

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

September 11, 2023 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 –**

- Regular Meeting, Monday, August 14, 2023  
(Motion, second, all in favor)

**3. Comments from the public on topics not on the Agenda**

**4. Comments from the Council on topics not on the Agenda**

**5. Comments from Town Management Consultant, Terry O'Neil**

**6. Comments from Mayor Ostrand**

**7. Announcements** – Meetings to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze

- Proposed Budget and Tentative Millage Rate Hearing, Wednesday, September 13, 2023 at 6:00PM
- Final Budget and Millage Rate Hearing, Wednesday, September 20, 2023 at 6:00PM
- Regular Town Council Meeting, Monday October 9, 2023 at 6:00PM

**8. Adjourn** (Motion, second, all in favor)

TOWN OF OCEAN BREEZE  
MINUTES REGULAR TOWN COUNCIL MEETING  
Monday, August 14, 2023  
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 10:30AM

- Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
- Roll Call – Present Mayor Karen M. Ostrand, President Kenneth De Angeles, Council Members Kevin Docherty, Liz Reese, Sandy Keblbeck-Kelley Absent: Vice-President Bill Arnold and Council Member Gina Kent
- Staff Present –Town Management Consultant, Terry O’Neil, Kim Stanton, Town Clerk; and Administrative Assistant, Shannon Roger

**2. Approval of Minutes** – Council Member Docherty, seconded by Council Member Reese, made a motion to approve the Minutes of July 10, 2023.

President De Angeles asked the public for comments there were none.

All in Favor: Yes: De Angeles, Reese, Docherty, Kelley; No: None; Motion Passed – 4-0

Council Member Kelley, seconded by Council Member Docherty, made a motion to approve the minutes from the July 26, 2023, Budget Workshop and Setting of the Tentative Millage Rate meeting.

President De Angeles asked the public for comments, there were none.

All in Favor: Yes: De Angeles, Reese, Docherty, Kelley; No: None; Motion Passed – 4-0

**3. Proclamation – Declaring “Hunger Action Month” in Ocean Breeze Florida** – Mayor Ostrand read the Proclamation into the record. She then introduced Alexandra Lord and Andreas Evgeniou of the Treasure Coast Food Bank. Ms. Lord gave a presentation about the Food Bank, donations, and volunteerism.

President De Angeles asked for a motion to approve the Proclamation.

Council Member Reese, seconded by Council Member Kelley, made a motion to approve the Proclamation.

President De Angeles asked for comments from the public. There were none.

All in Favor: Yes: De Angeles, Reese, Kelley, Docherty; No: None; Motion Passed – 4-0

**4. Comments from the public on topics not on the Agenda** – There were none.

**5. Comments from The Council on topics not on the Agenda** – There were none.

**6. Comments from Town Management Consultant Terry O’Neil** – There were none.

**7. Comments from Mayor Ostrand** – Request for Council direction regarding potential Charter Amendment to establish district representation.

Mayor Ostrand addressed the Council regarding establishing districts in the Town of Ocean Breeze. She then asked Town Management Consultant Terry O'Neil to discuss the issue in more detail.

Mr. O'Neil stated that the issue of districting was brought up at the last meeting, which was a Budget Workshop meeting, and it was decided that it should be added to the agenda of the next Regular Town Council Meeting. He continued that the Mayor was seeking guidance from the Council on whether the Town would like to spend staff time and resources researching the idea. He added that he had his own opinions on districting a Town this size given, that at the present time, there was equal representation on the Town Council. He then stated that the Mayor would like direction from the Council on how to proceed.

President De Angeles stated that unless there had been numerous requests to address the issue of districting, it would be money ill spent. President De Angeles then asked if any other Council Member would like to consider districting.

Council Member Kelley stated that she agreed with President De Angeles, and she went on to say that she didn't understand the motivation behind districting, as the Town was small, and the Council had the Town's best interest at heart.

Council Member Docherty stated that he also agreed with President De Angeles and that the Town was well represented; and it would be money ill spent.

Mayor Ostrand asked if a vote was necessary.

Mr. O'Neil stated that since no action was taken, a vote was not necessary.

Mayor Ostrand stated that she recently attended the Florida League of Cities Annual Conference and shared some highlights.

