TOWN OF OCEAN BREEZE
REGULAR TOWN COUNCIL MEETING
AGENDA

March 11, 2024, 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 Kelley**
   - Pledge of Allegiance
   - Roll Call

2. **Approval of Minutes –**
   - Regular Meeting, Monday, January 8, 2024 (Continued from February Regular Meeting)
     (Motion, second, public comments, all in favor)

   - Regular Meeting, Monday, February 12, 2024
     (Motion, second, public comments, all in favor)

3. **Proclamation- Problem Gambling Awareness Month – Mayor Ostrand**
   (Motion to approve, second, public comment, all in favor)

4. **Proposal to fund a project identification/public education sign, in an amount not to exceed $1,000.00, for a shoreline restoration project sponsored by the neighboring Environmental Studies Center – Council President, Sandy Kelley and Michael Glynn, Plant Operator, Environmental Studies Center**
   (Motion to approve, second, public comment, roll call)

5. **Comments from Attorney Paul Nicoletti regarding closeout of development projects**

6. **Comments from the public on topics not on the Agenda**
   (please limit comments to 3 – 5 minutes)

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

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

9. **Comments from Mayor Ostrand**

10. **Announcements**
    - Regular Town Council Meeting – Monday, April 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)

Item #2

Town of Ocean Breeze

To: Town Council

From: Pam Orr for Town Clerk

cc: Terry O'Neil

Date: March 4, 2024

Re: January Minutes

As you will recall, Council's approval of the January minutes was postponed so that staff could address questions raised by Seawalk resident Matthew Biondolillo regarding certain of his public comments labeled "undecipherable." The Town Clerk has since consulted with Mr. Biondolillo and after carefully listening to the recording has made some changes where able to do so, which are shown in red. While some language must remain as "undecipherable," staff trusts that clarifications made by Mr. Biondolillo at the February meeting are accurately captured in the proposed February minutes.

Corrected

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, January 8, 2024, 6:00PM
Ocean Breeze Resort Clubhouse, Pineapple Bay Room
700 NE Seabreeze Way, Ocean Breeze, FL

1. **Call to Order** – President Kelley 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 Sandy Kelley, Vice-President Liz Reese, Council Members Kevin Docherty, Michael Heller, Gina Kent, and Matthew Squires
   - Staff Present – Town Management Consultant, Terry O'Neil; Town Attorney, Rick Crary; Attorney Nicole Laliberte; Director of Strategic Development and Policy, (Treasure Coast Regional Planning Council), Kim Delaney, Town Clerk, Kim Stanton; Permit Processor, Pam Orr

2. Approval of Minutes – Vice-President Reese, seconded by Council Member Kent, made a motion to approve the minutes of the Regular Meeting, Monday, December 11, 2023.

President Kelley asked for comments from the public.

There were none.
All in favor: Yes: Kelley, Reese, Docherty, Heller, Kent, Squires, No: None; motion passed – 6-0

3. Budget to Actual Report, July 1 – September 30, 2023 - President Kelley asked for comments from the Council.

There were none.

President Kelley asked for comments from the public.

There were none.

Mr. O'Neil explained that these reports were provided to the Council each quarter along with a memorandum from the Town Financial Consultant, Holly Vath.

Vice-President Liz Reese, seconded by Council Member Docherty, made a motion to accept the Budget to Actual report as of September 30, 2023.
Roll Call Vote: Yes: Heller, Kent, Squires, Kelley, Docherty, Reese; No: None: motion passed 6-0

4. Presentation on Railroad Quiet Zones – Kim Delaney, PhD, Director, Strategic Development and Policy of the Treasure Coast Regional Planning Council.

Dr. Delaney spoke about her background, train quiet zones, Florida East Coast Railroad system, Brightline trains, railroad grade crossings, quiet zone timing development, infrastructure required for quiet zones, Notices of Intent, Notices of Establishment, Brightline commencement of September 21, 2023, one-year waiting period.

Dr. Delaney took questions from the Mayor and Town Council regarding train horns.

Council Member Docherty spoke about his attendance at the Treasure Coast Council of Local Governments meeting and their discussions about train horns. He pointed out a recent incident at the Jensen Beach Boulevard roundabout in which a driver drove onto the train tracks. He asked about the lack of lighting in that area and expressed his concerns regarding safety. Dr. Delaney stated that the Town could ask the County to add lighting in that area. She spoke about federal, state, and local dollars available to Martin County to install permanent lighting and added that additional federal grant dollars were available for gates at the grade crossing. She continued to explain the potential redesign of West End Boulevard from southbound to northbound and state grant dollars available.

Discussion ensued regarding the roundabout safety issues, signage, West End Boulevard design issues, quiet zone applications and explained state, county, and city roadways.

Mr. O'Neil asked Dr. Delaney if there were any downsides for the Town should they decide to present Martin County with a Resolution to create quiet zones within the County.

Dr. Delaney stated that a such a Resolution was a smart idea and added that the Town should ask Martin County to evaluate the lighting issue at the roundabout.

Mr. O'Neil stated that staff would come back with a Resolution at the next meeting. He discussed a letter that was previously sent to Martin County regarding cars being trapped at the roundabout and that staff would follow up with this issue.

Dr. Delaney mentioned striping and signage techniques that are available at roundabouts to assist drivers.

Discussion ensued regarding the approval process of quiet zones, quiet zone calculator (available online tool), local governmental decisions in which train grade crossing occur, wayside horns versus train horns, sound barrier walls and train station applications.

5. Presentation on Florida League of Cities and Treasure Coast Regional League of Cities – Mayor Ostrand introduced Patricia Christensen, Executive Director of the Treasure Coast Regional League of Cities.

Ms. Christensen gave a presentation about the Florida League of Cities and the Treasure Coast Regional League of Cities non-partisan organizations and their mission statements and commented that she would be available to assist the Mayor and Town Council. She added that she is also a consultant with the Florida League of Cities on advocacy. She discussed advocacy tools and training programs available to the Mayor and Town Council members. She also spoke about the Florida Municipal Insurance Trust and the importance of building relationships with state representatives and legislators. She spoke about the Treasure Coast Council of Local Governments and the Treasure Coast Regional Planning Council. She concluded by advising the Town officials of the free, annual ethics training which would take place locally at Indian River State College in April.

6. RESOLUTION #344-2024, A RESOLUTION OF THE TOWN OF OCEAN BREEZE, FLORIDA URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE 2024 FLORIDA LEAGUE OF CITIES LEGISLATIVE PLATFORM – Mayor Ostrand read Resolution #344-2024 into the record.
Council Member Kent, seconded by Council Member Docherty, made a motion to adopt Resolution #344-2024.

President Kelley asked for public comments.

There were none.
Roll Call Vote: Yes: Docherty, Kent, Kelley, Reese, Heller, Squires; No: None; motion passed 6-0

7. Proclamation – Recognizing January, 2023 as Human Trafficking Awareness Month in Ocean Breeze, Florida – Mayor Ostrand introduced Lynne Barletta, Founder/CEO Florida Faith Alliance and Visionary School of Arts, Tony Barletta and Julie Biondolillo.

Mrs. Barletta gave a presentation regarding child trafficking awareness. She spoke about the mission of Florida Faith Alliance and gave statistics regarding child trafficking.

Julie Biondolillo spoke about child trafficking in the local area and the mentioned a video provided by the Florida Faith Alliance called, "Don't Take the Bait."

Mrs. Barletta continued to provide information regarding the efforts by the Florida Faith Alliance, and stated that the long-term goal of her organization was to build a house for trafficked girls. She took questions from the Council.

Mayor Ostrand read the Proclamation into the record.

Council Member Docherty, seconded by Council Member Kent, made a motion to adopt the Proclamation.

President Kelley asked for public comments.

There were none.
Roll Call Vote: Yes: Kelley, Reese, Docherty, Heller, Kent, Squires, No: None; motion passed – 6-0

8. Review of Board and Agency Memberships – Mr. O'Neil explained the board appointments and liaison activities matrix along with the highlighted sections.

Mr. O'Neil explained item #6, Treasure Coast Council of Local Governments (TCCLG) and stated that Council Member Docherty had been filling this vacancy for former Council Member Arnold.

Council Member Kent stated that she would be willing to be an alternate on Treasure Coast Council of Local Governments.

President Kelley, seconded by Council Member Heller, made a motion to appoint Council Member Docherty as the primary member to the Treasure Coast Council of Local Governments.

Council Member Docherty, seconded by Council Member Heller, made a motion to appoint Council Member Kent as the alternate member to the Treasure Coast Council of Local Governments.
All in favor: Yes: Kelley, Reese, Docherty, Heller, Kent, Squires, No: None; motion passed – 6-0

Mr. O'Neil explained item #7, Local Legislative Delegation meetings and said that any of the elected officials could attend at their own initiative.

Council Member Docherty stated that he and Mayor Ostrand attended the latest local legislative delegation at Indian River State College.

Mr. O'Neil explained item #8, Martin Metropolitan Planning Organization (MPO). He asked if the Council wished to appoint a liaison to attend meetings informally. He commented that this organization concerned traffic, transportation, Florida Department of Transportation and Federal Department of Transportation and federal funds for roads. He added that if an elected official were interested in this organization, staff would make them aware of the agenda and remarked that the meetings were monthly.

Council Member Heller stated that he would volunteer to attend any pertinent MPO meetings.

Council Member Docherty, seconded by Vice-President Reese, made a motion to appoint Council Member Heller as the Town's liaison to attend the MPO meetings.
All in favor: Yes: Kelley, Reese, Docherty, Heller, Kent, Squires, No: None; motion passed – 6-0

Council Member Docherty recognized Ann Kagdis as a previous liaison during the Indian River Drive project.

Mr. O'Neil explained item #9, Martin Metropolitan Planning Organization Citizen Advisory Committee (CAC) as a sub-committee of the MPO and stated that County Commissioner Smith appointed Ann Kagdis to serve.

Ann Kagdis, resident of Ocean Breeze, stated that she remained on the CAC.

Mr. O'Neil explained item #10, Martin Metropolitan Planning Organization Technical Advisory Committee (TAC) and stated that the Council could appoint a liaison and an alternate to attend these meetings.

Council Member Squires volunteered.

Council Member Docherty, seconded by Vice-President Reese, made a motion to appoint Council Member Squires as the Town liaison to attend the TAC meetings.
All in favor: Yes: Kelley, Reese, Docherty, Heller, Kent, Squires, No: None; motion passed – 6-0

President Kelley volunteered to be the alternate to attend the TAC meetings.

Council Member Docherty, seconded by Vice-President Reese, made a motion to appoint President Kelley as the Town alternate to attend the TAC meetings.
All in favor: Yes: Kelley, Reese, Docherty, Heller, Kent, Squires, No: None; motion passed – 6-0

Mr. O'Neil explained item #11, the Martin Metropolitan Planning Organization Bicycle and Pedestrian Advisory Committee (BPAC). He added that if the Town wished to pursue attendance on this committee, the County Administrator could be asked to appoint a resident.

Council Member Docherty stated that for the last two years, he represented the Town's interest on this committee and added that when road projects were planned, they would ask the committee members to provide input regarding bicycle paths/lanes. He stated that any Council Member who was interested in this committee would need to present themselves to the committee and fill out a form.

Mr. O'Neil stated that staff would look into whether there was any interest from Seawalk or Ocean Breeze Resort, come back before the Town Council for an appointment, and then contact Don Donaldson, Martin County Administrator.

Council Member Heller volunteered to attend the (#12) Martin County/Jensen Beach Community Redevelopment Area (CRA) Neighborhood Advisory Committee (NAC) meetings as the Town's liaison.

Council Member Docherty, seconded by Vice-President Reese, made a motion to appoint Council Member Heller as the designated liaison to the NAC.

Vice-President Reese volunteered to attend the CRA and NAC meetings as the Town's alternate.

Council Member Heller, seconded by Council Member Kent, made a motion to appoint Vice-President Reese as the designated alternate to the NAC.

Ann Kagdis, resident of Ocean Breeze Resort, stated that the meetings were not well attended.
All in favor: Yes: Kelley, Reese, Docherty, Heller, Kent, Squires, No: None; motion passed – 6-0

9. Request for a $100.00 contribution from the History Museum of Jensen Beach – Ann Kagdis gave a brief history of the History Museum of Jensen Beach and asked for a membership sponsor donation of $100.00.

10. Request for a $200.00 contribution from the Entrepreneurship Foundation – Ann Kagdis explained the Adopt-A-Class program and asked for a donation of $200.00 to sponsor a class at Jensen Beach High School.

She also asked for a donation of a gift basket to the Art & Music Auction which would be auctioned off to raise money for the Art & Music programs in Martin County schools.

President Kelley, seconded by Council Member Docherty, made a motion for a $100.00 donation to the History Museum of Jensen Beach.

President Kelley asked for public comments.

There were none.
Roll Call Vote: Yes: Kent, Reese, Kelley, Squires, Heller, Docherty; No: None; motion passed – 6-0

Vice-President Reese, seconded by Council Member Heller, made a motion for a $200.00 donation to the Entrepreneurship Foundation.

President Kelley asked for public comments.

There were none.
Roll Call Vote: Yes: Docherty, Reese, Squires, Kent, Kelley; No: Heller; motion passed – 5-1

11. Comments from the public on topics not on the Agenda – Matthew Biondolillo, resident of Ocean Breeze, spoke about landscaping, irrigation systems, vertical infrastructure and structural stress issues, off-ridge ventilation and cooling systems. He spoke about the Town procurement of Wojcieszak and Associates to perform an inspection of air-conditioning systems in some of the houses within the Seawalk development. He stated that he submitted comments to the Town of Ocean Breeze with respect to his initial review of the reports and he gave his printed comments to Pam Orr, Permit Processor, to establish them as part of the record. He continued to speak about his encounter with Mr. Wojcieszak and requested that the Town provide a formal response to his emails. He stated that in his dealings with D.R. Horton, they refused to offer a written response and as a result nothing has been accomplished. He stated that he has a leaking roof, windows that are broken with the seal on the inside are completely gone for a year and a half. He stated that he had cracked floors and a laundry list of construction defects that have not been resolved by D.R. Horton. He spoke about the off-ridge vents and that D.R. Horton decided to retrofit them with an attachable baffle instead of replacing them. He stated that he followed the Town's Building Official's advice after an inspection of his home and submitted a response to D.R. Horton in which he advised them that four (4) out of the six (6) off-ridge vents were defective and missing the external baffles. He added that he reached out to the Town and the Seawalk HOA and ~~the Seawalk HOA~~ (VERBATIM TRANSCRIPT IN RED) "we had suggested that we go ahead and do a more of a formal hire somebody to do an inspection of those so that we could actually have an account or survey of all the off-ridge vents." ~~suggested that he obtain an inspection or survey of all the off-ridge vents.~~ He added that it seemed like there was not much interest but that two individuals from the Seawalk community stepped up and

performed a survey of every home. He continued that the data showed that sixty-nine percent (69%) of the homes (which was approximately 99 homes out of 143) had defective off-ridge vents. He continued that he had shared a video with the Town of Ocean Breeze that showed that the reason they were considered defective was because wind-driven rain could enter those off-ridge vents. He added that D.R. Horton was not required to obtain a building permit for the repairs, but that he wished that they had been required. He stated that he had reached out to D.R. Horton to gather a scope of work and they refused to supply him with this. He remarked that it had been nine to eleven months since these defective off-ridge vents were discovered. He added that he had contacted the manufacturer and they had told him that they only manufacture the off-ridge vent as a single unit which consisted of the frame and the baffle. He commented that the manufacturer of the baffle told him that if the external baffle was missing, that would be a violation of the warranty. He stated that D.R. Horton was in the process of retrofitting each one of the off-ridge vents, which he believed was a temporary fix and not a permanent fix. He stated that he shared with Mr. O'Neil and others that he went up into his attic one rainy day, prior to the baffles being installed, and water was coming into his attic. He commented that 99 homes (that had defective off-ridge vents) had water entering the attic space for an extended period, which is a large problem. He made the point that the manufacturer warranty would not be effective if these vents were not installed as designed. He spoke about his concerns regarding these defective off-ridge vents, hurricanes, and their warranty. He spoke about the requirements of the Florida Building Code. He asked Pam Orr if Absolute Engineering had performed the inspections yet.

Pam Orr answered, not to her knowledge.

Mr. Biondolillo stated that these off-ridge vents would require a wind test and that he would rather have had a replacement instead of a retrofit of all the off-ridge vents. He stated that according to Florida Building standards, Absolute would need to perform a wind standard on each of the retrofitted off-ridge vents.

President Kelley asked if Mr. Biondolillo planned to have a meeting with Town staff later in the week.

Mr. Biondolillo stated that was a good idea and that he requested a written response prior to the meeting. He stated that once he received a written response from Mr. Wojcieszak, he would be happy to meet with staff.

Mr. O'Neil confirmed that the Town had a written, fixed contract with Wojcieszak and Associates and that Mr. Biondolillo had received a copy of the written reports. He stated that Mr. Wojcieszak was not at liberty to create additional observations or answer questions. He commented that Mr. Wojcieszak had completed his review and produced reports. He added that he could not commit that Mr. Wojcieszak would answer his questions. He asked if Mr. Biondolillo needed to postpone the meeting. He stated that because the Town was not asking for permits for the remedial efforts, did not mean that documentation was not being requested by the Town for all jobs being performed to be placed in the files of each home. He remarked that the Town had made a judgment that the paperwork, time and costs involved did not make sense as long as they were under an obligation to the Town's Building Official to document all the work that had been performed. He continued that he believed some of the issues would fall under the issue of warranty. He added that he was not sure that the Town would be able to cover all of Mr. Biondolillo's concerns as a Town's related initiative.

Pam Orr added that the baffles would be inspected by Absolute Engineering once the work had been completed.

Mr. O'Neil confirmed that, and that the Town did not want to lose the thread of responsibility for who inspected these homes. He stated that the Town's Building Official, Mr. Nicolosi, was inserting himself into that process. Even though D.R. Horton chose to use a private provider, they were responsible for providing a certification that the code had been met. He added that this was the private provider's responsibility under the statute.

President Kelley asked if a meeting were going to take place with Mr. Biondolillo.

Mr. O'Neil answered "yes", even though the Town did not have some of the information, it made sense to meet.

Mr. Biondolillo stated that ~~in~~ the Florida Building code Chapter 15, stated that all ridge vents shall be tested in compliance with ~~follow~~ TAS100A for wind-driven water ~~(undecipherable)~~ infiltration and all ridge vents shall be restricted to roof ~~(undecipherable)~~ mean height as tested in compliance with TAS100A ~~(undecipherable)~~ and, that shouldn't be too hard and shall be listed in the system manufacturer's product approval. He added that the manufacturer told him that if the product was sent (to the builder) not as a single unit, then something is very, very wrong. If this ultimately (undecipherable) back to the system manufacturer product approval type of (undecipherable), typically (undecipherable) engineering as well would have to certify (undecipherable) by D.R. Horton (undecipherable).

Vice-President Reese asked if the manufacturer was saying that it is not his product if it came to you that way.

Mr. Biondolillo stated that the manufacturer was stating that it had been tampered with.

Vice-President Reese asked if the manufacturer was saying that the product was tampered with if it came to us like that.

Mr. Biondolillo stated that not according to their current design and manufacturing standards, that the vents may have met the code in 2008, but that the code had changed in 2020.

Council Member Kent asked if this were the case if it would fall under warranty.

Vice-President Reese remarked that if the manufacturer stated that they did not make those at this time, or since the new law came into effect, somebody had done something very strange.

Council Member Heller asked if Mr. Biondolillo spoke directly with the roofing company.

Mr. Biondolillo answered that he did while they were at his house.

Council Member Heller stated that he spoke directly with Treasure Coast Roofing and that during Covid there were assorted products installed because there was a shortage of everything, so they did not have the same roof vents for everybody and that some of them had the baffles and that some of them did not. He added that the ones that did not have the baffles, were retrofitted with a baffle.

