

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

December 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 –

- Tentative Budget and Proposed Millage Rate Hearing, Wednesday, September 13, 2023
(Motion, second, all in favor)
- Final Budget and Proposed Millage Rate Hearing, Wednesday, September 20, 2023
(Motion, second, all in favor)
- Regular Meeting, Monday, November 13, 2023
(Motion, second, all in favor)

3. Comments by outgoing President Ken De Angeles

4. Oath of Office – Rick Crary, Town Attorney

- Kevin Docherty
- Michael Heller
- Matthew Squires

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

7. Comments from Town Management Consultant Terry O'Neil

8. Comments from Town Attorney Rick Crary

- Review of Sunshine Laws and Public Record Laws

9. Comments from Mayor Ostrand

**10. Announcements – Regular Town Council Meeting – Monday, January 8, 2024 at 6:00 pm 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 TENTATIVE BUDGET AND PROPOSED MILLAGE RATE HEARING
Wednesday, September 13, 2023, 6:00 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 6.00 p.m.

- Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
- Roll Call – Present: Mayor Karen M. Ostrand, President Kenneth De Angeles, Vice-President Bill Arnold, Council Members Kevin Docherty, Sandra Kelley, Gina Kent and Liz Reese
- Staff Present –Town Management Consultant, Terry O’Neil; Town Financial Consultant, Holly Vath; Town Clerk, Kim Stanton

2. Proposed Millage for Fiscal Year 2023/2024 - Holly Vath, Town Financial Consultant – Ms. Vath provided an overview from the July 26, 2023 Budget Workshop hearing in which a tentative millage rate of .9 mills was passed. She explained that staff would be bringing forth a 2022/2023 budget amendment at the October meeting for roughly \$30,000 - \$35,000 which would come out of reserves for unanticipated expenses. She continued to explain the 2023/2024 budget summary stating that the recommended reserve level should be 45-60% of the budget. She added that the patrols by the Martin County Sheriff’s office remained in the budget. She commented that the Town’s liability insurance had increased by 30%. She continued that the implementation of Office 365 for email had been initiated, along with the update of the web site to ADA compliance and adding the building permit status, which were mandated. She added that there would be election expenses for the November 2023 election because it was an “off year”.

Ms. Vath explained that a millage rate of .9 mills or less would need to be adopted at this meeting. She spoke about the specific instructions for adoption of a millage rate and budget stating that the millage rate, by Florida State Statute, had to be adopted first, then the budget by resolution.

She took questions from the Council regarding the current millage rate versus the rolled-back rate, which she defined. She explained that at the current rate of .9 mills, the taxes were being lowered by 4.45%. She continued to take questions from the Council regarding the standard homestead exemption, and portability of value (Save Our Homes Amendment).

President De Angeles asked for comments from the public.

Richard Dixon, 1344 NE White Pine Terrace, Ocean Breeze, proposed a millage rate of .8 mills. He spoke about the \$18,000 for patrols and that he did not believe the Town should continue these patrols.

President De Angeles asked for further comments from the public.

There were none.

President De Angeles asked for a motion by the Council to adopt a millage rate.

Council Member Reese, seconded by Council Member Kelley, made a Motion to adopt a millage rate of .8 mills.

Council Member Docherty spoke about the possibility of litigation regarding the close-out of the DR Horton project.

Mr. O'Neil stated that this was a possibility because the Town was collaborating with attorneys to get the close-out of the project across the finish line in terms of compliance with the PUD, the bond and building code related issues. He asked Ms. Vath the impact a millage rate of .8 rate would have on the reserves.

Discussion ensued regarding the impact a .8 millage rate would have on the reserve balance and the patrols by the Martin County Sheriff's Department.

President De Angeles stated that a millage rate would have to be set before further discussion of the budget.

Council Member Kelley asked if the millage rate being proposed was .8 mills.

President De Angeles confirmed that the motion was for .8 mills.

Roll Call Vote: Yes: Kelley, Reese, De Angeles, Kent; No: Arnold, Docherty; Motion Passed - 4 - 2

Council Member Reese made a Motion to delete the item for additional patrols by the Martin County Sheriff's Department in the amount of \$18,000 from the budget.

President De Angeles asked Martin County Sheriff's Deputy Andrew Adams to speak about this item.

Martin County Sheriff's Deputy Andrew Adams spoke about the extra patrols, the detail coordinator at the Sheriff's Department, difficulty in measuring service, the processes on how the patrols were gaged, gathering data, the outcomes of patrols, times in which patrols were made, scheduling of patrols, codes for the gates at Ocean Breeze Resort and Seawalk and visibility of patrols. He added that he could inquire of his detail coordinator as to the specific times and trackability of patrols. He urged all citizens to call the Sheriff's Department in the event of a crime.

Vice President Arnold asked about the code for the gate at Seawalk and that he would like to know the number of patrols in that area.

Discussion ensued regarding the patrols, gate codes, less kids riding around Ocean Breeze Plaza, homeless individuals, utilizing the patrols half of the current scheduled times, 3 hour minimum for patrols at \$60 an hour, random patrols, the Town of Ocean Breeze versus Jensen Beach, night-time patrols versus day-time patrols, call volume data, scheduled times for patrols, patrols in Ocean Breeze Plaza and the various zones within the Martin County Sheriff's Department.

President De Angeles asked Council Member Reese to restate the Motion.

Council Member Reese, seconded by Council Member Kelley, made a motion to delete the \$18,000 patrol item from the budget.

Roll Call Vote: Yes: De Angeles, Kent, Reese, Kelley, Docherty; No: Arnold; Motion Passed - 5 - 1

Council Member Docherty asked about offsetting this savings by converting the millage rate back to .9 mills.

Mr. O'Neil explained the voting process regarding undoing a previous motion and explained that the motion would have to be initiated and reconsidered by an individual on the winning side of the previous vote.

President De Angeles asked if anyone who voted "yes" to set the millage rate at .8 mills would choose to reconsider their vote to set the millage rate at .9 mills.

President De Angeles stated that hearing none, the millage rate would remain at .8 mills.

Ms. Vath explained that Resolution #338-2023 would need to be adopted and read into the record.

3. Proposed Budget for Fiscal Year 2023/2024 – Holly Vath, Town Financial Consultant – Council Member Kelley asked for clarification of the increase in salary for the Gross Payroll, second line-item, in which there was an increase in salary of almost \$11,000. She stated that she believed this increase was high. She referred to the Mayor's memo regarding extra functions for the position but that she did not believe that it would justify an increase of that amount. She asked that the line-item on Page 5, second line-item, Gross Payroll for Administrative Assistant be negotiated, and asked for further thoughts.

Discussion ensued regarding saving of dollars in the Computer Services line-item, the duties of the Administrative Assistant, Software Support line-item, proposal of increase in salary of \$5,000 instead of the \$11,000, relying on consultants versus having an employee with the same skill-set, changing title of Administrative Assistant to Deputy Town Clerk, State mandates regarding the Town's web-site and Computer Services line-item.

Mr. O'Neil recommended to President De Angeles that the Administrative Assistant line-item remain "as is" for this meeting and then, at the final hearing, staff would bring back an assessment along with the details.

Council Member Kelley made a motion to reduce the Administrative Assistant line-item.

President De Angeles asked for a second.

There was none.
Motion failed.

President De Angeles asked for further comments on the budget.

Council Member Kelley asked about Special Projects line-item.

Town Clerk, Kim Stanton, explained that Special Projects line-item was utilized for digitizing the Town records and that Administrative Assistant, Shannon Roger, had performed this task along with her additional duties.

Council Member Kelley asked about the line item of Public Advertising Notice with the Treasure Coast Newspapers.

Town Clerk, Kim Stanton, explained that the Town was required by State Statute to advertise the election, TRIM notices, hearings, and Ordinances in the local newspaper.

Council Member Kelley asked about the Office Supplies and Expense line-item for election mailing.

Mayor Ostrand explained that the reason for the mailing was to reach the entire public regarding the three budget hearings along with the Election Proclamation for the annual election.

Council Member Kelley asked about unused cell phone/internet stipends.

Mr. O'Neil explained that the stipend was available for use and at the end of the fiscal year, the unused dollars would remain in the funds and roll-over into the following year.

President De Angeles asked for additional comments from the Council regarding the budget.

There were none.

Mr. O'Neil gave direction on passing the millage rate resolution and then, passing the budget resolution.

President De Angeles asked the Town Clerk to read Resolution No. 338-2023 into the record.

Town Clerk, Kim Stanton, read Resolution No. 338-2023 into the record:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, MARTIN COUNTY, FLORIDA ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE TOWN OF OCEAN BREEZE, MARTIN COUNTY FOR FISCAL YEAR 2023/2024; PROVIDING FOR AN EFFECTIVE DATE.

President De Angeles asked for a motion to adopt the Resolution No. 338-2023.

Council Member Reese, seconded by Council Member Docherty, made a motion to adopt Resolution No. 338-2023.

Roll Call Vote: Yes: Docherty, Kent, Reese, Kelley, De Angeles; No: Arnold; Motion Passed – 5 – 1

President De Angeles asked the Town Clerk to read Resolution No. 339-2023 into the record.

Town Clerk, Kim Stanton, read Resolution No. 339-2023 into the record.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, MARTIN COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2023/2024; PROVIDING FOR AN EFFECTIVE DATE.

President De Angeles asked for a motion to adopt the Resolution No. 339-2023.

Council Member Docherty asked for clarification about the final hearing.

Council Member Kelley, seconded by Council Member Reese, made a motion to adopt Resolution No. 339-2023 with adjustments to be made at the final hearing.

