

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

February 10, 2025, 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 Docherty**
  - Pledge of Allegiance
  - Roll Call
2. **Approval of Minutes** – Regular Meeting, Monday, January 13, 2025  
(Motion, second, public comments, all in favor)
3. **Update from Martin County Administrator, Don Donaldson and Public Works Director, James Gorton regarding quiet zones, West End Boulevard, proposed crosswalk at Maple and results/recommendations of the traffic analysis study**
4. **Discussion of proposed participation in Arbor Day activities** – Council Member Galante
5. **Request for additional funding for travel expenses** – President Docherty  
(Motion, second, public comments, roll call vote)
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** – Committee reports if applicable
8. **Comments from Town Management Consultant Terry O’Neil**
9. **Comments from Town Attorney, Gemma Torcivia and Update from Close-out Attorney Paul Nicoletti**
10. **Comments from Mayor Ostrand** –
  - a) **Request to nominate Council Member Docherty for prospective member on the Florida Municipal Insurance Trust (FMIT) Board of Trustees**  
(Motion, second, public comments, all in favor)
  - b) **Discussion of proposed policy regarding proclamations, awards, certificates, plaques, invited speakers and other ceremonial items** – **REQUEST TO CONTINUE ITEM TO NEXT REGULAR TOWN COUNCIL MEETING March 10, 2025**  
(Motion, second, public comments, all in favor)
11. **Announcements** Regular Town Council Meeting – Monday, March 10, 2025, at 10:30AM to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze
12. **Adjourn**  
(Motion, second, all in favor)

**(CONTINUED – see Page 2)**

TOWN OF OCEAN BREEZE  
MINUTES REGULAR TOWN COUNCIL MEETING  
Monday, January 13, 2025, 6:00 p.m.  
Ocean Breeze Resort Clubhouse, Pineapple Bay Room  
700 NE Seabreeze Way, Ocean Breeze, FL

**1. Call to Order** – President Docherty called the meeting to order at 6:00 p.m. and asked for a moment of silence for the Los Angeles fires.

- Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
- Roll Call – Present: Mayor Karen M. Ostrand; President Kevin Docherty; Vice President Sandy Kelley; Council Members George Ciaschi, Janet Galante and Matthew Squires; Absent: Council Member Michael Heller
- Staff Present – Attorney, Gemma Torcivia; Attorney Consultant, Paul Nicoletti; Permit Processor, Pam Orr; Town Clerk, Kim Stanton

**2. Approval of Minutes** – Council Member Galante, seconded by Vice President Kelley, made a motion to approve the Minutes of the December 9, 2024, Regular Town Council Meeting.

President Docherty asked for comments from the public.

There were none.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: none; Absent: Heller; motion passed 5-0)

**3. Request Approval of Proclamation Honoring Martin County First Responder, Master Deputy Sheriff Dawn Ferris** – Vice President Kelley, seconded by Council Member Squires, made a motion to adopt the Proclamation.

President Docherty asked for comments from the public.

There were none.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: none; Absent: Heller; motion passed 5-0)

Council Member Galante introduced Master Deputy Sheriff Dawn Ferris.

Mayor Ostrand presented Master Deputy Sheriff Dawn Ferris with the Proclamation.

**4. Presentation by Amy Walker, Helpline Director ~~Dwight Chenette, CEO~~ of the Area Agency on Aging, Palm Beach/Treasure Coast, Inc.** – Council Member Ciaschi introduced the item, which was presented by Amy Walker, Helpline Director of the Area Agency on Aging, Palm Beach/Treasure Coast, Inc. She took questions from the Town Council.

**5. RESOLUTION #358-2025 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE APPROVING A STIPULATION AGREEMENT WITH NHC-FL143, LLC, AND SUN COMMUNITIES FOR COMPLETION OF THE OCEAN BREEZE EAST COMMERCIAL PLANNED UNIT DEVELOPMENT, KNOWN AS THE OCEAN BREEZE RESORT; AND PROVIDING FOR AN EFFECTIVE DATE** – Attorney Paul Nicoletti explained the Stipulation Agreement. He commented that paragraph 16 should read “Lots 91 and 92” and that Attorney Raynes, Attorney Torcivia and himself initialed the document as a correction and added that the document would be signed by the principals at Sun Communities. He recommended approving Resolution #358-2025 which

included the Stipulation Agreement. He took questions from the Council. He also replied to a question regarding tolling extensions and added that he believed the Stipulation Agreement functioned as a waiver against tolling extensions. He took questions from the Council Member Ciaschi regarding fire protection, phase 2, safety of drinking water, sanitary sewer system, streetlights, release of building permits, fines and executive order tolling extensions. Council Member Galante asked a question regarding the possible sale of the property.

Residents voiced their questions, comments and concerns which included: accessibility of meeting documents, inadequate fines, fire hydrants, possible sale of property, executive order tolling extensions, placement of RVs, issuance/release of building permits, and inadequacy of the Town's audio system.

Attorney Bob Raynes, representing Sun Communities, stated that he did not believe that executive orders applied to stipulation agreements, but to development orders. He added that the statute had changed and that he was not sure if the executive orders would apply to this Stipulation Agreement or if they would be available anymore.

Attorney Nicoletti stated that the Town had not conceded the point that Sun was entitled to the (tolling) extensions because the Town considered there to be violations of the PUD.

Mayor Ostrand stated that she believed this was a good stipulation agreement.

Council Member Ciaschi voiced his concerns regarding the \$500 per day fine, and Sun Communities completing the work outlined in the Agreement.

Town Clerk, Kim Stanton, read the title of Resolution #358-2025 into the record.

Residents continued to voice their questions, concerns, and comments which included: Lots #91 and #92, and ownership of property from Carefree to Sun Communities.

Vice President Kelley, seconded by President Docherty (who handed over the gavel to Vice President Kelley), made a motion to adopt Resolution #358-2025 with the changes to Lot 91 and 92 as discussed.

President Docherty (who took back the gavel) asked for comments from the public.

Residents continued to voice their questions, concerns, and comments including an opinion that the Resolution should not be passed.

Attorney Torcivia spoke about the goal of the settlement agreement and spoke about certain issues within the agreement. She stated that in her legal opinion, the agreement was a good one. She commented that Sun Communities knew that the Town would hold them to task. She further explained the benefits of the Stipulation Agreement.

Discussion ensued.

Attorney Nicoletti spoke about the closeout process and the importance of passing the Resolution.

Discussion ensued.

(Roll call vote: Yes: Squires, Galante, Docherty, Ciaschi, Kelley); No: None; Absent: Heller; Motion passed 5-0)

**6. RESOLUTION #357-2025 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE 2025 FLORIDA LEAGUE OF CITIES' LEGISLATIVE PLATFORM –**  
Mayor Ostrand spoke about the Florida League of Cities' 2025 legislative platform priorities.

Council Member Galante, seconded by Council Member Squires, made a motion to adopt Resolution #357-2025.

(Roll call vote: Yes: Galante, Squires, Docherty, Ciaschi, Kelley; No: None; Absent: Heller; Motion passed 5-0)

**7. Review of Board and Agency Memberships / Appointments –** The Board and Agency Memberships / Appointments were reviewed, and the following actions were taken: Item #6) Treasure Coast Council of Local Governments, Council Member Docherty volunteered to serve as primary representative and Council Member Ciaschi volunteered to serve as the alternate. Item #10) Martin Metropolitan Planning Organization Technical Advisory Committee (TAC), Council Member Squires volunteered to attend meetings and Vice President Kelley volunteered to serve as the alternate. Item #11) Martin Metropolitan Planning Organization Bicycle and Pedestrian Advisory Committee, Council Member Galante volunteered to attend meetings. Item #12) Martin County/Jensen Beach Community Redevelopment Area (CRA) Neighborhood Advisory Committee (NAC), Vice President Kelley volunteered to attend meetings and Council Member Galante volunteered to attend as alternate.

Council Member Galante, seconded by Council Member Squires, made a motion to approve the actions taken.

President Docherty asked for comments.

There were none.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: None; Absent: Heller; Motion passed 5-0)

**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 Galante recommended honoring a first responder for the month of February 2025.

Mayor Ostrand asked that a policy be brought forth at the February 10<sup>th</sup>, 2025, meeting and added that the recipient could be honored in March.

Council Member Galante asked the Town Council to engage a conversation with Martin County to discuss engaging in a traffic study for Indian River Drive and added that she had mentioned the matter as a resident several years ago. She commented that with the influx of people it was difficult to leave the Resort safely. She asked that the Town conduct a traffic study with Martin County and possibly add a traffic signal.

Pam Orr, Permit Processor, stated that Jim Gorton, Public Works Director for Martin County, was scheduled to speak at the next Town Council meeting.

Council Member Galante stated that the last Friday in January was Arbor Day in Florida and asked that an item be placed on next month's Agenda to discuss having an Arbor Day celebration. She added that she discussed the matter with the Mayor and that she was aware that the Town did not own any property, and, the Town would need permission from a property owner to plant a tree.

President Docherty stated that the item could be put on (the next Agenda) for discussion.

President Docherty asked for further comments from the Council.

President Docherty spoke about the Florida League of Cities Committee meetings and the Treasure Coast Council of Local Governments. He added that he was inviting Congressman Brian Mast to attend a 6:00 pm Town Council meeting.

**10. Comments from Town Attorney, Gemma Torcivia, and (Close-out Attorney) Paul Nicoletti**

President Docherty thanked Sun Communities for installing the new bench and waste receptacle. He added that the debris pile along West End Boulevard had been removed by Martin County.