Mr. Biondolillo stated that the baffles that were installed were retrofitted and that the Florida Building Code was extremely specific as to what requirements they must meet. He added that it stated that all off-ridge vents shall be tested in compliance with TAS100A for wind-driven water, and that it was extremely specific.

Council Member Heller stated that it was a different statement than "somebody tampered" with the roof vents and then installed them. He added that they were different roof vents.

Mr. Biondolillo answered that the roof vents that the manufacturer made would have already met TAS100A because it is designed and manufactured in accordance with ~~(undecipherable)~~ what was tested. He stated that the roof vents that showed up without external baffles were never evaluated.

Council Member Heller stated that the baffles may have been improper, but that they could not have been tampered with if they were the original.

Mr. Biondolillo stated that the manufacturer told him that if something was installed and the baffles were not there, then somehow it was tampered with and that the warranty would no longer be honored.

Council Member Docherty asked if this could be brought up with staff rather than discussing it at a Town meeting.

Mr. O'Neil answered "yes" but that he was interested in what Mr. Biondolillo had to share. He stated that there would be a meeting and that the building official would be there. He added that in his view, the private provider, licensed by the State, whatever the remedies were, had to be compliant with the applicable building code. He stated that the private provider had that obligation, as does the builder, to provide the Town with that certification and the Town was obliged to accept it.

Council Member Kent asked if this issue applied to the close-out.

Mr. O'Neil commented that the issue was related but that most of the close-out issues had to do with the PUD and the bond, and that this was the building code, which dealt with each individual homeowner's situation versus the HOA. He stated that it is a third area having to do with the close-out issues and that this issue is in the realm of the Building Official and the building code.

Council Member Kent asked if the HOA attorney was Deborah Ross.

Mr. O'Neil answered yes, and that the HOA would be keenly interested in these building issues but that it was the individual homeowner that must collaborate with the developer builder in terms of the building code.

Council Member Kent stated that she was referring to Michael Cristoforo, Esquire, and Deborah Ross, Esquire, and the memo that Attorney Ross wrote.

Mr. O'Neil remarked that the document was an outline of the close-out list that was created over a year ago and the HOA attorney was emphasizing expectations of the HOA, that the developer would provide the certifications and make the remedial efforts. He added that it was a good thing that the Town had received that letter from the HOA attorney because it stressed their interests, and it was pushing the Town to push the developer. He commented that the Town was pushing the HOA to push the developer as well.

Mr. Biondolillo spoke about the exterior and interior cracking along the walls and ~~(undecipherable)~~ ceilings. He added that he was stating this for awareness purposes and if there were other homeowners within the community, he wanted to hear collectively from them. He commented that he had tile floors in the master bedroom that were cracking, and the structural cracking extended into the shower.

President Kelley stated that those were all warranty issues.

Mr. Biondolillo stated that they were warranty issues but that he was getting into something else. He commented that he had submitted warranty claims to D.R. Horton and that D.R. Horton had cancelled them. He remarked that two other residents in the community had asked for the ~~(inaudible)~~ soil nuclear gage tests, and the Town had provided those, but he wanted it noted that before Forestar was ~~(inaudible)~~ doing the work for single construction with roads sidewalks and everything, the reports look good, and everything passed – the soil and ~~(inaudible)~~ nuclear gage tests. He added that he did notice that when the work switched over to D.R. Horton as it related to the vertical construction, that many of the reports provided by Universal Engineering Sciences Company (inaudible) did not include the serial number and make and model of the serial number of the equipment itself. He stated that the ASTM standard is required in which the serial numbers are included on the draft and the final reports. He added that it is purposeful, and he likened it to the analogy of a breathalyzer test

that is traced to a serial number to ensure that the equipment was properly calibrated. He stated that was the reason the ASTM, American Standard, existed and for some reason, none of the reports that were done through Universal Engineering Sciences Company include the serial numbers so it cannot be tracked back to some level of calibration.

President Kelley stated that there would be more discussion on the issue.

Mr. Biondolillo stated that he would talk about the irrigation and watering during another time.

(Unknown individual from the audience) asked a ~~question of~~ Mr. Biondolillo if the original roof vents had a model number on them or any kind of identifying...

Discussion ensued between unidentified individual and Mr. Biondolillo regarding original roof vents model numbers and the testing process of the new roof vents.

Mr. O'Neil asked the individual to come forward to keep an accurate record.

Linda Capobianco, resident of Ocean Breeze, asked how they were going to ~~evaluate~~ test all the baffles; were they going to come physically and perform this duty or…

Mr. Biondolillo stated that he had asked that question and did not receive an answer but that he did know that D.R. Horton had been given the ability to hire Absolute Civil Engineering to perform these inspections. He added that he wanted to make sure, as a community, that the work was performed in accordance with the Florida Building Codes.

(VERBATIM TRANSCRIPTION)

MS. CAPOBIANCO: Do you think they will do this when they are all done or are they doing it as they are installing them or…because I…the guy came and installed them and was in and out in five minutes.

MR. BIONDOLILLO: I know that Gina asked the same question and the answer is that nobody knows. Again, there was no building permit that was done. I have asked these questions of DR Horton and they refuse to answer. Now, to talk about the five minute thing…

MAYOR OSTRAND: Excuse me…is this conversation, um… I know that right now involves your living space but right now…yes…for the conversation. We do understand then that there is problems, more problems, not just yours and that (inaudible).

(END OF VERBATIM TRANSCRIPTION)

~~Ms. Capobianco asked when that would take place.~~

~~Mr. Biondolillo remarked that nobody knew.~~

~~Mayor Ostrand stated that…~~

Mr. Biondolillo commented that the Town originally communicated with D.R. Horton, and it had been determined that approximately two (2) homes could get done per day. He commented that he noticed that he had four (4) off-ridge vents that were defective and that were retrofitted and it took approximately one (1) to two (2) minutes per off-ridge vent so for a total of eight (8) to ten (10) minutes and so the reality was with going

up and down the ladder, that was about fifteen (15) minutes per home amounting to four (4) homes per hour and in about an eight (8) hour day, one would expect to get thirty-two (32) homes done per day. He added that D.R. Horton's initial focus was two (2) homes per day and that they could actually do up to thirty-two (32) homes a day and that something changed during the installation of the off-ridge vents. He stated that his concern was that there was no oversight and no quality control.

Mayor Ostrand answered that the Town had inspectors investigating this. She added that the Town will get back with Mr. Biondolillo.

President Kelley stated that she would like to move the meeting forward.

12. Comments from the Council on topics not on the Agenda – Council Member Heller thanked the Town Clerk and Permit Processor for copying the information at the last-minute regarding train horns and the noise, decibels and how far it traveled. He added that almost the entire community had experienced almost thirty (30) times per day more than ninety (90) decibels of noise. He stated that something needed to be done about this.

13. Comments from Town Management Consultant, Terry O'Neil – Mr. O'Neil stated that Staff had distributed to the Council a document just received from the Town Engineer. He stated that in the past, there were issues regarding stormwater inlets in the Seawalk development as well as some roadway buckling that had occurred. He advised that Town Engineer, Scott Montgomery, had inspected it and deemed it to be material and covered by the bond. He added that it would be communicated to the developer and that they must deal with these issues.

14. Comments from Mayor Ostrand – Mayor Ostrand spoke about advocacy and stated that Council Member Docherty participated in advocacy with the State Tax and Finance Committee. She stated that his allotted finances would not cover his stay in Tallahassee for the Legislative Action Days, and the conference in August. She added that he would need a thousand dollars ($1,000.00) to be able to go to these events.

Council Member Kent asked if this was per year or per trip.

Mayor Ostrand answered that it was per year. She added that his involvement was important because of the upcoming laws. He asked the Council to transfer the dollars to him and that these things were not considered during the budget season. She apologized for it being so late and explained that the legislative conference was at the end of the month in Tallahassee, and that it was important. She added that there are four (4) bills currently that the Florida League of Cities opposed.

Vice-President Reese asked if each individual Council Member received a stipend of two hundred dollars ($200.00).

Mayor Ostrand answered two hundred dollars ($200.00) was correct.

Vice-President Reese asked if both the Mayor and Council Member Docherty were attending this conference.

Mayor Ostrand answered "yes" but that they were on different committees and dealt with different subjects. She stated that Council Member Docherty was on the Tax and Finance Committee, and she was on Municipal Administration. She added that the trips were twice a year to Tallahassee and two to three times per year in Orlando. She stated that the Orlando trips at times were limited to one day.

Discussion ensued regarding these trips, days involved and hotels.

Council Member Reese asked for a spreadsheet with the costs of these trips are to document to the Council so that they can decide.

Mayor Ostrand asked if we could email that to the Council.

Pam Orr answered that there was not enough time before the next Town Council meeting.

Attorney Crary stated that no decisions outside of a public meeting could be made on Town business. He added that the decision would need to be made right now for the subject at hand or hold a special meeting that was noticed, etc.

Council Member Docherty explained that in previous years, each Council Member had one thousand dollars ($1,000.00) allotted to them for conferences and travel. He stated that because no one was interested in attending these meetings, the allotted amount got reduced from five hundred ($500), now to two hundred ($200.00). He commented that this Council wanted to get involved. He stated that he believed that Council Members would learn something new to bring back and improve this community. He spoke about Ann Kagdis being on the Florida Municipal Insurance Trust (FMIT) board and that FMIT paid for her travel expenses. He stated that he was attempting to get on that Board. He added that he spent four and one-half (4 ½) hours today in meetings in which he volunteered.

Discussion ensued regarding taking the extra dollars from the general fund, budget adjustment, etc.

Mr. O'Neil explained that it was highly likely that the dollars could be found within the operational general budget because there have routinely been surpluses. He added that if that were not the case, a budget amendment request would be brought before the Council, to move money from reserves to cover any shortfall. He commented that that did not usually happen. He directed the Town Council to the Financial Consultant's report in which the revenues were more than expected. He stated that he did not believe it would be difficult to absorb into the budget without touching the individual allotted Conferences and Travel amounts. He concluded that the Council could direct staff to find the one thousand dollars ($1,000.00) within the budget without a budget amendment at this time.

Vice-President Reese, seconded by Council Member Kent, made a motion to allocate one thousand dollars ($1000.00) to Council Member Docherty's travel.
All in favor: Yes: Kelley, Reese, Docherty, Heller, Kent, Squires, No: None; motion passed – 6-0

President Kelley asked for public comment.

Pam Hurlock, resident of Ocean Breeze, stated that she believed it was inappropriate to be allotting these types of funds at the last minute and that if, in the future, any travel dollars are needed, they should be submitted in a timely manner. She remarked that this was thrown at the Council and the public at the last moment when it had been known for some time.

Council Member Kent stated that this was just discovered because Council Member Docherty was assisting the Mayor at the Florida League of Cities.

Discussion ensued regarding when Council Member Docherty knew about his travel, various trips, legislative session starting earlier than usual, budget for FY 2024/2025, and the importance of Council Member Docherty's attendance, the number of vacancies on the FMIT board, explanations of the FMIT, rotating Board of Directors on the FMIT Board, Council Member Docherty's qualifications, volunteerism, and benefits to the Town for Council Member Docherty's volunteerism.

Roll Call Vote: Yes: Heller, Kent, Squires, Kelley, Docherty, Reese, No: None; motion passed – 6-0

15. Announcements – Regular Town Council Meeting – Monday, February 12, 2024, at 10:30 am to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

16. Adjourn – Council Member (unable to hear), seconded by Vice-President Reese, made a motion to adjourn the meeting at 9:15 pm
All in favor, Yes: Heller, Docherty, Reese, Squires, Kent, Kelley; No: None; Motion Passed 6-0

Respectfully Submitted,

Kim Stanton
Town Clerk

Minutes approved: _____

Item #2

TOWN OF OCEAN BREEZE
MINUTES REGULAR TOWN COUNCIL MEETING
Monday, February 12, 2024, 10:30AM
Ocean Breeze Resort Clubhouse, Pineapple Bay Room
700 NE Seabreeze Way, Ocean Breeze, FL

1. **Call to Order** – President Kelley 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 Sandy Kelley, Vice-President Liz Reese, Council Members Kevin Docherty, Michael Heller, Gina Kent, and Matthew Squires
   - Staff Present – Town Management Consultant, Terry O'Neil; Attorney Nicole Laliberte; Kim Stanton; Permit Processor, Pam Orr

2. **Approval of Minutes** – Vice-President Reese, seconded by Council Member Squires, made a motion to approve the minutes of the Regular Meeting, Monday, January 8, 2024.

President Kelley asked for comments from the public.

Matthew Biondolillo, Seawalk resident, asked that the following corrections be made to the minutes:

Item #11 (15 lines down) he proposed that the record reflect that the words "the Seawalk HOA" and the words "that he obtain" be struck from the meeting minutes.

Town Clerk, Kim Stanton, advised Mr. Biondolillo that staff would listen to the January 8, 2024 minutes to determine the accuracy of his proposed corrections.

Item #11 Mr. Biondolillo stated that page 7 (first paragraph) the first "undecipherable" should be "infiltration." He commented that the next "undecipherable" should be "mean height." He added that he did not know what the next two "undecipherable" comments should have been but the final "undecipherable" was coming from the Florida Building Code 1523.6.5.2.

Mr. O'Neil suggested that these minutes should not be approved at this meeting, but that staff would listen to the minutes again to be clear as to what was on record. He commented that words, which could not be identified in a recording, could not be substituted. He stated that the minutes could be brought before the Council at the next meeting, after working with Mr. Biondolillo.

Mr. Biondolillo asked to be able to share his comments concerning the meeting minutes. He continued to page 7 (paragraph 13), he thought that the "undecipherable" should likely be "Florida Building Code product inspections." He stated this information came directly from his notes and needed to be verified. He continued, on Page 8, (eight paragraphs down) that the "undecipherable" should likely say "ceilings and tile floor." He added that in the 10th paragraph down the "inaudible" was referring to the "soil nuclear gage and/or compaction tests." He added that he did not know what the next "inaudible" would have been, but he looked forward to working with the Town to correct the record. He continued that the next "inaudible" should be the word "water," and that the next sentence with "inaudible" should likely be the word "omitted the" "the make, model, and serial number of the equipment itself."

President Kelley stated that the corrections to the minutes would be brought forth at the next meeting for approval.

3. Budget to Actual Quarterly Report (October 1 – December 31, 2023) - President Kelley referred the Council to the memorandum by Town Financial Consultant, Holly Vath.

Mr. O'Neil explained that these reports were provided to the Council for acceptance quarterly along with a memorandum from the Town Financial Consultant, Holly Vath.

Council Member Docherty, seconded by Council Member Reese, made a Motion to accept the quarterly financial report.

President Kelley asked for comments from the public.

There were none.
Roll Call Vote: Yes: Heller, Kent, Squires, Kelley, Docherty, Reese; No: None: motion passed 6-0

4. RESOLUTION #345-2024 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA, ENCOURAGING THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS AND THE STUART CITY COMMISSIONERS TO SEEK COUNTY-WIDE "QUIET ZONE" STATUS – AS PERMITTED BY SECTION 49, PART 222 OF THE CODE OF FEDERAL REGULATIONS – THEREBY CURTAILING INTRUSIVE TRAIN HORN NOISE STEMMING FROM INCREASED FREIGHT AND HIGH SPEED PASSENGER RAIL TRAFFIC ON THE FLORIDA EAST COAST RAILROAD (FEC) RIGHT-OF-WAY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

President Kelley spoke about the recent presentation regarding quiet zones to the Town Council by Kim Delaney, PhD, Director, Strategic Development and Policy of the Treasure Coast Regional Planning Council.

Discussion ensued regarding the train horn noise.

Council Member Docherty, seconded by Council Member Kent, made a motion to adopt Resolution #345-2024.

President Kelley asked the Clerk to read the title of Resolution #345-2024 into the record.

Town Clerk, Kim Stanton, read the title of Resolution #345-2024 into the record.

President Kelley asked for public comment.

There were none.
Roll Call Vote: Yes: Docherty, Kent, Reese, Squires, Kelley, Heller; No: None: motion passed 6-0

5. RESOLUTION #346-2024 – A RESOLUTION OF THE TOWN OF OCEAN BREEZE, FLORIDA AUTHORIZING BUDGET AMENDMENT #1, TO THE GENERAL FUND IN THE AMOUNT OF $10,000 FOR ADDITIONAL PUBLIC SAFETY EXPENSES, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES – President Kelley explained the amendment was needed for

additional legal services related to the closeout of the Seawalk and Ocean Breeze Resort development projects.

Mr. O'Neil explained the need for and the details of the budget amendment.

Council Member Reese, seconded by Council Member Heller, made a motion to adopt Resolution #346-2024.

President Kelley asked for public comment.

There was none.

Town Clerk, Kim Stanton, read Resolution #346-2024 into the record.
Roll Call Vote: Yes: Kent, Reese, Kelley, Squires, Heller, Docherty; No: None: motion passed 6-0

6. Request to approve Letter of Engagement with Attorney Paul Nicoletti for legal services relating to closeout of Seawalk and Ocean Breeze Resort development projects – Mr. O'Neil explained that the Letter of Engagement was provided in the packet along with Mr. Nicoletti's background information. He introduced Mr. Nicoletti and reiterated the need for his expertise in closing out the Seawalk and Ocean Breeze Resort development projects.

Mr. Nicoletti discussed the need to resolve some of the technical items which were well overdue. He added that he would be collaborating with staff and others to expedite the closeout of the projects.

He took questions from the Council.

Sheila Raver, resident of Seawalk, explained some of the problems she had encountered with D.R. Horton. She stated that she had engaged an attorney who had sent a demand letter and that there had been no response. She remarked that if anyone had questions to contact her.

Council Member Squires, seconded by Council Member Heller and Vice-President Reese, made a motion to approve the Letter of Engagement with Attorney Paul Nicolettti.

President Kelley asked for public comments.

There were none.
Roll Call Vote: Yes: Heller, Docherty, Reese, Squires, Kent, Kelley; No: None: motion passed 6-0

7. Request approval to nominate Council Member Docherty for membership on the Florida Municipal Insurance Trust (FMIT) Board of Trustees – Mr. O'Neil stated that considering his background, approval for Council Member Docherty to serve on the Board of Trustees of the FMIT was a good idea. He added that any costs associated with travel while serving on this board would be paid by FMIT.

Council Member Heller, seconded by Council Member Kent, made a motion to nominate Council Member Docherty to serve on the FMIT Board.

President Kelley asked for public comments.

There were none.
All in Favor: Yes: Heller, Kent, Squires, Kelley, Docherty, Reese; No: None: motion passed 6-0

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

9. Comments from the Council on topics not on the Agenda – Council Member Docherty thanked the Council for the nomination for him to serve on the FMIT Board. He gave a brief update on his and the Mayor's recent trip to Tallahassee (sponsored by the Florida League of Cities) to talk to the legislators about Bills that would affect the Town of Ocean Breeze, for example HB 7017. He also spoke about sovereign immunity.

Mayor Ostrand added how sovereign immunity related to small towns.

Council Member Heller stated that he was looking forward to receiving a report from the County's design engineer on the West End Boulevard project and added that he would like to reiterate the need for added lighting and reflectors to assist drivers at the round-a-bout. He explained that he spoke to multiple residents over the past month and wanted to make it known that one hundred (100%) of them were surprised that the Town was donating money to charities. He stated that he did not believe that the Council should be deciding what charities receive the citizens' tax dollars.

President Kelley stated that there was $1,000.00 within the Town's budget for contributions and stated that she believed it was important.

Council Member Heller responded that it was not important what each individual Council Member believed, but rather what their constituents wanted.

Council Member Kent commented that she did not believe that citizens were aware of what was available within the Town's budget to use for charitable contributions.

Vice-President Reese stated that there were three budget meetings each year which were announced and advertised and she encouraged everyone to attend the meetings which were in the evenings.

Council Member Heller stated that the citizens with whom he spoke were against this practice.

Mayor Ostrand stated that many of the organizations to which the Town contributed, assisted citizens of the Town.

Council Member Heller agreed and stated that he was simply sharing what he had heard from his constituents.