Roll Call Vote: Yes: Kelley, De Angeles, Reese, Kent, Docherty, Arnold; No: None; Motion Passed – 6 – 0

4. Announcements – Public meetings to be held at Ocean Breeze Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze:

- Adoption of Final Millage Rate and Budget for FY 2023/2024, Wednesday, September 20, 2023 at 6:00 pm
- Regular Town Council Meeting – Monday, October 9, 2023 at 6:00 pm
- Canvassing Board Meeting – Wednesday, November 8, 2023 at 10:00 am
- Regular Town Council Meeting – Monday November 13, 2023 at 10:30 am

Mayor Ostrand announced that Council Member Docherty donated a new shredder to the Town office.

5. Adjourn – Council Member Arnold, seconded by Council Member Reese, made a motion to adjourn the meeting at 7:08 pm.

All in Favor: Yes: De Angeles, Docherty, Kent, Arnold, Reese; Kelley; No: None; Motion Passed – 6 - 0

Respectfully Submitted,

Kim Stanton

Town Clerk

Minutes approved: _____

TOWN OF OCEAN BREEZE
MINUTES OF THE FINAL BUDGET AND MILLAGE RATE HEARING FOR FY 2023/2024
Wednesday, September 20, 2023 – 6:00 p.m.
Ocean Breeze Resort Clubhouse, Pineapple Bay Room
700 NE Seabreeze Way, Ocean Breeze, Florida

1. Call to Order – President De Angeles called the meeting to order at 6:00 p.m.

- Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
- Roll Call – Present: Mayor Karen Ostrand, President Kenneth De Angeles, Vice-President Bill Arnold, Council Members Kevin Docherty, Sandra Kelley, Gina Kent and Liz Reese
- Staff Present – Town Management Consultant, Terry O’Neil; Town Financial Consultant, Holly Vath; Permit Processor, Pam Orr

Vice-President Arnold stated his frustration and anger concerning the actions that took place at the Tentative Budget and Proposed Millage Rate meeting held on September 13, 2023. He spoke about removing the extra patrols by the Martin County Sheriff’s Department and the questions concerning the Administrative Assistant line-item. He resigned, effective immediately.

2. Proposed Millage for Fiscal Year 2023/2024 – Holly Vath, Town Financial Consultant –

Ms. Vath explained the process to set the final budget and millage rate. She reminded the Council that the millage rate was set at .8 mills at the Tentative Budget and Proposed Millage Rate Hearing. She discussed the fuel tax revenues, FP&L expenses for lighting along Indian River Drive, extra patrols, and maintenance to crosswalks on Indian River Drive. She reviewed all revenues and the changes that were made to the budget at the Tentative Budget and Proposed Millage Rate Hearing.

Discussion ensued regarding the extra patrols by Martin County Sheriff’s Department, traffic along Indian River Drive, fuel tax revenue and the Administrative Assistant line-item.

President De Angeles asked if there were any comments from the public.

Richard Gerold, 29 NE Nautical Drive, Ocean Breeze, relayed his displeasure concerning the resignation of the Town’s Administrative Assistant.

David Wagner, 124 NE Bay Drive, Ocean Breeze, spoke about his displeasure concerning the actions taken at the Tentative Budget and Proposed Millage Rate Hearing.

President De Angeles asked for further comments from the public.

There were none.

President De Angeles asked for a motion from the Council to set the final millage rate.

Council Member Kelley, seconded by Council Member Kent, made a motion to set the final millage rate at .8 mills.

President De Angeles asked for comments from the Council.

Council Member Docherty stated his concerns regarding the millage rate. He spoke about the close-out of the Seawalk community project and continued PUD compliance. He discussed Home Rule, the 2023/2024 budget and the final millage rate.

Council Member Reese expressed her sorrow concerning the actions that took place at the Tentative Budget and Proposed Millage Rate Hearing and stated that it was unfortunate. She spoke about the Administrative Assistant line-item and commented that she was dismayed at the presentation of the figures. She remarked that she did not think it was wrong of the Council Members to ask tough questions. She informed the Council that she checked with the Ocean Breeze Plaza business owners and with her neighbors at Seawalk regarding the extra patrols and stated that they had reported to her that there was “no change.” She continued to discuss the Martin County Sheriff’s Department patrols and stated that nobody was defunding the police because the police are funded with tax dollars.

David Wagner, 124 NE Bay Drive, asked Council Member Reese if she had obtained the gate codes used by the Martin County Sheriff’s Department.

Council Member Reese stated that she believed the matter was closed because the Council had decided to remove the extra patrols.

Discussion ensued regarding the codes used by the Martin County Sheriff’s Department for the gate in the Seawalk community, police presence in the Plaza and in Ocean Breeze Resort.

Michele Dolan, 1434 NE White Pine Terrace, commented that she and Council Member Kelley attended a Martin County Crime Watch meeting. She informed the Council about that meeting and stated that she and Council Member Kelley were going to personally make sure that the Town was represented at the Crime Watch meetings.

Council Member Kelley spoke about her good intentions as she questioned the line-item for Administrative Assistant at the Tentative Budget and Proposed Millage Rate Hearing.

Discussion ensued regarding the figures on the budget documents, the job descriptions of the Clerk and Administrative Assistant, and explanation of the figures of the Administrative Assistant line-item.

President De Angeles asked for a motion to adopt the final millage rate at .8 mills.

Council Member Reese, seconded by Council Member Kelley, made a Motion to adopt the final millage rate at .8 mill.

Pam Orr, Permit Processor, read Resolution No. 340-2023 into the record:

A RESOLUTION OF THE TOWN COUNCIL 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 2023/2024; PROVIDING AN EFFECTIVE DATE.

President De Angeles asked for public comments.

There were none.

President De Angeles as for comments by the Council.

Council Member Kelley asked the Mayor for an explanation of the line item for the Administrative Assistant.

Discussion ensued regarding the Administrative Assistant line-item including hourly rate of pay, hours worked and an explanation of how the figures were calculated.

Roll Call Vote: Yes: Kelley, Reese, Kent; No: De Angeles, Docherty; Motion Passed: 3-2

Discussion ensued regarding the vote, quorums and number of votes needed to adopt the motion.

After a brief delay, Ms. Vath confirmed that the number of votes needed to adopt the motion was 3-2.

Council Member Kelley asked if there was an error in the calculation, she would like it to be so noted. She asked that former Council Member Arnold be informed about the calculation error.

3. Proposed budget for Fiscal Year 2023/2024 – Financial Consultant, Holly Vath – Mr. O’Neil informed the Council that there were a few more additional patrols in the current fiscal year and asked for direction as to whether those additional patrols should be cancelled.

Discussion ensued regarding the additional patrols, costs and visibility of the patrols.

Council Member Docherty, seconded by Council Member Kent, made a motion to continue the scheduled additional patrols through the remainder of the month of September, 2023.

President De Angeles asked for comments from the Council.

There were none.

President De Angeles asked for comments from the public.

There were none.

Roll Call Vote: Yes: Docherty, Reese, De Angeles, Kent, Kelley; Motion Passed: 5-0

President De Angeles asked for comments from the public regarding the final budget.

There were none.

President De Angeles asked for comments from the Council.

Mayor Ostrand stated that Council Member Kelley would like a breakdown of the hours worked by the Administrative Assistant and what was paid over the course of the year.

Council Member Docherty asked for further clarification regarding a petition for Martin County relating to the Publix roadway.

Mr. O’Neil explained the restricted gas tax funds and that they could be used during the upcoming fiscal year for projects or initiatives. He added that staff would come before the Council and request a budget amendment should projects arise.

Council Member Kent asked about the legal counsel that the Town might seek regarding the close-out of the DR Horton project and whether the gas tax funds would be available for this type of expenditure.

Mr. O'Neil answered that the gas tax funds were not allotted to be utilized that way. He stated that the expenses to close-out the DR Horton project, code compliance issues and any expenses for PUD compliance issues would come from the Town's reserve balance. He added that staff would ask the Council to approve a budget amendment for those costs, if necessary.

Mr. O'Neil took questions from the audience and the Council regarding the Planned Unit Development agreements the Town had with DR Horton and Sun Communities.

President De Angeles asked for a motion to adopt Resolution No. 341-2023.

Pam Orr, Permit Processor, read Resolution No. 341-2023 into the record:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, MARTIN COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2023/2024; PROVIDING FOR AN EFFECTIVE DATE.

Council Member Kelley, seconded by Council Member Reese, made a motion to adopt Resolution No. 341-2023.

President De Angeles asked for public comment.

There were none.

President De Angeles asked for comments from the Council.

There were none.

Roll Call Vote: Yes: Kelley, Reese, De Angeles, Kent; No: Docherty; Motion Passed: 4-1

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

- Regular Town Council Meeting, Monday, October 9, 2023 at 6:00 p.m.
- Canvassing Board Meeting, Wednesday, November 8, 2023 at 10:00 a.m.
- Regular Town Council Meeting, Monday, November 13, 2023 at 10:30 a.m.
- Regular Town Council Meeting, Monday, December 11, 2023 at 10:30 a.m.

5. Adjourn – Council Member Docherty, seconded by Council Member Kelley, made a Motion to adjourn the meeting at 7:05 p.m.

All in Favor: De Angeles, Docherty, Kelley, Kent, Reese; Motion passed

Respectfully submitted,

Kim Stanton

Town Clerk

Date

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, November 13, 2023, 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, Council Members Kevin Docherty, Sandy Kelley, Gina Kent, and Liz Reese
- Staff Present –Town Management Consultant, Terry O’Neil; Town Building Official, Steve Nicolosi; Town Engineer, Scott Montgomery; Town Attorney’s, Rick Crary and Nicole Laliberte; Town Clerk, Kim Stanton; and, Permit Processor, Pam Orr

2. Approval of Minutes – President De Angeles requested a motion to approve the following minutes:

- Regular Town Council Meeting, Monday, September 11, 2023
- Regular Town Council Meeting, Monday, October 9, 2023

Council Member Reese, seconded by Council Member Kent, made a motion to approve the Minutes of the September 11th and October 9th, 2023, meetings.

President De Angeles asked for comments from the Council.

There were none.