**11. Comments from Mayor Ostrand** – Mayor Ostrand spoke about Mr. O’Neil’s letter (dated December 5, 2024). She stated that he had requested to remain on contract but not be on “day to day” as before. She added that he would be able to be contacted by telephone or email for questions. She commented that for the next couple of months, the Town would see how this arrangement worked and that if, after that time, he felt that he could assist the Town... She said that the Town was going to see how this worked out in the next couple of months and then, talk to the Council further. She added that he would consult with the Town and that the Town could then look for someone to collaborate with him on the things for which he did not have time.

Permit Processor Pam Orr commented that the staff had worked with Terry for many years when he worked full time at the City of Stuart, and it worked well.

Mayor Ostrand stated that Terry left things open when she last spoke to him and that he said after two months, he would make a decision.

Attorney Torcivia discussed her Memorandum regarding ADA compliance with the Town’s accommodation for public meetings which was included in the informational section of the packet.

Mayor Ostrand asked for a workshop to discuss the Town’s future, a five-year plan to consider what the Town would like to do, how the Town would like to grow and the ideas of the Town Council. She stated that the workshop could be after the next meeting and added that she would like the meeting to take place before the budget meetings (because the matter would need) to be studied by the accountant so that plans could be made. She said that she and the Town Council should produce three priorities. She stated that the next meeting was a morning meeting, and the workshop could be held right after the meeting which would allow her and the Town Council to bring it forward the following month...and, have two or three months of getting it in order and to write a visionary plan. She invited everyone to attend to take part in the ideas for the future of the Town.

President Docherty stated that this was a good idea. He asked for a line to be added to future Agendas under comments from the Council on topics not on the agenda, Committee reports if (applicable) and asked if this was a problem.

(heard “no”)

President Docherty spoke about an upcoming trip to Tallahassee in March 2025 for Legislative Action Days and mentioned that the Council moved money for him to travel last year. He stated that he had \$300.00 left in his budget and that the Treasure Coast Regional League of Cities had reimbursed the Town \$300.00 for his IEMO II course. He added that he was asking the Town Council to consider transferring a portion of their unused Conference and Travel dollars into his allocation so that he could attend at the end of March 2025. He asked the Town Council to reference last year's minutes in their packet to see where extra dollars were allocated to him. He stated that he would investigate how much the hotel costs would be. He commented that \$1,000.00 would be adequate and that he was sure he would be able to return some dollars to the Town. He spoke about the FMIT board application for which he would be applying and added that they would pay for 90% of his travel (if he is selected to serve).

Mayor Ostrand asked if the workshop she referenced would be after the next meeting.

Council Member Ciaschi, seconded by Council Member...

Pam Orr, Permit Processor, asked if it was to be part of the regular meeting.

Mayor Ostrand said "no."

Town Clerk, Kim Stanton, commented that it had to be a public meeting.

Mayor Ostrand said it was to be a public meeting after the regular meeting.

Attorney Torcivia said that it could be a workshop meeting and that it would have to be noticed.

President Docherty asked if there needed to be a motion?

Attorney Torcivia answered, "a motion or a consensus."

Council Member Ciaschi, seconded by Council Member Galante, made a motion to hold a workshop after the February meeting.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: None; Absent: Heller; Motion passed 5-0)

**12. Announcements** – President Docherty announced that the Regular Town Council meeting would be held on Monday, February 10, 2025, at 10:30 a.m. at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

**13. Adjourn** – Council Member Galante, seconded by Council Member Squires, made a motion to adjourn the meeting at 8:12 p.m.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante Squires; No: None; Absent: Heller; Motion passed 5-0)

Respectfully Submitted,

*Kim Stanton*

Town Clerk

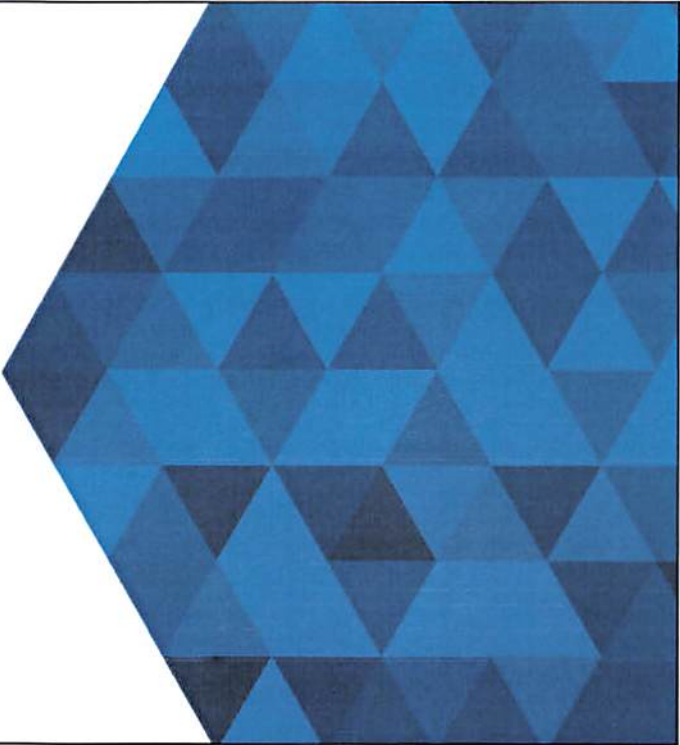

Minutes approved: \_\_\_\_\_



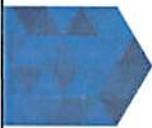
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FEBRUARY 10, 2025


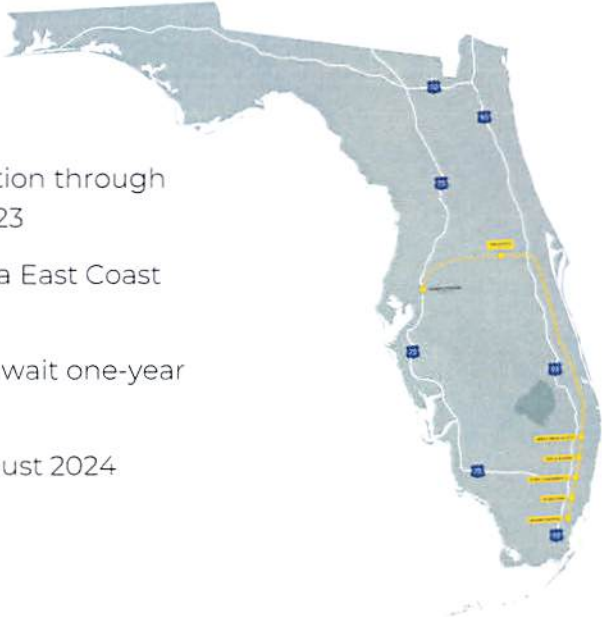
**RAILROAD QUIET ZONE UPDATE  
TRAFFIC PATTERNS IN DOWNTOWN  
JENSEN BEACH**



1

 **BACKGROUND**

- Brightline began commercial operation through the Treasure Coast in September 2023
- 32 trains per day added to the Florida East Coast Railroad (FEC) Right-of-Way
- Martin County strategically chose to wait one-year to evaluate a Quiet Zone
- Began Quiet Zone evaluation in August 2024



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2

## CROSSINGS & ROAD OWNERSHIP

- ▶ 27 FEC Right-of-Way Crossings
  - 17 Martin County
  - 5 City of Stuart
  - 2 State of Florida
  - 2 Shared (St. Lucie Co & Palm Beach Co)
  - 1 Private

3

## CURRENT TRAIN HORN OPERATION



- ▶ Federal "Train Horn Rule" (Title 49 CFR 222)
- ▶ Must sound horns 15-20 seconds before reaching a highway-rail crossing
- ▶ In no case may the horn be sounded more than ¼ mile before the crossing
- ▶ Horn is sounded in a Long-Long-Short-Long cadence
- ▶ Decibel level must be between 96-110

4



## WHAT IS A QUIET ZONE?

- Partnership between a public authority and the Federal Railroad Administration (FRA)
- Section of rail line with one or more consecutive public crossings where locomotive horns are not routinely sounded
- Train engineers may still use horns in case of emergency or to comply with other federal regulations
- 24-Hour vs. Nighttime (10 PM to 7 AM)
- Must be at least ½ mile long with no other crossings within ¼ mile of the beginning or end



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## HOW TO QUALIFY FOR QUIET ZONE

- Quiet Zone Risk Index must be below Risk Index with Horns or Nationwide Significant Risk Threshold
- Supplemental Safety Measures (SSMs)
  - Four Quadrant Gate Crossings
  - Gates with Medians
  - One-way Crossings
- Alternative Safety Measures (ASMs)
  - Combination of SSMs



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## PUBLIC SAFETY IMPACTS *HIGH -RISK CROSSINGS*

- ▶ NE Jensen Beach Blvd (354,368)
- ▶ SE Indian St (247,623)
- ▶ S Colorado Ave (172,954)
- ▶ SE Monterey Rd (109,233)
- ▶ SE Cove Rd (109,059)