13. Comments from Town Management Consultant, Terry O'Neil – Mr. O'Neil stated that aside from the new information in the packet and the Council's decision to hire Mr. Nicoletti, he did not have much to say about the closeout. He added that immediately after the meeting Mr. Nicoletti was meeting with staff. He commented that the closeout matters were a work-in-progress and that at each council meeting, there would be an update. He addressed Ms. Raver and advised her that the Council did see the correspondence from her attorney to the developer. He added that Sun Communities was remiss in closing out the Resort project and that the plan was to compel them to resolve the water line and storm water issues that were pending.

Council Member Docherty questioned some language in a letter from Gena May, Sun Communities Regional Vice President of Sales and Operations, to the Town of Ocean Breeze in which she stated, "Sun attempted to do a couple of small things to temporarily assist in the matter but was stopped by the Town of Ocean Breeze." He asked what was stopped.

Mr. O'Neil answered that Sun Communities was stopped because they had done work without proper documentation, they did not provide the Town Building Official or Town Engineer with pre-approved plans and/or without proper inspections. He added that this was part of the current problem – and that when freelancing took place it was stopped.

11. Comments from Mayor Ostrand – Mayor Ostrand introduced the Martin County Tax Collector, Ruth Pietruszewski.

Tax Collector Pietruszewski introduced herself to announce that she had just filed for reelection for another term, and she mentioned that Ocean Breeze was not charged any fees for billing or collecting taxes. She spoke about the requirements of her filing. She provided forms at the meeting for signatures to prevent her from paying the filing fee.

Mayor Ostrand reminded the Council that a mandatory four-hour ethics class was being offered on April 19, 2024, at Indian River State College.

12. Announcements – Regular Town Council Meeting – Monday, March 11, 2024, at 10:30 am to be held at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

13. Adjourn – Council Member Reese, seconded by Council Member Docherty, made a Motion to adjourn the meeting at 11:35AM.
All in favor: Yes: Docherty, Kent, Reese, Squires, Kelley, Heller; No: None: motion passed 6-0

Respectfully Submitted,

Kim Stanton
Town Clerk

Minutes approved: _____

Item #3

PROBLEM GAMBLING AWARENESS MONTH

WHEREAS, problem gambling is a serious public health issue affecting one to three percent of the general adult population and often results in personal, financial, familial, legal, and other costs, including a high risk of suicide; and

WHEREAS, it is estimated that over 200,000 Florida adults of diverse age, race, ethnicity, and socio-economic status suffer from past-year gambling problems, and 800,000 more are at risk of developing such difficulties, constituting 4.7% of the adult population ages 18 and older; and

WHEREAS, it is further important to note that these statistics do not account for youth, who are increasingly and deceptively exposed to gambling concepts and are at an increased risk for developing gambling-related problems; and

WHEREAS, it is also essential to recognize problem gambling as a societal issue, with 8-10 additional people adversely impacted by every problem gambler, increasing the affected population by an estimated additional 1.5 million individuals, with conservative projected social costs amounting to more than $9 billion nationally each year; and

WHEREAS, problem gambling is treatable for those who seek help, which minimizes the harm to Floridians and to the State as a whole; and

WHEREAS, the Florida Council on Compulsive Gambling's (FCCG's) public awareness campaign provides an opportunity to educate the public, policymakers, educators, businesses, mental health and criminal justice professionals, and others, about the potential adverse effects of gambling, as well as social, legal, financial, and emotional impacts and available supports; and

WHEREAS, free referrals to problem gambling resources and supports, including to licensed and certified treatment providers, self-help support groups, the FCCG's Online Program for Problem Gamblers (OPPG), the FCCG's Peer Connect Program, financial supports, legal resources, and many more are readily available to all Floridians by calling or texting the 888-ADMIT-IT HelpLine; and

WHEREAS, any individual, professional, or other organization dedicated to assisting those in need can participate in raising awareness and preventing problem gambling by promoting the statewide, confidential, multilingual, toll-free, and 24/7 888-ADMIT-IT Problem Gambling HelpLine; and

WHEREAS, the Town of Ocean Breeze can demonstrate its support in addressing problem gambling by raising public awareness through declaration of proclamation of the month of **March 2024 as Problem Gambling Awareness Month in** Town of Ocean Breeze.

NOW, THEREFORE, I, Karen Ostrand, Mayor of the Town of Ocean Breeze, Florida, do hereby proclaim the month of March 2024 as Problem Gambling Awareness Month in Town of Ocean Breeze.

Signature: _____ Date: _____

Item # 4

Memorandum

To: Town Council and Mayor

From: Sandy Kelly, Council President

Date: March 4, 2024

Re: Proposal to fund a project identification/public education sign, in an amount not to exceed $1,000, for a shoreline restoration project sponsored by the neighboring Environmental Studies Center.

The Martin County School Board's Environmental Studies Center has undertaken a shoreline restoration project on its property directly across from its facility on Indian River Drive (IRD). The property in question also accommodates a storm water baffle box partially funded by the Town as part of the $1.3 million Indian River Drive roadway and stormwater improvement project completed in 2018. In continuance of the Town's support for improving water quality in the Indian River Lagoon and protecting IRD from storm-generated erosion, I am asking the Council to approve a budget amendment of up to $1,000 to fund a project identification/public education sign to highlight the ESC's outstanding efforts. The funds will be derived from the Town's gas tax revenue sharing proceeds, which currently total $123,893. These funds are restricted to roadway related expenses, which include water quality and shoreline protection.

A description of the ESC's project is attached. A representative from the School Board/ESC will attend our meeting to briefly describe the work and answer questions.

If approved, a budget amendment resolution for this item will be brought forward at the Council's April meeting and will include a finite cost, again not to exceed $1,000.

Martin County Schools'

Environmental Studies Center

2900 NE Indian River Drive □ Jensen Beach, FL 34957 □ (772) 219-1887 □ www.esc.martinschools.org

FOR IMMEDIATE RELEASE

Innovative Shoreline Stabilization Project Unveiled at Jensen Beach, Florida's Environmental Studies Center

Jensen Beach, Florida - January 3, 2024

The Environmental Studies Center in Jensen Beach, Florida, is thrilled to announce the initiation of Phase 1 of its ambitious Beach Shoreline Stabilization project, aimed at ensuring the health and stability of the Indian River Lagoon and its vital marine ecosystem. With a strong emphasis on fostering a natural, sustainable living shoreline habitat, the project aligns with the Center's commitment to promoting smart environmental practices within the local community and schools.

PHASE 1 Highlights:

- **Native Habitat Restoration:** Exotic invasive plants, currently thriving along approximately 250 feet of shoreline, will be systematically removed during the week of February 12, 2024. In their place, native plants will be strategically installed to establish a resilient and beneficial living shoreline.
- **Community Engagement:** Scheduled for Saturday, February 17, 2024, volunteers will actively participate in the planting/installation process. This collaborative effort aims to instill a sense of environmental responsibility within the community while contributing to the restoration of the shoreline.
- **Sustainable Monitoring:** Post-installation, a vigilant monitoring system will be implemented to ensure the survival of the native plants, thereby fostering a sustainable shoreline. Informative signage will be displayed to raise awareness about the project and acknowledge the valuable support of community partners.
- **Community Partnerships:** The Environmental Studies Center is proud to collaborate with esteemed partners, including the Martin County School District, The Environmental Studies Council, B the Change Native Plants and Design, Martin County Chapter of the Florida Native Plant Society, Sun Resorts- Ocean Breeze, Indian Riverkeeper Organization, RiverKidz, Earth Savers and others. These partnerships emphasize the collective commitment to environmental conservation and community engagement.

PHASE II Outlook:

The project envisions Phase II, which involves enhancing existing and creating additional nearshore tidal and underwater habitats. The specifics of Phase II are yet to be determined, showcasing the project's dynamic nature and adaptability.

For Further Inquiries: *Mike Glynn Environmental Studies Center - Plant Operator Phone: 772 238-0055 Email: glynnm@martinschools.org*

The Environmental Studies Center anticipates the success of Phase 1 as a steppingstone towards the broader goal of preserving and enhancing the ecological integrity of Jensen Beach's shoreline. Community involvement and collaboration remain at the core of this groundbreaking initiative.

An Equal Opportunity Employer

Michael Maine, Superintendent

School Board Members: Christia Li Roberts, Michael DiTerlizzi, Amy Pritchett, Jennifer Russel, Marsha Powers

Environmental Studies Center Plant List	**Quantities**	**Size**
shoreline stabilization		
Grasses		
Saltmeadow cordgrass (Spartina patens)	75	1 gallon
Sand cordgrass (Spartina bakeri)	75	1 gallon
Shrubs		
False indigo (Amorpha fruticosa)	0	3 gallon
Myrsine (Myrsine cubana)	5	3 gallon
White indigoberry (Randia aculeata)	5	3 gallon
Necklacepod (Sophora tomentosa var. truncata)	10	3 gallon
Saltbush or groundsel (Baccharis angustifolia or halimifolia)	5	3 gallon
Sea lavender (Argusia gnaphalodes)	10	3 gallon
Seven year apple (Casasia clusiifolia)	10	3 gallon
Bay cedar (Suriana maritima)	10	3 gallon
Trees		
Black mangrove (Avicennia germinans)	0	3 gallon
White mangrove (Laguncularia racemosa)	0	3 gallon
Wildflowers/Vines		
Milkweed (Asclepias spp.)	0	1 gallon
Railroad vine (Ipomoea spp.)	25	1 gallon
Beach bean (Canavalia rosea)	25	4 inch
East coast dune sunflower (Helianthus debilis)	25	1 gallon
Sea ox-eye daisy (Borrichia frutescens)	45	1 gallon
Sea purslane (Sesuvium portulacastrum or maritimum)	0	4 inch
Beach verbena (Glandularia maritma)	0	1 gallon
	325	

Current Donation

Shoreline
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VOLUNTEERING OR
HAVE MORE QUESTIONS?
SCAN THE QR CODE!
JENSEN BEACH FLORIDA
ENVIRONMENTAL STUDIES CENTER
ENVIRONMENTAL
STUDIES CENTER
LIVING SHORELINE
NATIVE PLANTING
PROJECT
HAPPENING

22
SPEED
LIMIT
25
TOWN OF
Ocean
Breeze

Town Clerk

From: Glynn, Michael <glynnm@martinschools.org>
Sent: Tuesday, February 27, 2024 9:27 AM
To: Town Clerk
Cc: Permits
Subject: RE: Environmental Studies Center- Shoreline Restoration

You don't often get email from glynnm@martinschools.org. Learn why this is important

Good morning. We are done with our planting. Now its watering to keep them alive and help them thrive.

I don't have any cost or source info on the sign. At our last sit-down meeting, Terry said he had all the history from previous signage and he would provide that info. I was invited to the march 11th meeting also.

Please let me know if I should do anything.

Thanks always!!

Mike Glynn
Environmental Studies Center
Plant Operator
Martin County Schools
#MCSDBetterTogether
2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

From: Town Clerk <townclerk@townofoceanbreeze.org>
Sent: Tuesday, February 27, 2024 9:12 AM
To: Glynn, Michael <glynnm@martinschools.org>
Cc: Permits <permits@Townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

This Message Is From an External Sender
This message came from outside your organization.

Report Suspicious

Hi Mike,

I've been by the project site and it looks like you're making progress – it looks great! Terry would like Council Member Kelley to present this at the next meeting on Monday, March 11, 2024. Do you have a cost estimate? We would like to provide the Council with the information you have provided thus far along with a cost estimate.

Thank you and please feel free to contact me if you have any questions. I look forward to hearing from you about the cost estimate.

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

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From: Glynn, Michael <glynnm@martinschools.org>
Sent: Thursday, January 4, 2024 7:21 AM
To: Permits <permits@Townofoceanbreeze.org>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; Town Clerk <townclerk@townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

> Some people who received this message don't often get email from glynnm@martinschools.org. Learn why this is important

2024.

Per our previous conversation, attached is a summary of our shoreline project. And a proposed plant list. This list is still being worked on.

Please let me know if you have any questions. I will avail myself if you want me to come in again or meet with anyone.

We were able to get most of this funded through donations. Thank you, Anthony with Sun Resorts.

The permanent signage cost is not covered yet. I don't have an estimate yet. We would like to just add to the existing informational kiosk sign after completion. So we know what the information will be on the sign.

Any help is appreciated.

Thanks always!!!

Mike Glynn
Environmental Studies Center
Plant Operator
Martin County Schools
#MCSDBetterTogether
2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

From: Glynn, Michael
Sent: Monday, December 18, 2023 1:30 PM
To: Permits <permits@Townofoceanbreeze.org>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; Town Clerk <townclerk@townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

Kim, Terry and Pam- Good to meet you all today. Thanks for your time. I will follow up with my to-do items.

Have a great week and Christmas Holiday.

Mike Glynn
Environmental Studies Center
Plant Operator
Martin County Schools
#MCSDBetterTogether
2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

From: Permits <permits@Townofoceanbreeze.org>
Sent: Friday, December 15, 2023 2:58 PM
To: Glynn, Michael <glynnm@martinschools.org>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; Town Clerk <townclerk@townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

This Message Is From an External Sender
This message came from outside your organization.

Report Suspicious

Hi Mike:
It was a pleasure speaking with you today. As per our conversation, we will meet on Monday at 12:30 at the Town office located at 1508 NE Jensen Beach Blvd. Looking forward to meeting you and hopefully working together.

Have a wonderful weekend!

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: Glynn, Michael <glynnm@martinschools.org>
Sent: Monday, December 11, 2023 2:50 PM
To: Town Clerk <townclerk@townofoceanbreeze.org>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; Permits <permits@Townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

> You don't often get email from glynnm@martinschools.org. Learn why this is important

Mike Glynn
Environmental Studies Center
Plant Operator
Martin County Schools
#MCSDBetterTogether
2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

From: Town Clerk <townclerk@townofoceanbreeze.org>
Sent: Monday, December 11, 2023 1:29 PM
To: Glynn, Michael <glynnm@martinschools.org>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; Permits <permits@Townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

This Message Is From an External Sender
This message came from outside your organization.

Report Suspicious

Dear Mr. Glynn,

I have forwarded your email to the Town's Management Consultant, Terry O'Neil. You should be hearing from us very soon. Meanwhile, if you need to contact our office, please see the referenced telephone numbers below.

Thank you,

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

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From: Glynn, Michael <glynnm@martinschools.org>
Sent: Monday, December 11, 2023 12:37 PM
To: Town Clerk <townclerk@townofoceanbreeze.org>
Subject: Environmental Studies Center- Shoreline Restoration

> You don't often get email from glynnm@martinschools.org. Learn why this is important

Phase 1- to remove exotic invasive species from the natural beach/mangrove areas on the Indian River Lagoon of the ESC frontage. Replant with native shoreline plants to stabilize and create natural habitat.
Phase 2- work with Sea Grant to provide structure and habitat for the near shore tidal lagoon floor

I would love to speak with the appropriate person about this project as we are neighbors and some of it would pertain to and benefit the Town and its residents.

Please let me know who the right person to speak with is. My cell is best contact 772 238-0055

Thanks always!

Mike Glynn
Environmental Studies Center
Plant Operator
Martin County Schools
#MCSDBetterTogether
2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

Town Clerk

From: Glynn, Michael <glynnm@martinschools.org>
Sent: Thursday, January 4, 2024 7:21 AM
To: Permits
Cc: Terry O'Neil (terrancewoneil@gmail.com); Town Clerk
Subject: RE: Environmental Studies Center- Shoreline Restoration
Attachments: ESC- shoreline proposed plant list.xlsx; ESC-Innovative Shoreline Stabilization Project (1) 1-3-24.docx

> Some people who received this message don't often get email from glynnm@martinschools.org. Learn why this is important

Good morning! Hope yall are doing good in 2024.

Per our previous conversation, attached is a summary of our shoreline project. And a proposed plant list. This list is still being worked on.

Please let me know if you have any questions. I will avail myself if you want me to come in again or meet with anyone.

We were able to get most of this funded through donations. Thank you, Anthony with Sun Resorts.

The permanent signage cost is not covered yet. I don't have an estimate yet. We would like to just add to the existing informational kiosk sign after completion. So we know what the information will be on the sign.

Any help is appreciated.

Thanks always!!!

Mike Glynn
Environmental Studies Center
Plant Operator
Martin County Schools
#MCSDBetterTogether
2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

From: Glynn, Michael
Sent: Monday, December 18, 2023 1:30 PM
To: Permits <permits@Townofoceanbreeze.org>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; Town Clerk <townclerk@townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

Kim, Terry and Pam- Good to meet you all today. Thanks for your time. I will follow up with my to-do items.

Have a great week and Christmas Holiday.

Mike Glynn
Environmental Studies Center
Plant Operator
Martin County Schools
#MCSDBetterTogether
2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

From: Permits <permits@Townofoceanbreeze.org>
Sent: Friday, December 15, 2023 2:58 PM
To: Glynn, Michael <glynnm@martinschools.org>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; Town Clerk <townclerk@townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

This Message Is From an External Sender
This message came from outside your organization.

Report Suspicious

Hi Mike:
It was a pleasure speaking with you today. As per our conversation, we will meet on Monday at 12:30 at the Town office located at 1508 NE Jensen Beach Blvd. Looking forward to meeting you and hopefully working together.

Have a wonderful weekend!

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: Glynn, Michael <glynnm@martinschools.org>
Sent: Monday, December 11, 2023 2:50 PM
To: Town Clerk <townclerk@townofoceanbreeze.org>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; Permits <permits@Townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

You don't often get email from glynnm@martinschools.org. Learn why this is important

Mike Glynn
Environmental Studies Center
Plant Operator
Martin County Schools
#MCSDBetterTogether
2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

From: Town Clerk <townclerk@townofoceanbreeze.org>
Sent: Monday, December 11, 2023 1:29 PM
To: Glynn, Michael <glynnm@martinschools.org>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; Permits <permits@Townofoceanbreeze.org>
Subject: RE: Environmental Studies Center- Shoreline Restoration

This Message Is From an External Sender
This message came from outside your organization.

Report Suspicious

Dear Mr. Glynn,

I have forwarded your email to the Town's Management Consultant, Terry O'Neil. You should be hearing from us very soon. Meanwhile, if you need to contact our office, please see the referenced telephone numbers below.

Thank you,

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

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From: Glynn, Michael <glynnm@martinschools.org>
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Subject: Environmental Studies Center- Shoreline Restoration

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Thanks always!

Mike Glynn
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2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

Town Clerk

From: Glynn, Michael <glynnm@martinschools.org>
Sent: Monday, December 11, 2023 12:37 PM
To: Town Clerk
Subject: Environmental Studies Center- Shoreline Restoration

You don't often get email from glynnm@martinschools.org. Learn why this is important

Good afternoon. I've stopped by a few times in the last few days and your office has been closed. We are working on a multi phased project with Martin County Public Works and some of the local professional organizations.
Phase 1- to remove exotic invasive species from the natural beach/mangrove areas on the Indian River Lagoon of the ESC frontage. Replant with native shoreline plants to stabilize and create natural habitat.
Phase 2- work with Sea Grant to provide structure and habitat for the near shore tidal lagoon floor

I would love to speak with the appropriate person about this project as we are neighbors and some of it would pertain to and benefit the Town and its residents.

Please let me know who the right person to speak with is. My cell is best contact 772 238-0055

Thanks always!

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2900 NE Indian River Dr
Jensen Beach, Florida 34957
Office: 772.219.1887 ext. 59108
Cell: 772-238-0055
Email- glynnm@martinschools.org

Item # 5

PAUL J. NICOLETTI
Attorney at Law
1445 SE Lark Boulevard
Stuart, Florida 34996-2609

THE FLORIDA BAR • BOARD CERTIFIED • CITY, COUNTY & LOCAL GOVERNMENT LAW

MEMORANDUM

TO: THE MAYOR AND MEMBERS OF THE OCEAN BREEZE TOWN COUNCIL

SUBJECT: STATUS OF SUN COMMUNITIES AND SEA WALK PUD DEVELOPMENT CLOSEOUTS

DATE: MARCH 6, 2024

THIS MEMORANDUM IS PUBLIC RECORD

I began work on the above two matters immediately following your February Meeting. The staff prepared a briefing book (about 6" thick) for my review containing most of the documentation needed for both the Sea Walk and the Resort developments. I have met with Mayor Karen Ostrand, Terry O'Neil, Pam Orr, and Kim Stanton on 3 occasions, and most recently met with Scott Montgomery, P.E. and representatives of the Sea Walk HOA, including Deborah Ross, Esq., their legal counsel. I have worked more than 12 hours so far... reading, meeting and writing. From this perspective, I have been formulating a plan to encourage the developers to complete these projects.