President De Angeles asked for comments from the public.

There were none.

All in Favor: Yes: De Angeles, Docherty, Kelley, Kent, Reese; No: None; Motion Passed – 5 - 0

President De Angeles stated that the minutes of the Tentative Millage Rate and Budget hearing would be forthcoming in December 2023.

3. Presentation by Jensen Beach Chamber of Commerce President, Ron Rose – President De Angeles introduced Ron Rose.

Mr. Rose congratulated the Town on its recent sixty-three-year anniversary as a municipality and acknowledged the new, incoming Council Members. He spoke about the history of the Town and the Jensen Beach Chamber and presented a book about the history of Ocean Breeze to the new Council Members. He updated the Council on the Jensen Beach downtown event. He recognized President De Angeles’ long-standing volunteerism and community leadership over the past four decades, and honored him with a commemorative gift. He invited everyone to visit the Chamber of Commerce in downtown Jensen Beach and he reiterated his commitment to develop strong business relationships.

He took questions from the Council and staff regarding benches, sidewalks, construction, trees, flower placement, Florida Power and Light work, old post office building and County Commissioner Doug Smith.

4. Update on close-out of the Seawalk residential project – Council Member Reese introduced the Seawalk Homeowners' Association Treasurer, Melissa Heller.

Mrs. Heller, a resident of Seawalk, spoke about the Seawalk close-out process and the Town's willingness to work with the HOA. She spoke about the PUD, building code issues, dollars spent by the HOA that the HOA Board believed should be reimbursed by the developer, dollars spent by the HOA on security updates, construction debris removal, pool furniture degradation, common area landscaping, community-wide irrigation, invasive plants / trees in the western preserve area and the deterioration of the storm drains. She stated that the developer should be compelled to return to the project, to be held accountable and complete the work that they started.

Mr. O'Neil gave a brief history of the close-out of the Seawalk development and reviewed the list of close-out issues which was previously provided to the developer, the PUD, and the bond (which covered only infrastructure issues). He explained that the PUD was a development agreement that existed in perpetuity and was the zoning for the property. He discussed the progress of building code issues and added that the home construction issues were between the developer and the homeowner. He stated that the HOA issues focused more on the common areas and the PUD. He thanked the Town's Building Official, Steve Nicolosi, for his diligent work. He commented as to the next steps and an upcoming meeting with Landscape Consultant, Mike Flaugh, Landscape Architect. He remarked that staff was consulting with the Town Attorney to help understand the Town's options to compel compliance.

President De Angeles asked for comments from the public.

Scott Stulb, 1673 NE White Pine Terrace, Seawalk Community, commented that his sprinkler system had six (6) zones as opposed to other households with three to four (3-4) zones, watering of common areas adjoining his lot, the high costs of this watering, other lots within the Seawalk community with the same watering issues, NE perimeter fence as it related to the PUD and D. R. Horton / Forestar not adhering to the landscaping requirements of the PUD, the Indian River Lagoon, water-testing of ground aquifers and major cracking of walls and floors, compaction reports, D. R. Horton's warranty department, ongoing issues his neighbors are experiencing, and the four (4) million-dollar bond held by the Town of Ocean Breeze.

Mr. O'Neil asked Mrs. Heller and Mr. Stulb to provide the Town Clerk with their prepared statements to have them on record.

Council Member Kelley asked if there was a deadline on the close-out, about the Town's communications with D. R. Horton and options available to the residents of the Seawalk community.

Mr. O'Neil replied that the Town had repeatedly asked the developer for missing information and added that the bond had a shelf life. He stated that the Town had options to enforce the terms of the PUD and stated that the legal team would have to advise the Town. He stated that he was encouraged by the recent meetings with the HOA Board because there was another group talking to the developers. He commented that there was some variance with the PUD master plan and that would require a PUD amendment, which would require participation by the HOA. He stated that the Town had requested the developer contact the HOA Board and their attorneys to begin discussions for a PUD amendment, which could be approved administratively.

Council Member Kent asked about the compaction tests of the topsoil. She asked what the value would be to correct all the topsoil and the foundation.

Mr. Nicolosi stated that would not fall under his jurisdiction.

Mr. O'Neil explained that the soil treatment was related to the quality and longevity of the landscaping, and that the compaction issue was related to the foundation when the homes were constructed and added that these were two different issues. He stated that both were required, and that the Town did receive certifications.

Mr. Nicolosi stated that the Town did receive the compaction results for each lot.

(unknown) asked if these tests were legitimate.

Mr. Nicolosi stated as far as he knew, and that it was something difficult to disprove.

Council Member Kelley asked the outcome of the tests.

Mr. Nicolosi stated that all the lots had the proper density.

Council Member Kelley asked if there were issues pertaining to Mr. Stulb's remarks.

Mr. Nicolosi answered that it would take more exploration, and he explained the compaction tests.

Council Member Docherty asked about the anticipated legal fees with the Town's limited number of reserves and expressed his concern.

Mr. O'Neil spoke about the budget amendment on the agenda in the amount of \$39,450 of which represented a substantial amount of staff time spent on close-out issues. He stated that with the assistance of the Town attorneys, staff would be more effective in getting the developer to respond.

Mr. O'Neil acknowledged that the Town currently has reserves.

Attorney Crary remarked that he would be retiring and that his firm had other fully capable attorneys.

He acknowledged that the Town was requesting more investigations of legal enforcement and added that due to the expense, he had always advised the Town to resolve things without having to go the judicial route. He stated that due to the Sunshine law, the Town Council could not meet in private with the Town attorney but that the Town attorney could meet in private with the Chief Executive Officer, the Mayor.

Mayor Ostrand spoke about the upcoming staff meetings with the Seawalk HOA Board and the plan to meet on a regular basis. She stated that the close-out could not occur without her signature, and that she wanted most of the issues resolved. She encouraged anyone to contact her if they have any questions.

Council Member Kelley stated that of the \$39,000 in the budget amendment, \$19,000 was for legal fees. She asked if the Town could recoup any legal fees from D. R. Horton because they did not do their job nor were they code compliant.

Liz Meredith, 2960 NW Breezeway Circle, Seawalk, asked about the shelf-life of the bond.

Attorney Crary stated that the Town was well within the expiration of the bond.

Ms. Meredith stated that DR Horton had been repairing the roof vents and asked who checked their work to make sure it was performed correctly.

Mr. Nicolosi answered that the original inspector, Absolute Engineering, was returning to verify that the work was performed correctly.

Ms. Meredith asked if they were checking every vent in every single house.

Mr. Nicolosi stated that Absolute was the official inspection company and was required to check all homes. He added that he had been spot checking them and that he believed that the work had been performed correctly.

Ms. Meredith asked if there was to be documentation guaranteeing that all the repairs were fixed properly.

Mr. Nicolosi answered "yes."

Ms. Meredith asked if the original baffles were supposed to be separated from the vents.

Mr. Nicolosi stated that he asked the manufacturer and others, and no one has been able to give him an answer.

Mr. Stulb asked if the Town could contact the State Attorney General's office to assist in fighting the battle because D. R. Horton had not adhered to the PUD.

Attorney Crary stated that the Town would take his comment under advisement, but that he did not want to say one way or the other.

President De Angeles asked for other comments.

Pam Orr, Permit Processor, stated that Mrs. Heller had asked about the deterioration of the storm drains and asked Town Engineer, Scott Montgomery, to comment.

Mr. Montgomery replied that he had looked at several storm drains and one of them showed deterioration of grout work around the grate which would fall under the category of maintenance. He added that the two would need incidental maintenance which would normally come under the bond. He stated that the work was minor and was not a failure of a grate system or the structure itself, but just grout work where the grates secured to the top of the structure.

Mr. O'Neil asked if that work could be performed under the bond as infrastructure related improvements.

Mr. Montgomery answered, "that was correct."

President De Angeles asked for further comments.

Mrs. Heller spoke about the Town's reserves and the millage rate.

Mr. Crary stated that the attorneys at his firm would be looking into the issues from a standpoint of enforcement by the Town. He cautioned not to confuse the Town with the HOA, and that the HOA could investigate how they could enforce under the HOA and where the line of responsibility lied. He added that the Town would not be looking out for the HOA nor the individual homeowner's individual rights.

5. Resolution No. 343-2023 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA AUTHORIZING BUDGET AMENDMENT #4 TO THE GENERAL FUND BUDGET IN THE AMOUNT OF \$39,450 TO RECOGNIZE ADDITIONAL GENERAL GOVERNMENT AND PUBLIC SAFETY EXPENSES, PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES – President De Angeles asked the Town Clerk to read Resolution No. 343-2023 into the record.

Kim Stanton, Town Clerk, read the title of Resolution No. 343-2023 into the record.

President De Angeles asked for a Motion to approve Resolution No. 343-2023.

Council Member Kelley, seconded by Council Member Docherty, made a motion to adopt Resolution No. 343-2023.

President De Angeles asked for public comment.

There were none.

President De Angeles asked for comments from the Council.

There were none.

Roll Call Vote – Yes: Kent, Reese, Kelley, De Angeles, Docherty; No: None; Motion Passed - 5 - 0

6. 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.

7. Comments from the Council on topics not on the Agenda – Council Member Docherty spoke about the Ocean Breeze Resort PUD. He added that he was collaborating with staff to have the three crosswalks refurbished along with the speed stripping. He discussed the Florida League of Cities, Treasure Coast Regional League of Cities, and advocacy meetings.

He asked if the Council Members who might not be using their allotted conference and travel if they would each be willing to move \$50 (\$250) of their funds to his account to allow him to attend the State meeting in Tallahassee in January, 2024. He remarked that this practice had been performed in the past to allow more active members to represent the Town at the State level. He stated that he was on the Finance, Taxation and Personnel Committee and would be traveling to Tallahassee to argue for Home Rule. He commented that he may not use the funds but would like them in place should the need arise.