\*Current FRA risk index in parentheses



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## STATUS OF NEIGHBORING PUBLIC AUTHORITIES


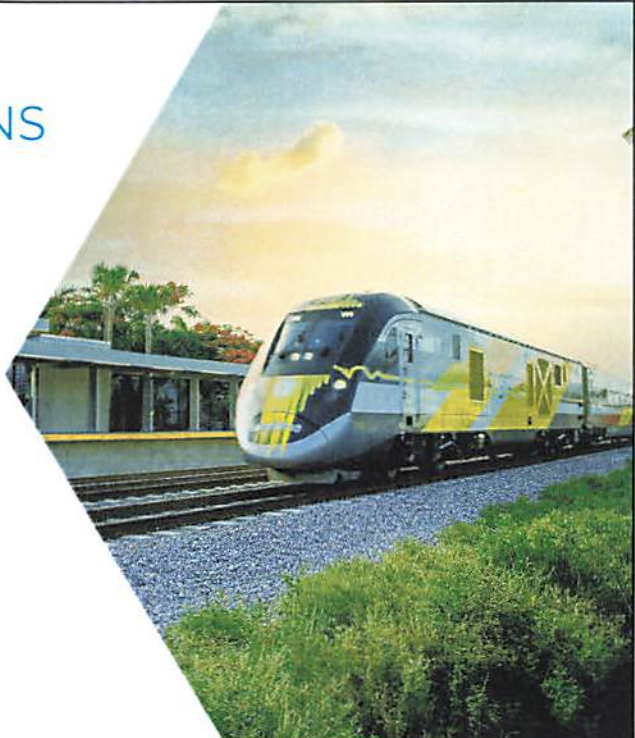
▶ <b>INDIAN RIVER COUNTY</b> Not Pursuing Quiet Zone	▶ <b>VILLAGE OF TEQUESTA</b> Pursuing 1-Crossing Quiet Zone
▶ <b>ST. LUCIE COUNTY</b> Pursuing 3-Crossing Quiet Zone	▶ <b>TOWN OF JUPITER</b> Pursuing 6-Crossing Quiet Zone
▶ <b>CITY OF STUART</b> Exploring Quiet Zone	▶ <b>CITY OF PALM BEACH GARDENS</b> Pursuing 7-Crossing Quiet Zone



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# QUIET ZONE OPTIONS





- ▶ Option 1 – No Change
- ▶ Option 2 – County-wide Quiet Zone
- ▶ Option 3 – Partial Quiet Zone(s)




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# JENSEN BEACH TRAFFIC STUDY

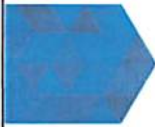
How to improve traffic and accessibility in Jensen Beach?

-  **Roundabout Configuration**  
Accommodates two-way traffic, enhancing flow at West End Boulevard.
-  **Accessibility Assessment**  
Improves district-wide accessibility and circulation patterns.
-  **One-Way Street Conversion**  
Simplifies traffic direction on NE Maple Avenue, reducing congestion.
-  **Parking Optimization**  
Maximizes parking efficiency and availability in the area.



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# JENSEN BEACH TRAFFIC STUDY



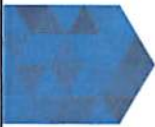
## Roundabout 2-Way Conversion

- 1. Geometric Constraints
  - a. Insufficient width for proper lane configuration
  - b. Inadequate space for required splitter island (minimum 50 feet)
  - c. Non-compliant turning radii for emergency vehicle
- 2. Safety Concerns
  - a. Increased conflict points for vehicles and pedestrians
  - b. Inability to meet current roundabout design standards
  - c. Potential compromise of ADA compliance
- 3. Operational Issues
  - a. Insufficient space for proper emergency vehicle movements
  - b. Inadequate queuing space between railroad tracks and roundabout
  - c. Limited sight distance at approach



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# TRAFFIC STUDY DRAFT RECOMMENDATIONS

- 1. Convert West End to Northbound
- 2. Convert Maple to 1-way street southbound and add on-street parking
- 3. Install crosswalk at Maple and JBB
- 4. Create a formal circulation plan for event management
- 5. Evaluate potential for shared parking agreement at Publix parking center



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► QUESTIONS?



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Town of Ocean Breeze General Fund  
Transactions by Account  
As of September 20, 2024

Item #5

Type	Date	Num	Name	Memo	Split	Amount	Balance
<b>6101 - General Government</b>							
<b>513319 - Conferences &amp; Travel - Council</b>							
<b>MAYOR OSTRAND BEGINNING BAL</b>							<b>\$ 4,500.00</b>
Debit Charge	10/17/2024	debit chrg	Hilton Hotels	Dec 4-6; FLC Legislative Conference (deposit due)	101000 - Checking Account-Seacoast	(\$204.75)	\$ 4,295.25
Debit Charge	10/01/2024	debit chrg	Jensen Beach Chamber of Commerce	10/17/2024; luncheon honoring Doug Smith	101000 - Checking Account-Seacoast	(\$25.00)	\$ 4,270.25
Debit Charge	10/18/2024	debit chrg	Florida League of Cities	registration fee Dec 4-6 Legislative Conference	101000 - Checking Account-Seacoast	(\$325.00)	\$ 3,945.25
Petty Cash	11/12/2024	petty cash	Karen Ostrand	tolls to Orlando for FLC Committee meeting	101000 - Checking Account-Seacoast	(\$17.50)	\$ 3,927.75
Debit Charge	12/09/2024	debit chrg	Hilton Hotels	Dec 4-6; FLC Legislative Conference (lodging balance due)	101000 - Checking Account-Seacoast	(\$249.25)	\$ 3,678.50
Debit Charge	01/17/2025	debit chrg	Florida League of Cities	Mar 24-26; Legislative Action Days Registration	101000 - Checking Account-Seacoast	(\$50.00)	\$ 3,628.50
Check	01/23/2025	9488	Jensen Beach Chamber of Commerce	1/18/2025 JBCC 75th Anniversary Installation & Awards Ceremony	101000 - Checking Account-Seacoast	(\$125.00)	\$ 3,503.50
<b>PRESIDENT DOCHERTY BEGINNING BAL</b>							<b>\$ 600.00</b>
Debit Charge	10/26/2024	Debit chg	Embassy Suites	Oct 24-25, 2024; Elected Municipal Official 2 class; lodging	101000 - Checking Account-Seacoast	(\$328.00)	\$ 272.00
Check	11/06/2024	9435	Kevin Docherty	Mileage reimb (\$190.28) + tolls (\$21.39) to Altamonte Springs for IEMO II course	101000 - Checking Account-Seacoast	(\$211.67)	\$ 60.33
Debit Charge	11/12/2024	Debit chg	Jensen Beach Chamber of Commerce	November 12, 2024 Mix & Mingle at Burrito Heaven	101000 - Checking Account-Seacoast	(\$10.00)	\$ 50.33
Deposit	11/25/2024	Reimburse	Florida League of Cities	Reimb for IEMO II course (TCRLC)	101000 - Checking Account-Seacoast	\$300.00	\$ 350.33
Debit Charge	12/10/2024	Debit chg	Jensen Beach Chamber of Commerce	December 10, 2024 Mix & Mingle at Hutchinson Shores	101000 - Checking Account-Seacoast	(\$10.00)	\$ 340.33
Debit Charge	01/17/2025	Debit chg	Florida League of Cities	Mar 24-26; Legislative Action Days Registration	101000 - Checking Account-Seacoast	(\$50.00)	\$ 290.33
Debit Charge	01/27/2025	Debit chg	Embassy Suites	FLC Leadership Course Mar 6-7, 2025	101000 - Checking Account-Seacoast	\$0.00	\$ 290.33
Debit Charge	01/27/2025	Debit chg	Florida League of Cities	FLC Leadership Course registration; Mar 6-7, 2025	101000 - Checking Account-Seacoast	(\$275.00)	\$ 15.33
<b>VICE PRESIDENT KELLEY BEGINNING BAL</b>							<b>\$ 600.00</b>
<b>Council Member Ciaschi Beginning Bal</b>							<b>\$ 300.00</b>
<b>Council Member Galante Beginning Bal</b>							<b>\$ 300.00</b>
<b>Council Member Heller Beginning Bal</b>							<b>\$ 300.00</b>
<b>Council Member Squires Beginning Bal</b>							<b>\$ 300.00</b>
Total 513319 - Conferences & Travel - Council							
							<u>\$(1,581.17)</u>
Total 6101 - General Government							<u>\$(1,581.17)</u>
							<u>\$(1,581.17)</u>

President Docherty spoke about an upcoming trip to Tallahassee in March 2025 for Legislative Action Days and mentioned that the Council moved money for him to travel last year. He stated that he had \$300.00 left in his budget and that the Treasure Coast Regional League of Cities had reimbursed the Town \$300.00 for his IEMO II course. He added that he was asking the Town Council to consider transferring a portion of their unused Conference and Travel dollars into his allocation so that he could attend at the end of March 2025. He asked the Town Council to reference last year's minutes in their packet to see where extra dollars were allocated to him. He stated that he would investigate how much the hotel costs would be. He commented that \$1,000.00 would be adequate and that he was sure he would be able to return some dollars to the Town. He spoke about the FMIT board application for which he would be applying and added that they would pay for 90% of his travel (if he is selected to serve).

Mayor Ostrand asked if the workshop she referenced would be after the next meeting.

Council Member Ciaschi, seconded by Council Member...

Pam Orr, Permit Processor, asked if it was to be part of the regular meeting.

Mayor Ostrand said "no."

Town Clerk, Kim Stanton, commented that it had to be a public meeting.

Mayor Ostrand said it was to be a public meeting after the regular meeting.

Attorney Torcivia said that it could be a workshop meeting and that it would have to be noticed.

President Docherty asked if there needed to be a motion?

Attorney Torcivia answered, "a motion or a consensus."

Council Member Ciaschi, seconded by Council Member Galante, made a motion to hold a workshop after the February meeting.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: None; Absent: Heller; Motion passed 5-0)

**12. Announcements** – President Docherty announced that the Regular Town Council meeting would be held on Monday, February 10, 2025, at 10:30 a.m. at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

**13. Adjourn** – Council Member Galante, seconded by Council Member Squires, made a motion to adjourn the meeting at 8:12 p.m.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante Squires; No: None; Absent: Heller; Motion passed 5-0)

Respectfully Submitted,

*Kim Stanton*

Town Clerk

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

Item #9



**PAUL J. NICOLETTI**  
Attorney at Law

**MEMORANDUM**

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

SUBJECT: 1. SUN COMMUNITIES SETTLEMENT  
2. STATUS OF THE SEAWALK PUD

DATE: FEBRUARY 5, 2025

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THIS MEMORANDUM IS PUBLIC RECORD

**1. SUN COMMUNITIES SETTLEMENT**

Essentially, this settlement is complete, and all that remains is for Sun Communities to perform the items required in the settlement agreement. The Town has now received and deposited the \$10,000 payment which the agreement required, and all parties have signed and returned the original Stipulation Agreement to the Town Clerk and Resolution No. 350-2025 adopting the Settlement Agreement has been recorded in the public records. Over the next several months, the Town staff will stay in-touch with Sun Communities staff and coordinate receipt of plans and other documents needed to issue permits for the work to be completed. I want to personally and publically thank Mayor Karen Ostrand, Town Attorney Gemma Torcivia, Management Consultant Terry O'Neil, Permit Processor Pam Orr, and Town Clerk Kim Stanton for all of their work and assistance in obtaining this outcome. Except for any necessary follow up with Sun, I believe this concludes my work on this matter.