At this point, most of the work has centered around Sea Walk, but I have also started contacting the Sun Communities representatives, to discuss PUD completion with them. I spoke with Joe Capra, P.E. and advised him of the need to act promptly. I will be writing to Gena May, Regional Vice President of Sales and Operations, at Sun Communities, in further response to her letter of January 24, 2024 to the Mayor.

Later this week, I will be sending a letter to Zachary Griffin outlining those items required for completion of the Sea Walk PUD by Forestar or D.R. Horton (copy attached). Your staff and I have been simplifying and clarifying the "punchlist" of items. The absence of item completion by the developers, as documented on our list, creates the specificity required to demonstrate clear violations of the PUD Ordinance (as amended), and its included documents. The goal is

Telephone and Fax: +1 (772) 600-5581 Email: pnicoletti@comcast.net

to have the developers… both Forestar/D.R. Horton and also Sun Communities, see the wisdom of completing the work without the need for any legal action.

My thoughts on possible legal action are fairly specific and straight-forward. Since the Town has no Code Enforcement procedure, it is only possible to bring an action for violating the ordinances in the local state courts… either in civil or criminal court. A criminal action for enforcement of the PUD ordinance has the advantage of being a fairly quick procedure resulting in possible fines, and an order requiring compliance. On the other hand, a civil lawsuit would take longer, but would also provide access to injunctive relief and damages, if needed. Right now, I am leaning toward recommending the criminal action for violation of the PUD Ordinance, but hopefully, neither process is necessary.

I plan to attend your meeting of March 11th to make brief comments, and to respond to any of your questions. I also would caution you that some of what I am working on is "attorney work product" which upon the filing of any legal action will also become "attorney-client privileged" information and which is not subject to the Public Records laws of the state, until the conclusion of the legal action. So, if you see me dodge a question or give an incomplete response at the public meeting, it is because of the above situation. I would be pleased to speak with you, individually, if you require, so that no "open meeting" laws are violated, and confidentiality is preserved.

Once again, let me thank you for this opportunity to be of service to the Town, and I look forward to resolving these two development issues as soon as possible.

Respectfully Submitted,

Cc:
Terry O'Neil, Management Consultant
Pam Orr, Permit Processor
Kim Stanton, Town Clerk

Telephone and Fax: +1 (772) 600-5581 Email: pnicoletti@comcast.net

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.

Shared with all relevant parties

Michael Flaugh
LANDSCAPE ARCHITECT

1-29-2024

Assessment Report on the Landscape for Seawalk PUD

Town of Ocean Breeze

Introduction:

This report is a comprehensive evaluation of the Seawalk PUD located in the Town of Ocean Breeze to evaluate the existing landscape and irrigation. The report will have 3 segments to include the following.

1. **Written report** describing the current conditions of the existing landscape, both residential and common areas.
2. **Pictures** to back up the written report.
3. **Field notes** are provided with this report showing the overall condition of the plants on the Landscape Plans and Irrigation Plans. It will show what trees are missing, trees that have died, and trees that need replacing or removed. Other site observations are also described in field notes.

The report will focus on the specifications provided in the original plans for the landscape and irrigation system.

For the trees, the report will identify and explain deficiencies that do not meet specifications to determine if it's worth ongoing maintenance or remedies to make them viable. The field notes will point out where the dead or missing trees are located. The report will recommend remedies for the trees that are viable, but not thriving.

For the irrigation, the report will examine the original plan to see if it meets the specifications and explain how and where it fails.

This report will be divided into 2 areas.

1 - Common Areas to include the Club House.

2 - Residential Homes.

3744 SE Ocean Blvd, Stuart FL 34996 Islamorada FL Naples FL
772.419.0024 • MikeFlaughLA.com • Houzz.com/pro/MichaelFlaugh

Michael Flaugh
LANDSCAPE ARCHITECT

Common Areas:

The correct trees have been chosen for the landscape design according to the Martin County Code. In the common areas, it appears the initial landscape installed did meet the specifications of the original landscape plans. The Trees and Palm Trees meet specifications on size and height. It was difficult to tell about the shrubs and ground covers because they were installed a few years ago.
The field notes are provided on the landscape plans. The notes will show what trees are missing and what trees have died. Trees that were labeled as dead on the March 27, 2023, report were removed when visiting the site on January 5, 2024. The field notes on the Landscape plans will point out what areas are dry.

Listed are some items that did fall short during and after the Landscape installation.

1. **Tree Staking:** It is common practice to keep the staking on the trees for one year. Many of the trees still have some sort of staking on the trees creating a hazard to the health of the tree. Other trees have the staking dangling on the trees creating an eye sore. Pictures are provided showing examples.

Dangling tree straps hanging on trees

Michael Flaugh
LANDSCAPE ARCHITECT

Galvanized pole acting as a tree brace causing damage to the trunk and overall health of the tree.

Leaning trees need to be straightened and staked.

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2. **Irrigation:** Irrigation plans were provided for this report showing complete irrigation coverage for the plants in the common areas. There are 4 designated water meters shown on the plans to provide water. Each water meter had a designated irrigation controller with a solar sync sensor. There is one controller with a solar sync sensor that is missing located behind the pump station on Sheet IR-7. 3 of the controllers were locked shut and were not accessible to see if they were working. One of the controllers was unlocked only to discover it had none of the components within it making it inoperable. 2 of the water meters had evidence that they were shut off because they were filled with soil due to an ant bed and the other was filled with weeds. It appeared that all the water meters were not working due to the dry conditions in the common areas.

The water meter and Backflow preventer on Sheet IR-2 show the water meter filled with fire ants indicating it's not operational. The same situation for the water meter box filled with weeds located on Sheet IR-6.

Michael Flaugh
LANDSCAPE ARCHITECT

Controller with designated water meter and electric meter. The controller has missing components making it not operational.

There is an abandoned section of 2" mainline exposed along the edge of the preserve starting behind lot 86 and ending at lot 93. This is shown on the field notes on Sheet IR-6 and Sheet IR-8. This mainline is not on the irrigation plans. This may have been the irrigation line running off private residences.

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Michael Flaugh
LANDSCAPE ARCHITECT

Retention Ponds are very dry. Sand cordgrass struggling and some have died due to lack of water.

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Michael Flaugh
LANDSCAPE ARCHITECT

Trees are struggling due to lack of water.

Irrigation heads mowed off making the irrigation system inoperable.

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Planting Soil: The Landscape Specifications call for the following on planting soil.

a) Planting soil for all plantings shall consist of existing native soil and shall be free of debris, roots, clay, stones, plants, or other foreign material that might be a hindrance to planting operations or be detrimental to good growth.

b) Planting pits shall be excavated to the following dimensions and refilled with a mixture of (1/2) planting soil (1/2) existing native soil: 1 Gallon material (1 gal.): 12" x 12" x 12" min. 3 Gallon material (3 gal.): 20" x 20" x 18" min.

c) All palms shall be backfilled with sand, thoroughly washed in during planting operations, and with a shallow saucer depression left at the soil line for future waterings. Saucer areas shall be top-dressed two (2") inches deep with topsoil raked and left in a neat, clean manner. It's very difficult at this point to prove if planting soil has been added as per specifications due to the diminishment of the planting soil over three years ago.

The specification for planting soil is textbook but inadequate when installing plants in sugar sand with limited irrigation. This only aids in helping to get the plants established, not long-term success.

It was difficult to tell if any topsoil had been added to the sandy soil during installation. The plants were installed a few years ago making it impossible to tell if planting soil was actually used. One way to find out if planting soil was added is to check the records from the inspection firm to verify if the soil amendments occurred. Another way is for the contractor for the landscape installation to provide a record of the soil purchased

There is no specification on adding planting soil for the establishment of sod and no record in the Ocean Breeze West PUD for adding soil for the plants and sod.

Michael Flaugh
LANDSCAPE ARCHITECT

Planting Soil needs to be added to build a pocket at the base of the tree to direct the water to the root ball. Note: Place the bubbler on the uphill side of the pocket.

Other Common Area Observations:

Gopher Tortoise nests have been spotted in some of the retention ponds.

Front and back Entrance are also considered a part of the common area. Overall, the entrances look good. The only plant shown on the landscape design and not installed or may have died is the Asian Snow, Wrightia antidysenterica.

Another area considered a common area is the Club House. The plants are located on the outside perimeter of the fence surrounding the pool area, the front foundation of the building, and the parking area. All the perimeter and parking areas are in good condition. Beyond those areas the landscape is dry.

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Michael Flaugh
LANDSCAPE ARCHITECT

Residential Lot Areas:

Overall, the residential landscapes look acceptable.

Many of the fenced backyards have dogs, making it difficult to do inventory in individual lots.

On some of the homes, it appears that some of the native trees that have died were not replaced or were replaced with another plant, as shown in the Landscape Plan field notes.

Native trees were not replaced in the backyard after installing pools as shown in the Landscape Plan field notes.

2 additional native trees were installed that were not on the Plant Schedule.

SM Swietenia mahagoni – Mahogany tree
CH Chrysophyllum oliviforme – Satin Leaf

The location of the trees is provided on the Landscape Plan field notes.

Some of the residential lots are compliant with the required trees, others have some of the required trees and some have none of the required trees. This is noted on the Landscape Plan field notes.

Native trees were removed when installing pools.

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Conclusion and Comments:

The Common Areas are the primary concern. The plants in the common areas, especially the trees need water. Some of the trees need to have the original staking removed. Some of the staking practices performed on-site are showing damage to the trunks. For the irrigation to be effective, tree saucers need to be at the base of the trees. This is pointed out on the Landscape Specification drawing on Sheet LA-10. In addition, the bubblers need to be placed in the saucer and topped with mulch. Mulch helps conserve and extend available water, protects soil from erosion, suppresses weeds, and moderates the temperature.

Plants that have died due to lack of water have not been replaced. Trees that have died were removed instead of being replaced.

There is also a discrepancy in the irrigation. There were irrigation plans were provided by the Landscape Architect. Ocean Breeze West PUD put together a Landscape Management Plan dated February 20, 2017, stating the following.

"***Irrigation:*** *Since the Ocean Breeze West PUD is in close proximity to the Martin County Utilities well field, there is no permanent irrigation of the common areas except for the project entrances and recreation area. All other areas shall utilize temporary irrigation to ensure that the trees and shrubs become successfully established. The temporary irrigation may be provided by the developer in the form of potable water provided by Martin County Utilities, a temporary irrigation well, the use of tree gator bags or a water truck.*"

What actually took place was an irrigation system installed according to the plans drawn by the Landscape Architect of record with an estimated cost of construction of $152,700.00.

Michael Flaugh
LANDSCAPE ARCHITECT

Many are under the impression that native trees are drought-resistant and do not need irrigation. This is not true. All plants need irrigation to become established. Once the native trees become established, they can become weaned from irrigation. Due to the sandy soil on-site, it may take up to 2 years before the trees become fully established. Must keep in mind that when the trees are cared for at the nursery, they get watered several times a week. They need time to adjust to their new environment.

Bert Clattenburg

Landscape Architect - LA0001604

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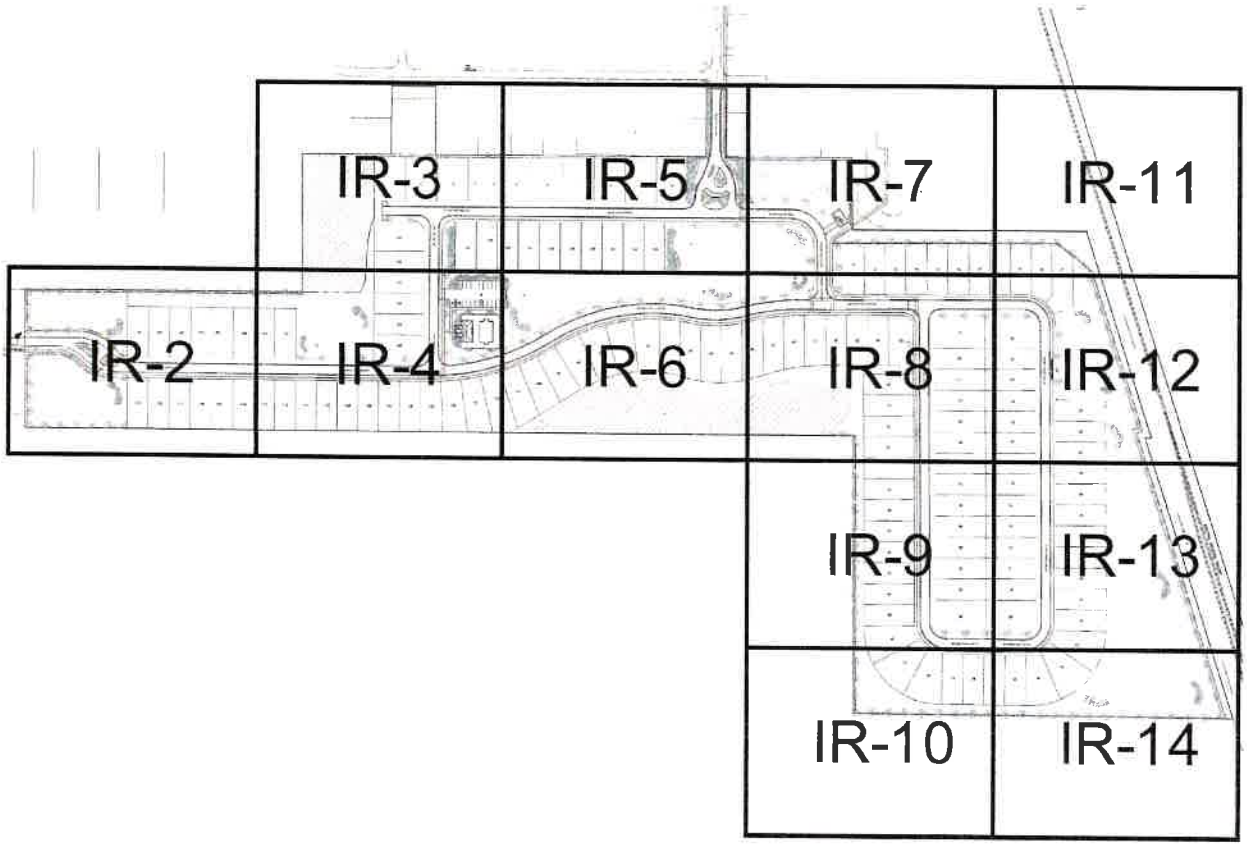


luciido & associates

Key / Location:

Project Team:

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Key Sheet

Date	By	Description

Sheet Index:

Irrigation Key Sheet	IR-1
Irrigation Plan	IR-2 - IR-14
Irrigation Equipment / Valve & Meters	IR-15
Irrigation Details	IR-16
Irrigation Specifications	IR-17

Designer
Manager
Project Number
Technical Reviewer
Computer File

IR-1

Know what's below.
Call before you dig

VALVE DESIGNATION GUIDE

PIPE SIZING LEGEND

METER FILLED IN WITH ANT BED

120 121 122 123 124 125

NE WHITE PINE TERRACE

119 118 117 116 115 114

HUNTER PRO SPRAY NOZZLES

lucido & associates

Key / Location

Project Team:

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
2.19.19	J.S.	Site Appearance

SCALE: 1" = 20'

Designer: JS
Manager: JP
Project Number: 19-139
Remapped Plan-Sheet
Computer File

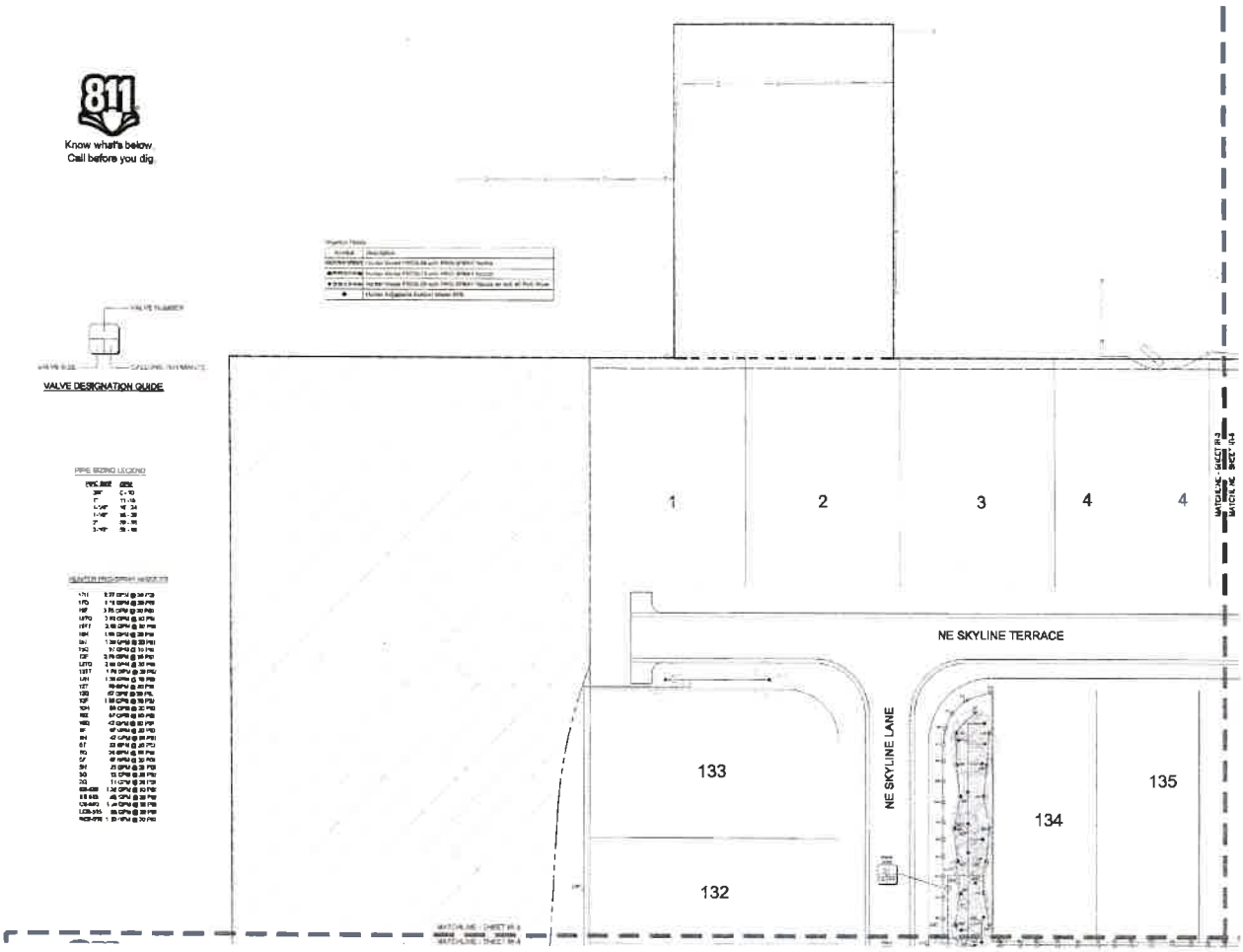
IR-2

Know what's below.
Call before you dig.