Mr. O'Neil stated that the past practice had been that a Council Member or Mayor make the request and then a motion and second would be necessary to shift \$50 from each of the Members to allow Council Member Docherty to attend these events.

Council Member Docherty, seconded by Council Member Kelley, made a Motion that each Council Member transfer \$50 (\$250) from their allotted conference and travel funds to allow him to attend these meetings.

Council Member Reese asked about the dollars that were not spent from last year's budget.

Mr. O'Neil answered that this policy had been longstanding so that if any one Council Member or the Mayor needed extra funds from their allotted amounts, the funds could be transferred to the member needing the extra dollars.

President De Angeles asked for public comment.

There was none.

Roll Call Vote – Yes: Docherty, Kent, Reese, Kelley, De Angeles; No: None; Motion Passed - 5 - 0

Mr. Stulb asked Town Engineer, Scott Montgomery, about the perimeter fence on the northside of Seawalk that bordered Publix and the flooding of their parking lot. He stated that he had worked with the government workers at Ocean Breeze and submitted video and photographic evidence regarding rain run-off that was shin deep.

He remarked that rainwater from the Publix parking lot ran south and west; he added that the problem was also occurring at the pedestrian gate at the southwest corner. He commented that this flooding was affecting his lot all the way down to Council Member Kent's lot. He stated that he was told that the storm drain system was antiquated and he did not believe it was the responsibility of the Town to have this altered but the property owners of the Ocean Breeze Plaza. He remarked that the water was spilling up and over onto the grassy area and had made it to the perimeter fence on the Seawalk property. He suggested utilizing the 100 ft span storm water retention area with the natural grasses that was in the center of the main gate. He expressed his concern regarding water encroaching upon the properties of the Seawalk residents.

Mayor Ostrand stated that Phillips Edison was the owner of the Plaza property.

Mr. Montgomery commented that he had reviewed the videos and if in the future the waters levels rise, other than the walkway connection, to let him know. He added that a straightforward improvement in the meantime would mean that the developer would need to initially make a means of redirecting the water to the retention area, which would be able to easily manage it in the short-term but remarked that the item needed to be addressed by the developer. He added that, in his opinion, it was not the fault of the original engineer of record and would not have been anticipated but rather it was a matter of the (Plaza) facility not functioning correctly.

8. Comments from Town Management Consultant, Terry O'Neil – There were none.

9. Comments from Mayor Ostrand – Mayor Ostrand spoke about the noise level the trains are bringing to the area. She introduced Janet Galante, who lived in Ocean Breeze Resort to comment on the subject.

Janet Galante commented that she had brought the item of loud train horns to the Mayor's attention. She stated that she counted thirty-six trains a day and spoke about acceptable decibel levels. She referred to the email from Don Donaldson, Martin County Administrator, in which he spoke about quiet zones. She remarked that she was not necessarily looking for quiet zones, but the length of time the trains were allowed to blow their horns. She stated that she was looking for information on how this could be addressed with Martin County.

Council Member Docherty stated that there were sixteen trains going one-way, which would amount to thirty-two trains a day. He also spoke about the sound barrier wall.

Mr. O'Neil stated that consensus from the Council would allow staff to investigate this issue further and he commented that there had been conversations with Martin County and the City of Stuart. He added that they had relayed that they were pursuing a quiet zone designation for Martin County. He stated that he did not believe there was any other way to regulate the railroad other than in this quiet zone designation, which would come from the Federal Railroad Administration. He commented that there were twenty-eight intersections in Martin County and a strategic amount of those intersections would need to be improved with gates, fences, and pedestrian crosswalks to make them "secure." He continued that a quiet zone designation could not be entertained without having a certain number of these intersections approved. He added that the County was reserving a decision until September 2024 on whether to seek the quiet zone.

10. Announcements – Regular Town Council Meeting, to be held Monday, December 11, 2023 at 10:30 a.m. at Ocean Breeze Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

Council Member Docherty reminded the Council about the Treasure Coast Regional League of Cities luncheon in December 2023.

11. Adjourn – Council Member Docherty, seconded by Council Member Reese, made a motion to adjourn the meeting at 11:34 a.m.

All in Favor: Yes: De Angeles, Docherty, Kelley, Kent, Reese; No: None; Motion Passed – 5 - 0

Respectfully Submitted,

Kim Stanton
Town Clerk

Minutes approved: _____

Talking Points for Town Council meeting 11/13/23

Good morning Mayor, Council Members, Ocean Breeze staff and fellow residents. On behalf of the Seawalk Homeowner's Association and the residents of our 143 homes, thank you for allowing me to address you today.

My husband Mike and I moved to Ocean Breeze in May 2022 after more than 30 years in Broward County where we both had careers in public service. Having worked for local governments, we both understand the role this level of government plays in people's daily lives. We also understand first-hand the importance of an involved citizenry.

We firmly believe that an effective local government is a collaborative government, and we are so grateful to have made our home here in Ocean Breeze. At my meeting with the Mayor Ostrand and Terry O'Neil as a new resident to the town well over a year ago, I found the Town very open to inquiry and dialogue.

Earlier this year, I was elected to the Seawalk Homeowner's Association Board. In addition to being the treasurer, I am taking the lead on the closeout process. As you all well know, the closeout process is not a straightforward one and has dragged on for what feels like an unreasonably long period of time.

The Homeowner's Association is extremely grateful for the Town's willingness to have us at the table for the closeout discussions as well as the Town's willingness to appropriate money for professionals – like the landscape architect – to document how the conditions in our community do not live up to the conditions required by our PUD.

And on behalf of our owners, we are most appreciative of the Town's willingness to continue to very promptly address building code issues that impact individual homeowners.

But the fact of the matter is that if our developer had lived up to its obligations in the PUD, we would not be having this conversation today.

To date, our HOA has come out of pocket to address urgent needs that could not wait for the closeout process to conclude. We have spent this money but firmly believe that it is the developer's responsibility to reimburse us for correcting things that are rightly their responsibility.

The Homeowners Association has spent approximately \$30,000 to date on the following items:

- We paid to install internet connections at both vehicle gates and the pool to enable modern security infrastructure to be installed. How – in the 21st century – our developer did not install this critical infrastructure we will never understand. Our

homes were built with “smart home technology” with garage and front door access that can be controlled via the internet. However, for all of our community security elements, the developer chose to install cheap and ineffective components that served their purpose during construction but were completely useless to a community with a constant need to add new people needing access as well as remove previous residents and contractors that were no longer entitled to access. I’d like to give you a couple of examples:

- We were forced to replace the lock system at the pool because there was no way to remove an old code without wiping the whole system and completely starting over. This means that there was no way to revoke access to our one common amenity for those who were behind in their monthly HOA dues.
- We also replaced our original vehicular access gate system which included a fully metal call box that shocked many people using it. The larger issue, however, was the complete lack of functionality that made it very difficult to remove old access codes and prevent access by parties that should no longer be able to access our community.
- Our pedestrian gates did not automatically swing closed so we made the necessary modifications for that.
- The Homeowner’s Association continues to remove construction debris, which clearly demonstrates that the developer did not perform a final cleanup after construction was completed.
 - The Homeowner’s Association paid for a storm drain cleanout prior to this year’s hurricane season which removed a lot of construction debris from our critical drainage system.
 - However, we continue to unearth cinderblocks, pvc pipe and other construction debris as we are removing dead trees from our dry retention areas.
- And finally, the furniture at our pool was literally falling apart. Commercial grade outdoor furniture should last far more than 2 years but the furniture provided by the developer did not. Again, with this being our one common amenity, the pool area needs to be functional and safe for people to use without worrying if their chair is going to collapse with them in it.

I’d like to now move on from the things that we have already corrected to the largest issue we have at this time: common area landscaping and the community-wide irrigation.

We have lived for two early years with landscaping in our common areas and along the perimeter of our community that is either dead or nearly dead because of the developer’s inability to match irrigation needs with the plantings that were installed. The developer came through about a year ago and replaced some trees that had already died. Many of these replacement trees have now died or are nearly dead.

As we discussed with Mr. O'Neil last week, we are photographing the dead trees and will be paying our landscaper to remove them. Besides becoming a habitat for nuisance wildlife, the proliferation of dead trees makes our neighborhood look unloved and uncared for. And while we will spend the money to remove the dead trees, we do not have funds available to replace these trees which are required by the PUD landscaping plan. It is our expectation that the developer be required to replace these trees and provide for sufficient irrigation so the trees take root and thrive in these locations.

And speaking of irrigation systems, ours continue to be a mystery. We have a lot of pipes and control boxes that have never worked (to anyone's recollection at least) and were not on the original plans for the community.

- We have several residents that are concerned about watering areas adjacent to their homes that perhaps should have been a separate zone on a meter paid for by the Homeowner's Association.
- Given the developer's choices with our community's security infrastructure, it is not unreasonable to think that the developer simply chose the easiest way out and opted to attach a zone to a nearby home rather than run pipes from another meter.
- We have not yet sorted this issue out fully though our residents bearing what can be called a "disproportionate burden of watering" are rightly growing impatient.

Our common areas are now a very stark contrast to the lush, well cared for plantings at the community's entrance and model homes when we all purchased our homes here. Many of our homeowners have substantially enhanced the landscaping installed by the developer and take great pride in the appearance of their individual lots. The nicer people make their yards, the worse the common area looks in comparison. It is time that the developer fulfilled its obligation to our community by correcting the landscaping and irrigation systems.

And before we leave the topic of landscaping, it is worth noting that we continue to have invasive plants and trees in our western preserve. This will be expensive to remediate and was supposed to have been addressed by the developer as part of the neighborhood's construction. Every day these plants and trees continue to be present in our community we are risking them spreading to other areas and causing yet another expensive problem that the Homeowner's Association needs to fix.

And finally, I did want to mention one other issue that the Town is aware of and that is the deteriorating storm drains. Several of the drains in our community are showing structural

decline with visible cracks and missing concrete in places. We thank you for your help holding the developer accountable for a structurally sound storm drain system.