**2. STATUS OF THE SEA WALK PUD**

In my memorandum to you of January 8, 2025, I explained that the Town has been "on hold" since our meeting with HOA representatives on December 9, 2024, until the process and procedures being employed by the Sea Walk HOA as set forth in Chapter 558, Florida Statutes played out. This was at the suggestion of HOA representatives and is a totally reasonable strategy. John Carrigan, Esquire has taken over litigation representation of the

Telephone and Fax: [REDACTED]

Email: [REDACTED]



**MEMORANDUM**

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

**SUBJECT: 1. SUN COMMUNITIES SETTLEMENT  
2. STATUS OF THE SEAWALK PUD**

**DATE: February 5, 2025**

HOA following the sudden death of his law partner, David Earle, Esquire on November 8, 2024. On November 15, 2024, Mr. Carrigan sent the required statutory "Notice and Opportunity to Repair" to both Forestar and D.R. Horton advising them of possible claims regarding the construction defects in the development. **As of now there has been no "walk-through inspection" which is typically done with HOA and developer representatives. Forestar has neither met with or responded to the HOA.**

D.R. Horton has responded asking for more information regarding the damage to sidewalks, valley curbs and drainage structures which may have occurred during the home building process. This is the extent of their response. With a one week extension for a response granted by the HOA, the period expires on February 7, 2025.

Ultimately there is a 120 day period in which the developer and builder must respond prior to litigation. This overall (longest) period of time will expire on or about March 15, 2025.

**I am now (as of this morning) led to believe the current HOA position favors the Town taking legal action against the developer and builder, in lieu of any HOA legal action. My hope is that the HOA will continue to aggressively pursue the Chapter 558 action on behalf of its members.**

**I am also hopeful the Town Council will allow me to continue negotiating with Forestar and D.R. Horton for a proposed Settlement Stipulation, and requiring a short response time. However, if Forestar and D.R. Horton remain unresponsive or intransigent, the Town Council could then authorize the Town Attorney to take legal actions against Forestar and D.R. Horton, which likely would start with a "call" on the Surety Bond.**

A bond call will require an updated and detailed engineer's "estimate of cost" regarding the current status of the development "infrastructure." **Terry O'Neil has indicated to me that he is currently able to engage Leo Giangrande, P.E. to prepare such a report in anticipation of its need.**

Telephone and Fax: [REDACTED]

Email: [REDACTED]

MEMORANDUM

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

SUBJECT: 1. SUN COMMUNITIES SETTLEMENT  
2. STATUS OF THE SEAWALK PUD

DATE: February 5, 2025

At the March 10, 2025 Town Council Meeting, I expect the Town Attorney and I will have developed a comprehensive legal strategy for your consideration. With Mayor Ostrand and Terry O'Neil, you may need to review budgetary impacts of any litigation.

Naturally, if you have any questions about any of these matters, please contact me prior to the Town Council Meeting.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Paul J. Nicoletti", with a long horizontal flourish extending to the right.

PAUL J. NICOLETTI

Cc:

Terry O'Neil, Management Consultant

Gemma Torcivia, Town Attorney

Pam Orr, Permit Processor

Kim Stanton, Town Clerk

Telephone and Fax: [REDACTED]

Email: [REDACTED]



~draft~

## FLORIDA MUNICIPAL INSURANCE TRUST TRUSTEE NOMINATION FORM

Please indicate the name, title and municipality of your nominee below, along with your name, title and municipality. Nominations should be emailed to [msolis@flicities.com](mailto:msolis@flicities.com).

**NOTE: NOMINATIONS MUST BE RECEIVED NO LATER THAN THURSDAY, FEBRUARY 20, 2025.**

Nominee Name: Kevin Docherty  
(Nominee must be an elected official of the municipality participating in the Trust)

Nominee's Title: President, Town Council

Municipality: Town of Ocean Breeze

Cell Phone Number: (617) 997-8024

Email Address: kdocherty@townofocceanbreeze.org

Has the nominee (above) been informed of this nomination?  Yes  No

Has the nominee's municipal governing body (Council, Commission, etc.) endorsed or otherwise approved the nominee as a prospective Trustee?  Yes  No

Nominated by: Town Council of Town of Ocean Breeze

Title: \_\_\_\_\_

Municipality: Town of Ocean Breeze

Date: February 10, 2025

**PLEASE EMAIL THIS NOMINATION FORM AND A RESUME OR BIOGRAPHICAL SKETCH  
BY THURSDAY, FEBRUARY 20, 2025 TO:**

Melissa Solis  
Insurance Member Services Manager  
[msolis@flicities.com](mailto:msolis@flicities.com)

**Date:** 1/9/2025

**To:** Participating Municipalities of the Florida Municipal Insurance Trust

**From:** The Florida League of Cities, as Administrator

**RE:** Nomination of Trustee(s)

The Florida Municipal Insurance Trust (FMIT) is a pooled self-insurance program whose membership consists of local government entities. The FMIT's Board of Trustees oversees the FMIT's operations, and the Florida League of Cities serves as its Administrator. The purpose of this letter is to solicit nominations for election to the FMIT Board of Trustees.

To qualify as a Trustee, a nominee at the time of appointment and throughout their tenure must be an elected municipal official from a municipality participating in the Trust. Trustee vacancies are filled by the Trust's current Board of Trustees, by majority vote, from the nominees offered by participating municipalities. A nominee may be appointed to fill either a current unexpired term or a full three-year term. Trustees are limited to serving two consecutive three-year terms. (Service in an unexpired term is not counted.)

New Trustees will receive an orientation from the Administrator. The Trust typically meets four times a year, once each quarter; however, special meetings may be scheduled as needed. Trustees are reimbursed for travel, meal and accommodation expenses incurred in attending Trust meetings and also receive a meeting fee.

No Trustee may be selected or continue to serve as a Trustee after becoming an owner, officer, employee or agent of a business entity having a contractual relationship or otherwise doing business with the Trust. A Trustee must relinquish their office or may be removed when they no longer serve as an elected official of the member from which they were selected or when the municipality from which they were selected ceases to participate as a member of the Trust.

The election of Trustees requires a formal nomination process. ***As nominations must come from participating municipalities of the Trust, your nomination should reflect that your municipality's governing body (Council, Commission, etc.) has endorsed or otherwise approved the nominee as a prospective Trustee. In addition, please include a resume or a biographical sketch reflecting the nominee's background and qualifications to serve.***

Should you wish to submit a nomination to the Board of Trustees, please complete the enclosed nomination form and return it, along with a resume or biographical sketch, to Melissa Solis, Insurance Member Services Manager, no later than **Thursday, February 20, 2025**. Thank you.





## Town of Ocean Breeze

## First Rough Draft

### **Policy and Procedures for Invitation of Speakers, Requests for Proclamations, Certain Resolutions, Awards, Certificates, Plaques and other Ceremonial Items:**

- 1) Requests for Proclamations, certain Resolutions, awards, certificates, plaques and any other ceremonial item may be made in writing, including email, to the Mayor or any current member of Town Council or staff at least fourteen (14) days prior to the next regular meeting date. A new request must be submitted for each item; standing or rolling requests will not be accepted. Upon receipt of a complete, qualifying request, the Town Clerk will process the item for inclusion in the next Agenda meeting packet. The item, if passed, will then be placed on the next Agenda for presentation.
- 2) Should include name of honoree(s), description of accomplishments, contact information, details including dates and some historical significance.
- 3) Proclamations, certificates, plaques and all other ceremonial items shall meet the following criteria:
  - A.) Pertain to an organization or event occurring within the Town or benefiting the Town.
  - B.) Apply to a government or governmental issue or event at the State, local or federal level.
  - C.) An individual who has resided or worked in or made contributions to the Town of Ocean Breeze.
  - D.) Proclamations, certain Resolutions, awards, certifications and plaques for an individual purpose shall be issued once in any calendar year.
- 4) Proclamations, certain Resolutions, Awards, Certifications, Plaques and other ceremonial items will not be offered for commercial purposes, such as the opening of a new business, business or non-profit anniversaries, matters of political controversy, ideological or religious beliefs or individual convictions, campaigns or events contrary to Town policies or espousing hatred, violence, or racism.
- 5) Proclamations, certain Resolutions, Awards, Certifications, Plaques and other ceremonial items are strictly honorary, are not legally binding, and do not constitute an endorsement by the Town of Ocean Breeze.



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RESOLUTION NO. 2022-20

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING RESOLUTION NUMBER 2017-874 TO PROVIDE FOR A PROCEDURE BY THE TOWN COMMISSION RELATIVE TO THE ISSUANCE OF PROCLAMATIONS, AWARDS, CERTIFICATES, PLAQUES AND OTHER CEREMONIAL ITEMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Town Commission of the Town of Hillsboro Beach, Florida deems it to be in the best interest of the citizens and residents of the Town to amend Resolution Number 2017-874 regarding Rules of Procedure relative to the issuance of Proclamations and other ceremonial items;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA THAT:**

**SECTION 1.** The foregoing "WHEREAS" clause is true and correct and hereby ratified and confirmed by the Town Commission.

