consultant Mr. O'Neil stated that the time could be changed by an ordinance, but that two public hearings would need to be held prior to approving.

Council Member Locatis commented that he had spoken with various residents and the consensus was that the Seawalk residents attended the recent budget meetings because the meetings were regarding the Town budget and the millage rate. He commented that these meetings are mandated to take place at 5:01pm and that he didn't believe there were any benefits to moving the Regular Town Council meeting time.

Council Member Arnold concurred with Council Member Locatis.

Council Member Wagner agreed with both Council Member Locatis and Council Member Arnold.

Mayor Ostrand stated the importance of discussing the matter especially in light of the fact that there were working residents of the Town who are interested in running for Council, but were not willing because the current Town meeting time interfered with their work schedule. She added that the meetings, typically, were generally over within one hour.

Vice-President Gerold informed the Council about the other cities and their meeting times.

Deirdre Henry, Ocean Breeze Resort, stated her concerns regarding paying staff overtime to attend evening meetings and agreed with Council Member Locatis.

President De Angeles asked for a second.

Motion failed due to lack of a second.

6. Comments from the public on topics not on the agenda – Jay Spicer, Martin County Fair Manager, provided background information on the current programs that the fair was providing to encourage youth to get involved with various areas of farming, etc. Mr. Spicer, asked for the Town's support in funding to get the new fair grounds infrastructure in place.

Discussion ensued regarding how the Town could support the new fairgrounds.

President De Angeles asked for further public comment.

There was none.

7. Comments from the Council on topics not on the agenda – Council Member Wagner asked if the speed bumps that are being installed on the roadways within the Resort need to be engineered to allow for proper stormwater flow. He shared his concern about the size of the speed bumps and water run-off.

Mr. O’Neil stated that the Town would look into the matter; and added that speed bump construction would require a permit from the Town.

Discussion ensued regarding installation of speed bumps within the Resort and the certain pass-through costs of amending the PUD.

President De Angeles asked for further comments from the Council.

Council Member Locatis asked about the information in the packet regarding the exit onto Skyline from the Publix plaza.

Discussion ensued regarding the exit onto Skyline from the Publix plaza, information from Lisa Wichser, Martin County Engineering Department, and South Street traffic issues.

8. Comments from Town Management Consultant, Terry O’Neil – Mr. O’Neil provided an update on the American Rescue Plan Act (ARPA) funding that was forthcoming to the Town. He explained that the agreement had to be signed by October 21, 2021. He added that he did not recommend accepting the grant because the Town had little to no means to implement, and there were unknowns as far as the relationship with the County should the Town turn over their grant dollars to them. He stated that an action should be made as to whether to accept these dollars.

Discussion ensued regarding legal implications, liability and turning over the funds to Martin County.

Attorney Crary explained that the non-entitled dollars in which the Town would be afforded would flow through the State of Florida. He remarked that the State was requiring the Town to sign the contract that would pass all the risks and burdens on to the Town. He added that he had contacted the County Attorney and she explained to him that the County would not take on any of the risks associated with accepting the ARPA funds. He explained that if the funds were not spent exactly as laid out in the contract, the Town would have to return the funds. He referred the Town Council Members to his memo in the packet. He stated that the terms were very ambiguous, conflicting with loads of accounting requirements. He explained that if the Town signed the contract, they would be accepting the first payment along with all of the unknown implications.

Discussion ensued regarding the ARPA funds disbursement, federal laws, where the funds would go if the Town did not sign the contract, etc.

President De Angeles proposed that the Council make a motion to not accept the funds.

Discussion ensued all the unknowns regarding the funds.

Council Member Wagner, seconded by Council Member Locatis, made a motion to not execute the ARPA agreement at this time in light of the uncertainties involved.

Roll Call Vote: Yes: Wagner, De Angeles, Locatis, Arnold, Docherty, Gerold; No: None; Motion Passed: 6 – 0

9. Comments from Mayor Ostrand – Mayor Ostrand stated she felt that Council should pick-up their Council packets at the Town office rather than having staff deliver them.

President De Angeles suggested that staff would email the Mayor and Council Members when the packet was available for pick up.

Mayor Ostrand spoke about the importance of the Council keeping up with the Florida League of Cities email updates. She also informed the Council that home owners' insurance for the mobile homes located within the Resort was becoming increasingly difficult to obtain; therefore, she had spoken to Representative Toby Overdorf, Senator Gayle Harrell and Senator Debbie Mayfield about this problem. She continued to explain that she had learned some of this increase was due to roofing fraud. She informed the Council that she would be attending the Legislative meeting on November 4th, and would continue to address this issue. Mayor Ostrand informed the Town Council that this was City Government Week and pens were provided by Florida League of Cities to give out.