And in closing, please understand that I've shared this information with you to help you understand the patience that we and our residents have demonstrated to date. We have waited, we have even paid to correct the things that impacted our safety and ability to enjoy our common areas, and we have waited some more.

But many of us can see the developer's new project to the south of our community from our homes and feel that we have been abandoned as the developer simply moves onto a new opportunity to make money.

It is time that the developer be compelled to come back to the table and be held accountable for finishing the work they started in Seawalk.

Thank you for your time this morning and for your support of our residents.

Melissa Heller
2760 NE Breezeway Circle
Ocean Breeze

My Family and I live on Lot 11 (1673 NE White Pine Terrace). We purchased and moved in June 2021.

I was told by both Howard the irrigation contractor, and landscape contractors that due to DR Horton/Fore Star Development not installing water retaining organic material (topsoil) on top of the highly porous 'sugar' sand prior to the installation of grass and plants, that I would need to water 5 days a week for the 1st year in order to get all the roots established. Then after the first year, I would need to water 3 days a week.

Most every other household has only 3-4 zones on their irrigation system. Our irrigation system has six (6) zones, three of which are dedicated to watering the common area(s) adjoining our lot. We are watering about 2600 square feet of common area. This is a lot of extra money \$\$\$ that I have to pay each month. This week I will manually run each of the three zones on my irrigation system that are watering common areas for ten minutes each, writing down gallons used for each zone, then dividing that number by ten to accurately determine GALLONS PER MINUTE used, then doing the math to determine how much I have personally been paying to water common area since June of 2021.

With each upcoming month, that amount will increase. I can not afford that.

I need to be refunded ALL of my money. But even more important, the irrigation 'screw up' by DR Horton has to be 'unscrewed'..... This is affecting every single household in Seawalk since each family purchased property.

Most of you have heard me bring this matter up in an HOA meeting.

I have spoken with Gary Brunk, Operations Manager for DR Horton's SE Florida sector. He informed me of what was presented to our past HOA Board by way of DR Horton's Attorney. But nothing ever transpired. I will not bad mouth nor speculate why nothing was done by the past Seawalk HOA Board. But we now have a new Board with very proactive members. One of the members has won both my trust and admiration as a 'Stand Up Guy' (it's a NJ thing), and I actually consider a personal friend, Bill Nissen. I asked both Gary Brunk and Bill Nissen if they would be willing to speak directly to each other, who in turn both enthusiastically agreed. I introduced one to the other and have now stepped back from the situation.

I hope, and pray, that this issue is remedied permanently by way of redirecting water conduits from the 3 established Common Area manifolds to hook up onto all the adjoining grass areas in front of each of our homes (the strip between the sidewalk and the street, and to the larger grassy areas adjoining the approximated 6 Lots including our Lot 11. Additionally, each and every family needs to be compensated financially for having to pay out of pocket to water the common areas.

Some of the Town Council members remember me speaking at a past meeting regarding the NE perimeter fence which spans from the pedestrian gate leading to Publix Shopping Center out to the railroad. That span of fence was supposed to be out over 30 feet farther according to the Planned Urban Development (PUD), which is legally considered the 'Holy Grail' for any development within the State of Florida. 100% of all construction has to conform to the PUD. Martin County Utilities had that altered so they could have the 24/7 access to the high pressure sewage line that services our town, in addition to Sewall's Point and Hutchinson

Island. I understand the reasoning behind that decision. But what I am greatly concerned about is that the residents of Seawalk, especially the row of homes, including our home, who border against that fence were not properly notified about the change. What other issues have either occurred in the past and/or will be occur that will go against what the PUD states?

Another MAJOR issue that I am about to speak of affects each and every homeowner in Seawalk and the residents surrounding us. It is the issue of DR Horton and Forestar Development not adhering to the PUD by not bringing in organic matter, namely topsoil, to layer on top of the highly porous sugar sand. Organic matter not only provides nutrients to grass and plants, but acts like a sponge and retains moisture so the roots of the plants can utilize the water. Our plants and grasses have been withering and dying, which is due to lack of water and nutrients. Sections of our community look horrible due to the dead plants and grasses. A 'band aid' is being placed on the situation by chemical fertilizer being dispersed both by our landscaping company and by individual homeowners who retain the services of 'green lawn' companies. These chemical fertilizers are high in Nitrogen. The topsoil that should have been place down would have helped to retain the fertilizer. Instead, the fertilizer, in addition to all the extra water that we have to irrigate with is perculating rapidly through the sugar sand and into both our fresh water aquifers below us and into the Indian River Lagoon, which is one of the Nation's most precious ecosystems. The Nitrogen produces toxic algea blooms and in turn that kills off fish and wildlife. We all have seen the horrible scenes in the Saint Lucie River. All that toxicity eventually makes it's way into the Ocean and destroys habitats. I work professionally as a Diver and a Boat Captain. I am seeing with my own eyes the deterioration of the environment. This particular matter I take personally. And because of this, I plan on speaking with environmentalists, scientists, and graduate students about conducting water testing of our ground, aquifers, and the waters of Indian River Lagoon which is located only a few hundred yards from us. I am sure that I can get people involved, send reports to environmental oversight agencies at both the State and Federal levels so all the parties involved in allowing this to happen can receive fines and pave the way to file lawsuits.

Another issue within the Seawalk Community has been settling issues, where many residents homes now have major cracking of walls and floors. Two former residents of Seawalk who have decades worth of construction experience bluntly stated to me that proper compaction of the Sugar Sand that is the entire base of Seawalk was never performed. I believe them, for I personally witnessed my house being constructed from bare lot to finish product on a daily basis. I came to take photos and video for later reference as to where conduits, electrical, and HVAC lines all origionated and ended. My photos only showed heavy equipment ran on my property for removal and grading of the sugar sand. When pressed on this issue by some of our neighbors, DR Horton produced compaction reports which were not detailed. These reports were from a 3rd party company which was hired by DR Horton. The person who owned and operated that company has since died. So the homeowners of Seawalk now have little in the way of 'a full court press' by way of investigations and affidavits to see if anything was done properly.

There have been other issues which many homeowners have experienced and yet to have resolved. Personally, I have been fortunate to deal with Jamie and Marleni of DR Horton's warranty dept, and due to me being very proactive, both individuals have been wonderful to deal with and getting my issues corrected. I just now spoke briefly of other issues only to bring awareness that my neighbors are still experiencing. A \$4,000,000 bond is being held by Town of Ocean Breeze that is from DR Horton and Fore Star Development. After researching costs for construction surety bonds and seeing they only cost 1%-5% of the bond value, the worst case scenario is that the aforementioned companies only paid a max of \$200k. It is not much money at all for the biggest construction company in the United States, but it is the only leverage that the Town of Ocean Breeze has against them.

With the over 140 homes that are here in Seawalk has doubled the population (and tax base) for Ocean Breeze. As I had stated verbally in the HOA meeting, collectively, the residents of Seawalk hold alot of power in Ocean Breeze. We now also have Seawalk residents in active positions within the Government of Ocean Breeze. It is overdue for the 'Sleeping Giant' of Seawalk residents to wake up, and demand rapid action. We need pressure applied to DR Horton and Fore Star Development to address and remedy all issues with homeowners of Seawalk, to adhere to the PUD, and to refund money to all involved.

Scott Stulb
1673 NE White Pine Terrace
Ocean Breeze

11/13/2023
~~10/9/2023~~

TOWN OF OCEAN BREEZE, Town Council Meeting - Sign-In Sheet - Date: -

Name	Address	Telephone Number
Tanet Galante	217 NE Coastal Drive	(561) 428-3432
Doreen Henry		
Melissa & Matthew	2760 NE Breezeway Circle	
Lynda Capobianco	Seawalk	
Michele Dolan	1434 NE White	
Sue & Bill Nissen	Seawalk Pine Ter	
Ann Kagdis	1564 NE White Pine Terr	
Jane Hale	111 NE Bay Dr.	
RETE LUTHER	205 NE Coastal	781-336-7964
Scott Stubb	2830 NE BREEZEWAY CIR	
Liz Meredith	1673 NE White Pine Terrace	304-620-1037
	2960 NE Breezeway Circle	

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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."

Kevin Docherty

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



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."

Michael Heller

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



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.”

Matthew Squires

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



Item #5

MEMORANDUM

TO: Town Council and Mayor
FROM: Kim Stanton, Town Clerk
DATE: December 11, 2023
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

1. Attorney Crary asks for nominations for the office of President.
2. Attorney Crary asks if there are any other nominations.
3. Attorney Crary asks for a Motion to close the nominations.
4. Upon Motion made and seconded to close the nominations, the Clerk will call the roll to determine if said Motion passes.
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. Upon Motion made and seconded to close the nominations, the Clerk will call the roll to determine if said Motion passes.
5. If there is more than one nomination, the Clerk will call the roll and Council Members will voice their votes per open ballot.

¹In the absence of a President, the Town attorney will guide the nomination election process.

Council/Mayor Board Appointments and Liaison Activities
as of December 11, 2023

Organization		Appointee(s)
1	Florida League of Cities (FLC);	Mayor and Council Members participate on their own initiative. (Mayor and Council Members are members of the FLC)
2	Florida League of Mayors (FLM)	Mayor Ostrand, Board Member
3	Treasure Coast Regional League of Cities (TCRLC)	Mayor Ostrand; (Council Member Docherty is the alternate)
4	Treasure Coast Regional League of Cities Advocacy Team (TCRLCAT)	Mayor Ostrand, Chairman of Advocacy; Council Member Docherty, Team Member
5	Legislative Delegation (Florida League of Cities)	Mayor Ostrand, Municipal Administration Committee; Council Member Docherty, Finance, Taxation and Personnel Committee
6	Treasure Coast Council of Local Governments	Council Member Docherty (primary member)
7	Martin Metropolitan Planning Organization Technical Advisory Committee (TAC)	
8	Martin Metropolitan Planning Organization Bicycle and Pedestrian Advisory Committee (BPAC)	
9	Martin County/Jensen Beach Community Redevelopment Area (CRA) Neighborhood Advisory Committee (NAC)	
10	Jensen Beach Chamber of Commerce (JBCC)	Mayor and Council Members participate on their own initiative
11	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.