VALVE DESIGNATION GUIDE

PIPE SIZING LEGEND

PVC SIZE	GPM
3/4"	0 - 10
1"	11 - 15
1 1/4"	16 - 24
1 1/2"	25 - 32
2"	33 - 50
2 1/2"	51 - 80



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Key / Location:

Project Team:

Ocean Breeze West PUD

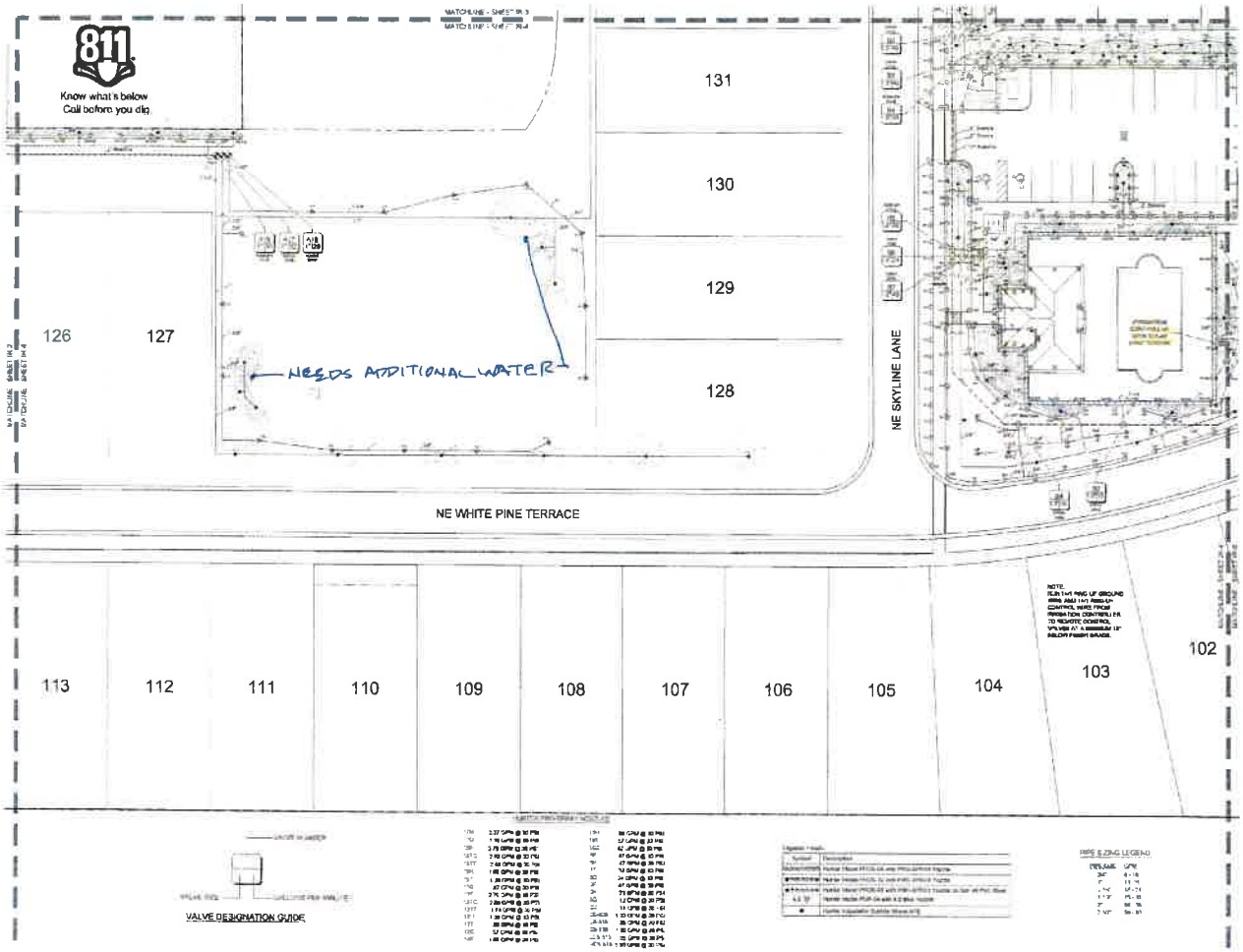
Town of Ocean Breeze
Martin County Florida

Irrigation Plan

Date	By	Description
2.2.18	C.A.	Initial Application

Designer CA
Manager CP
Project Number 15-170
Modified Version –
Consultor File

Sheet
IR-3



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Key / Location

Project Team

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
3 15 19	C.L.	Initial Application

Designer CS
Manager CF
Project Number 19-0.00
Technical Director
Computer File

Sheet **IR-4**

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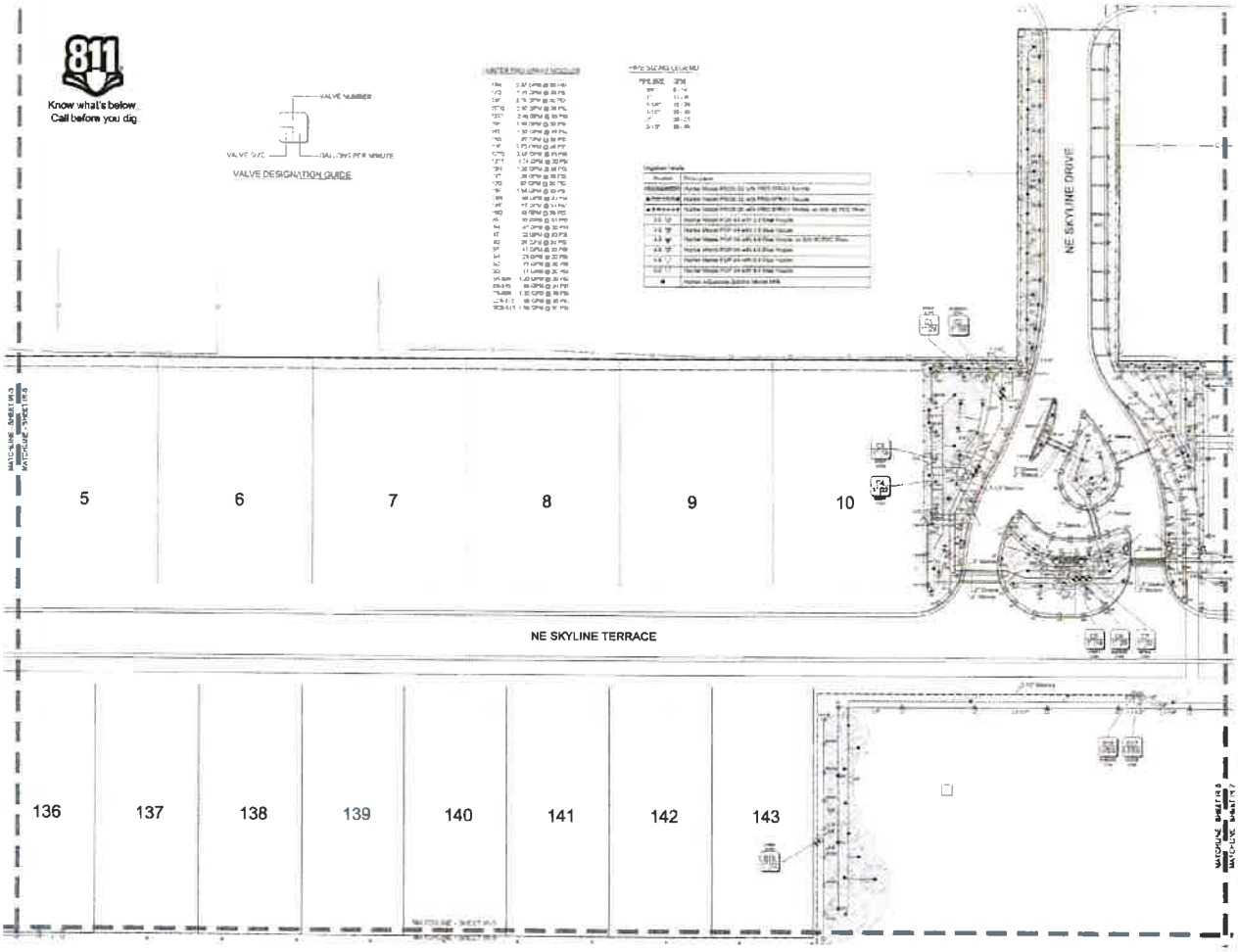

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Key Location

Project Team

Ocean Breeze West PUD

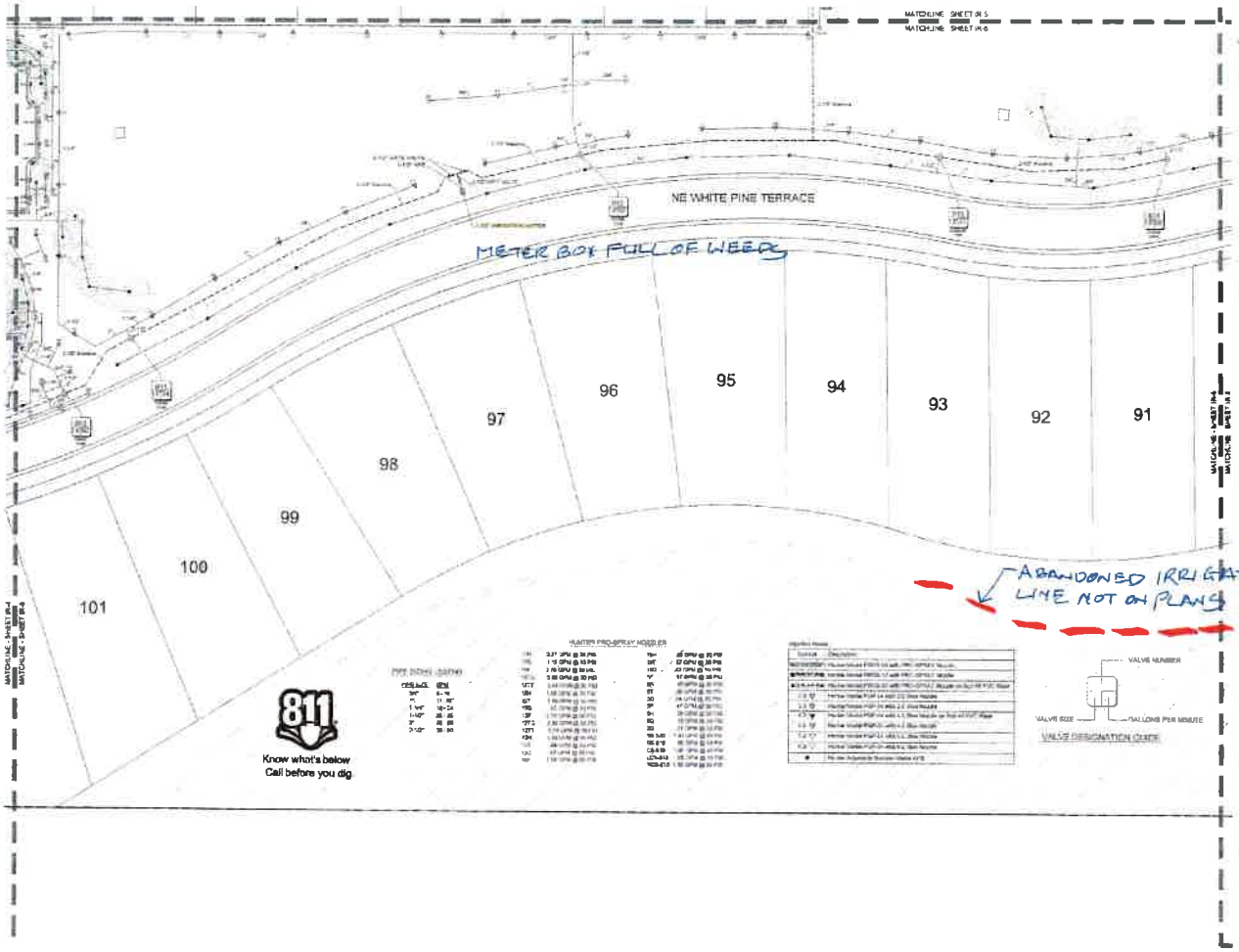
Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
2.1.19	C.S.	SSI Application

SCALE: 1" = 20'

IR-5



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Key / Location:

Project Team

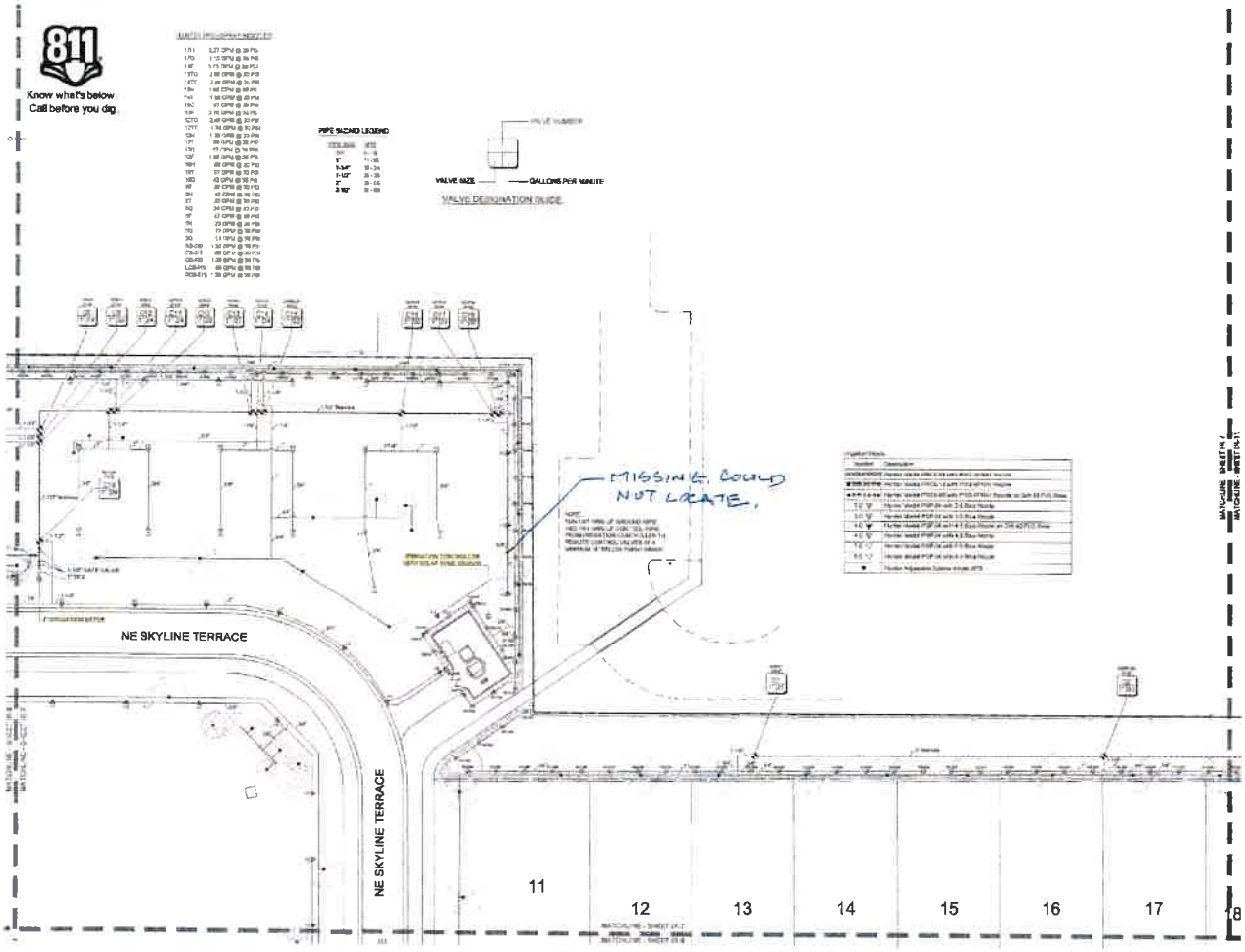
Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
2.18.19	J.S.	Initial Submission

IR-6



lucido & associates

Key / Location

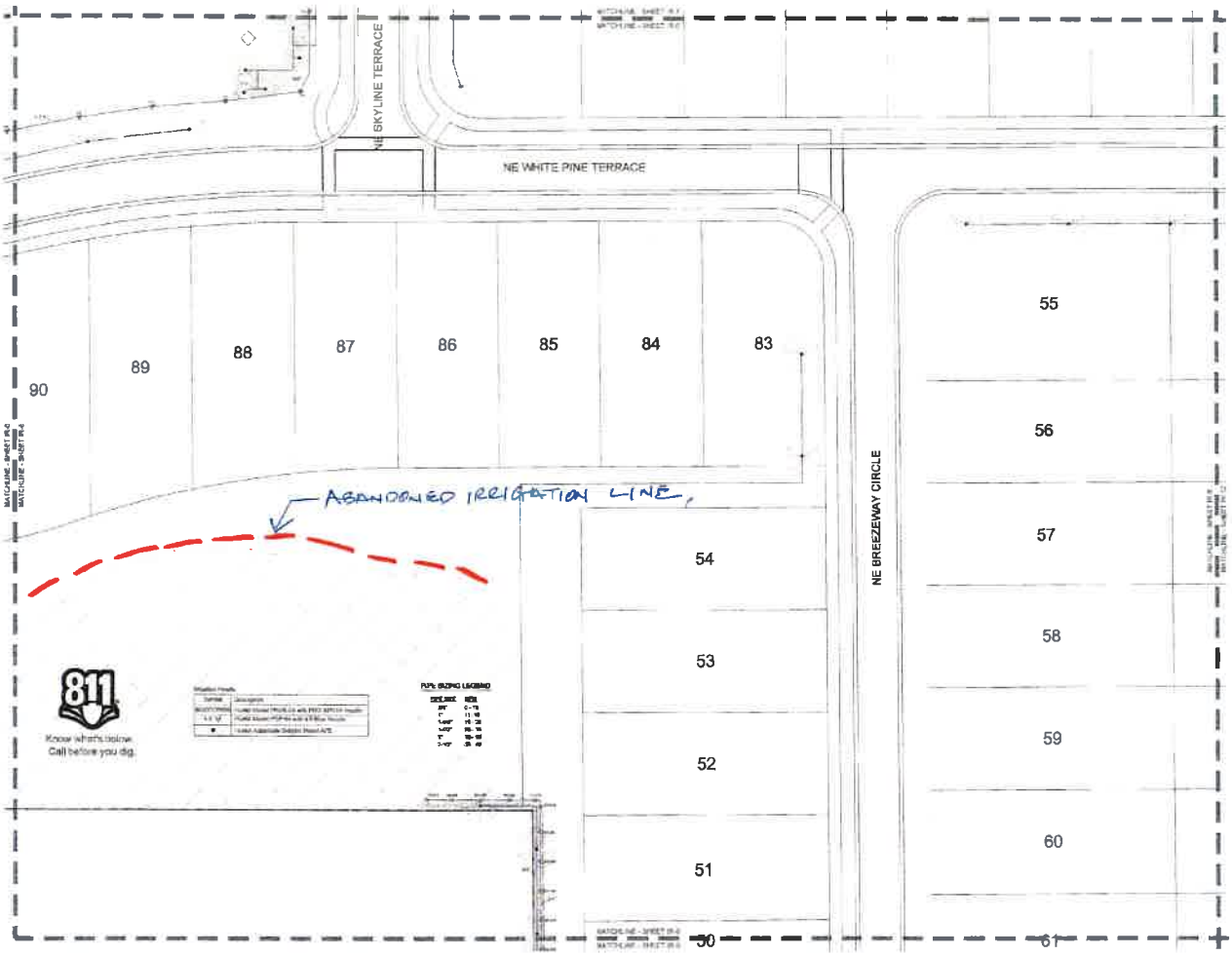
Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
2-21-11	D.G.	Initial Publication

IR-7



lucido & associates

Key Location

Project Team

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
3 18 19	C.E.	Initial Application

IR-8

Know what's below.
Call before you dig.