10. Announcements – President De Angeles announced the Regular Town Council Meeting Monday November 8, 2021 to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida.

11. Adjourn – Council Member Arnold, seconded by Council Member Wagner, made a motion to adjourn the meeting at 11:40pm.

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: _____



Item #3

CERTIFICATE OF ELECTION

State of Florida
County of Martin

Office of Town Clerk
Acting as Supervisor of Elections

August 24, 2021

This is to certify that:

William "Bill" Arnold

Kenneth De Angeles

Kevin Docherty

were elected Council Members in and for the Town of Ocean Breeze, Martin County, Florida, having not been opposed during 2021 Election for the two-year seats for the period 2021 - 2023, as shown by the qualifying documents on file in my office.

Town Clerk acting as
Supervisor of Elections
Town of Ocean Breeze



TOWN OF OCEAN BREEZE OATH OF OFFICE

STATE OF FLORIDA
COUNTY OF MARTIN

“I do solemnly swear (or affirm) that I will support, honor, protect and defend the Constitution and Government of the United States of America and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State and under the Charter of the Town of Ocean Breeze; and that I will faithfully perform the duties of the Town Council to the best of my abilities, so help me God.”

STATE OF FLORIDA
COUNTY OF MARTIN

Sworn to and subscribed before me this _____ day of _____,
_____ A.D., personally appeared before me _____, personally
known by me _____ or produced driver's license or passport
_____.

Notary



MEMORANDUM

TO: Town Council and Mayor
FROM: Pam Orr, Town Clerk
DATE: November 8, 2021
RE: Annual Election of President and Vice President

After "Oath of Office" on your Agenda, you will need to elect a President and Vice President.

ANNUAL ELECTION OF PRESIDENT AND VICE PRESIDENT

Election of President:

1. The current President asks for nominations for the office of President.
2. The current President asks if there are any other nominations.
3. The current President asks for a Motion to close the nominations.
4. The current President asks for "all in favor" of closing nominations.
5. If there is more than one nomination, the Clerk will call the roll and Council Members will voice their votes per open ballot.

Election of Vice President:

1. The new President asks for nominations for the office of Vice President
2. The new President asks if there are any other nominations.
3. The new President asks for a Motion to close the nominations.
4. The new President asks for "all in favor" of closing nominations.
5. If there is more than one nomination, the Clerk will call the roll and Council Members will voice their votes per open ballot.

Council/Mayor Board Appointments and Liaison Activities *Item #5*
as of November 8, 2021

Organization		Appointee(s)
1	Florida League of Cities (FLC)	Mayor and Council Members participate on their own initiative
2	Florida League of Mayors (FLM)	Mayor Ostrand
3	Treasure Coast Regional League of Cities (TCRLC)	Mayor Ostrand (Council Member Arnold is the alternate)
4	Treasure Coast Regional League of Cities Advocacy Team (TCRLCAT)	Council Member Wagner (President or Vice-President to fill-in as needed)
5	Treasure Coast Council of Local Governments	Council Member Arnold (primary member); Council Member Docherty (alternate member)
6	Local Legislative Delegation	Mayor Ostrand, designated liaison
7	Martin Metropolitan Planning Organization Technical Advisory Committee (TAC)	President De Angeles
8	Martin Metropolitan Planning Organization Bicycle and Pedestrian Advisory Committee (BPAC)	Council Member Docherty
9	Martin County Complete Count Committee (CCC)	Mayor Ostrand, Council Member Docherty served as alternate; committee has been dissolved due to end of census process
10	Martin County/Jensen Beach Community Redevelopment Area (CRA) Neighborhood Advisory Committee (NAC)	Vice-President Gerold (liaison)
11	Jensen Beach Chamber of Commerce (JBCC)	Mayor and Council Members participate on their own initiative
12	Invitations to official events, ribbon cuttings, State of the County Speech, etc.	Mayor and Council Members participate on their own initiative

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 meeting unless Council Members or the Mayor wish to do so.