**SECTION 2.** This Resolution hereby amends Resolution No. 2017-874 as follows:

**C. Proclamations, Keys to the City, Awards, Certificates, Plaques:** The Town Commission establishes a procedure to be adhered to by the Town Commission relative, but not limited to, the issuance of proclamations, the issuance of keys to the Town, awards, certificates, and other ceremonial items or documents.

**D. Proclamations, Certificates, Plaques and all other ceremonial items shall meet one of the following criteria:**

1. Pertain to an organization or event occurring within the Town or benefitting the Town.
2. Apply to a government or governmental issue or governmental event at the state, local or federal level.
3. Reference an individual who has resided or worked in Hillsboro Beach and/or made lasting contributions to the Town.

**E. Proclamations, Resolutions, Awards, Certificates and Plaques shall not be issued for the following:**

1. Endorsing candidates to be elected or appointed to public or private office
2. In support or opposition of any ballot issues.

- 1           **F. Request Procedures:**  
2           1. Requests for Proclamations, Resolutions, Awards, Certificates and Plaques  
3           may be made in writing to any current member of the Town Commission.  
4           2. Requests should include name of the honoree(s), description of  
5           accomplishment, contact information, details including dates, historical  
6           significance, names of those involved.  
7           3. Written Notice to all the members of the Town Commission shall be issued  
8           by the Town Manager or his or her designee of the Commission member's  
9           request to issue a Proclamation, Resolution, Award, Certificate and Plaque  
10          three (3) calendar days prior to the intended date of issuance.  
11          4. If no objection is made by one or more members of the Town Commission  
12          then the Proclamation, Resolution, Award, Certificate or Plaque shall be  
13          issued and if necessary signed by an authorized official of the Town.

14  
15           **G. Objections to Issue or not to issue Proclamations, Resolutions,**  
16 **Awards, Certificates and Plaques:**

- 17  
18           1. If any Commissioner objects within three (3) calendar days after receiving  
19           written notice from the Town Manager of the Commissioner's request, the  
20           ceremonial item shall not be issued. Any member of the Town Commission can  
21           request that the item be placed on the next Commission agenda for  
22           consideration by the Commission.  
23           2. By majority vote the Commission may determine to issue or not to issue the  
24           Proclamation, Resolution, Award, Certificate and Plaque.

25  
26           **SECTION 3.** All Resolutions or parts of Resolutions in conflict herewith, be  
27           and the same are repealed to the extent of such conflict.

28  
29           **SECTION 4.** If any clause, section or other part of this Resolution shall be  
30           held by any court of competent jurisdiction to be unconstitutional or invalid, such  
31           unconstitutional or invalid part shall be considered eliminated and will in no way  
32           affect the validity of the other provisions of this Resolution.

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34           **SECTION 5.** This Resolution shall become effective immediately upon its  
35           passage and adoption.  
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ADOPTED by the Town Commission of the Town of Hillsboro Beach, Florida this 7  
day of June 2022.

TOWN OF HILLSBORO BEACH, FLORIDA

*Deborah L Tarrant*

Deborah L. Tarrant, Mayor

ATTEST:

*Sherry D Henderson*

Sherry D. Henderson, CMC  
Town Clerk *6-7-2022*



**RESOLUTION NO. 2022-20  
RECORD OF TOWN COMMISSION VOTE:**

	<u>YES</u>	<u>NO</u>
MAYOR DEBORAH L TARRANT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VICE MAYOR IRENE KIRDAHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER VICKY FEAMAN <i>Motion</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER BARBARA BALDASARRE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER JANE REISER <i>Second</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



BEFORE THE CITY COMMISSION  
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 25-2024

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AMENDING RESOLUTION 56-09 BY RE-ESTABLISHING A POLICY FOR THE ISSUANCE OF PROCLAMATIONS BY THE MAYOR AND CITY COMMISSION AND CONCURRENTLY APPROVING AND ADOPTING AN UPDATED CITY OF STUART PROCLAMATION POLICY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

\*\*\*\*\*

**WHEREAS**, the City of Stuart originally adopted a Proclamation Policy in 1993 per Resolution No. 47-93 and was last updated in 2009 by Resolution No. 56-09, and

**WHEREAS**, the City received numerous requests from individuals and groups for the issuance of Proclamations by the Mayor and City Commission, and

**WHEREAS**, it is beneficial to the City that an updated, detailed policy be established by the City Commission whereby the City can appropriately process and prepare requested Proclamations in a consistent and accurate manner.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA** that:

**SECTION 1:** The City Commission hereby amends Resolution No. 56-09 to adopt an update to the City of Stuart Proclamation Policy, attached hereto as "Attachment A".

**SECTION 2:** This Resolution shall take effect immediately upon adoption.

Commissioner MCDONALD offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner CLARKE and upon being put to a roll call vote, the vote was as follows:

	YES	NO	ABSENT	ABSTAIN
REBECCA S. BRUNER, MAYOR	Y			
CAMPBELL RICH, VICE MAYOR	Y			
EULA R. CLARKE, COMMISSIONER	Y			
CHRISTOPHER COLLINS, COMMISSIONER	Y			
TROY MCDONALD, COMMISSIONER	Y			

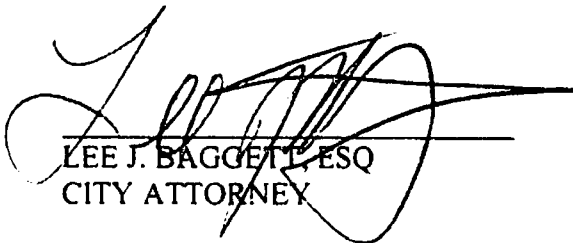
ADOPTED this 26<sup>th</sup> day of February, 2024.

ATTEST:

  
MARY R. KINDEL 2/29/2024  
CITY CLERK

  
REBECCA S. BRUNER  
MAYOR

APPROVED AS TO FORM  
AND CORRECTNESS:

  
LEE J. BAGGETT, ESQ  
CITY ATTORNEY





## City of Stuart Proclamation Policy

### I. STATEMENT OF POLICY

- A. The City wishes to provide an avenue that will encourage public awareness and provide recognition for events and activities that are significant to the City of Stuart.
- B. This policy provides directives regarding criteria, request submissions and processing, and standards for the issuance of Proclamations.
- C. The Mayor of the City of Stuart shall be permitted to sign and issue Proclamations at no charge, for community recognition purposes.

### II. DEFINITION

- A. Proclamation: An official public announcement of declaration to formally recognize and/or draw awareness to an organization, business, issue, event, or individual that impacts or has had an impact on the City of Stuart during a specific timeframe.

### III. POLICY AND PROCEDURE FOR PROCLAMATIONS

#### A. Criteria

1. Eligible Proclamations – Proclamations may recognize but are not limited to the following: achievements of the citizens of the City of Stuart, organization's occasions of importance and significance to the City, dates that are noteworthy or historically significant, and special events within the City limits.
2. Non-Eligible Proclamations – Proclamations will not be offered for commercial purposes, such as the opening of a new business, provision of a new service or product, for business or non-profit anniversaries of less than 50 years, for matters of political controversy, ideological or religious beliefs or individual convictions, campaigns or events contrary to City policies or espousing hatred, violence, or racism.
3. Proclamations are strictly honorary, are issued as a courtesy, are not legally binding, and do not constitute an endorsement by the City of Stuart.
4. Proclamations shall be accepted by the requestor or representative of the requesting entity and attend the meeting of the City Commission at which the Proclamation is presented unless prior arrangements are made.

## B. Requests

1. A request for a City of Stuart Proclamation shall be made in writing to the City Clerk's Office at least fourteen (14) days prior to the meeting date of the Proclamation presentation. A new request must be submitted for each item, standing or rolling requests will not be accepted.
2. Each request must be accompanied by the name, mailing address, email address, and telephone number of a responsible person who can provide additional information and who will be accepting the proposed Proclamation.
3. Special requests may recognize, but are not limited to, significant birthdays not less than 95 years, anniversaries, retirements, professional celebrations, award recipients, achievements, and individuals or organizations for their accomplishments. Special Proclamations are permitted only at the request of a commissioner or the City Manager and are provided directly to the requestor and not presented at a public meeting. Special Proclamations are not permitted for deceased persons, weddings, anniversaries less than 50 years, or family reunions except at the direct request of the City Manager.
4. Requestors may use the Proclamation Request Form ("Form") available on the City's website at [www.CityofStuart.us](http://www.CityofStuart.us). Requests may also be submitted via email at [CityClerk@ci.stuart.fl.us](mailto:CityClerk@ci.stuart.fl.us), or in writing addressed to the City Clerk's Office at 121 SW Flagler Avenue, Stuart, Florida, 34994.

Requests not using the Form must include the following information:

1. The contact person's first and last name, mailing address, email address, and telephone number.
2. The name of the person or date and specific name of the event/occasion to be proclaimed or recognized.
3. A brief summary and/or background of the event, organization, or person.
4. For Proclamations, provide draft text including facts about the subject matter with approximately three (3) points with a maximum of four (4) points.
5. Date to be presented and/or when needed.
6. An indication of whether the Proclamation is to be presented at a public meeting or the requestor wishes for it to be mailed or picked up at City Hall.

## C. Process

1. **Proclamation** – Upon receipt of a complete, qualifying request for a Proclamation, the City Clerk will process the Proclamation for signature of the Mayor and communicate with the requestor.