VALVE DESIGNATION GUIDE

Irrigation Heads

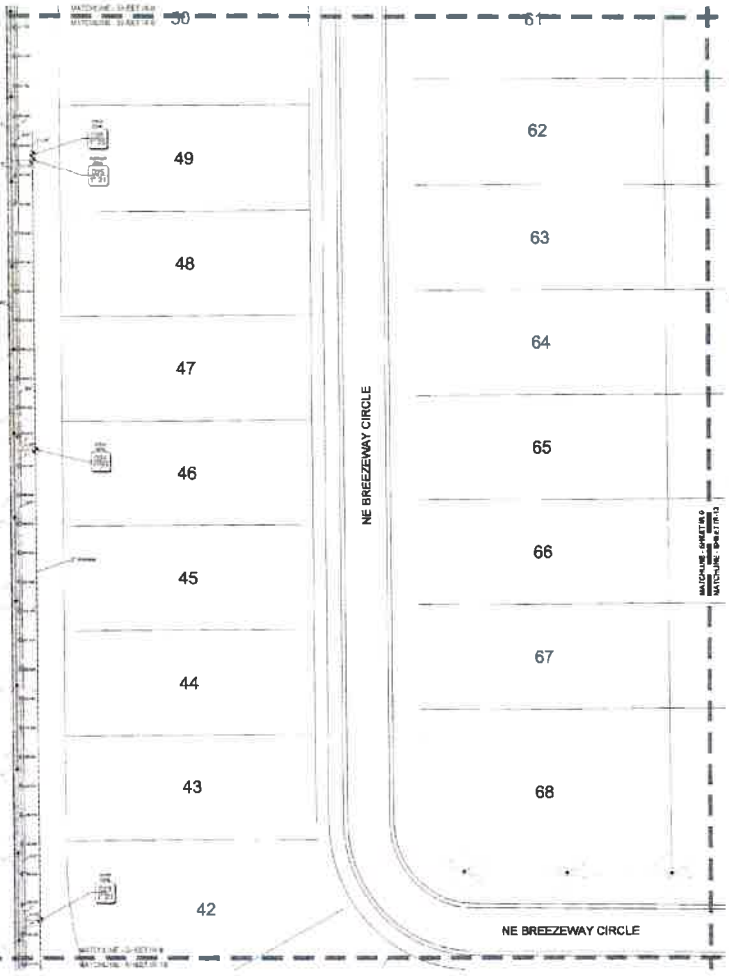
Symbol	Description
[illegible]	[illegible]
[illegible]	[illegible]

PIPE SIZING LEGEND

TYPE SIZE	GPM
[illegible]	[illegible]

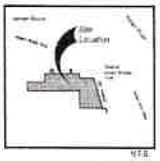
HUNTER PRO-SPRAY NOZZLES

[illegible]	[illegible]



lucido & associates

Key / Location:



N.T.S.

Project Team

Owner:

Developer:

Engineer:

Landscape Architect:

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
2.16.18	C.E.	Initial Application

SCALE: 1"=20'

Designer: CE
Manager: DF
Project Number: 16-139
Municipal Number:
Computer File:

Sheet: **IR-9**

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Know what's below.
Call before you dig

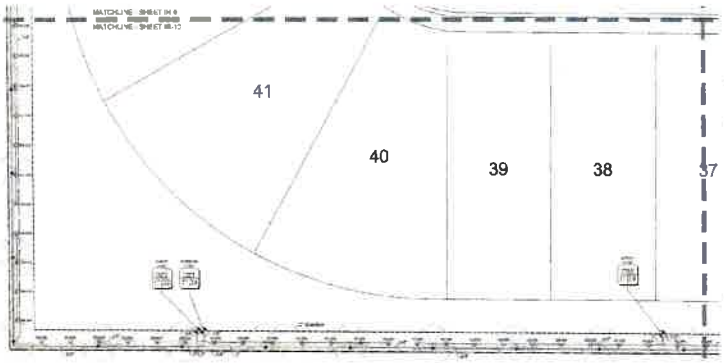
VALVE TO SPRINKLER

VALVE SIZE

GALLONS PER MINUTE

VALVE DESIGNATION KEYNOTE

MATCHLINE - SHEET IR-9
MATCHLINE - SHEET IR-12



MATCHLINE - SHEET IR-10
MATCHLINE - SHEET IR-14

PIPE SIZING LEGEND

HORSEPOWER	SIZE
3/4"	1 - 1/2"
1"	1 - 1/2"
1 - 1/4"	1 - 1/2"
1 - 1/2"	2" - 1/2"
2"	2" - 1/2"
3 - 1/2"	3" - 1/2"

Irrigation Heads

Symbol	Description
HORSESHOE	Hunter Horseshoe PRO-C Fixed Arc Pop-Up Sprinkler (Nozzle Size Varies)
●	Hunter Adjustable Bubbler Head (HB)

LIMITED FIXED SPRAY NOZZLES

1T11	0.34 GPM @ 30 PSI
1T2	1.18 GPM @ 30 PSI
1T5	2.75 GPM @ 30 PSI
1T10	2.88 GPM @ 30 PSI
1T7	3.45 GPM @ 30 PSI
1T8	1.05 GPM @ 30 PSI
1T4	1.35 GPM @ 30 PSI
1T6	1.0 GPM @ 30 PSI
1T9	2.1 GPM @ 30 PSI
1T12	2.60 GPM @ 30 PSI
1T7T	1.75 GPM @ 30 PSI
1T8H	1.90 GPM @ 30 PSI
1T5T	.88 GPM @ 30 PSI
1T6T	.57 GPM @ 30 PSI
1T9T	1.18 GPM @ 30 PSI
1T2H	.69 GPM @ 30 PSI
1T1T	.57 GPM @ 30 PSI
1T2T	.43 GPM @ 30 PSI
1H	.50 GPM @ 30 PSI
1H1	.47 GPM @ 30 PSI
1H	.33 GPM @ 30 PSI
1H1	.39 GPM @ 30 PSI
1H	.43 GPM @ 30 PSI
2H	.18 GPM @ 30 PSI
2H2	.11 GPM @ 30 PSI
2H	.11 GPM @ 30 PSI
2H-2H	1.35 GPM @ 30 PSI
2H-1T1	.85 GPM @ 30 PSI
2H-6R	1.35 GPM @ 30 PSI
LCS-4R	.85 GPM @ 30 PSI
RCS-1T1	1.35 GPM @ 30 PSI

lucido & associates

Key / Location

Project Team

Owner:

Engineer:

Landscape:

Environmental Consultant:

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
2.15.18	C.S.	Initial Application

NORTH

SCALE: 1" = 10'

0 10' 20' 40'

Designer: CS
Manager: DK
Project Number: 16-139
Municipal Number:
Contractor File:

Sheet
IR-10

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Know what's below.
Call before you dig.

MATCHLINE - SHEET IR-7
MATCHLINE - SHEET IR-11

PIPE SIZING LEGEND

PIPE SIZE	GPM
3/4"	0 - 14
1"	11 - 18
1-1/4"	17 - 34
1-1/2"	25 - 38
2"	35 - 55
2-1/2"	55 - 80

VALVE DESIGNATION GUIDE

VALVE SIZE — GALLONS PER MINUTE

18 19 20 21

MATCHLINE - SHEET IR-11
MATCHLINE - SHEET IR-12

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Key / Location:

Site Location

Project Team:

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

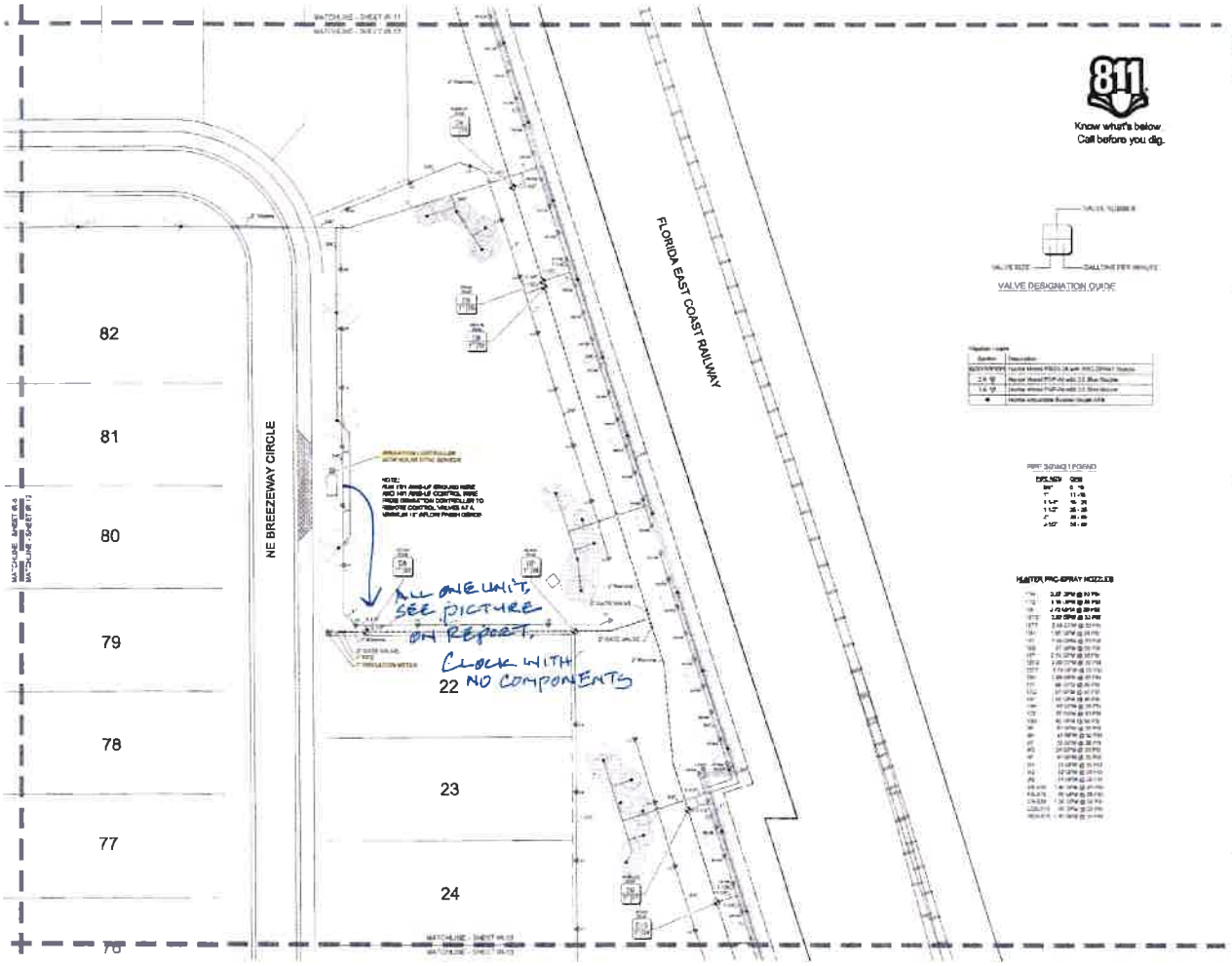
Date	By	Description
2.16.18	G.R.	Initial Submission

NORTH

SCALE: 1" = 20'

0 10' 20' 40'

IR-11



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Key / Location:

Project Team:

Ocean Breeze West PUD

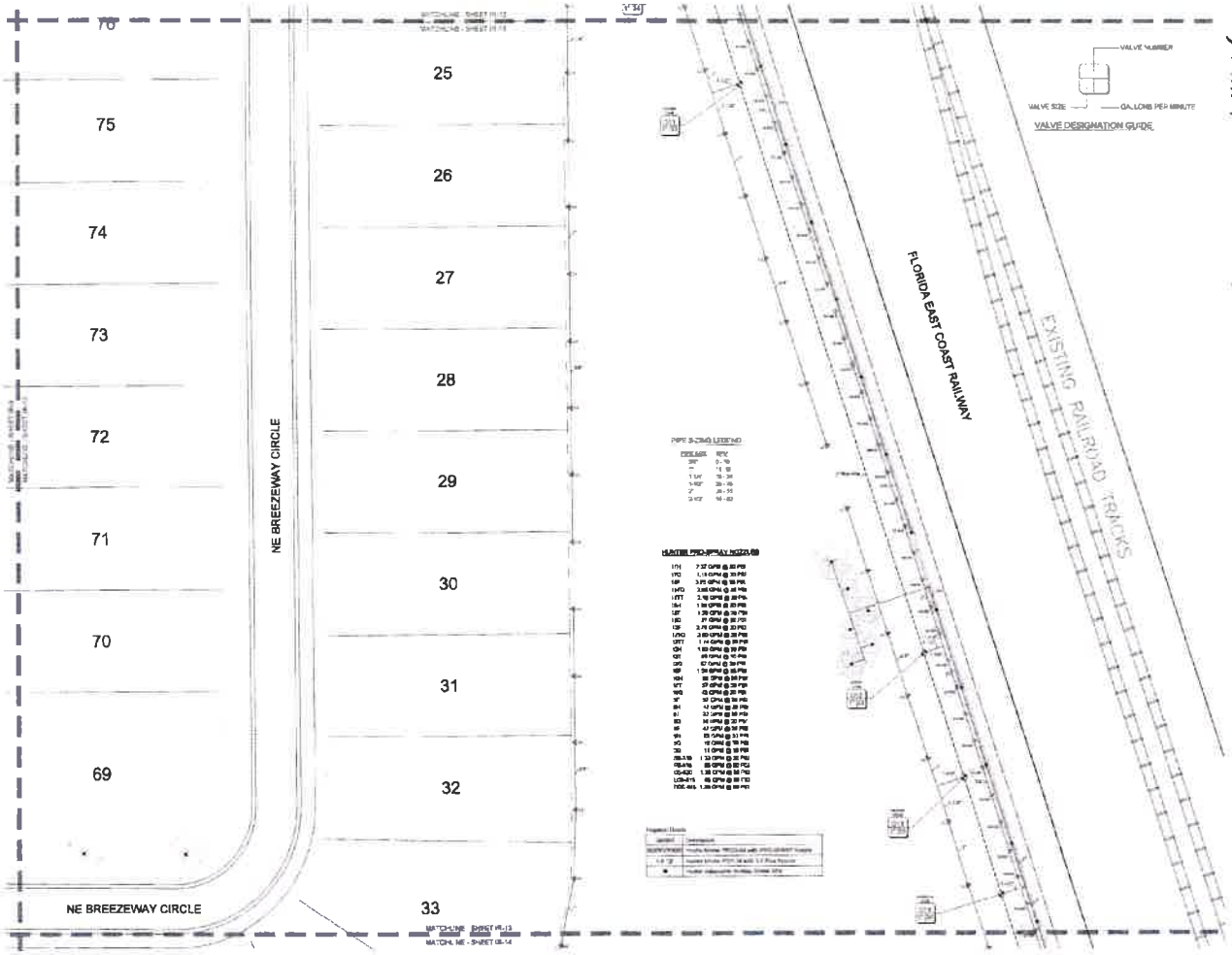
Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
2-19-10	C.C.	Initial Application

SCALE: 1" = 20'

IR-12



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Project Team:

Ocean Breeze West PUD

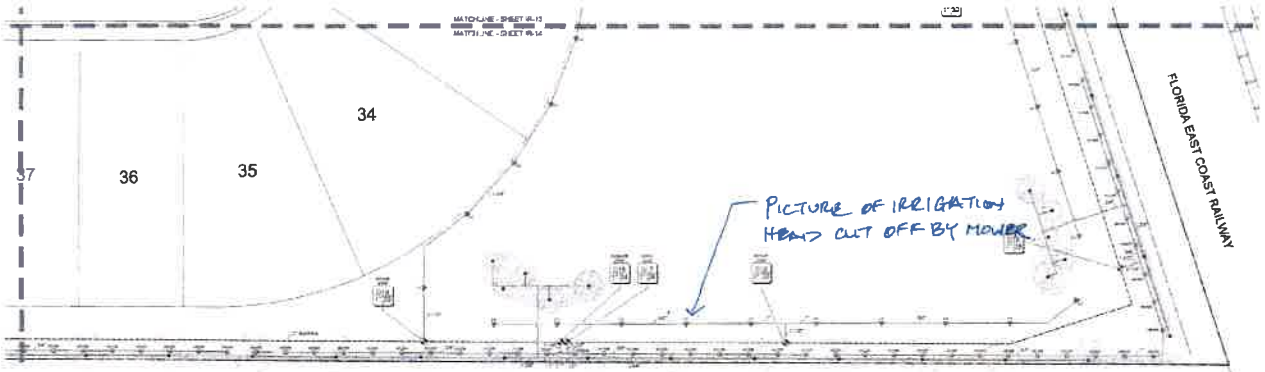
Town of Ocean Breeze
Martin County Florida

Irrigation Plan

Date	By	Description
3.1.06	C.S.	Initial Application.

SCALE: 1" = 20'

IR-13



Know what's below.
Call before you dig.

PIPE SIZING LEGEND

PIPE SIZE	GPM
3/4"	0 - 15
1"	15 - 30
1 1/4"	30 - 40
1 1/2"	40 - 55
2"	55 - 80
2 1/2"	80 - 90

WATER PROOFING NOZZLES

Symbol	Description
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

VALVE SIZE — VALVE NUMBER — GALLONS PER MINUTE

VALVE DESIGNATION GUIDE

lucido & associates

Key / Location

Project Team:

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Plan

Date	By	Description
2.18.19	C.R.	Initial Installation

SCALE: 1" = 30'

0 15' 30' 60

Designed
Reviewed
Project Initiated 10-1-10
Blueprint Number
Computer File

Sheet **IR-14**

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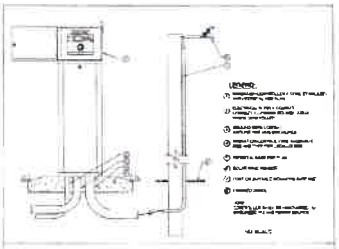
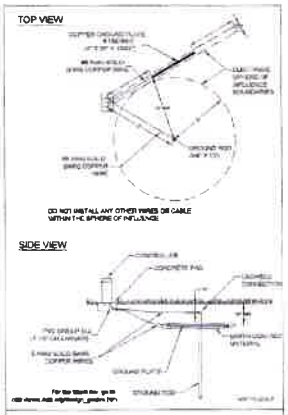


IRRIGATION CONTROLLER WITH SENSOR



IRRIGATION CONTROLLER GROUNDING DETAIL

IRRIGATION NOTES:

1. The point of connection shall be the water meter located in the southern portion of the site. The Irrigation Contractor shall verify the available GPM at a PSI prior to installation of the system.

2. Do not willfully install the irrigation system as it does on the drawings when it is obvious to the field that conditions exist that might not have been considered in the design process. The intent of the Contract Documents cannot be fulfilled with proposed items or details.

3. Piping may sometimes be indicated as being located in unsafe areas. I.e. under buildings or pavement, outside of property area, in slope or dikes, etc. This is done for graphic clarity only. Wherever possible, piping is to be installed in sound, "proper" areas.

4. Contractor shall verify all underground utilities prior to commencement of work. The contractor is advised that underground utilities are present in the work area. Contractor shall expose locates from utilities prior to any excavation.

5. Contractor shall install pressure mainlines 5' from edge of sidewalk, 12' from curb, and edge of road or parking area. Install shrub lines 18' from sidewalk, curb and edge of road or parking area.

6. Irrigation system design is diagrammatic to improve clarity. All sprinkler piping, valves or valve box locations are to be installed in landscape areas and within Right of Way boundaries.

7. If required, the Irrigation Contractor shall provide the necessary "Right of Way" use permits.

8. Install bubblers on all large trees and palms.

9. Zone as close to these line locations as under 3 feet per minute.

10. Pipe sizes shall conform to those on the drawings. Substituting with smaller pipe sizes will not be permitted.

11. Mainlines shall be installed with a minimum of 18" depth of cover. Lateral lines shall be installed with a minimum of 12" depth of cover.

12. Wherever practical, install valves in mulched areas adjacent and of high traffic areas. All valves and wire splices shall be installed in heavy duty, deep-valve boxes with covers. Use red irrigation and no stamp as follows:

Rainbow Carlon Valvtite, standard 12" deep extra-light valve box (with bolts), standard 12" deep extra-light valve box
Allen Lefkow standard 12" deep rectangle valve box

13. Refer to Valve Designation Schedule for valve size, control number and decoder line size to each specific valve type.

14. All 24 volt control cable to be UL Listed, single strand, type UF 600 Vdc control cable. Size and color as follows:

Common: Wires - size AWG #12 or #14 and WHITE in color
Hot Wires - size AWG #14 and RED in color
Sensor Wires - size AWG #14 and BLUE in color.