NORTH RESORT INFRASTRUCTURE ISSUES

townclerk@townofoceanbreeze.org

From: TERRANCE O NEIL <twoneil@aol.com>
Sent: Wednesday, November 3, 2021 10:07 AM
To: Gena May
Cc: townclerk@townofoceanbreeze.org; Chris Walters; Joseph Capra; Lori Applegate; Larry Massing; Scott Montgomery; shaun@mackenzieengineeringinc.com; Rick Crary
Subject: Re: Ocean Breeze Pending Items

Dear Gena,

Thank you for the update on Sun's intentions regarding outstanding infrastructure issues in the resort's north area and for confirming that CAPTEC Engineering's analysis of the full scope of work that's needed will likely take another 2-3 weeks. In the meantime, if there are any emergency repairs needed to address low water pressure, please let us know and we'll get a permit out the door right away.

Sincerely,

Terry

Sent from my iPhone

On Nov 2, 2021, at 6:30 PM, Gena May <GMay@suncommunities.com> wrote:

Terry,

Joe and I had a great conversation just a few minutes ago regarding the northern section of the community and what work might have been performed prior to Sun owning the community. We realize you want some closing paperwork on this alleged work, but Sun simply does not have any record of any work, making this task a bit daunting.

Joe shared that you gave him a few thoughts and we have already asked him to do what research they can to see if they can expedite answers for you, but this is going to take time.

Rest assured, Sun has never walked away from any responsibilities, and we don't plan to start. We are all trying to build a beautiful community here, and we want to do it correctly.

To do this correctly, Joe estimates another 2-3 weeks to sort through some records and do a site visit. On top of this task, we are now faced with a possible water/sewer infrastructure issue. It would make no sense to proceed forward without looking at the full scope of needed work.

Let's allow the professionals to do their investigation and get back to Sun on what needs to take place should they find any concerns. Joe assures me that his team will do that as efficiently as possible.

Thank you,

Gena May

Regional Vice President, Operations & Sales
Sun Communities

27777 Franklin Rd. Suite 200 | Southfield, MI 48034

Email: gmay@suncommunities.com

COMMITMENT – INTENSITY –EMPOWERMENT – ACCOUNTABILITY – CUSTOMER SERVICE



Town of Ocean Breeze

October 13, 2021

Ms. Gena May
Regional Vice President, Operations and Sales
Sun Communities
27777 Franklin Road, Suite 200
Southfield, MI 48034
gmay@suncommunities.com

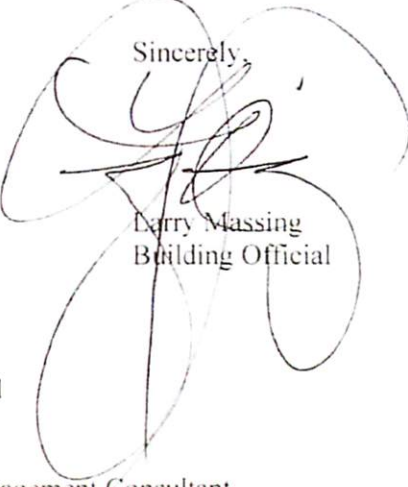
Notice of Required Development Permit

Dear Ms. May:

We have been made aware that paving and other improvements within the resort, including speed bumps, were scheduled to begin, October 12, 2021. In accordance with Town Ordinance #7-4 and 7-11, copies attached, please be aware that work should not begin until such time as a development permit has been issued by the Town. Please contact me at 772-260-7210 to discuss the specifications you need to submit, which in turn will need to be reviewed and approved by MacKenzie Engineering. Also, upon your submittal of the specifications, the Town will need to determine whether the proposed improvements are compliant with the Ocean Breeze East PUD agreement.

Finally, on a related note, I would call to your attention the attached letter dated June 29, 2021, entitled "Close Out of the Resort's Master Site Permit" which has yet to be addressed by Sun Communities.

Sincerely,


Larry Massing
Building Official

cc: Mayor and Town Council
Shaun MacKenzie
Chris Walters
Terry O'Neil, Town Management Consultant

P. O. Box 1025 • Jensen Beach, FL 34958
Office: 772-334-6826 • Fax: 772-334-6823
email: townclerk@townofoceanbreeze.org • website: townofoceanbreeze.org

Sec. 7-3. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Rate Map (FIRM), dated December 15, 1983, and any revision thereto are adopted by reference and declared to be a part of this ordinance. (Ordinance No. 52, 9-11-89)

Sec. 7-4. Establishment of Development Permit. A Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities. (Ordinance No. 52, 9-11-89)

Sec. 7-5. Compliance. No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations. (Ordinance No. 52, 9-11-89)

Sec. 7-6. Abrogation and Greater Restrictions. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ordinance No. 52, 9-11-89)

Sec. 7-7. Interpretation. In the interpretation and application of this ordinance all provisions shall be:

1. Considered as minimum requirements;
2. liberally construed in favor of the governing body; and
3. deemed neither to limit nor repeal any other powers granted under state statutes. (Ordinance No. 52, 9-11-89)

Sec. 7-8. Warning and Disclaimer of Liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of The Town or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder. (Ordinance No. 52, 9-11-89)

Sec. 7-9. Penalties for Violation. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who

violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than One Hundred Dollars (\$100.00), and in addition shall pay all costs and expenses involved in the case. Each day such violation continues may be considered a separate offense. Nothing herein contained shall prevent The Town from taking such other lawful action as is necessary to prevent or remedy any violation. (Ordinance No. 52, 9-11-89)

ARTICLE III. ADMINISTRATION

Sec. 7-10. Designation of Administrator. The Town building inspector is hereby appointed to administer and implement the provisions of this ordinance. (Ordinance No. 52, 9-11-89)

Sec. 7-11. Permit Procedures. Application for a Development Permit shall be made to the town building inspector on forms furnished by him, prior to any development activities, and may include, but shall not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

1. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures.
2. Elevation in relation to mean sea level to which any non-residential structure will be floodproofed.
3. Provide a certificate from a registered professional engineer or architect that the non-residential, flood-proofed structure meets the flood-proofing criteria in SECTION 7-15(2).
4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
5. Provide a flood elevation or flood proofing certification after the lowest floor is completed, or in instances where the structure is subject to the regulations applicable to Coastal High Hazard Areas, after placement of the horizontal structural members of the lowest floor. Within twenty-one (21) calendar days of establishment of the lowest floor elevation, or flood proofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the Town Building Inspector a certificate of the elevation of the lowest floor, flood proofed elevation, or the elevation of the lowest portion of the horizontal structural members of the lowest floor, whichever is applicable, as built in relation to mean sea level. Said certification shall be prepared by or under the direct



Town of Ocean Breeze

June 29, 2021

Mr. Chris Walters, Manager
Ocean Breeze Resort
3000 NE Indian River Drive
Ocean Breeze, Florida 34957

Re: Close out of the Resort's Master Site Permit (Permit # 1102, issued on 10/15/15).

Dear Chris,

The Town has received the attached letter from CAPTEC Engineering certifying the firm's final inspection and approval of certain improvements completed thus far under permit # 1102, however, the documentation provided appears to cover only the "WATERFRONT," "PHASE 1B", "PHASE 1 A", "PHASE 2" and "STORAGE AREA" portions of the resort (see attached exhibit).

To close out the site permit in its entirety, the Town will also need an engineer's certification of any work that's been completed in the "northern" area of the Resort, the general nature of which is detailed in the attached memorandum from Mac Kenzie Engineering dated June 28, 2021.

Once this information is received, we should be able to close out the site permit. Please let us know if you have any questions.

Sincerely,

Terry O'Neil
Town Management Consultant

cc: Town Clerk
CAPTEC Engineering
Mac Kenzie Engineering
Town Building Official



March 19, 2021
1543 1

Mr. Terry O'Neil
Town Management Consultant
Town of Ocean Breeze
1508 NE Jensen Beach Boulevard
Jensen Beach, Florida 34957
(772) 334-6826

RE: Ocean Breeze PUD
Final Certification of Completion

Dear Mr. O'Neil:

CAPTEC Engineering, Inc., is pleased to submit the final certification package to the Town of Ocean Breeze for the Ocean Breeze Project. Attached for your review and approval are the following items:

- Florida Department of Environmental Protection Certifications of Completion for Storage Area, Waterfront Area, Phase I and Phase II.
- South Florida Water Management Certification Letter
- Water and Wastewater As-built Plans
- Paving, Grading and Drainage As-built Plans
- Testing reports.

I hereby certify that the project has been constructed in substantial conformance with the approved plans with the following exception:

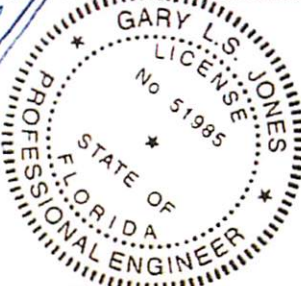
Compaction testing reports on the installation of drainage pipe, water and sanitary lines were not provided as specified in the Contract Plans and Specifications. After the fact testing was performed at locations selected by the Engineer to confirm soils were firm and compact. A summary of the compaction verification reports is attached with this certification.

If you have any questions or comments, please contact me.