Town of Ocean Breeze

December 4, 2023

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

RE: Closeout of the Resort's Master Site Permit (Permit #1102, issued on 10/15/15)

Dear Ms. May:

The Town of Ocean Breeze sent the attached notice to Sun Communities on June 29, 2021. The letter identifies several outstanding issues pertaining to undocumented infrastructure improvements in the northern portion of the Resort. Notwithstanding your statement in April 2022 that "... we are looking to still commence work in the next 3-4 months and hope to have completed by end of Quarter One 2023" (copy attached), there have been no documented activities in this regard.

It is my understanding that development timetable extensions granted by the state do not apply in instances of undocumented improvements. Accordingly, the Town asks that Sun Communities take steps immediately to bring the project into compliance and that you provide us with a schedule for doing so.

Please contact me if you have any questions.

Sincerely,

Karen M. Ostrand
Mayor

cc: Anthony Herzog, Resort Manager
Ocean Breeze Town Council



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



P:\1500\1543.1 Ocean Breeze Park Phase I\Permitting - Town - PUD\2021-0319 Ocean Breeze Certification\2021-0319 TONeil Ocean Breeze Certification.docx



OCEAN BREEZE RESORTS
REDEVELOPMENT
OVERALL SITE PLAN

DATE: 10/1/10
 DRAWN BY: J. L. L. L.
 CHECKED BY: J. L. L. L.
 APPROVED BY: J. L. L. L.
 PROJECT NO: 1543.2
 SHEET: 1 OF 1



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,



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

Town Clerk

From: townclerk@townofoceanbreeze.org
Sent: Wednesday, April 27, 2022 3:46 PM
To: Gena May
Subject: RE: Northern Infill Area Update for Ocean Breeze Jensen Beach

Thank you, Gena.

Have a great afternoon!

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: Wednesday, April 27, 2022 3:34 PM
To: townclerk@townofoceanbreeze.org
Cc: Chris Walters <CWalters@suncommunities.com>; terrancewoneil@gmail.com; Gena May <GMay@suncommunities.com>
Subject: RE: Northern Infill Area Update for Ocean Breeze Jensen Beach

To Whom It Concerns,

Just wanted to offer a quick update regarding our North-end engineering work that is underway right now. We met with CapTec today to check on their progress, and they to obtain approval on the scope of work. It was determined that additional surveying would be required, CapTec still needs to finish some calculations and finalize plans. It is only a guess, but right now we are looking to still commence work in the next 3-4 months and hope to have completed by end of Quarter One 2023. Everyone understands the priority here is to get the water and sewer issues resolved first and foremost. The scope of work we are looking at is large, and we will be communicating with our residents, when the time comes, on the inconveniences this work may create each north end homeowner.

When I receive any additional information, I will send you another update.

Respectfully,

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: Gena May <GMay@suncommunities.com>

Sent: Tuesday, February 8, 2022 5:39 PM

To: townclerk@townofoceانبreeze.org**Subject:** Northern Infill Area Update for Ocean Breeze Jensen Beach

Pam,

I understand that the Town has reached out to our vendor and asked for an update on our properties north end in preparation of the upcoming Town Board meeting on February 14th. Please know that we expect our vendors to keep our business with them confidential and they are not authorized to be our spokesperson for property related matters. I've made it perfectly clear to the Town and Terry, multiple times, that you are more than welcome to email me at any time should you need an update or have a concern or question related to Ocean Breeze Jensen Beach. I'm more than happy to respond to your inquiries.

I'm pleased to report that we have secured an agreement with CAPTEC Engineering, Inc. and they have begun their review of the roadway, stormwater management, water main, and sanitary sewer facilities for the north end of our community.

Please let me know if I can assist you any further.

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

FYI



Michael Flaugh LANDSCAPE ARCHITECT

772.419.0024

3744 SE Ocean Blvd. Stuart, FL 34996

Mike@MikeFlaughLA.comMikeFlaughLA.com

Houzz.com-Michael Flaugh

Islamorada

Stuart

Naples

Proposal COMMERCIAL LANDSCAPE ARCHITECTURAL SERVICES

CLIENT Town of Ocean Breeze 11.20.2023

PROJECT Seawalk

SCOPE Prepare comprehensive evaluation of the SeaWalk existing landscape and irrigation
Evaluation to be focused on the following criteria:

Does the installed landscape meet the specifications provided on original plan?

Identify and explain deficiencies in each tree that does not meet specification

Does the irrigation meet the specifications provided on original plan?

Identify and explain how and where irrigation fails to meet specifications

Quantify and locate all dead or missing trees

Qualify and identify each tree as viable and worth ongoing maintenance effort or not

Recommend remedy for trees that are viable, but not thriving

CONTINUING CONSULTATION AGREEMENT

The scope above will be completed and delivered no later than January 15th. Billing will be based on an hourly rates shown below.

Hours	Rate	Service	Extended
0	65.00	General admin	0.00
0	65.00	Field Tech	0.00
0	150.00	Report writing and drafting illustrations including ph	0.00
0	225.00	Landscape Architect, consultation	0.00

Total 50
Approved Signature [Signature]
Date 11-28-2023

TERMS:

Fees not to exceed 2,500.00 without notice and approval to continue.

Balance due upon delivery of report

Thank you!

Please make checks payable to Michael Flaugh Landscape Architect

Permits

From: Mike Flaugh <mike@mikeflaughla.com>
Sent: Monday, December 4, 2023 12:43 PM
To: Permits
Cc: Michelle Harwood
Subject: RE: irrigation plans

Hi Terry,
I agree with the attached language.
Thank you,
Mike

Thank you for using email, it is the best way for us to accurately interpret, respond, share and archive client comments and information.

Mike Flaugh, Landscape Architect

772-419-0024

FL reg # LA0001728

Member American Society of Landscape Architects

www.MikeFlaughLA.com

Stuart

3744 SE Ocean Blvd, Stuart, FL 34996.

Islamorada

80925 Overseas Highway, #7, FI 33036

Naples

4850 Tamiami Trail N Suite 301, FL 34103

From: Permits <permits@Townofoceanbreeze.org>
Sent: Monday, December 4, 2023 12:27 PM
To: Mike Flaugh <mike@mikeflaughla.com>
Cc: Michelle Harwood <michelle@mikeflaughla.com>
Subject: FW: irrigation plans

Hi Mike:

Would you please review the language below provided by the Town Attorney and add it to the contract or send us an email that you agree. Please let us know if you have any questions.

Thank you,

Pam Orr
Permit Processor



Town of Ocean Breeze
P. O. Box 1025
Jensen Beach, FL 34958
772-807-2557 Cell
772-334-6826 Office

From: Rick Crary II <RCII@crarybuchanan.com>

Sent: Tuesday, November 28, 2023 10:02 AM

To: Town Clerk <townclerk@townofoceanbreeze.org>; Permits <permits@Townofoceanbreeze.org>; Terry O'Neil <twoneil@aol.com>

Cc: Michael J. Cristoforo <MCristoforo@crarybuchanan.com>; Nicole M. Laliberte <Nicole@crarybuchanan.com>

Subject: Fwd: irrigation plans

Pam, Terry & Kim:

As I have noted in the past, any contract for services with a public agency where the contractor (independent contractor) is acting on behalf of the town must comply with Florida Statute 119.0701. That statute requires that the contract include the language set forth in the final sentence of the following paragraph in at least 14-point boldfaced type:

When providing the said investigation and consultation services or otherwise acting on behalf of the Town, Contractor shall comply with all public records laws of the State of Florida, including but not limited to the requirements specified in Florida Statutes Section 119.0701, which are hereby incorporated by reference. IF CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 1508 N.E. JENSEN BEACH BLVD., JENSEN BEACH, FL. 34957.

The first sentence of the above provision is something we have added in the past to incorporate the terms of the said statute into any such contract by reference. As you may recall, you have also provided contracting parties with a copy of the referenced statute prior to signing.

I think for clarity it would also be advisable to also add the following provision to the proposed contract:

Independent Contractor: Contractor (Michael Flaugh Landscaper Architect), acting independently and not as an employee of the Town, is retained solely to provide the specific services described herein for the fees as described herein. Contractor will determine the method, details, and means of performing the said services, which will be provided in a professional, timely and workmanlike manner, in accordance with all applicable laws and regulations.

The proposed contract identifies itself as a **Continuing Consultation Agreement**, and yet it also contains a date certain by which identified work is to be completed. I'm not certain if that description is accurate, but in order to be in

compliance with Florida Statutes Section 287.055(1)(g) regarding continuing contracts, I believe a termination clause must also be included. Similar language we have used in the past is as follows:

Termination of Contract: Notwithstanding anything in this Contract to the contrary, this Contract shall terminate upon completion of the services and payments described herein. This Contract may otherwise be terminated by either party upon ten (10) days written notice, in which event, Contractor shall be reimbursed for services performed to termination date.

I am assuming the parties have determined that there is no way the amounts involved would trigger the competitive bidding requirements under Florida Statutes Section 287.055. If the intent is to limit the contract to \$2,500 as stated under the terms, I would recommend deleting the words "without notice and approval to continue." Should the Town have a need for further work that is not presently contemplated, then you could enter a new or an amended contract.

With regard to revising the proposed contract, I would advise that under the section "Terms" Mr. Flaugh should reference "See Addendum" and a page referenced as Addendum containing the above provisions should be added. Signature lines for both Mr. Flaugh and the Mayor signing on behalf of the Town should be added to that Addendum.