## RESOLUTION 2024-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, ADOPTING A CEREMONIAL ITEMS POLICY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

**WHEREAS**, City Council wishes to award ceremonial items to celebrate the achievements of residents, businesses, and organizations, fostering community connection and engagement; and

**WHEREAS**, a ceremonial items policy is needed to outline the procedures for submitting requests, processing, and issuing ceremonial items; and

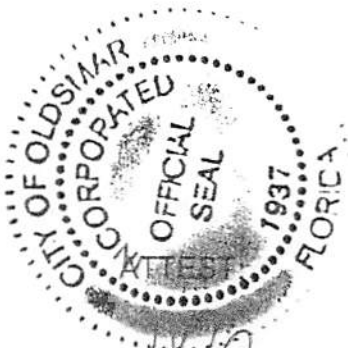
**WHEREAS**, City Council, based on the direction provided at its September 24, 2024 Work Session, wishes to adopt a Policy outlining the procedures for submitting requests, processing, and issuing ceremonial items.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**


**Section 1.** That the City Council of the City of Oldsmar hereby approves the Ceremonial Items Policy attached as Exhibit A hereto.

**Section 2.** That this Resolution shall become effective immediately upon its passage and adoption.

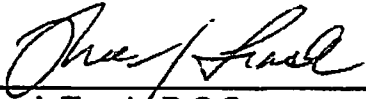
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, THIS 19 DAY OF November, 2024.



Kristin Garcia, CMC  
City Clerk  
City of Oldsmar

  
\_\_\_\_\_  
Daniel M. Saracki, Mayor  
City of Oldsmar

APPROVED AS TO FORM:



---

**Thomas J. Trask, B.C.S.**  
**City Attorney**  
**City of Oldsmar**

## Exhibit A

# CEREMONIAL ITEMS POLICY

## STATEMENT OF POLICY

The City Council awards ceremonial items to celebrate the achievements of residents, businesses, and organizations, fostering community connection and engagement.

This policy outlines the procedures for submitting requests, processing, and issuing ceremonial items.

## DEFINITIONS

*Proclamation:* A Proclamation is an official public declaration by the Mayor to recognize or raise awareness of an organization, business, issue, event, or individual that has impacted the City of Oldsmar during a specific time frame.

*City Council – City Manager Award:* The City Council - City Manager Award may be presented by the Mayor, Council members, or City Manager to recognize individuals for their contributions to the City of Oldsmar.

*Business of the Quarter Award:* The Business of the Quarter award recognizes a business, nonprofit organization, or religious institution each quarter of a calendar year.

*Key to the City:* The Key to the City is an honor and ceremonial gesture granted by the Council to distinguished individuals or special guests, typically to recognize exceptional civic contributions.

*Board Member Milestone Awards:* Board Member Milestone Awards are awarded to Board Members for their years of service in 5-year increments at the annual Volunteer Appreciation Dinner.

*Certificates of Recognition and Appreciation:* Certificates of Recognition and Appreciation are awarded to those individuals or organizations who have performed some act or completed some task or effort on behalf of the City or residents of the City such as graduation certificates awarded to Citizens Academy graduates.

*Purple Heart Challenge Coin:* The Purple Heart Challenge Coin, presented by a Veterans Advisory Board Member through a handshake.

*City Coin:* The City Coin is a coin created for Council Members or the Mayor to present at their discretion.

*Congratulatory Letters:* Congratulatory Letters are issued to individuals or organizations for accomplishments such as those congratulating Eagle Scouts, Girl Scouts, and newly elected municipal officials in Pinellas County.

## **POLICY AND PROCEDURE FOR CEREMONIAL ITEMS:**

### Proclamation

Individuals and organizations seeking a proclamation must submit an application along with sample language that can be modified. Recipients must be able to attend the Council meeting to receive the proclamation, as proclamations will not be mailed. The Mayor and/or Council members may also propose a proclamation, subject to Council approval. Proclamations will be listed on the agenda under the Consent Docket for approval at the Council meeting prior to their presentation. Approved proclamations will be presented by the Mayor and/or Council members on a rotating basis. Proclamations proposed by City staff will continue to be added to Council meeting agendas as needed.

### City Council- City Manager Award

The Mayor, Council members, or City Manager may nominate individuals for the City Council - City Manager Award by submitting their nominations to the City Clerk. The City Clerk will prepare the award and invite the nominee to the Council meeting at which the award will be presented by the nominator.

### Business of the Quarter Award

The City Clerk will contact the Mayor and/or Council members on a rotating basis each quarter to submit their nominations for a business, nonprofit, or religious institution, with assistance provided by the Upper Tampa Bay Chamber of Commerce. Upon receiving the information regarding the nominee, the City Clerk will prepare the award and follow up with an invitation to the nominee to the Council meeting at which the award will be presented by the nominator.

### Key to the City

The Mayor and/or Council members may nominate a distinguished individual to receive the Key to the City by submitting their nomination to the City Clerk. The nomination will be included on the City Council meeting agenda under "City Council" for consideration prior to the presentation. The Key to the City will be presented to the recipient by the City Council at a following Council meeting.



### Board Member Milestone Awards

All board members who served since the date of the previous Volunteer Appreciation Dinner and reached a milestone will be eligible to receive the award for their service at the next annual Volunteer Appreciation Dinner.

### Certificates of Recognition and Appreciation

Certificates of Recognition and Appreciation signed by the entire City Council are awarded to those individuals or organizations who have performed some act or completed some task or effort on behalf of the City or residents of the City such as graduation certificates awarded to Citizens Academy graduates which are presented annually at the Citizens Academy Graduation Ceremony, held during a City Council meeting.

### Challenge Coin

The Purple Heart Challenge Coin may be presented by a Veterans Advisory Board member or liaison to speakers at the Memorial Day and Veterans Day Ceremonies.

### City Coin

The City Coin may be presented by the Mayor and/or City Council members. Each Council member and the Mayor will be provided with three coins to present.

### Congratulatory Letters

Congratulatory letters, signed by the entire City Council, will be mailed to those individuals or organizations for their accomplishments such as Eagle Scouts, Girl Scouts, and newly elected municipal officials in Pinellas County.

# GENERAL INFORMATION ITEMS

**The attached items (i.e.: correspondence, emails, 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.**

- A. Correspondence between President Docherty and Congressman Mast regarding the possibility of the Congressman making a future presentation to the Town Council.
- B. Thank you letters from Amy Walker, with the Area Agency on Aging; and Master Deputy Sheriff Dawn Ferris, with the Martin County Sheriff's Department.
- C. Confirmation of payment from Sun Communities as required by its recent Stipulation Agreement with the Town of Ocean Breeze.

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**Re: District meeting Request**

---

From Kevin Docherty <kdocherty@TownofOceanBreeze.org>  
Date Sun 2/2/2025 11:44 AM  
To Tragesser, Madison <Madison.Engelking@mail.house.gov>

Good morning, Ms. Tragesser,

Thank you for responding to my request to have Congressman Mast come to one of our future Town Council meetings to address the council and residents of Ocean Breeze, FL. I just wanted to let you know that I did speak with Agel Robertson (Outreach Coordinator for Congressman Mast), last week after a ceremony at Sewall's Point. And I mentioned to her that I completed a Contact Information request form back at the end of December. She suggested to me due to the new appointments to Committees for Congressman Mast that I may be difficult to have him attend in person. So, I completed a new Contact Information request form to ask the Congressman to do a video for the Town as an option.

I am happy to discuss these options with you this coming week along with the dates and items that the Congressman would like to discuss. Please let me know the best times you will be free to talk with me.

Once again, thank you for your response to my email.

Respectfully yours,

Kevin

Kevin Docherty  
President, Town Council  
Town of Ocean Breeze, FL  
Cell: 617-997-8024



---

**From:** Tragesser, Madison <Madison.Engelking@mail.house.gov>  
**Sent:** Thursday, January 30, 2025 12:51 PM  
**To:** Kevin Docherty <kdocherty@Townofoceanbreeze.org>  
**Cc:** Sejour, Jordan <Jordan.Sejour@mail.house.gov>  
**Subject:** RE: District meeting Request

Some people who received this message don't often get email from madison.engelking@mail.house.gov. [Learn why this is important](#)

Good afternoon, Mr. Docherty:

I'd like to discuss this request with you in more detail! Do you have potential date options for town council meetings? Anything specific that you want Chairman Mast to touch base on?

Sincerely,

Madison E Tragesser

---

**From:** Harrington, Joseph <Joseph.Harrington@mail.house.gov>  
**Sent:** Monday, January 13, 2025 3:41 PM  
**To:** Tragesser, Madison <Madison.Engelking@mail.house.gov>  
**Subject:** District meeting Request

Mr. Kevin Joseph Docherty (Low)  
kdocherty@townofoceanbreeze.org  
8 NE Nautical Dr  
Ocean Breeze, Florida 34957-5944 FL21  
**Cell:** (617) 413-5800 Added by L2 Voter update 2020.12  
**Home:** (772) 334-6826  
**Inactive:** kdocherty@munichre.com Added by L2 Voter update 2019.9

*As the President of our Town Council in your district (Town of Ocean Breeze), I feel that the number one item of the Federal government is the protection of their citizens. Thus, based on that statement, two of the four items that I indicated below "Securing Our National Defense" and "Securing Our Border" must take priority over anything else. Once that is in place "Reducing Taxes & Federal Spending" must be accomplished to get our country back on the right track while reducing inflation. And, finally as a representative for a town in which are 55 or over, I believe that the Federal government must strongly "Defend Senior Citizens" who have paid into the system for years (i.e. Social Security). Please keep up the great work you're doing as our U.S. Congressman.*

*Note: I hope to come over to your office in Stuart and talk with your assistants to set up a*



*time in which you can come to visit us at one of our town council meetings.*

*Kevin Docherty  
Town of Ocean Breeze*



Joseph Harrington  
Legislative Correspondent  
U.S. Congressman Brian Mast (FL-21)  
2182 Rayburn House Office Building  
Washington, DC 20515  
(202) 225-3026

Congressman Mast prioritizes attending events within Florida's 21st Congressional District. However, due to limited time and the number of invitations that the office receives, not all requests can be granted. We ask that this form be completed at least 2 months prior to the event date. Once submitted, a member of our scheduling team will contact you as soon as possible regarding the status of your request.