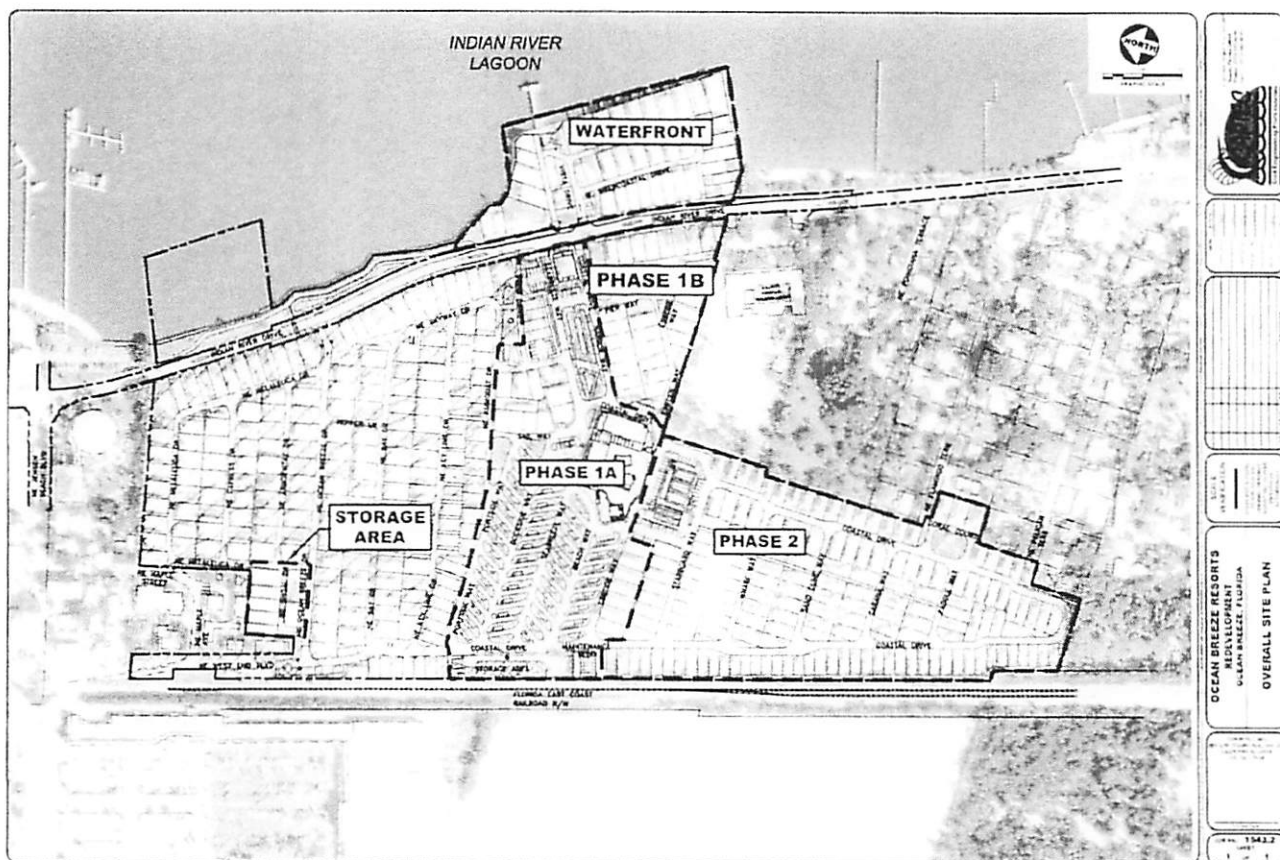
Sincerely,

Gary L. S. Jones, P.E.
Construction Director

GLSJ/kk
Attachments



PA1500\1543.1 Ocean Breeze Park Phase I Permitting - Town - PUD\2021-0319 Ocean Breeze Certification\2021-0319 TONeil Ocean Breeze Certification.docx





Engineering & Planning, Inc.

1172 SW 30th Street, Suite 500 • Palm City • Florida • 34990

(772) 286-8030 • www.mackenzieengineeringinc.com

MEMORANDUM

TO: Town of Ocean Breeze

FROM: MacKenzie Engineering & Planning Inc.