President De Angeles thanked Mayor Ostrand on behalf of the Council for the time she had devoted to the Town.

President De Angeles asked Sergeant Joe Angelico with the Martin County Sheriff's Office to speak to the Council regarding the extra patrols.

Officer Angelico stated that there had been some juvenile activity in the area. He added that it was ubiquitous around Martin County and, unfortunately, not unusual for this time of year. He went on to say that the volume of incidents was consistent with what was occurring county wide. He added that trespass warnings had been issued at Ocean Breeze Plaza.

President De Angeles asked if the change in patrol times had been effective. Officer Angelico stated that while those patrols times were in place, no crimes were reported.

President De Angeles asked if there were also regular patrols performed by the Martin County Sheriff's Department that were not part of the additional patrols paid for by the Town.

Officer Angelico confirmed that there are regular patrols that cover the area.

Discussion ensued regarding juveniles loitering in and around Ocean Breeze Plaza.

Discussion ensued regarding additional patrols and trespassing in Seawalk.

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

- Regular Town Council Meeting, Monday, September 11, 2023 at 10:30AM
- Proposed Budget and Tentative Millage Rate Hearing, Wednesday, September 13, 2023 at 6:00PM
- Final Budget Hearing and Millage Rate Hearing, Wednesday, September, 20, 2023 at 6:00PM

**9. Adjourn** – President De Angeles asked for a motion to adjourn.

Council Member Docherty, seconded by Council Member Reese, made a motion to adjourn the meeting at 11:17AM.

Minutes approved: \_\_\_\_\_



# **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.**

## ELECTION ASSESSMENT (One Percent)

County Martin City Ocean Breeze Election Date 11/7/2023 Qualifying End Date 08/21/2023

A. Office B. Candidate C. Party

☐ Mayor (Name) Matthew Squires ☐ Democrat ☐ Republican

☐ City Clerk (Address) 1570 NE Skyhigh Terrace ☐ Minor Party ☐ No Party Affiliation

☒ City Commissioner ☒ Nonpartisan ☐ Write In

☐ Other (City,ST) Ocean Breeze, FL

D. Annual Salary \$ 0 1 % Assessment \$ N/A Undue Burden ☐ Yes ☐ No

A. Office B. Candidate C. Party

☐ Mayor (Name) Michael Heller ☐ Democrat ☐ Republican

☐ City Clerk (Address) 2760 NE Breezeway Circle ☐ Minor Party ☐ No Party Affiliation

☒ City Commissioner ☒ Nonpartisan ☐ Write In

☐ Other (City,ST) Ocean Breeze, FL

D. Annual Salary \$ 0 1 % Assessment \$ N/A Undue Burden ☐ Yes ☐ No

A. Office B. Candidate C. Party

☐ Mayor (Name) Peter Luther ☐ Democrat ☐ Republican

☐ City Clerk (Address) 2830 NE Breezeway Circle ☐ Minor Party ☐ No Party Affiliation

☒ City Commissioner ☒ Nonpartisan ☐ Write In

☐ Other (City,ST) Ocean Breeze, FL

D. Annual Salary \$ 0 1 % Assessment \$ N/A Undue Burden ☐ Yes ☐ No

A. Office B. Candidate C. Party

☐ Mayor (Name) Kevin Docherty ☐ Democrat ☐ Republican

☐ City Clerk (Address) 8 NE Nautical Drive ☐ Minor Party ☐ No Party Affiliation

☒ City Commissioner ☒ Nonpartisan ☐ Write In

☐ Other (City,ST) Ocean Breeze, FL

D. Annual Salary \$ 0 1 % Assessment \$ N/A Undue Burden ☐ Yes ☐ No

A. Office B. Candidate C. Party

☐ Mayor (Name) Kenneth De Angeles ☐ Democrat ☐ Republican

☐ City Clerk (Address) 28 NE Nautical Drive ☐ Minor Party ☐ No Party Affiliation

☒ City Commissioner ☒ Nonpartisan ☐ Write In

☐ Other (City,ST) Ocean Breeze, FL

D. Annual Salary \$ 0 1 % Assessment \$ N/A Undue Burden ☐ Yes ☐ No

Submitted By: Name Kim Stanton Phone Number 772-334-6826

Address 1508 NE Jensen Beach Blvd. City Jensen Beach Zip 34957

Remit to: Florida Elections Commission, 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399