Because the subject matter involves issues which Michael Cristoforo and Nicole Laliberte are presently working on, I am forwarding a copy of this correspondence to them to see if they have additional advice and input for you.

Kind regards,
Rick

Begin forwarded message:

From: Permits <permits@TownofOceanBreeze.org>
Subject: FW: irrigation plans
Date: November 21, 2023 at 9:25:25 PM EST
To: Rick Crary <RCII@crarybuchanan.com>
Cc: Town Clerk <townclerk@townofOceanBreeze.org>, "Terry O'Neil" (terracewoneil@gmail.com) <terracewoneil@gmail.com>

Hi Rick:

Attached for your review is the amended contract for landscape services from Mike Flaugh. Once you have reviewed and approved it, we will send it to the Mayor for her signature and once executed then we will forward it to the Seawalk HOA. Thank you for sharing your thoughts.

Talk to you soon.

Pam Orr
Permit Processor



Florida Department of Revenue
Property Tax Oversight

F. Y. I

Jim Zingale
Executive Director

5050 West Tennessee Street, Tallahassee, FL 32399

floridarevenue.com

November 7, 2023

Karen M. Ostrand, Mayor
Town of Ocean Breeze
Post Office Box 1025
Jensen Beach, FL 34958

RE: Truth in Millage (TRIM) Certification

Dear Ms. Ostrand:

The Department of Revenue (Department) has reviewed the millage certification documents submitted by your taxing authority. The Department found no violation of the certification requirements in subsections 200.065(1)-(4), (6)-(12), (14), and (15), Florida Statutes (F.S.), and therefore accepts the certification.

The Department also reviewed the maximum millage levy calculation final disclosure documents submitted by your taxing authority. The review included millage levying process documents and documents relating to the total taxes levied by your principal taxing authority, dependent special districts and municipal service taxing units (for counties). Based on the review of these documents, the Department determined that your taxing authority is in compliance with the requirements of maximum total taxes levied, and thus the maximum millage levy requirements of section 200.065(5), F.S.

Sincerely,

Rene Lewis, Program Director
Property Tax Oversight

GS/#53.04

Permits

From: Karl Andersson <karl.andersson@pa.martin.fl.us>
Sent: Friday, December 1, 2023 11:54 AM
To: Town Clerk
Cc: Office Assistant; Permits
Subject: RE: Property Appraiser Website

Some people who received this message don't often get email from karl.andersson@pa.martin.fl.us. [Learn why this is important](#)

Good Morning Kim,

I wanted to follow up on this to let you know that this project is complete. All parcels within the Ocean Breeze Municipal boundary have had their situs address city updated to "Ocean Breeze".

Here is an example:

Real Property Card

[County Map](#)
[Sales Map](#)
[TRIM Notice](#)
[Permits](#)
[Tax Bill](#)

[BACK TO SEARCH](#)

Basic Information

Improvement Detail

Sales History

Value History

PIN

22-37-41-034-000-00002-0

AIN

1120811

Situs Address

1619 NE SKYHIGH TER OCEAN BREEZE FL

General Information

[CHANGE MAILING ADDRESS](#)
[SIGN UP FOR PROPERTY FRAUD ALERT](#)

Property Owners

SEA WALK HOMEOWNERS ASSOCIATION INC

Mailing Address

C/O PROPERTY KEEPERS MANAGEMENT LLC

1350 NE 56TH ST #180

FORT LAUDERDALE FL 33334

Tax District

OCEAN BREEZE

Parcel ID

22-37-41-034-000-00002-0

Account Number

1120811

Property Address

1619 NE SKYHIGH TER OCEAN BREEZE FL

Legal Description

COMMON AREAS PLAT OF OCEAN BREEZE WEST A... [Read more](#)

Karl Andersson

Chief Deputy

Representing Jenny Fields, CFA ♦ Martin County Property Appraiser

772.419.5387 ♦ karl.andersson@pa.martin.fl.us

3473 SE Willoughby Blvd., Suite 101, Stuart, FL 34994

"We VALUE Martin!"



Under Florida Law, email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail to this entity. Instead, contact this office by phone or in writing. All data and information supplied by the Martin County Property Appraiser's Office is subject to our data policy which can be found here: [data disclaimer](#)

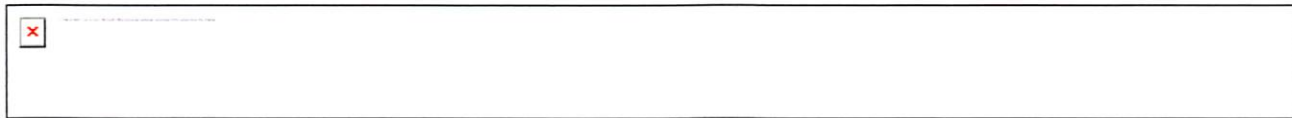
From: townclerk@townofoceanbreeze.org <townclerk@townofoceanbreeze.org>

Sent: Tuesday, August 1, 2023 2:29 PM

To: Karl Andersson <karl.andersson@pa.martin.fl.us>

Cc: 'officeassist@townofoceanbreeze.org' <OfficeAssist@townofoceanbreeze.org>; permits@townofoceanbreeze.org

Subject: FW: Property Appraiser Website



Hi Karl,

Will you kindly familiarize yourself with this email thread. We reviewed your email below with Mayor Karen M. Ostrand and per her instruction, we would like the Property Appraiser's office to set up a project to change all of the parcel's within the Seawalk community to include the correct name of their town which is "Ocean Breeze."

Attached is a spreadsheet with the information we currently have on file. Keep in mind some of the Parcel ID numbers may not be correct as DR Horton/Forestar starting building the homes before the lots were parceled out.

Thank you and if you have any questions, please let me know.

Kim Stanton

Town Clerk



Town of Ocean Breeze

Post Office Box 1025

Jensen Beach, FL 34958

Telephone: (772) 334-6826

Cell: (772)-215-2700

Fax: (772) 334-6823

www.townofoceanbreeze.org

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, please contact this office. This communication may contain privileged and confidential information intended only for the addressee(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please notify the sender by reply email and destroy all copies of the original message.

From: townclerk@townofoceanbreeze.org <townclerk@townofoceanbreeze.org>
Sent: Wednesday, July 26, 2023 11:19 AM
To: townclerk@townofoceanbreeze.org
Cc: permits@townofoceanbreeze.org
Subject: FW: Property Appraiser Website

Pam Orr
Permit Processor



Town of Ocean Breeze
P. O. Box 1025
Jensen Beach, FL 34957
772-334-6826 office
772-807-2557 cell
townofoceanbreeze.org

Please make note of my new email address: Permits@townofoceanbreeze.org

From: Karl Andersson <karl.andersson@pa.martin.fl.us>
Sent: Tuesday, November 15, 2022 4:05 PM
To: permits@townofoceanbreeze.org
Cc: townclerk@townofoceanbreeze.org; 'Terrance O'Neil' <terracewoneil@gmail.com>;
OfficeAssist@townofoceanbreeze.org
Subject: RE: Property Appraiser Website

Hi Pam,

For situs addresses we have tried to simplify them by showing one city for each zip code when possible. The usps shows a recommended city for each zip which is what we try to use but our data is not perfect. We do show the municipality on our website in the tax district field. We have similar situations with the City of Stuart zip code postal boundary not matching the municipality where the postal boundary does not match the municipal boundary.

If this is critical to your town let me know and we will set up a project to change them all. The only other area this would impact on our site is a sale search that we have that uses city to search. Adding Ocean Breeze would exclude these from showing up in a search for sales in Jensen Beach but they would be searchable under the Ocean Breeze label.

USPS.COM Quick Tools Send Receive Shop Business

Look Up a ZIP Code™ ZIP Code™ by Address ZIP Code™ by City and State

Cities by ZIP Code™

For more rapid delivery, please use the recommended or recognized city names whenever possible to

You entered:
34957

RECOMMENDED CITY NAME
JENSEN BEACH FL

OTHER CITY NAMES RECOGNIZED FOR ADDRESSES IN
OCEAN BREEZE FL
OCEAN BREEZE PARK FL
OCEAN BRZ PK FL

Look Up Another ZIP Code™ Edit and Search Again

Karl Andersson
Chief Deputy

Representing Jenny Fields, CFA ♦ Martin County Property Appraiser

772.419.5387 ♦ karl.andersson@pa.martin.fl.us

3473 SE Willoughby Blvd., Suite 101, Stuart, FL 34994

"We VALUE Martin!"



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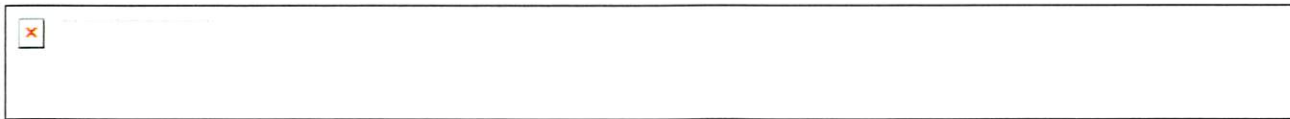
From: permits@townofoceanbreeze.org <permits@townofoceanbreeze.org>

Sent: Tuesday, November 15, 2022 11:34 AM

To: Karl Andersson <karl.andersson@pa.martin.fl.us>

Cc: townclerk@townofoceanbreeze.org; 'Terrance O'Neil' <terrancewoneil@gmail.com>;
OfficeAssist@townofoceanbreeze.org

Subject: Property Appraiser Website



Hi Karl:

I received a permit application today that showed the address as Jensen Beach. When I brought it to the attention of the contractor, he told me it was taken from the Property Appraisers website. Is there a way you, or the appropriate person, could check to make sure the homes in Seawalk are addressed as Ocean Breeze? This property address is 3024 NE Skyview Lane.