DATE: June 28, 2021

SUBJECT: Ocean Breeze Resort Redevelopment
Construction Certification

In order to close out the Ocean Breeze Resort Redevelopment permit, please provide the as-built and test results related to the construction activities performed in the infill area (generally west of Indian River Drive & north of Kumquat Drive). The construction closeout package shall include:

1. Construction as-built information, density and compaction tests related to any roadway reconstruction and stormwater improvements including any manholes, inlets, and other structures.
2. Construction as-built information, density and compaction tests, and testing results related to any water and wastewater installations including manholes, structures, cleanouts, valves, and meters.
3. Please demonstrate the improved infill areas for water and wastewater installations meet the minimum cover, vertical, and horizontal separation requirements per *Martin County minimum design and construction standards (latest edition)*
4. Please demonstrate the improved infill areas meet the minimum fire hydrant spacing requirements per *Martin County LDR Section 4.109.B. Fire Hydrants. All development shall incorporate fire hydrants with appropriate locations including hydrant separations of not more than 500 feet.*
5. Please provide all calculations and demonstrate the improved infill areas meet the minimum fire flow requirements per *Florida Fire Protection Code N.F.P.A. 1, Chapter 18.4.5 (latest adopted edition). The Guide for Determination of Needed Fire Flow, latest edition, as published by the Insurance Service Office (ISO). 18.4.5.1.1 One- and Two-Family Dwellings. The minimum fire flow and flow duration requirements for one- and two-family dwellings having a fire flow area that does not exceed 5000 ft² (334.5 m²) shall be 1000 gpm (3785 L/min) for 1 hour.*



6. Or, as an alternative to meeting paragraphs 4. and 5. above, the County's Fire Rescue Department will accept the following improvements:
- a. The existing exit gate located at Ocean Breeze Drive and Indian River Drive shall be reconfigured, including the addition of a "Knox Box" acceptable to MCFR, to accommodate an emergency vehicle's entrance into the community. Except for modifying the gate's operation, no other modifications to the roadway appear necessary.
 - b. The resort operator shall coordinate with Martin County Utilities to extend and install a fire hydrant within the Indian River Dr. R.O.W. adjacent to the emergency entrance referenced above. The connection point for said hydrant is estimated to be an existing 6-inch waterline at the resort's northeast corner.
 - c. The resort operator shall extend and install a fire hydrant at the intersection of NE Coastal and Bay, approximately 200 feet north of the current terminus of the existing fire protection line at NE Coastal and Portside.

Sincerely,

A handwritten signature in blue ink that reads 'Shaun MacKenzie'.

Shaun G. MacKenzie, P.E.
MacKenzie Engineering & Planning, Inc.
Florida Registration Number 61751
Engineering Business Number 29013

WATER PRESSURE ISSUES

townclerk@townofoceanbreeze.org

From: Gena May <GMay@suncommunities.com>
Sent: Tuesday, November 2, 2021 11:08 AM
To: townclerk@townofoceanbreeze.org
Cc: Chris Walters
Subject: Re: Water Pressure Concerns

I certainly hope that as a governmental office you are directing our residents with service requests back to the property management office for service.

Get [Outlook for iOS](#)

From: townclerk@townofoceanbreeze.org <townclerk@townofoceanbreeze.org>
Sent: Tuesday, November 2, 2021 10:29:42 AM
To: Gena May <GMay@suncommunities.com>
Cc: Chris Walters <CWalters@suncommunities.com>
Subject: RE: Water Pressure Concerns

EXTERNAL EMAIL - Verify sender before opening links or attachments!

Good Morning, Gena:
 Understood. We received two additional complaints yesterday, copies attached.

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: Gena May <GMay@suncommunities.com>
Sent: Tuesday, November 2, 2021 7:35 AM
To: townclerk@townofoceanbreeze.org

Cc: Chris Walters <CWalters@suncommunities.com>

Subject: RE: Water Pressure Concerns

Pam,

I'm sure our vendor will appreciate the quick turnaround time on any permit, should it be needed.

Gena May

Regional Vice President, Operations & Sales
Sun Communities

27777 Franklin Rd. Suite 200 | Southfield, MI 48034

Email: gmay@suncommunities.com

COMMITMENT – INTENSITY – EMPOWERMENT – ACCOUNTABILITY – CUSTOMER SERVICE

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

Sent: Monday, November 1, 2021 2:19 PM

To: Gena May <GMay@suncommunities.com>

Cc: Chris Walters <CWalters@suncommunities.com>

Subject: Water Pressure Concerns

EXTERNAL EMAIL - Verify sender before opening links or attachments!

Hi Gena:

We received the attached correspondence regarding water pressure on Bay Drive. Please advise of remedial actions you propose at your earliest convenience. If need be, we would be happy to issue an emergency permit for repairs. We appreciate you keeping us updated.

