

**TOWN OF OCEAN BREEZE
SPECIAL TOWN COUNCIL MEETING**

April 29, 2025, 10:30 a.m.

Ocean Breeze Resort Media (Maritime) Room
700 NE Seabreeze Way, Ocean Breeze, FL

MEDIA (MARITIME) ROOM

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

1. Call to Order, President Docherty

- Pledge of Allegiance
- Roll Call

2. Town Management Consultant Interviews – Introduction by Mayor Ostrand

- Dan Hudson
Questions and Answers – President Docherty
- Zach Davis-Walker
Questions and Answers – President Docherty

3. Discussion and Vote – President Docherty

(Motion, second, public comment, roll call)

4. Announcements Regular Town Council Meeting – Monday, May 12, 2025, at 10:30 a.m.
to be held at Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way,
Ocean Breeze

5. Adjourn

(Motion, second, all in favor)

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SPECIAL TOWN COUNCIL MEETING**

Tuesday, April 29, 2025, 10:30 a.m.
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700 NE Seabreeze Way, Ocean Breeze, FL
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AGENDA ADDENDUM

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

Item 1.A Motion to Approve Letter to Chubb Insurance Re: Forestar Surety Bond
(Motion, Second, Public Comment, Roll Call)

Item 1.A.



PAUL J. NICOLETTI
Attorney at Law



MEMORANDUM

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

SUBJECT: SURETY BOND WITH WESTCHESTER FIRE INSURANCE COMPANY

DATE: APRIL 23, 2025

THIS MEMORANDUM IS PUBLIC RECORD

At the Special Town Council Meeting of February 27, 2025, the Town Council adopted Resolution No. 359-2025 triggering a "call" on Surety Bond No. K0967235 associated with the Forestar development of Seawalk.

As you know, the Town Attorney, the Town's Consulting Engineer, and I have been working with the Bonding Company's administrators (Chubb) and the Forestar attorneys to seek Forestar's agreement and action to make the improvements and complete the work required to obtain final inspections and closeout of the permits for the SeaWalk PUD.

This has been a slow process and yet another month has passed by, but some inspections have now occurred and while the Town was promised a Scope of Work to be ready by April 18, 2025, this has not happened. Some of you have questioned this matter extensively and have opined that direct action must be taken by the Town to assure that the necessary actions are completed by Forestar. At the same time, the Chapter 558, Florida Statutes, process is underway in an action taken by the SeaWalk HOA. This action and the Town's actions are simultaneous and help to demonstrate the Town's resolve.

The Town Attorney and I have been urged to ask Chubb to intervene in the situation, and to that end, I am recommending that you, as a Town Council, unanimously adopt the attached letter for the Mayor's signature. This will further demonstrate your resolve, and once again express the frustration of the entire Town in the non-action by Forestar.

Meanwhile, today, I have seen some movement on the part of Forestar. In response to John Carrigan, Esq. on behalf of the SeaWalk HOA, William McFetridge, Esq. has indicated that the

MEMORANDUM

TO: THE MAYOR AND MEMBERS OF THE OCEAN BREEZE TOWN COUNCIL
SUBJECT: SURETY BOND WITH WESTCHESTER FIRE INSURANCE COMPANY
DATE: April 23, 2025

Scope of Work from Dixie Landscaping may be released as early as this afternoon. If that occurs, we will so advise. Also, Mr. McFetridge indicates that H&J (subcontractors) have not yet produced their Scope of Work.

If you have any questions about this matter, please contact me prior to the Special Meeting on Tuesday, April 29, 2025.

Respectfully submitted,

s/ Original Signed

PAUL J. NICOLETTI

cc: Gemma Torcivia, Town Attorney
Leo Giangrande, P.E., Town's Consulting Engineer
Derek Popeil, Esquire (Chubb)
Will McFetridge, Esquire (Forestar)
John Carrigan, Esquire (SeaWalk HOA)
Pam Orr, Permit Processor
Kim Stanton, Town Clerk



Town of Ocean Breeze

April 29, 2025

Derek A. Popeil, Esq.
Vice President & Surety Claims Manager, Surety Claims North America
Chubb Insurance
202B Halls Mill Road
Whitehouse Station, NJ 08889-1650

E: dpopeil@chubb.com

Reference: Bond No. K09676235, Issued by Westchester Fire Insurance Company
for Forestar (USA) Real Estate Group, Inc.