## ELECTION ASSESSMENT (One Percent)

County Martin City Ocean Breeze Election Date 11/7/2023 Qualifying End Date 08/21/2023

A. Office B. Candidate C. Party

☐ Mayor (Name) William Arnold ☐ Democrat ☐ Republican

☐ City Clerk (Address) 52 NE Driftwood Drive ☐ Minor Party ☐ No Party Affiliation

☒ City Commissioner ☒ Nonpartisan ☐ Write In

☐ Other (City,ST) \_\_\_\_\_

D. Annual Salary \$ 0 1 % Assessment \$ N/A Undue Burden ☐ Yes ☐ No

A. Office B. Candidate C. Party

☐ Mayor (Name) \_\_\_\_\_ ☐ Democrat ☐ Republican

☐ City Clerk (Address) \_\_\_\_\_ ☐ Minor Party ☐ No Party Affiliation

☐ City Commissioner \_\_\_\_\_ ☐ Nonpartisan ☐ Write In

☐ Other (City,ST) \_\_\_\_\_

D. Annual Salary \$ \_\_\_\_\_ 1 % Assessment \$ \_\_\_\_\_ Undue Burden ☐ Yes ☐ No

A. Office B. Candidate C. Party

☐ Mayor (Name) \_\_\_\_\_ ☐ Democrat ☐ Republican

☐ City Clerk (Address) \_\_\_\_\_ ☐ Minor Party ☐ No Party Affiliation

☐ City Commissioner \_\_\_\_\_ ☐ Nonpartisan ☐ Write In

☐ Other (City,ST) \_\_\_\_\_

D. Annual Salary \$ \_\_\_\_\_ 1 % Assessment \$ \_\_\_\_\_ Undue Burden ☐ Yes ☐ No

A. Office B. Candidate C. Party

☐ Mayor (Name) \_\_\_\_\_ ☐ Democrat ☐ Republican

☐ City Clerk (Address) \_\_\_\_\_ ☐ Minor Party ☐ No Party Affiliation

☐ City Commissioner \_\_\_\_\_ ☐ Nonpartisan ☐ Write In

☐ Other (City,ST) \_\_\_\_\_

D. Annual Salary \$ \_\_\_\_\_ 1 % Assessment \$ \_\_\_\_\_ Undue Burden ☐ Yes ☐ No

A. Office B. Candidate C. Party

☐ Mayor (Name) \_\_\_\_\_ ☐ Democrat ☐ Republican

☐ City Clerk (Address) \_\_\_\_\_ ☐ Minor Party ☐ No Party Affiliation

☐ City Commissioner \_\_\_\_\_ ☐ Nonpartisan ☐ Write In

☐ Other (City,ST) \_\_\_\_\_

D. Annual Salary \$ \_\_\_\_\_ 1 % Assessment \$ \_\_\_\_\_ Undue Burden ☐ Yes ☐ No

Submitted By: Name Kim Stanton Phone Number 772-334-6826

Address 1508 NE Jensen Beach Blvd City Jensen Beach Zip 34957

Remit to: Florida Elections Commission, 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399





Sun Resorts & Residences Ocean Breeze Resort  
3000 NE Indian River Drive  
Jensen Beach, FL 34957

July 27, 2023

**BY EMAIL**

Mr. Terry O'Neil  
Town Manager  
Town of Ocean Breeze  
P.O. Box 1025  
Jensen Beach, FL 34958

**Re: Project Name: Ocean Breeze East PUD**

**Project Number: 00054265.00001**

**Extension Pursuant to Section 252.363, Florida Statutes**

**Executive Order 22-218 (Tropical Depression Nine)**

**Executive Order 22-219 (Tropical Depression Nine)**

**Executive Order 22-268 (Hurricane Ian)**

**Executive Order 23-21 (Extension of Exec. Order 22-128 - Hurricane Ian)**

**Executive Order 23-60 (Extension of Exec. Order 22-128 - Hurricane Ian)**

**Executive Order 23-104 (Extension of Exec. Order 22-218 - Hurricane Ian)**

**Executive Order 23-139 (Extension of Exec. Order 22-218 -Hurricane Ian)**

**Executive Order 22-253 (Subtropical Storm Nicole)**

**Executive Order 23-02 (Extension of Exec. Order 22-253 – Hurricane Nicole)**

**Executive Order 23-48 (Extension of Exec. Order 22-253 – Hurricane Nicole)**

**Executive Order 23-87 (Extension of Exec. Order 22-253 – Hurricane Nicole)**

**Executive Order 23-133 (Extension of Exec. Order 22-253 – Hurricane Nicole)**

Dear Mr. O'Neil:

Section 252.363, Florida Statutes provides in part as follows:

252.363            Tolling and extension of permits and other authorizations.

(1)(a) The declaration of a state of emergency issued by the Governor for a natural emergency tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration. Further, the emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 6 months in addition to the tolled period. This paragraph applies to the following:



1. The expiration of a development order issued by a local government.
2. The expiration of a building permit.
3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373
4. The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted pursuant to § 380.06 (19)(c).

(b) Within 90 days after the termination of the emergency declaration, the holder of the permit or other authorization shall notify the issuing authority of the intent to exercise the tolling and extension granted under paragraph (a). The notice must be in writing and identify the specific permit or other authorization qualifying for extension.

On September 23, 2022, Governor DeSantis issued Executive Order Number 22-218 declaring a state of emergency for certain counties in the State of Florida, including Martin County, as a result of the threat of Tropical Storm Nine. This emergency declaration was effective on September 23, 2022, and would have expired, 60 days later, on November 22, 2022. The Governor also issued Executive Order 22-219 on September 24, 2022, expanding the state of emergency to cover the entire State of Florida.

On November 7, 2022, Governor DeSantis issued Executive Order 22-253 declaring a state of emergency for certain counties in the State of Florida, including Martin County, as a result of the impending Subtropical Storm Nicole. This emergency declaration was effective on November 7, 2022, and would have expired 60 days later, on January 6, 2023. However, subsequent executive orders have continued to extend executive order 22-253, specifically Executive Orders 23-02, 23-48, 23-87, and 23-133.

On November 21, 2022, Governor DeSantis issued Executive Order 22-268 extending the state of emergency declared in previously issued executive orders 22-218, and 22-219. The extension of the state of emergency was necessitated by the continued recovery efforts and the continued recovery of affected people hit by Hurricane Ian, which still required the support of the State of Florida. This emergency declaration was effective on November 21, 2022, and would have expired, 60 days later, on January 20, 2023. However, subsequent executive orders have continued to extend executive orders 22-218, and 22-219, specifically Executive Orders 22-268, 23-21, 23-60, 23-104, and 23-139.

This correspondence is sent on behalf of and serves as the required notice to the Town of Ocean Breeze of NHC-FL143, Inc.'s, notice that the timetable for development for the Ocean Breeze East PUD must be tolled for the entire tolling period provided through Executive Orders 22-218, 22-219, 22-268, 23-21, 23-60, 23-104, 23-139, 22-253, 23-02, 23-48, 23-87 and 23-133 which currently amounts to 353 days and 12 months.

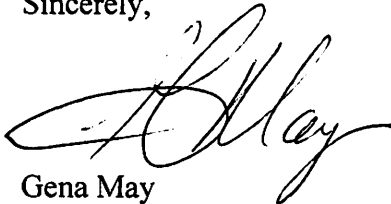
Therefore, based upon Executive Orders 22-218, 22-219, 22-268, 23-21, 23-60, 23-104, 23-139, 22-253, 23-02, 23-48, 23-87, and 23-133, **as of July 27, 2023,**

- the deadline for the use of lots for motorhomes is now extended from November 20, 2023 to November 7, 2025.

Although these extensions are automatic, pursuant to Florida law, with submission of the required notification to the Town of Ocean Breeze, we would appreciate written acknowledgment regarding the extension of the development order pursuant to the Executive Orders referenced above. Please be aware that further extensions may occur, and the Expiration Dates above will be automatically extended should there be any future extensions to the above referenced Executive Orders.

Please let us know if you have any disagreement with the new expiration dates identified above, or if you have any questions or need anything else regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Gena May", with a stylized, cursive script.

Gena May

cc: Rick Crary, Esq., Town Attorney (via email)  
Client (via email)  
Robert S. Raynes, Esq. (via Email)  
Anthony Herzog, District Manager, Sun (via Email)