Thank you,

Pam Orr

Permit Processor



Town of Ocean Breeze
P. O. Box 1025
Jensen Beach, FL 34957
772-334-6826 office
772-807-2557 cell
townofoceanbreeze.org

Please make note of my new email address: Permits@townofoceanbreeze.org

Town Clerk

From: Kevin Docherty
Sent: Sunday, December 3, 2023 9:12 AM
To: Karen Ostrand
Subject: Fw: Municipal Officials and Form 6: Questions on the Process

Hi Madama Mayor,

I think this would be a great opportunity to remind all the current and future council members to register for this meeting concerning Form 6 which we all need to complete for the 2024 calendar year.

Note: I just registered for it.

Thanks,

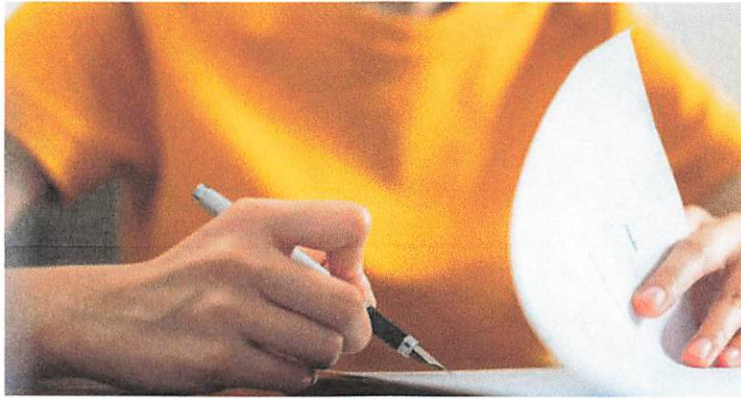
Kevin

From: Florida League of Cities <ebranchcomb@flcities.com>
Sent: Monday, November 27, 2023 10:42 AM
To: Kevin Docherty <kdocherty@Townofoceanbreeze.org>
Subject: Municipal Officials and Form 6: Questions on the Process

FLC UNIVERSITY



Municipal Officials and Form 6:
Questions on the Process Webinar



Wednesday, December 6, 2023 | 11:00 a.m.

Join Florida League of Cities Past President and Bay Harbor Islands Councilman Isaac Salver and Bal Harbour Village Vice Mayor Seth Salver for an informative webinar covering the steps to filling out and filing Form 6.

The webinar will include helpful tips and cover the penalties for not filing. Elected officials and staff will benefit from this educational session.

Register

Advertisement by Florida League of Cities | 301 S. Bronough Street, Suite 300, Tallahassee, FL 32301

[Unsubscribe kdocherty@townofoceanbreeze.org](mailto:kdocherty@townofoceanbreeze.org)

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Sent by ebranchcomb@flcities.com

Will quiet zones silence Brightline train horns here? Not for at least a year, if ever
Wicker Perlis

Treasure Coast Newspapers

Quiet zones along the Brightline corridor through the Treasure Coast could silence the train horns local residents have been hearing from morning until night since the higher-speed railroad began full passenger service Sept. 22.

But it likely will be at least a year before counties and cities along the route even apply to the federal government to exempt individual crossings from the requirement that horns sound for 15-20 seconds as trains pass through crossings, if they apply at all.

Martin County

Martin County believes it has met all of the requirements it would need to qualify for quiet zones, according to county spokesperson Martha Ann Kneiss, but it has not applied or conducted the required analyses.

"It is Martin County's position to allow trains to operate for up to one year without quiet zones to provide both seasonal and full-time residents time to become familiar with the frequency and increased speeds of Brightline trains in our community," Kneiss said in an email.

Only then would the county decide how and when to proceed with quiet zones, she said.

While horns may be a nuisance to some, safety is the higher priority for Martin County, Kneiss said.

"Our intent for the crossings under our jurisdiction is to monitor the safety of our public for one year (until September 2024) and track any issues that may occur, of which we hope that there are none," Kneiss said.

Stuart officials have said for the last few years that they would wait for the county to make its assessments and applications.

Stuart only qualifies for quiet zones based on a scoring system that evaluates all Martin County crossings, according to a the city website. Stuart will wait until the county moves first, a city spokeswoman said.

St. Lucie County

St. Lucie County is not actively considering applying for quiet zones, said spokesperson Erick Gill. Like Martin County, St. Lucie will take a wait-and-see position, he said.

"The expert advice was to allow the trains to operate for some time to determine the public's response to the new frequency and increased speeds of train operations," Gill said in an email. "Once the response is understood, an informed decision can be made on how to proceed."

Some improvements might have to be made before quiet zones could be established, but, Gill said, a diagnostic review would need to be conducted looking at each crossing in the county.

In Fort Pierce, where the horns blow through downtown, spokesperson Audria Moore-Wells said the city has not applied for any quiet zones. She did not say whether it plans to.

"The safety of our citizens and visitors is the city's highest priority and necessitates working closely with our federal, state, and local partners, as well as Brightline to ensure pedestrian and vehicular safety measures are installed and operable at our railway crossings," Moore-Wells said in an email.

Indian River County

Quiet zones are also not currently being considered in Indian River County, according to county spokesperson Kathy Copeland.

"In order to determine if any additional improvements are necessary, the proposed quiet zone would have to be analyzed using the Federal Railroad Administration's (FRA) quiet zone calculation tool," Copeland said in an email.

That wouldn't keep Vero Beach or Sebastian from applying on their own, yet, according to Vero Beach Public Works Director Matthew Mitts, the Federal Railroad Administration has stated it would be "preferable" for it to be done on a countywide level.

What a quiet zone would mean, need

Brightline now has 32 trains passing through the region every day, blowing their horns as they pass through neighborhoods and the Stuart, Fort Pierce and Vero Beach downtowns.

Those horns are a key safety feature for anyone near the tracks, but they can make other residents — even those who live miles away — aware every time a train passes, now on vastly increased schedule.

The Federal Railroad Administration requires these horns every time a train anywhere in the country passes through a public grade crossing. However, quiet zones are one key exception to that requirement.

The FRA allows local governments to designate quiet zones if they conduct risk analyses and agree to add a number of other safety features to a stretch of track. Federal rules for creating a quiet zone are 29 pages long, though some of the requirements are already in place at many local crossings.

If improvements are necessary, Gill said, the cost likely would be covered by an agreement between local authorities and the railroads that use the corridor.

Brightline's corridor is owned by Florida East Coast Railway, which runs freight trains between Jacksonville and Miami.

"Generally speaking, all quiet zone improvements are locally funded as federal funding is unlikely," Gill said.

More: Local governments still aren't interested in quiet zones, even for free

Opinion: Quiet zones aren't more dangerous

Though there is not currently federal funding specifically for quiet zones, Copeland said some federal funding may be available for improvements needed at crossings.

Not a new idea for Martin County

Ever since the early days of the Brightline proposal, when the railroad was All Aboard Florida, Martin County residents have been asking local officials about getting the area qualified for quiet zones, particularly in Stuart.

In 2016, when Brightline said it would not install four-quadrant gates at any intersection where trains would run slower than 80 mph, Martin County commissioners decided they would not cover the costs of installing the gates in downtown Stuart.

Then as now, the Stuart City Commission took no official position on quiet zones. Former City Manager Paul Nicoletti voiced concerns over the safety of quiet zones, saying that upgrading infrastructure for the sole purpose of quiet zones is asking the city to "put a price on safety."

Wicker Perlis is TCPalm's Watchdog Reporter for St. Lucie County. You can reach him at wicker.perlis@tcpalm.com and 504-331-0516.

GRANTS

Through a partnership with eCivis, the League's Grants Assistance Program provides Florida municipalities with FREE access to a database of more than 9,000 curated grants. This program offers League members the tools to make finding, applying for and managing their grants easier than ever.

STATE & FEDERAL ADVOCACY

The League's top priority is representing more than 400 municipal governments advocating for local control at the state and federal levels. Our experienced and influential lobbying team track hundreds of issues each legislative session. League members interested in national issues are encouraged to join the Federal Action Strike Team, while those interested in statewide issues can become a member of one of the League's five policy committees:

- Finance, Taxation and Personnel
- Land Use and Economic Development
- Municipal Administration
- Transportation and Intergovernmental Relations
- Utilities, Natural Resources and Public Works.

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The Florida League of Cities University (FLCU) is the premier educational resource for Florida's municipal governments. Providing city officials and staff with tools, educational programs, resources and best practices, FLCU helps our members solve the wide range of problems they face each day. Offerings include:

- The Institute for Elected Municipal Officials
- Online Orientation for Elected Officials
- Leadership Academy I and II
- Customized Training for Municipalities
- Webinars and Online Training.

And FLCU is proud to announce the launch of its new Certificate Program for Elected Municipal Officials, which recognizes elected officials who consistently take part in the League's many training opportunities.

ENGAGEMENT

Throughout the year, the League hosts meetings across the state that offer opportunities for members to learn from peers and issue experts, help set the League's advocacy agenda and network with municipal officials and staff. The League's membership team serves as your direct and personal connection to us and provides awards recognizing excellence in municipal government.

For more than 40 years, the Florida Municipal Insurance Trust (FMIT) has remained the most trusted and respected name in the industry. With more than 500 members, \$200 million in surplus and more than \$500 million in assets, FMIT remains the largest insurance provider to municipalities in the state. Providing coverage to more than 60% of the cities in Florida, FMIT's offerings include:

- Workers' Compensation
- General and Property Liability
- Automobile
- Firefighter Cancer Benefit
- Hometown Health.

The League's financial services help protect each city's future and those of its employees. The Florida Municipal Investment Trust (FMIVT) features \$1.8 billion in assets. The Florida Municipal Pension Trust Fund (FMPTF) includes more than 5,000 local government employees from 80 municipalities. The Florida Municipal Loan Council (FMLC) issued more than \$35 million in bonds and loans this year and has contributed more than \$1 billion since its inception. These services are innovative solutions for any city's financial needs.