Dear Mr. Popeil:

The Town Council and I are aware that you have been involved with the issues related to Forestar (USA) Real Estate Group, Inc.'s failure to complete the SeaWalk Planned Unit Development within the Town of Ocean Breeze, and that you have participated in telephone conference calls with our attorneys and the attorney for Forestar. We are also aware that Forestar agreed to provide a Scope of Work to complete the PUD no later than April 18, 2025. This Scope of Work was not furnished to the Town and has caused further frustration and a complete lack of trust in Forestar and also in the process of allowing them to complete the work.

The Town Council is asking that you intervene further in this process, such that we no longer need to be in direct contact with Forestar, and that you require Forestar to provide you and the Town with a Scope of Work including an Engineer's Estimate of Cost, such that we can move forward on behalf of the Town and its residents.

I am asking you to reply to this letter by explaining what additional information, if any, you will need to perfect a claim by the Town.

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

April 29, 2025

Mr. Derek Popeil

Chubb Insurance

Reference: Bond No. K09676235, Issued by Westchester Fire Insurance Company
on Behalf of Forestar (USA) Real Estate Group, Inc.

Page 2 of 2

Very truly yours,

Karen M. Ostrand

Mayor

cc: Town Council
Town Staff – Town Clerk, Permit Processor
Gemma Torcivia, Town Attorney
Leo Giangrande, P.E., Town's Consulting Engineer
William McFetridge, Esquire, Johnson Pope Bokor Ruppel & Burns, LLP,
400 N. Ashley Drive, Suite 3100, Tampa, FL 33602, Tel. (813) 579-4177
Zachary Griffin, Land Development Director, SE Florida, Forestar (USA)
Real Estate Group, Inc., 1001 Yamato Rd., Ste 408, Boca Raton, FL 33431
Tel. (561) 208-3312
Email: zacharygriffin@forestar.com

Permits

From: Hud <dan_hudson@bellsouth.net>
Sent: Wednesday, March 19, 2025 8:23 AM
To: Town Clerk
Cc: Permits
Subject: Town Management Consultant
Attachments: 1. transmittal letter TOB 2025 03 18.pdf; 2. resume Dan Hudson Vita 2025 03 12.pdf; 3. scope of services TOB 25 03 17.pdf

You don't often get email from dan_hudson@bellsouth.net. [Learn why this is important](#)

Good morning,

Thank you for considering me to serve as Town Management Consultant.

Attached are three documents, including a transmittal letter, a summary resume, and a suggested draft scope of services.

I look forward to meeting each of you and Mayor Ostrand tomorrow.

Thanks,
Dan

Dan Hudson
772.233.1396
dan_hudson@bellsouth.net

**DAN HUDSON CONSULTING, LLC
POST OFFICE BOX 2175
STUART, FLORIDA 34995**

March 19, 2025

Via email

Honorable Karen Ostrand, Mayor
Town of Ocean Breeze

Greetings,

I am writing to express an interest in serving as Town Management Consultant for the Town of Ocean Breeze.

I have attached my resume and a suggested draft scope of services for your review. I am happy to provide additional details and references for my consulting engagements. Recent activities include:

- Interim Executive Director, Business Development Board, 2024
- Interim Town Manager, Town of Sewall's Point, 2022
- Project Manager, Martin County Business Renewal Program, 2020
- Numerous projects with Martin County Government.

Thank you for considering this arrangement.

Regards,



Dan Hudson
dan_hudson@bellsouth.net
772.233.1396

cc: Town Clerk
Town Permits Processor

Attachments: Dan Hudson Vita 2025 03 12 and Proposed Term Sheet

Dan Hudson

Post Office Box 2175
(772) 233-1396

Stuart, Florida 34995
dan_hudson@bellsouth.net

EXPERIENCE

Dan Hudson Consulting, LLC, Stuart, Florida 2011 to Present
A variety of consulting, teaching, and short-term employment duties along with expanded volunteer activities. Client-employers include Business Development Board of Martin County, Town of Sewall's Point, Martin County Government, Town of Jupiter Island, and Barry University.