### CONTACT INFORMATION

\* First Name

Kevin

\* Last Name

Docherty

Email

kdocherty@townofocceanbreeze.org

\* Phone

7723346826

\* Organization

Town of Ocean Breeze

### EVENT INFORMATION

\* Event Title

Town Council Meeting

\* Purpose of the Event

Coordinator and we would view his video speaking on the items I listed below at the Town of Ocean Breeze's Monthly Town Council Meeting.

If you need to discuss this matter, please do not hesitate to contact me directly at 617-997-8024 or my office at 772-334-6826

Respectfully yours,

Kevin Docherty  
President of the Town Council  
Town of Ocean Breeze, FL

\* Event Address

Ocean Breeze Resort - Pineapple Room

\* Date and Time of Event

4/14/2025 6:05 PM

**\* Event End Date and Time**

4/14/2025 6:10 PM

**\* Is Rep. Mast being asked to provide remarks? If yes, for how long?**

Yes, 5 minutes

**\* Specific time requested for Rep. Mast to deliver remarks (please provide event schedule)**

Following Call to Order of the meeting with Pledge of Allegiance and Roll Call. Within 5 minutes.

**\* Requested topics for remarks (if applicable)**

Border, Taxes, Inflation, Brightline and Water concerns for the 21st District, etc.

**\* Requested duration of Rep. Mast's appearance at event (please check one)**

15 Minutes

**EVENT CONTACT INFORMATION**

**\* First Name**

Kevin

**\* Last Name**

Docherty

**\* Email**

kdocherty@townofocceanbreeze.org

**\* Phone**

7723346826

**LOGISTICAL DATA**

**\* Will Rep. Mast be greeted upon arrival? If yes, by whom?**

No

**\* Parking Instructions**

N/A

**\* Number of Expected Attendees?**

Approximately 100 residents

\* What is the attire for the event?

Casual - Town Meeting

\* Will media be present?

No

\* Will other elected officials be in attendance?

Yes

\* Is this an indoor or outdoor event?

Indoor

\* If applicable, will the event have a stage with ramp access?

No

\* Will there be a Q&A period following Rep. Mast's remarks?

No

#### Attachments

Upload File

No file chosen

Submit



Congressman Mast prioritizes attending events within Florida's 21st Congressional District. However, due to limited time and the number of invitations that the office receives, not all requests can be granted. We ask that this form be completed at least 2 months prior to the event date. Once submitted, a member of our scheduling team will contact you as soon as possible regarding the status of your request.

### CONTACT INFORMATION

\* First Name

Kevin

\* Last Name

Docherty

Email

kdocherty@townofoceanbreeze.org

\* Phone

7723346826

\* Organization

Town of Ocean Breeze

### EVENT INFORMATION

\* Event Title

Town Council Meeting

\* Purpose of the Event

To introduce himself and speak to the residents of the Town of Ocean Breeze. And hopefully to take a few questions from them (no more than 3 or 4 questions) if acceptable by the Congressman.

If the Congressman would like to come a few minutes earlier to meet the Mayor and Town Council along with a picture. Or stay a few minutes after the meeting to meet us along with the public.

Please note that the Congressman visit Ocean Breeze Resort a back when he was first elected to Congress.

\* Event Address

Ocean Breeze Resort - Pineapple Room

\* Date and Time of Event

4/14/2025 6:00 PM

**\* Event End Date and Time**

1/7/2025 6:30 PM

**\* Is Rep. Mast being asked to provide remarks? If yes, for how long?**

Yes, Remarks along with a few questions from the public (if acceptable by the Congressman). Approx

**\* Specific time requested for Rep. Mast to deliver remarks (please provide event schedule)**

Following Call to Order of the meeting with Pledge of Allegiance and Roll Call. Within 5 minutes.

**\* Requested topics for remarks (if applicable)**

Border, Taxes, Inflation, and Brightline.

**\* Requested duration of Rep. Mast's appearance at event (please check one)**

30 Minutes

**EVENT CONTACT INFORMATION**

**\* First Name**

Kevin

**\* Last Name**

Docherty

**\* Email**

kdocherty@townofoceanbreeze.org

**\* Phone**

7723346826

**LOGISTICAL DATA**

**\* Will Rep. Mast be greeted upon arrival? If yes, by whom?**

Yes

**\* Parking Instructions**

Ocean Breeze Resort parking lot which is next to the complex (Pineapple Room).

**\* Number of Expected Attendees?**

Approximately 100 residents

\* What is the attire for the event?

Casual - Town Meeting

\* Will media be present?

No

\* Will other elected officials be in attendance?

Yes

\* Is this an indoor or outdoor event?

Indoor

\* If applicable, will the event have a stage with ramp access?

No

\* Will there be a Q&A period following Rep. Mast's remarks?

Yes

### Attachments

Upload File

No file chosen

Submit



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**Re: Area Agency on Aging, Palm Beach | Treasure Coast**

---

From Amy Walker <AmWalker@aaapbtc.org>

Date Mon 1/13/2025 10:57 PM

To George Ciaschi <gciaschi@Townofoceanbreeze.org>; Town Clerk <townclerk@townofoceanbreeze.org>

Good evening!

I would like to formally express my sincere gratitude for the opportunity to present the Area Agency on Aging to your Town Council and constituents. It was a privilege to share information about the important services we offer.

Should you or your constituents wish for another presentation, whether for an agency overview or to coordinate an educational session focusing on our Healthy Aging (evidence based) or Shine (Medicare) programs, please do not hesitate to reach out. I would be more than happy to arrange a session at your convenience.

Thank you again for your time and consideration.

Warm regards,

Amy

**Amy Walker**

*Helpline Director*

E: [amwalker@aaapbtc.org](mailto:amwalker@aaapbtc.org)

**Area Agency on Aging, Palm Beach | Treasure Coast, Inc.**

4400 N Congress Avenue, Suite 250

West Palm Beach, FL 33407

**Office:** (561) 684-5885 ext. 59253

**Cell:** (561) 820-7142

**Fax:** (561) 214-8670

Website: [www.aaapbtc.org](http://www.aaapbtc.org)

**Helpline:** 1 (866) 684-5885

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---

**From:** Amy Walker <AmWalker@aaapbtc.org>

**Sent:** Friday, January 10, 2025 12:51:51 PM



B.

I would like to take this  
opportunity to thank the  
Town of Ocean Breeze for

**THANKS**

**THANKS**

**THANKS**

**THANKS**

**THANKS**

**THANKS**

the honor of your recognition  
by the community & citizens.  
I am truly humbled and  
blessed to serve.

Thank you!

Dawn Gerns  
Martin County  
Sheriff's Office

Sun Communities Operating LP  
26191 Town of Ocean Breeze

2025225  
1/17/2025

Date	Description	Orig. Amt	Amt. Due	Discount	Amount
1/15/2025	CR-425356	\$10,000.00	\$10,000.00		\$10,000.00
Overnight to OBJ - Stipulation Agreement					\$10,000.00

RECEIVED  
JAN 23 2025

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE KEY TO DOCUMENT SECURITY • HEAT ACTIVATED THUMB PRINT • ADDITIONAL SECURITY FEATURES INCLUDED • SEE BACK FOR DETAILS

Sun Communities Operating LP  
Sun Homes Services, Inc.  
27777 Franklin Rd.  
Suite 300  
Southfield MI 48034

Fifth Third Bank  
Lansing, MI

74-1329  
724

2025225

DATE 1/17/2025

\*\*\*\*\$10,000.00

PAY Ten thousand and 00/100

TO THE ORDER OF Town of Ocean Breeze  
1508 NE Jensen Beach Blvd  
Jensen Beach FL 34957  
United States

*[Handwritten Signature]*



*[Handwritten notes and stamps]*  
received  
1-21-25  
G.  
P.C.



(CONTINUED – From Page 1)

**TOWN OF OCEAN BREEZE  
WORKSHOP MEETING  
AGENDA**

February 10, 2025, 10:30 AM  
(or immediately after Regular Town Council Meeting)  
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 Docherty**

- Pledge of Allegiance
- Roll Call

**2. Workshop Discussion: 5-year future vision for the Town of Ocean Breeze –**

Mayor Ostrand – **REQUEST TO CONTINUE ITEM TO NEXT REGULAR  
TOWN COUNCIL MEETING March 10, 2025**

(Motion, second, all in favor)

**3. Adjourn**

(Motion, second, all in favor)

**Town of Ocean Breeze**

**To:** Town Council

**From:** Mayor Ostrand

**Date:** February 10, 2025

**Re:** Discussion for Workshop 5-year Future Vision for the Town of Ocean Breeze

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

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

For example:

- Future of the Town Priorities
- Changes in the Charter
- Town Hall
- Promotional Events
- Annexation

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

What are your ideas for a 5-year future vision?

This will be discussion only; no action by vote will be taken at this time.

Thank you!

A handwritten signature in black ink, reading "Mayor Jereen M. Ostrand". The signature is written in a cursive style with a long horizontal flourish extending to the right.

**10. Comments from Town Attorneys, Gemma Torcivia, and Paul Nicoletti** – Attorney Torcivia thanked everyone in the New Year 2025.

President Docherty thanked Sun Communities for installing the new bench and waste receptacle. He stated that the debris pile along West End Boulevard had been removed by Martin County.

**11. Comments from Mayor Ostrand** – Mayor Ostrand spoke about Mr. O’Neil’s letter (dated December 5, 2024). She stated that he had requested to remain on contract but not be on “day to day” as before. She added that he would be able to be contacted by telephone or email for all questions. She commented that for the next couple of months, the Town would see how this arrangement works and that if, after that time, he feels that he can assist the Town... She said that the Town was going to see how this works out in the next couple of months and then, talk to the Council further. She added that he would consult with the Town and that the Town could then look for someone to collaborate with him on the things that he did not have time for.