Thank you,

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.

townclerk@townofoceanbreeze.org

From: Samuel Amerson <samerson@martin.fl.us>
Sent: Tuesday, November 2, 2021 4:37 PM
To: Terry O'Neil
Cc: townclerk@townofoceanbreeze.org; Todd Leyland; Jeremy Covey
Subject: RE: Water Pressure Concerns 4 emails

You are correct, the facility/property is served by a master meter.
We have had no other complaints but someone will be installing a pressure recorder in the immediate vicinity to get some readings.
I'll let you know if we find any low pressure issues.

Sam

From: Terry O'Neil <terrancewoneil@gmail.com>
Sent: Tuesday, November 2, 2021 10:42 AM
To: Samuel Amerson <samerson@martin.fl.us>
Cc: townclerk@townofoceanbreeze.org
Subject: FW: Water Pressure Concerns 4 emails

**Caution: This email originated from an external source.
Be Suspicious of Attachments, Links, and Requests for Login Information**

To: Sam Amerson, Martin County Utilities Director

Dear Sam,

We've received the attached complaints regarding low water pressure in the Ocean Breeze Resort. Am I correct that Martin County Utilities provides bulk water sales to the resort and that all distribution improvements downstream of your master meter are privately owned and maintained by Sun Communities? Or, in other words, the problem does not stem from MCU? Please advise.

Thanks,

Terry

Sent from [Mail](#) for Windows

From: townclerk@townofoceanbreeze.org
Sent: Tuesday, November 2, 2021 10:34 AM
To: [Terry O'Neil](#)
Cc: [Terrance O'Neil](#)
Subject: Water Pressure Concerns 4 emails

Here you go!

Pam Orr
Town Clerk



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

Please make note of our new email address.

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback

The comments and opinions expressed herein are those of the author of this message and may not reflect the policies of the Martin County Board of County Commissioners. Under Florida Law, email addresses are public records. If you do not want your email address released in response to a public records request do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

townclerk@townofoceanbreeze.org

From: Pat Ostradick <patfriendostradick@gmail.com>
Sent: Monday, November 1, 2021 2:48 PM
To: townclerk@townofoceanbreeze.org
Subject: Re: Water Concerns

Thank you.
Patrice Ostradick

On Mon, Nov 1, 2021 at 1:26 PM <townclerk@townofoceanbreeze.org> wrote:

Dear Mrs. Ostradick:

We are in receipt of your email regarding the water pressure on your side of the street. Although it is a private matter with Sun Communities, we will reach out to them to see if we can understand what the issue is and how they are going to resolve it. We will provide you with an update once we learn more.

Thank you,

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: Pat Ostradick <patfriendostradick@gmail.com>

Sent: Saturday, October 30, 2021 2:59 PM

To: TownClerk@townofoceانبreeze.org

Subject: Water Concerns

Good afternoon, Pam—or good morning, since you probably won't see this until Monday. My husband and I are residents of the town, living at [121 NE Bay Drive](#) in Ocean Breeze Resort. We've been experiencing sporadic fluctuations in our water pressure, randomly leaving us with a mere trickle of water coming from our faucets and a slow hiss of water refilling our toilet tanks. This is a growing problem in our community, with several households advising the resort of the issue.

We're told by resort management that this low pressure is a mystery and that they've asked the water department to look into it, but we've gotten no answers. We've been experiencing this for months now.

My primary concern is that this may be a result of all of the additional building and associated demands on the local water system throughout Jensen Beach, and that our water infrastructure may not be prepared to meet the increased demand. If this is the case, we'll eventually experience a crisis. If the problem is limited to an infrastructure failure within Ocean Breeze Resort, the problem impacts a smaller number of people but is still of great consequence to those citizens of the town of Ocean Breeze.

I'm asking that the town of Ocean Breeze do a couple of things:

First, a study of the issue including involvement of any necessary experts in order to determine causes.

Second, publication of their conclusions and notification of any government entities and utilities necessary to create a real and lasting solution.

Third, oversight of implementation of countermeasures/solutions.

Finally, verification that the solutions are effective.

Any city, county, or state that allows unplanned, unregulated, unlimited, and potentially ill-advised growth will eventually experience unforeseen and potentially catastrophic results. If our elected officials haven't ensured that we have adequate infrastructure to handle the growth, that's a major failure. Let's gather all necessary information in order to keep our area thriving and beautiful.

Thank you for your attention to this matter.