Consultant

City of Stuart, Stuart, Florida 2006 to 2011
Full service municipal government with a population of 16,000, a budget of \$34 million, and 230 employees.

City Manager

Martin County Government, Stuart, Florida 1993 to 2006
Non-charter county with a budget of \$400 million and 900 employees providing a full range of urban services for a population of 145,000.

Deputy County Administrator

Interim County Administrator

Administrative Services Director

Southwest Florida Water Management District, Brooksville, Florida 1988 to 1993
Regional environmental agency with a budget of \$120 million and 700 employees responsible for surface water and groundwater in thirteen counties surrounding the Tampa Bay area.

Budget Manager

Brevard County Government, Titusville, Florida 1986 to 1987
Non-charter county providing a full range of urban services to a population of 300,000 with a \$420 million budget and 1,400 employees.

Office of Management and Budget Director

Palm Beach County Sheriff's Office, West Palm Beach, Florida 1981 to 1986
Constitutional Officer with a \$45 million budget and 1,400 employees.

Budget and Planning Director

Broward County Government, Fort Lauderdale, Florida 1977 to 1981
Full service charter county government with a \$500 million budget and 4,200 employees.

Budget and Research Analyst

Personnel Management Specialist

EDUCATION

- *Master of Political Science (Public Administration)* – University of Florida, 1976
- *Bachelor of Arts (Anthropology)* – University of Florida, 1973

DAN HUDSON CONSULTING, LLC
POST OFFICE BOX 2175
STUART, FLORIDA 34995

Proposed Scope of Services – Town Management Consultant
Prepared for the Town of Ocean Breeze

Summary: *This proposal is for Dan Hudson to serve as Town Management Consultant (Consultant) for the Town of Ocean Breeze (the Town).*

Responsibilities: Consultant will have the usual and customary responsibility and authority of Town Management Consultant as defined by the Town Charter, Town Ordinances, and past practices, including, but not limited to:

- Attend Town Council meetings.
- Prepare memos and reports, with recommendations.
- Perform other projects as assigned by the Mayor and Town Council.
- Coordinate with other Town employees and consultants.
- Coordinate with other government entities.

General terms: Consultant will be engaged as an independent contractor operating through Dan Hudson Consulting, LLC.

- Town to provide computer and email support, office space, and ordinary office supplies needed to maintain files and public records.
- Town may terminate this arrangement at any time with 14 days of prior notice.

Compensation: Hourly rate \$125.00 per hour, at an average 5 hours per week not to exceed 225 hours per fiscal year. Both parties acknowledge this limited scope arrangement has worked well for the Town in the past and may require prioritization of duties from time to time.

- Invoices for actual work performed will be submitted monthly.
- No auto mileage within a 50-mile radius of office. Travel required outside this radius, if any, may be reimbursed at the prevailing Federal mileage rate.
- Contractor may be reimbursed for out-of-pocket costs, on an as needed basis.

Public records: All materials produced remain the property of the Town. Town will maintain records of all emails and documents related to this engagement. Consultant will submit all reports, memos, notes, and other documents created during the arrangement.

Availability: Mr. Hudson has travel scheduled for April 7 through 20, 2025 and approximately 4 weeks in June [with some flexibility for the June dates at this time].