15. All splices to the 24 vdc control cable shall be made with 3M or equal type connectors.

16. Run one (2) spare wire from controller to each direction of the median to bubbler valves.

17. All pipe in median heads shall be installed level and true to grade.

18. Provide and install necessary sensor wires and be prepared to troubleshoot and determine and repair irrigation malfunctions.

19. Install acceptable grounding networks for the irrigation controller per ASTM specifications. Provide proper grounding networks to achieve ground resistance of 10 OHMS or less.

20. All sleeves shall be 2 nominal pipe sizes larger than the size of the pipe to be accommodated. All pipe crossings min. 4 feet in length shall be installed inside PVC pipe sleeving.

21. The Irrigation Contractor shall prepare an AS BUILT drawing to accurately depict locations of installation that deviate from those drawings. The AS BUILT drawings shall include all major line sizes, control wire and valves by showing actual measurements from road centerlines.

22. Any other equipment material not in our other new construction or upgrades shall be installed to the manufacturer's recommendations and specifications.

23. The final location of all components shall be approved by the project engineer.

Irrigation Equipment Table

Quantity	Control	Description	Size
2	[illegible]	[illegible]	[illegible] Station Capacity
1	[illegible]	[illegible]	[illegible] Station Capacity
1	[illegible]	[illegible]	[illegible] Station Capacity

Quantity	Symbol	Description	Size
1	[illegible]	[illegible]	[illegible]

Quantity	Symbol	Description	Size
2	[illegible]	[illegible]	[illegible]
1	[illegible]	[illegible]	[illegible]
1	[illegible]	[illegible]	[illegible]

Quantity	Symbol	Description	Size
2	[illegible]	[illegible]	[illegible]
1	[illegible]	[illegible]	[illegible]
1	[illegible]	[illegible]	[illegible]

Quantity	Symbol	Description	Size
16	[illegible]	[illegible]	[illegible]
16	[illegible]	[illegible]	[illegible]

Quantity	Symbol	Description	Radius
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

Quantity	Symbol	Description	Flow Rate
[illegible]	[illegible]	[illegible]	[illegible]

Quantity	Symbol	Description	Size
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

Quantity	Symbol	Description	Size
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

NOTE: [illegible] CHECK WITH CONTRACTOR CONSIDERING ONLY THE ACCURACY OF THE SUPPLIED ITEMS RECOMMENDED THAT ONE SHOULD ALL DIRECTIONS.

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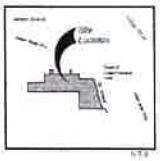
Key Location:



N.T.S.

Project Team:

Client & Property Owner:

Planner: Lucido & Associates
701 East Ocean Boulevard
Stuart, Florida 34994

Engineer: Cheatle Engineering, Inc.
2505 SW Martin Downs Blvd., Suite 210
Palm City, FL 34990

Landscape Architect: GPD Landscape Architecture
Consulting Foresters and Nursery Professionals
P.O. Box 1450
Palm City, FL 34991

Environmental Consultant: SE Ecological
1555 SE Monterey Commons Blvd.
Suite 110
Stuart, FL 34996

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Equipment Table & Notes

Date	By	Description
2.18.19	C.E.	Initial Distribution

Designed: CEC
Drawn by: JP
Project Number: 0118
Reviewed: CLARKE
Computer File:

Sheet: **IR-15**

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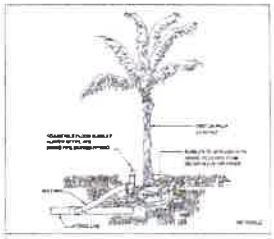
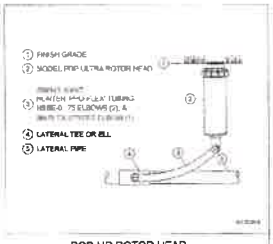
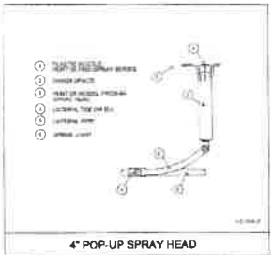


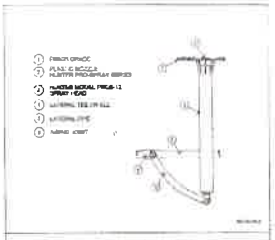
ADJUSTABLE BUBBLER



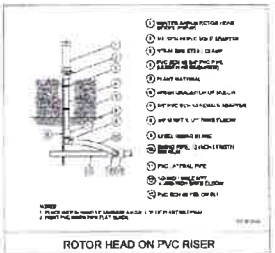
POP-UP ROTOR HEAD



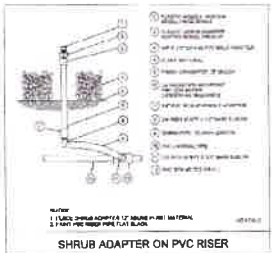
4" POP-UP SPRAY HEAD



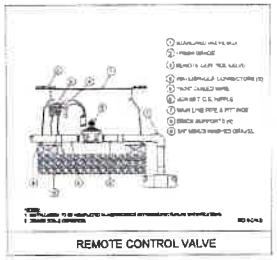
12" POP-UP SPRAY HEAD



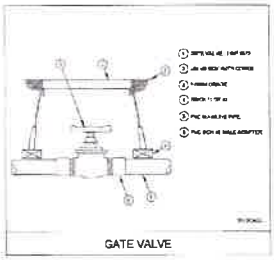
ROTOR HEAD ON PVC RISER



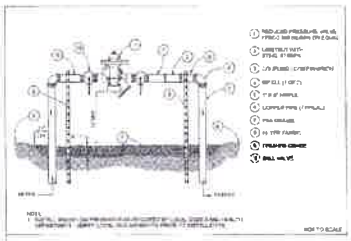
SHRUB ADAPTER ON PVC RISER



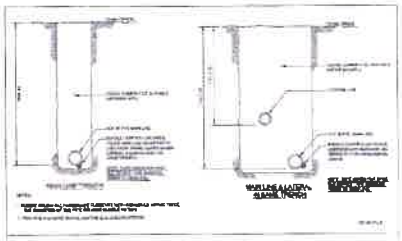
REMOTE CONTROL VALVE



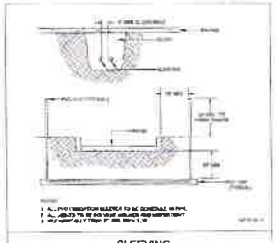
GATE VALVE



REDUCED PRESSURE BACKFLOW ASSEMBLY



IRRIGATION TRENCH DETAIL



SLEEVING

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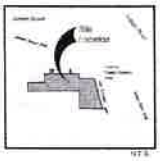
Key / Location:



Project Team:

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Details

Date	By	Description
2.13.19	C.S.	Initial Application

Designer: CS
Manager: CF
Project Number: 16-30
Sheet: **IR-16**
Drawing Number: –
Designer File:

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IRRIGATION SYSTEM

PART 1 GENERAL

1.01 SCOPE OF WORK

A. THE WORK CONSISTS OF FURNISHING ALL LABOR, MATERIAL, EQUIPMENT, TRANSPORTATION, ETC. TO COMPLETE ALL IRRIGATION WORK AS SHOWN ON THE DRAWINGS AND AS NOTED SPECIFIED HEREIN. INCLUDE ALL SUBMITTALS OR SHOP DRAWINGS REQUIRED FOR THIS WORK. ALL PHASES OF THIS CONTRACT WORK ACCEPTED BY THE OWNER. WORK WILL INCLUDE THE FOLLOWING:

B. ALL PIPING, INCLUDING MAINS, LATERAL & FITTINGS, SCHEDULE 40 PVC PIPE, UNLESS OTHERWISE SPECIFIED.

C. ALL CONTROL VALVES, QUICK COUPLER VALVES, INCLUDING VALVE BOXES, WARRANTY, COMPLETE WITH MANUFACTURER'S OPERATION AND TIME SETTINGS.

D. COMPLETE AUTOMATIC CONTROL SYSTEM AS SHOWN ON THE DRAWINGS, INCLUDING CONTROLLER CONTROL WIRING, CONNECTIONS, FINAL ADJUSTMENT, COMPLETION.

E. ALL SPRINKLER HEADS, INCLUDING PROPER WIND DRIFT CONTROL FOR HEADS AND NOZZLES ON THE PLANS AND ALL OTHER EQUIPMENT AND ACCESSORIES NECESSARY FOR PROPER OPERATION.

F. ALL FINISH GRADE, SITE WORK, RELOCATION OR REPLACEMENT OF UTILITIES, BACK FILL AND RESTORATION OF ALL DISTURBED AREAS INCLUDING THE SUPPLY, BACK FILL AND REPLACEMENT OF ANY NEW ALT AREAS TRENCHED FOR PIPES AND SLEEVING.

G. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO PROPERTY, STRUCTURES, UTILITIES, ETC. WHICH OCCUR AS A RESULT OF HIS OPERATIONS. THE CONTRACTOR SHALL REPAIR OR REPLACE ALL ITEMS DAMAGED BY HIS OPERATIONS TO THE SATISFACTION OF THE OWNER AT NO ADDITIONAL COST TO THE OWNER.

H. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADJUSTING, BACK FILLING AND ANY OTHER SITE WORK NECESSARY TO ENSURE NEW COVERAGE AND TO COMPLY WITH THE DESIGNS INTENT OF THE LANDSCAPING AS INSTALLED.

1.02 SUBMITTALS:

A. AS SUBMITTED SHALL MAKE ALL NECESSARY SUBMITTALS IN ACCORDANCE WITH THE GENERAL CONDITIONS. SHOP DRAWINGS SHALL INCLUDE MANUFACTURER'S PRODUCT SPECIFICATIONS AND INSTALLATION PROCEDURES. SUBMITTAL SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS.

B. SUBMIT FINAL SUBMITTALS INCLUDING DATA AND INSTALLATION PROCEDURES FOR THE IRRIGATION SYSTEM.

C. PROVIDE AND VERIFY TO CATER A COMPLETE SET OF SUBMITTALS, CORRECTED UNTIL TO SHOW CHANGES IN THE LOCATION OF SPRINKLERS, CONTROL LINE PLANS, PIPING AND OTHER DEVIATIONS FROM THE AS SHOWN. PROCEED DRAWING SHOW REMOTE CONTROL, AND THE LOCATION WITH NATURAL MEASUREMENTS TO BUILDING PLANTS SO THAT MAY BE LOCATED EASILY IN THE FIELD. UPON COMPLETION OF THE WORK, PURSUANT TO CONFORM WITH A COMPLETE SET OF PLANS SHOWING THE ARRANGEMENT PRINTED AS PERFECTED.

D. ALL DRAWINGS INDICATED FOR THE OWNER ON TIMES ARE APPROXIMATE. PRIOR TO PROCEEDING WITH THE WORK, CONTRACTOR SHALL CARRY IT CHECK AND VERIFY ALL CONDITIONS AND REPORT ALL ARRANGING FROM THOSE REPORTED IN THE IRRIGATION PLAN TO THE OWNER IN WRITING.

1.03 GENERAL REQUIREMENTS

A. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTING THE SYSTEM IN COMPLETE ACCORDANCE WITH ALL APPLICABLE CODES ORDINANCES AND LAWS OR ANY MODIFICATIONS THEREOF TO CONFORM WITH SAID CODES, LAWS AND ORDINANCES SHALL BE COMPLIED WITH THE CONTRACTOR'S BUSINESS AT NO ADDITIONAL COST TO THE OWNER.

B. THE CONTRACTOR SHALL HAVE THE LABOR CREWS CONTROLLED AND DIRECTED BY AN INSPECTION FOREMAN WHO SHALL BE A LICENSED PLUMBING PROFESSIONAL, PVC ASSEMBLY PROCEDURE, HEADING, ALIGNMENT AND COORDINATION WITH OTHER PLUMBING PROFESSIONALS IN THE AREA AND ALL PHASES OF SCHEDULE, INSTALLATION, SUPPLY AND CONNECTION. THE PLUMBER SHALL BE ON THE WORK SITE AT ALL TIMES, AND SHALL BE FULLY AUTHORIZED AS THE CONTRACTOR'S AGENT ON THE JOB.

C. THE PIPE THE CONTRACTOR SHALL REPLACE ALL WORK THAT FAILS THE TESTING REQUIREMENTS OR THAT WAS INSTALLED IN VARIANCE OF THE PLANS AND OUTLINED IN THIS SECTION.

D. COORDINATION WITH OTHERS

THE CONTRACTOR IS JOINTLY RESPONSIBLE FOR THE WORK UNTIL THE WORK IS DETERMINED TO BE SUBSTANTIALLY COMPLETE.

E. THE CONTRACTOR SHALL PROTECT ALL MATERIALS AND WORK AGAINST DAMAGE FROM ANY CAUSE AND SHALL PROVIDE AND MAINTAIN ALL PROPER BARRIERS FOR THE PROTECTION OF THE PUBLIC. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY NEGLIGENCE IN THE PROTECTION OF THE WORK.

F. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES SHOWN ON THE PLANS AND PROVIDING PROPER PROTECTION FOR THE UTILITIES. ANY DAMAGE DONE TO FREE ASSIGNED BY SUPPLYING UTILITY ARE THE RESPONSIBILITY OF THE CONTRACTOR.

1.04 DELIVERY, STORAGE AND HANDLING

A. MATERIALS DELIVERED TO THE SITE SHALL BE KEPT IN THE ORIGINAL BOXES, WRAPPERS OR CONTAINERS UNTIL SUCH TIME AS THEY ARE EMPLOYED IN THE PROJECT CONSTRUCTION. THE PROVISION DOES NOT INCLUDE PACKAGES FOR PIPE STOCK PLACEMENT.

B. ANY PIPE OR FITTING WHICH FOR SOME REASON OR OTHER LIABILITY OF MATERIALS OR OTHER REASONS MUST BE APPROVED BY THE OWNER.

C. ALL MATERIALS AND PERFORMANCE FURNISHED AND PERFORMED SHALL BE UPON TO THE OWNER AT THE FINAL ACCEPTANCE OF THE PROJECT.

PART 2 MATERIALS

2.01 PIPE

A. ALL PIPE SHALL BE NEW AND FREE FROM DEFECTS, AND CONSISTENT WITH CONSTRUCTION OF THE MANUFACTURER, TYPE IS 100 AND SIZE.

B. PLASTIC PIPE FOR THE MAIN AND SIZE LINES AND ALL FITTINGS SHALL BE SCHEDULE 40 ORIENTED POLYVINYL CHLORIDE (PVC) MATERIAL, TYPE I, CLASS 12454 WITH SCHEDULE 40 PVC FITTINGS. PLASTIC PIPE USED FOR LATERALS SHALL BE CLASS 200 PER SCH. DIMENSION, CONFORMS TO POLYVINYL PIPE, TYPE I, NO OR (1/2) SCH LINE AND D TYPE FITTINGS, EXCEPT AS OTHERWISE SPECIFIED. SHALL BE PVC, VARIOUS OR SCHEDULE 40 PIPE AND FITTINGS TO BE MANUFACTURED FROM CLEAN, VIRGIN, NSF APPROVED TYPE 1, GRADE 1 PVC COMPOUND TO ASTM MEETS SPECIFICATIONS D1784 AND D1785.

C. ALL PIPE ON MAINS SHALL BE SOLVENT WELD. ALL NON-THREADED PIPE JOINTS SHALL BE MADE WITH VARNISHED OR SOLVENT TYPE SAMPLE.

D. PRIOR TO THE CONNECTION OF ANY PIPE WITH PVC SLIP, THE FITTING AND PIPE SHALL BE TREATED WITH A NON-PETROLEUM CLEANER. THE CLEANER AND SOLVENT USED SHALL BE COMPATIBLE WITH THE PVC PIPE. USED SOLVENT CITES SHALL BE USED, AS THE ACCEPTABLE SOLVENT WELD PIPE JOINT COMPOUNDS UPON COMPLETION OF CLEAN CONTROL THE IRRIGATION SYSTEM SHALL BE FREE OF BURRS AND THE INSIDE OF THE PIPE SHALL BE THE CLEAN SMOOTH PIPE.

E. ALL SLEEVES SHALL BE 2 NOMINAL PIPE SIZE LARGER THAN THE SIZE OF PIPE TO BE ACCOMMODATED.

2.03 CONTROL LINES

A. ELECTRIC SUBMISSIONS. ALL ELECTRIC CONTROL WIRE SHALL BE NOT LESS THAN 14 GAUGE AND SOLID WIRE SHALL BE NOT LESS THAN 18 GAUGE. ALL WIRING TO BE USED FOR CONNECTION TO THE AUTOMATIC REMOTE CONTROL VALVES TO THE NOT TRANSITIONAL FIELD WIRE SHALL BE TYPE UF 600 VOLT SOLID COPPER, SINGLE CONDUCTOR WIRE WITH PVC INSULATION AND BEAR UL APPROVAL FOR DIRECT UNDERGROUND BURIAL. RUBBER CABLE.

B. INSULATION SHALL BE ABC TYPE WIRE IN ACCORDANCE WITH PROTECTIVE UNDERGROUND PROTECTION OF WIRE AND BE 18 AWG OR 14 AWG WILL DRIP AND 10 AWG WIRE 13 AWG WIRE 6 THROUGH 4 AWG SHALL BE INSULATED WITH RHW TYPE WIRE.

C. WIRE SPLICES OF SAME TYPE AND WIRE INSULATION PROCEDURES SHALL BE FOLLOWED TO DRAWING STANDARD COPPER.

D. PLASTIC CIRCUIT WIRES SHALL BE AND IN COLOR. COMMON WIRE SHALL BE WHITE AND SPARE WIRES SHALL BE BLUE IN COLOR.

2.04 CONTROL EQUIPMENT

A. ALL CERAMIC CONTROLS SHALL BE WITH A WATERTIGHT SHELL AND BE MOUNTED ON DRAWINGS THE CONTROL LINE SHALL BE SECURELY MOUNTED, AS NOTED IN THE DRAWINGS.

B. AUTOMATIC CONTROL SHALL BE WITH SHELL OR AS NEEDED FOR THE DRAWINGS. ALL VALVES SHALL BE MADE AS NOTED ON THE DRAWINGS AND AS NEEDED SHALL BE ALTERED UNDER REPAIR OF THE VALVE WITHOUT REQUIRING REMOVAL FROM THE SITE WORK.

2.05 SPRINKLER HEADS

A. PROVIDE SPRINKLER HEADS AS SHOWN ON THE DRAWINGS, ALL VALVES SHALL BE MADE AS NOTED ON THE DRAWINGS AND AS NEEDED SHALL BE ALTERED UNDER REPAIR OF THE VALVE WITHOUT REQUIRING REMOVAL FROM THE SITE WORK.

2.06 ELECTRICAL COMPONENTS

A. ALL ELECTRIC CONTROL WIRE AS PREVIOUSLY STATED, INSTALL IN THE PIPES TRENCHES SAME AS YOUR PIPELINE AND PLACE UNDER THE PIPE. PAIR CONTROL WIRES TOGETHER WITH ELECTRICAL TAPE NO MORE THAN 15 FEET UNDER WIRE INTO THE TRENCH AS LOOSE AS POSSIBLE AND WITH SLACK SLACK AS POSSIBLE. 1 TO 1.5 FEET PER 100 FEET IN ADDITION AND CONTINUE FOR THE PIPE.

B. CLEANING PLANTS AS REQUIRED. CLEAN ALL VALVES AND AS A WIRE SPECIAL LEAVING WIRE AS THE PIPELINE BLACK SO THAT DO LEAVE OF REPAIR THE ENTIRE PIPELINE. DO NOT SET WIRE DOWN TO THE SURFACE WITHOUT DISCONNECTING THE WIRE. SPLICE ALL WIRE TO VALVE BOXES. SPLICE VALVES 2 - 3 FEET WATERPROOF WIRE CONNECTORS AS RECOMMENDED BY THE WIRE MANUFACTURER.