Pam Orr stated that the staff had worked with Terry for many years when he worked full time at the City of Stuart, and it worked well.

Mayor Ostrand stated that Terry left things open when she last spoke to him and that he said after two months, he would make a decision.

Attorney Torcivia spoke about an item in the informational section of the packet which spoke about her memorandum of law regarding ADA compliance for the Town’s accommodations for public meetings.

Mayor Ostrand asked for a workshop for looking at the Town’s future of at least a five-year plan to see what the Town would like to do and how the Town would like to grow and the ideas of the Town Council. She stated that the workshop could be after the next meeting. She added that she would like the meeting to take place before the budget meeting in order to be studied by the accountant so that plans could be made. She said that she and the Town Council had to produce about three priorities. She stated that the next meeting was a morning meeting, and the workshop could be held right after the meeting. She stated that would allow her and the Town Council to bring it about the following month...and, have two or three months of getting it in order and a vision that they could actually put down a visionary plan. She invited everyone to attend in order to take part in the ideas for the future of the Town.

President Docherty stated that this was a good idea. He asked for a line to be added in the future Agendas under comments from the Council on topics not on the Agenda which would be “Committee report if needed.” He asked if this was a problem.

(heard “no”)

President Docherty spoke about an upcoming trip to Tallahassee in March 2025 (Legislative Action Days) and that last year, the Council produced money for him to travel. He stated that he has \$300 left in his budget and that \$300 was reimbursed to the Town for his IEMO II course by the Treasure Coast Regional League of Cities. He added that he was asking the Town Council to start thinking about transferring a portion of their unused Conferences and Travel dollars into his allocation so that he can make this trip at the end of March 2025. He asked the Town Council to reference the material in their packet from last year’s minutes in which extra dollars were allocated to him. He stated that he would look into how much the hotel costs would be. He commented that \$1,000.00 would be adequate and that he was sure he would be able to return some. He spoke about the FMIT board application for which he would be applying. He added that 90% of his travel would then be paid for.



Mayor Ostrand asked if the workshop she referenced would be after the next meeting.

Council Member Ciaschi, seconded by Council Member...

Pam Orr asked if it were to be part of the regular meeting.

Mayor Ostrand said "no."

Kim Stanton said it had to be a public meeting.

Mayor Ostrand said it was to be a public meeting after the regular meeting.

Attorney Torcivia said that he could be at a workshop meeting and that it would have to be noticed.

President Docherty asked if there needed to be a motion?

Attorney Torcivia answered, "a motion or a consensus."

Council Member Ciaschi, seconded by Council Member Galante, made a motion to hold a workshop after the February meeting.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Squires; No: None; Absent: Heller; Motion passed 5-0)

**12. Announcements** – President Docherty announced that the Regular Town Council meeting would be held on Monday, February 10, 2025, at 10:30 a.m. at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze.

**13. Adjourn** – Council Member Galante, seconded by Council Member Squires, made a Motion to adjourn the meeting at 8:12 p.m.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante Squires; No: None; Absent: Heller; Motion passed 5-0)

Respectfully Submitted,

*Kim Stanton*

Town Clerk

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

## MEMORANDUM

To: Mayor and Council, Town of Ocean Breeze  
From: Gemma Torcivia, Esq., City Attorney  
Date: February 9, 2025  
Re: Sea Walk private inspections and Town liability

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In accordance with Sections 553.70–553.8991 of the Florida Statutes and Florida Building Code (“FBC”) (collectively known as the “Florida Building Codes Act” [the “Act”])<sup>1</sup>, the Town of Ocean Breeze is not liable for any damage caused to houses located in the Sea Walk community in Ocean Breeze due to the workmanship of the home builder/developer, D.R. Horton and/or Forestar, the engineer hired by the home builder/developer, D.R. Horton and/or Forestar, GFA, or the contractor hired by home builder/developer, D.R. Horton and/or Forestar, Absolute Engineering.

Per Section 553.791(2)(a)<sup>2</sup>, Florida Statutes, D.R. Horton and/or Forestar, the developers of Sea Walk, were entitled to have a “private provider to provide building code inspection services with regard to such building.” D.R. Horton and/or Forestar opted to exercise this option with the engineer, GFA, and contractor, Absolute Engineering.

Once the inspections were completed, per Section 106.7 of the FBC<sup>3</sup>, Ocean Breeze’s building official was permitted to “accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes.” GFA and Absolute Engineering were eligible entities as required by Section 106.7 of the FBC, and they provided Ocean Breeze’s building official with a sworn affidavit of conformity for the Sea Walk homes.

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<sup>1</sup> The FBC, which is authorized by Section 553.73 of the Florida Statutes, “shall contain or incorporate by reference all laws and rules which pertain to and govern the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities and enforcement of such laws and rules, except as otherwise provided in this section.” The Act has the intent of “provide a mechanism for the uniform adoption, updating, amendment, interpretation, and enforcement of” the FBC.

<sup>2</sup> Section 553.791(2)(a), Florida Statutes: Section 553.791(2)(a) states that “the fee owner of a building or structure, or the fee owner’s contractor upon written authorization from the fee owner, may choose to use a private provider to provide building code inspection services with regard to such building or structure.”

<sup>3</sup> Section 106.7, Florida Building Code: Section 106.7 of the FBC states that a locality’s “building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes.”

Per Section 553.791(20), Florida Statutes<sup>4</sup>, the Town of Ocean Breeze is not liable for any issues that arise due to the “action or inaction” of “a private provider . . . in connection with building code inspection services as authorized in this act.”

Section 553.84, Florida Statutes provides that “[n]otwithstanding any other remedies available, any person or party, in an individual capacity or on behalf of a class of persons or parties, damaged as a result of a material violation of this part or the Florida Building Code has a cause of action in any court of competent jurisdiction against the person or party who committed the material violation”. The section also states that “[f]or purposes of this section, the term ‘material violation’ means a Florida Building Code violation that exists within a completed building, structure, or facility which may reasonably result, or has resulted, in physical harm to a person or significant damage to the performance of a building or its systems.”

D.R. Horton and/or Forestar opted to use private companies to perform the inspections on the Sea Walk properties when they were constructed. As such, the Town of Ocean Breeze has no liability for any alleged defects in the Sea Walk community (for individual homes, common area property and HOA owned property). The owners of properties in Sea Walk and/or the Sea Walk HOA do not have a cause of action against the Town of Ocean Breeze, however, they may be able to bring an action against the person or party who committed the alleged material violation of the Florida Building Code. We recommend that any Sea Walk property owners and/or the Sea Walk HOA consult an attorney who specializes in construction litigation to determine if they are able to bring an action against D.R. Horton and/or Forestar and their agents, assigns and subcontractors.

---

<sup>4</sup> Section 553.791(20), Florida Statutes: Section 553.791(20) states that “[t]he local government, the local building official, and their building code enforcement personnel shall be immune from liability to any person or party for any action or inaction by . . . a private provider or its duly authorized representative, in connection with building code inspection services as authorized in this act.”

## Town Clerk

---

**From:** Matthew Squires  
**Sent:** Monday, February 10, 2025 8:41 AM  
**To:** Town Clerk  
**Subject:** Please print for February 2025 meeting

Good morning Mayor and Council,

Due to an unexpected work meeting, I regret that I am unable to attend today's council meeting or the subsequent workshop. However, there are several critical issues I feel must be addressed by the council and the mayor.

As you know, DR Horton and Four Jays are massive entities with significant influence, and it is now time for our council to make decisive action regarding the bonds to resolve the outstanding concerns. DR Horton, as the largest homebuilder in the U.S., has a track record of multiple lawsuits across the country, including issues of construction defects, health and safety violations, and other property development concerns. Given their size, our community will likely not be prioritized by them. They will continue to allow us to spend funds on attorneys and engineering firms until we no longer have the resources to continue. Furthermore, to pursue legal action, we would need 75% of homeowner approval, a nearly impossible threshold.

As it stands, Seawalk has already spent over \$40,000 on a 558 defect claim and another \$30,000+ on fixing defects left by the developers. Our community and town simply lack the resources to continue at this rate. The last home in Seawalk was sold in September 2022, and further delays are no longer feasible. It is time for action.

Currently, two permits are still open with the Town of Ocean Breeze for Seawalk: the site development permit and the irrigation system permit. We hold bonds for these developments and must now utilize them to address the defects. The purpose of these bonds is to correct such issues when developers fail to take action, and we have given them ample time. It is now time to activate the bond.

The town identified asphalt issues at Seawalk's entryways in January 2024. It has been over a year now, and no solution has been implemented. What are the next steps in enforcing corrective action for this issue?

Additionally, in October 2024, bids were obtained for corrective landscaping work. I urge the council to move forward with this project and make use of the bonds to address these deficiencies.

Regarding the proposed utilities tax discussed in August 2024, I strongly believe it is necessary to implement this tax as soon as possible to better balance the tax burden. Currently, Seawalk is paying 57% of the town's taxes, which is disproportionate. This adjustment is not only crucial for fairness but also for the town's budget. As Holly mentioned, by 2027, we are projected to face a \$30,000 deficit. The sooner we act, the better we can manage the town's finances.

Today's workshop will focus on the town's future, but in my opinion, it is critical that we address the current issues before pursuing any further growth. We have two communities—Seawalk and Ocean Breeze Resort—that need to be resolved. While we are making progress with Sun Communities, Seawalk still has many unresolved issues. Our town is small and has already proven it struggles to manage the challenges posed by developers of these small neighborhoods. I highly recommend that we focus on finishing these projects before considering further expansion, or they may not be a future at all for the Town of Ocean Breeze. This is very important.

Thank you for your time and consideration.

I look forward to working with you all on these matters.

Sincerely,

Council Member Matthew Squires