Respectfully,

Patrice Ostradick

townclerk@townofoceanbreeze.org

From: townclerk@townofoceanbreeze.org
Sent: Monday, November 1, 2021 1:26 PM
To: 'jamesbigblue@msn.com'
Subject: RE: New message from James W Lynch

Dear Mr. Lynch:

We are in receipt of your email regarding the water pressure on your side of the street. Although it is a private matter with Sun Communities, we will reach out to them to see if we can understand what the issue is and how they are going to resolve it. We will provide you with an update once we learn more.

Thank you,

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: Welcome to the Town of Ocean Breeze! <iggy@impactfulmedia.com>
Sent: Saturday, October 30, 2021 11:36 AM
To: townclerk@townofoceanbreeze.org
Subject: New message from James W Lynch

I live at 123 NE Bay Dr Ocean Breeze Florida 34957, We are having a water pressure problem in our town, It is random but daily. Several others on my street as well as myself have made Chris Walters aware. Chris has had plumbers at my house to check the plumbing and they say nothing is wrong but agree there is a water pressure problem. Some days you cannot wash dishes until an off hour. Chris Walters has told me that he let management now but was waiting a response. This is not a new problem, one of the first emails I sent to Chris about this concern is dated 4/29/21. Please help us find the solution as they build more homes it will get worse. James Lynch

-James W Lynch (jamesbigblue@msn.com)

From: townclerk@townofoceanbreeze.org
Sent: Tuesday, November 2, 2021 10:19 AM
To: 'Sherrell Pierce'
Subject: RE:

Hi Ms. Pierce:

We are in receipt of your email regarding the water pressure on your side of the street. Although it is a private matter with Sun Communities, we will reach out to them to see if we can understand what the issue is and how they are going to resolve it. We will provide you with an update once we learn more.

Have a great day!

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: Sherrell Pierce <sherrellp73@gmail.com>
Sent: Monday, November 1, 2021 5:11 PM
To: TownClerk@townofoceanbreeze.org
Subject:

I live at 114 Bay Dr, Ocean Breeze Park, FL 34957

I have been having a water pressure problem for some time now. Seems to be getting worse. Would like to know what can be done about it. Looks like many many people in this park are having this problem. The more they build the less pressure.

Thank you
Sherrell Pierce
631-804-3322

townclerk@townofoceanbreeze.org

From: townclerk@townofoceanbreeze.org
Sent: Tuesday, November 2, 2021 10:20 AM
To: 'caduffy@comcast.net'
Subject: RE: Water pressure low

Dear Mr. and Mrs. Duffy:

We are in receipt of your email regarding the water pressure on your side of the street. Although it is a private matter with Sun Communities, we will reach out to them to see if we can understand what the issue is and how they are going to resolve it. We will provide you with an update once we learn more.

Have a great day!

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: caduffy@comcast.net <caduffy@comcast.net>
Sent: Monday, November 1, 2021 8:52 PM
To: townclerk@townofoceanbreeze.org
Subject: Water pressure low

Just to let you know our water pressure is very low at times and daily and very annoying.

Wondering what is causing this and if something can be done about it.

Thank you.

Christine and Kevin Duffy
119 NE Bay Dr
Ocean Breeze

Cell..978-361-6696.

Get [Outlook for Android](#)

SIGN DOWN ON INDIAN RIVER DRIVE

From: Kylie Yanchula <kyanchula@martin.fl.us>
Sent: Monday, November 1, 2021 3:22 PM
To: townclerk@townofoceanbreeze.org
Cc: James Gorton; Lisa Wichser
Subject: Re: Sign down in north median

Hi Pam,

Thank you for bringing this to our attention.

Sincerely,

Kylie Yanchula

Get [Outlook for iOS](#)

From: townclerk@townofoceanbreeze.org <townclerk@townofoceanbreeze.org>
Sent: Monday, November 1, 2021 3:07:32 PM
To: Kylie Yanchula <kyanchula@martin.fl.us>
Cc: James Gorton <jgorton@martin.fl.us>; Lisa Wichser <lwichser@martin.fl.us>
Subject: Sign down in north median

**Caution: This email originated from an external source.
Be Suspicious of Attachments, Links, and Requests for Login Information**

Hi Kylie:

We wanted to make you aware of a sign in the north median on Indian River Drive that was hit by a vehicle and knocked down, photos attached. It is my understanding that it is the "Stay Right" sign with reflectors. If you have any questions, please give us a call.

Thank you!

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.

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback

The comments and opinions expressed herein are those of the author of this message and may not reflect the policies of the Martin County Board of County Commissioners. Under Florida Law, email addresses are public records. If you do not want your email address released in response to a public records request do not send electronic mail to this entity. Instead, contact this office by phone or in writing.