C. PROVIDE WIRE BETWEEN PROTECTOR CONTROL VALVES WITH LEAVE THAN 15 GAUGE. CONNECT ALL REMOTE CONTROL VALVES, WHICH ARE TO BE CONNECTED TO THE WIRE CONTROL FIELD, TO A COMMON GROUND WIRE OF A SIZE NOT LESS THAN 10 GAUGE. WRAPPED EACH INDIVIDUAL CONTROL WIRE WITH A SEPARATE COMMON GROUND WIRE. PROVIDE ONE INDIVIDUAL OF THE COMMON GROUND WIRE SYSTEM OF ALL OTHER CONTROL WIRES. CONNECT ONLY THOSE REMOTE CONTROL VALVES THAT ARE SEPARATELY, TO BY THE REMOTE CONTROL WIRE TO THAT CENTRAL WIRE COMMON GROUND WIRE SYSTEM. TO CONTROL VALVE CONNECTION REMOTE SHALL NOT BE OF THE FIELD WIRE AND TYPE BUT SHALL BE WIRE FACTORED IN THE FIELD ONLY USING WIRE SPLICES PROVIDE AND CONFORMING WITH ALL VALVES IN VALVE BOXES.

D. INSTALL ALL VALVE BOXES SO THAT THE TOPS OF ALL BOXES ARE LEVEL WITH EACH OTHER AND THE SIDES OF ALL BOXES ARE PARALLEL TO EACH OTHER.

E. INSTALL ALL CONTROL VALVES IN ACCORDANCE WITH THE REQUIREMENTS OF THE MANUFACTURER TO ENSURE FIT WITH LOCK KEY. ALL CONTROL VALVES APPROVED BY THE OWNER BEFORE THE ACTUAL INSTALLATION OF THE CONTROLLER.

F. INSTALL UNDERGROUND PIPE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS TO PROTECT EACH AUTOMATIC CONTROL LINE.

2.07 TESTS

A. PERFORM OPERATIONAL TESTING AFTER BACK FILL IS IN PLACE, AND SPRINKLING HEADS ARE ADJUSTED TO FINAL POSITION. DEMONSTRATE TO OWNER THAT SYSTEM MEETS COVERAGE REQUIREMENTS AND THAT AUTOMATIC CONTROLS FUNCTION PROPERLY. COMPLETE REQUIRED REPAIRS AND READJUSTMENTS ON UP-ONE CIRCUIT AT A TIME.

B. AFTER COMPLETION OF INSTALLATION, REPAIRING OF ACCIDENTAL AND REQUIRED GRADE ANNUAL CAREFULLY ADJUST LAWN SPRINKLER HEADS SO THAT THEY WILL BE FLUSH WITH FINISH GRADE.

C. ADJUST THE VARIOUS STATIONS TO THE APPROVAL BY THE OWNER IN THE ACTUAL OPERATION OF THE SYSTEM AS PER EVENT. ALL MACHINES AND ACCESSORIES SHALL INCLUDE A STATION BETWEEN OF THE CONTROL, WITH QUALITY CONTROL EQUIPMENT, SPRINKLER HEADS AND NOZZLES, TO FOR ALL STATIONS ON THE CONTROLLER.

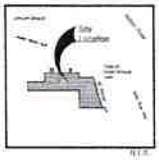
D. UPON COMPLETION OF THE WORK INSTALLATION, ACCEPTANCE BY THE OWNER, TRAIN MAINTENANCE PERSONNEL IN THE OPERATION, MAINTENANCE, AND REPAIR OF THE SYSTEM. PROVIDE EXPRESS DETAILS, ALL PARTS LISTS, TROUBLE SHOOTING LISTS, SPECIFICATIONS, SPECIAL AND LAB REQUIRED TO THE SUPPLIES AND PROCEDURES, UP THE AUTHORITY, CONTRACTOR AT ALL COMPLETE WITH THE SPECIFICATIONS UNDER SECTION 1.02 SUBMITTALS.

E. DURABILITY

A. ALL WORK SHALL BE GUARANTEED FOR ONE YEAR FROM DATE OF ACCEPTANCE AGAINST ALL DEFECTS IN MATERIALS, WORKMANSHIP AND WORKMANSHIP. THE SHALL ALSO COVER REPAIR OF DAMAGE TO ANY PART OF THE PREMISES RESULTING FROM LEAKS OR OTHER DEFECTS IN MATERIAL, EQUIPMENT AND WORKMANSHIP TO THE SATISFACTION OF THE OWNER. REPAIRS, IF REQUIRED, SHALL BE DONE PROMPTLY AT NO COST TO THE OWNER.

luciano & associates

Key / Location:



Project Team

Ocean Breeze West PUD

Town of Ocean Breeze
Martin County, Florida

Irrigation Specifications

Date	By	Description
3.18.10	C.G.	Initial Application

Designer: CG
Drawn by: CF
Project Number: 10-139
Original Issue: --
Character File:

IR-17

From: Town Clerk
Sent: Monday, March 4, 2024 10:59 AM
To: Terry O'Neil (terrancewoneil@gmail.com)
Subject: FW: Vaping and distribution to minors and use of them

FYI

From: James Kolea <jamesjkolea@gmail.com>
Sent: Saturday, March 2, 2024 3:42 PM
To: Karen Ostrand <mayor@Townofoceanbreeze.org>
Subject: Vaping and distribution to minors and use of them

> Some people who received this message don't often get email from jamesjkolea@gmail.com. Learn why this is important

Dear Mayors and Commissioners of Martin County, I trust this message finds each of you in good health. I am writing to bring to your collective attention the pressing issue of underage vaping and weed consumption that is prevalent across our county. Reports indicate that certain gas stations are openly selling these substances to individuals below the legal age of 21, leading to a concerning rise in addiction rates. The unrestricted access of minors to substances meant for those aged 21 and above poses a severe threat to the well-being and future of our entire county. Personally, this issue has hit close to home, as I've witnessed its adverse effects on my friends and within my own social circles. I am reaching out to every city and commission in Martin County to inquire about the specific measures and stringent enforcement strategies being implemented to tackle this critical concern. I am sending similar letters to each municipality, urging them to prioritize and intensify efforts to crack down on establishments that are negligently providing access to these restricted substances to minors. Given the pervasive nature of this issue, I implore your cities and commissions to encourage law enforcement officers to take more proactive initiatives when encountering instances of underage vaping. Swift and decisive action in these situations is crucial to safeguard the youth of Martin County from the adverse effects of these substances. Additionally, any collaborative efforts among cities and commissions to address this shared challenge would greatly benefit our communities. Your leadership in this matter can make a significant impact on the overall well-being and safety of our youth. Thank you for your united attention to this matter, and I look forward to hearing about the robust actions being undertaken by each city and commission to address this pressing issue.

Sincerely, James Kolea 4303 NE Joes Point Terrace FL 34996 610-507-1520

Town Clerk

From: James Gorton <jgorton@martin.fl.us>
Sent: Thursday, March 7, 2024 11:15 AM
To: Permits
Cc: Terry O'Neil (terrancewoneil@gmail.com); Town Clerk; Michael Heller; Lukas Lambert
Subject: RE: West End Status

> You don't often get email from jgorton@martin.fl.us. Learn why this is important

Hi Pam-

The consultant is running additional scenarios to include removal of the sidewalk and other measures to see if a two way street can safely be installed. We hope to have their final design in the next few weeks. At this point they have not yet found a solution that does not create potential conflicts between vehicles travelling in opposite directions.

Luke Lambert is our Traffic Engineering Manager over our sign program and I have copied him here to make him aware of your concerns with regard to the signs on Indian River Drive.

Please let me know if I can be of further assistance.

Jim Gorton
Public Works Director
(772) 320-3155

From: Permits <permits@Townofoceanbreeze.org>
Sent: Thursday, March 7, 2024 9:36 AM
To: James Gorton <jgorton@martin.fl.us>
Cc: Terry O'Neil (terrancewoneil@gmail.com) <terrancewoneil@gmail.com>; townclerk@townofoceanbreeze.org; Michael Heller <mheller@Townofoceanbreeze.org>
Subject: RE: West End Status

Good morning, Jim!
One of our Council Members has asked if there have been any further developments with the design project for West End Blvd. Would you please let us know where the project stands?
Also, to whom should I speak about the blinking lights at the crosswalks on Indian River Drive? Both lights have bulbs out. Thank you for pointing me in the right direction.

Have a great day!

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: James Gorton <jgorton@martin.fl.us>
Sent: Monday, January 29, 2024 1:19 PM
To: Town Clerk <townclerk@townofoceanbreeze.org>
Cc: Permits <permits@Townofoceanbreeze.org>; Keith Baker <kbaker@martin.fl.us>
Subject: West End Status

You don't often get email from jgorton@martin.fl.us. Learn why this is important

Pursuant to our discussion, this is an update regarding the status of West End Blvd that was modified during the Brightline dual tracking project. As you are aware, the Brightline Engineer identified that there was not sufficient width to have 2-way traffic on West End Blvd, and designed the modified intersection and single lane roadway that is in place today. During construction of the modified intersection Martin County committed to evaluate alternatives once the Brightline project is closed out. While the project is still not closed out, we were able to commission an asbuilt survey to document existing conditions and to utilize as a design base.

To that end, we have hired a design consultant to develop alternatives for the intersection. The preliminary meeting and field review occurred in mid-January 2024. We anticipate that the design engineer will have their draft recommendation(s) complete by the end of February, 2024.

Please let me know if your community has any comments/observations that they would like for us to share with the designer. Similarly, please let me know if you have any questions in the interim.

Thanks-

Jim Gorton
Public Works Director
(772) 320-3155

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Permits

From: Paul Nicoletti <pnicoletti@comcast.net>
Sent: Friday, March 8, 2024 11:55 AM
To: Zachary Griffin
Cc: Terrance O'Neil; Permits; Town Clerk
Subject: Closeout of Sea Walk PUD, Town of Ocean Breeze
Attachments: Closeout Matrix, List and Docs (Atty Nicoletti)[19955].pdf; Transmittal letter to Zachary Griffin.pdf

You don't often get email from pnicoletti@comcast.net. Learn why this is important

Dear Mr. Griffin:

Please see the attached letter and matrix: If you have any questions, please let me know.

With my regards,

Paul J. Nicoletti | Attorney at Law
Board Certified in City, County and Local Government Law
1445 SE Lark Boulevard
Stuart, Florida 34996-2609
Voice & Fax: (772) 600-5581
Cell: (772) 260-3276

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PAUL J. NICOLETTI
Attorney at Law
1445 SE Lark Boulevard
Stuart, Florida 34996-2609

March 8, 2024

VIA EMAIL to: ZacharyGriffin@forestar.com and
US CERTIFIED MAIL No. 7020 0640 0002 2177 0442

Mr. Zachary Griffin
Land Development Director, Southeast Florida
Forestar (USA) Real Estate Group Inc.
1001 Yamato Road, Suite 408
Boca Raton, FL 33431

Reference: Closeout Requirements for the Sea Walk PUD, Town of Ocean Breeze, Florida

Dear Mr. Griffin:

I represent the Town of Ocean Breeze for the limited purpose of helping them closeout the above development. I have also seen your recent emails regarding this matter, and know that you too would like to get this matter resolved.

I have reviewed the current status of the Sea Walk Planned Unit Development (PUD) Ordinances and Resolutions with the Mayor, the Town Council, the Town staff, the Town's professional consultants, and also with the Sea Walk Homeowners Association. My understanding, and perhaps yours as well, shows there are still several items which need the attention of Forestar (or perhaps D.R. Horton, Inc.) and which remain lacking, even though Forestar has submitted some documentation indicating completion or compliance.

As you must realize, the Town cannot accept, and is under no obligation to accept, certifications by your contractors which are incomplete or otherwise insufficient. As a result, on December 6, 2022, the town sent you (by email) a matrix addressing those items which needed attention. This matrix included those items identified at that time by the Town as required, but it did not foreclose the need for additional items identified by your professionals, or those of the Town.

Telephone and Fax: +1 (772) 600-5581 Email: pnicoletti@comcast.net

Today, I am re-sending the matrix, and enclosing an updated list of items (Handwritten & marked "Draft") required by the Town prior to any final approvals. This is an attachment total of 47 pages. This marking is on purpose, as you may have some additional input for a final list. **The action items on this list must be completed and submitted to the Town on or before July 1, 2024. If the PUD is not closed out, I will be recommending the Town take action to enforce the PUD Ordinance, as amended.** The Town staff has tried to be as specific and clear as possible in the updated list, but if you or your staff have questions or need further clarification, I encourage you to pose any and all questions you or your staff may have.

Some of these action items will require coordination with the Sea Walk Homeowners Association, and I also encourage you to contact their representatives in that regard.

I further recognize that you wish to have the Performance Bond reduced at the earliest possible date. Completing the items that need attention is the best possible way to accomplish this goal. Hopefully, all of it will be accomplished and accepted by the Town prior to what appears to be the Bond renewal date in August, 2024.

I am currently preparing a list of current violations of the relevant PUD ordinances and resolutions just in case your company is not responsive and I must later file an action in our state courts. Please be aware that I am considering an ordinance violation action in criminal court, as the Town's initial legal remedy. Obviously, the Town wants to avoid this measure, and is looking to Forestar and/or D.R. Horton to thoroughly and professionally resolve the issues listed.

I wanted to bring this matter to your specific attention, knowing that you direct or coordinate with the individuals who can be most responsive to this requirement.

Very truly yours,

PAUL J. NICOLETTI
With Attachment (47 Pages)

cc: Mr. Donald J. Tomnitz
Executive Chairman, Director
Forestar (USA) Real Estate Group Inc.
10700 Pecan Park Blvd., Ste 150, Austin, Texas 78750

Telephone and Fax: +1 (772) 600-5581 Email: pnicoletti@comcast.net

SEAWALK CLOSE OUT – WORKING LIST, SUBJECT TO CHANGE,
DEC 6, 2022

PUD	Issue	Status	Okayed by MacKenzie Engineering	Okayed by Town Engineer	Okayed by Town Attorney	Okayed by Town Landscape Expert	Okayed by Town Building Official	Approved by Mayor	Resolved
1	Lucido & Associates statement of overall compliance with the PUD including a recitation of all pertinent ordinances and amending resolutions. (Are any amendments needed?)	Pending							
2	Need confirmation from the Town's reviewing engineer (MacKenzie) that the project's final configuration is consistent with the PUD master site plan. (Are any amendments needed?)	Pending							
3	Statement from MacKenzie Engineering that individual parcel landscaping has been installed in accordance with the PUD.	Pending							
4	Lucido & Associates statement of landscaping compliance.	Received							
5	~~Pursuant to condition 4. of the PUD agreement,~~ the Town will be obtaining an independent inspection of the final common area landscaping~~, the cost of which is to be borne by the developer.~~ The Town has requested a proposal from local landscape architect, Mike Flough, and will share and discuss the proposal with the Developer before any work proceeds. ~~Developer shall pay Flough directly.~~	Underway				Pending			
6	Need EW (Paul Esso's) certification that all preserve areas are free of exotics, debris, intrusions caused by construction activities, etc., and are in compliance with the PAMP, and that all PAMP reporting obligations to the Town are up to date.	Pending							
7	With the exception of entrance landscaping features, the PUD prescribes that *"there is no permanent irrigation of the common areas."* Notwithstanding this provision, common areas have apparently been piped for irrigation, some of which may be connected to the water services of individual lot owners. This arrangement is not in compliance with the PUD and should be corrected or proposed as an alternative configuration possibly via a minor PUD amendment application. Whatever the resolution, it must be demonstrated that the common area vegetation will be reliably sustained in a viable condition.	Pending							
8	Confirmation that entrance lock box configurations in compliance with the County Sheriff and Emergency Services current standards?	Pending							
9	Has a Sheriff's Department patrol agreement been executed?	Pending							
10	Health Department approval of community pool.	Pending							
11	Copy of Ocean Breeze Plaza access agreement	Pending							
12	Copy of trash collection agreement	Pending							

PUD	Issue	Status	Okayed by MacKenzie Engineering	Okayed by Town Engineer	Okayed by Town Attorney	Okayed by Town Landscape Expert	Okayed by Town Building Official	Approved by Mayor	Resolved
Infrastructure & Bond									
13	Bond refund/reduction to follow the process in the bond agreement/contract and outline provided by the Town Attorney dated October 12, 2022. (See attachment # 1)								
14	Prior to Mayor's approval, MacKenzie, Town Attorney and Town Engineer to approve bond refund/reduction submittal package for completeness and content vis-à-vis the bond terms and bond contract. HOA Attorney has requested copy of documentation before Mayor affixes her signature.	Pending							
15	Comprehensive statement from MacKenzie Engineering certifying that all infrastructure components have been installed properly and in accordance with the approved infrastructure plan and are consistent with the as-built plans.	?							
16	Does the as-built infrastructure plan submitted by the developer's design engineer(s)of record and approved by MacKenzie Engineering, account for DR Horton's placement of fill on individual sites and is the existing configuration and what's shown by the as-builts one in the same?	Pending							
17	The project's infrastructure was designed (and partially certified?) by engineer of record Graelka Engineering before the developers advised the Town on June 15, 2021 that Graelka was no longer under contract and that MIL Corps would be (partially?) playing that role. The Town will require a statement from the developer(s), acceptable to the Town, as to which engineer is the engineer-of-record and for which components of the infrastructure plan. There can be no ambiguity with regard to which engineer is responsible.	Pending							
18	The Town has received video evidence that storm water is exiting southward from the Ocean Breeze Plaza property that may be posing an erosion risk to the Seawalk Development. Please confirm that the Seawalk infrastructure design took into account historical storm water flows from the Plaza site. Whether the Plaza's discharge exceeds what the Seawalk site is obliged to accommodate is not known at this time.	Pending							
19	The Town is in receipt of several emails from the HOA residents that drainage on individual parcels is flawed. These issues need to be addressed in the context of the infrastructure's overall certification. (See attachment # 2).	Pending							
20	The Town is in receipt of several emails from the HOA concerning the adequacy of entrance gates, other gates, security electronics, etc. copies attached. These issues need to be addressed in the context of the infrastructure's overall certification. (See attachment # 3).	Pending							

PUD	Issue	Status	Okayed by Mackenzie Engineering	Okayed by Town Engineer	Okayed by Town Attorney	Okayed by Town Landscape Expert	Okayed by Town Building Official	Approved by Mayor	Resolved
21	Confirm that the project's entrance gates are in compliance with ASTM Designation F2200-20 "*Standard Specification for Automatic Vehicular Gate Construction*"	Pending							
22	Please address reports that the entrance call boxes are causing low voltage shocks.	Pending							
23	Parcel 1 site deficiencies. Developer, together with the lot owner and HOA, to apply for and obtain a permit to make remedial improvements to Parcel 1 that address inconsistencies with the infrastructure plan and/or the individual parcel plan, including but not limited to improper grading and slopes, risks of erosion and questionable access to perimeter landscaping. Further, to the extent that the remedial work impacts the adjoining preserve area, those impacts must be offset by new native plantings specified by EW (Paul Erro), to be shown on the plan and approved by the Town."	Pending							
24	Confirmation that all required survey activities, including lot markers in the field, documentation, etc. have been completed per FL statute, approved, and on file with the Town.	Pending							
25	Confirmation that the development's fire hydrant system has been inspected and accepted by the County Fire and Utilities Department.	Pending							
26	Documentation needed confirming Martin County's acceptance of all off-site improvements. (sidewalk(s), signage, etc.)	Pending							
27	Proof of County acceptance of water line on Parcel A	Received							
28	SFWMD Docs	Received							
29	MC Utility Service Agreement	Pending							
30	Make the Developer, HOA and HOA Attorney aware of prior correspondence from the County Engineer's Department questioning whether the project's stormwater design was the cause of flooding on adjacent residential properties in the County, including Mackenzie Engineering's review and determination that no design or code violations exist. (See attachment # 4).	Done							
General									
31	Over the course of the project's development both individual residents and the HOA have raised several questions or concerns regarding components of both the PUD and the scope of the infrastructure improvements. (See attachment # 5). These issues need to be addressed or confirmed as resolved by the Developer.								