Dan Hudson

**References
For The Town of Ocean Breeze**

- James Campo Cell (772) 486-2864
- Paul Nicoletti Office (772) 600-5581
Cell (772) 260-3276
- Terrance O'Neil Cell (772) 486-2190
- Holly Vath Cell (561) 650-4159

Town Clerk

From: Zach Davis-Walker <daviswalker.zdw@gmail.com>
Sent: Thursday, March 20, 2025 9:34 AM
To: Town Clerk
Subject: Applicant for Town Management Consultant (Florida City Jobs)
Attachments: Zach Davis-Walker CL; Ocean Breeze Town Consulting.pdf; Z Davis-Walker Resume_2025 Ocean Breeze.pdf

Follow Up Flag: Follow up
Flag Status: Completed

You don't often get email from daviswalker.zdw@gmail.com. [Learn why this is important](#)

Good morning Madam Clerk,

Please find attached my resume and cover letter for consideration in providing town management consulting services to the Town of Ocean Breeze. I would welcome the opportunity to discuss how my experience aligns with the Town's needs.

Thank you,

Zach Davis-Walker

ZACH DAVIS-WALKER, P.A.

Zach Davis-Walker, Esq.

Zach Davis-Walker, P.A.

Town Clerk

Town of Ocean Breeze

Dear Madam Clerk,

I am writing to express my interest in the opportunity to provide municipal management consulting services to the Town of Ocean Breeze. With a strong background in public administration, municipal law, land use planning, and intergovernmental relations, I am well-equipped to support the Town Council and Mayor in executing strategic initiatives that promote sustainable development, fiscal responsibility, and effective governance.

As Director of Intergovernmental Affairs, I coordinate between municipal departments, Broward County, and neighboring municipalities to implement policies, infrastructure projects, and regulatory initiatives. I advise elected officials and city staff on legislative impacts to municipal operations and work with federal lobbyists to advocate for funding and policy changes that support local governance.

In addition to my public sector experience, I lead Zach Davis-Walker P.A., providing consulting services in land use planning, zoning, economic development, and public-private partnerships. My firm is adept at advising on strategic planning, revenue enhancement, and regulatory compliance—critical to achieving Ocean Breeze's objectives. As Assistant City Attorney for Lauderhill, I have extensive legal expertise in municipal operations, including drafting ordinances, reviewing public procurement solicitations, and structuring development agreements. My experience with municipal leadership structures enables me to assess governance frameworks for efficient decision-making, accountability, and operational effectiveness. I also assist in public relations strategies that promote transparency, strengthen community engagement, and improve municipal communication.

Previously, as Interim Director of Planning and Zoning and Community Development Manager for Lauderhill, I led major redevelopment projects, navigated complex land use regulations, and secured multimillion-dollar infrastructure funding.

My expertise in municipal operations, law, and intergovernmental affairs positions me to support Ocean Breeze's long-term vision. I welcome the opportunity to discuss how my skills align with your needs. Thank you for your time and consideration. I look forward to contributing to Ocean Breeze's continued success.

Sincerely,

Zachery Davis-Walker, Esq.

ZACHERY DAVIS-WALKER

(954)-552-3526

daviswalker.zdw@gmail.com

Fort Lauderdale, FL

Experienced public administrator with senior leadership in local government, specializing in municipal advisory services, land use planning, and intergovernmental relations. Skilled in strategic planning, public-private partnerships, and governance optimization to enhance operational efficiency and policy implementation. Committed to fostering resilience, efficiency, and strong community relationships.

BAR ADMISSION

Florida

APRIL 21, 2016

EXPERIENCE

CITY OF LAUDERHILL LAUDERHILL, FL

JANUARY 2025-PRESENT

Director of Intergovernmental Affairs

- Advise elected officials and city staff on legislative impacts to municipal operations, ensuring informed decision-making and alignment with regulatory requirements.
- Manage coordination between municipal departments, Broward County, and neighboring municipalities to implement policies, infrastructure projects, and intergovernmental agreements that enhance operational efficiency.
- Facilitate communication with federal lobbyists to advocate for funding opportunities and legislative changes that support local governance and economic development.
- Manage the City's Economic Development Division.
- Drafts legislative summaries and policy memoranda.

ZACH DAVIS-WALKER, P.A. SUNRISE, FL

JUNE 2020-PRESENT

President

- Provides legal analysis in local government law, contract law and real estate transactions, including commercial and multifamily lease reviews and negotiations, purchase agreement analysis and negotiations, and small business licensing.
- Provides land use and zoning consultation to small business and private investors.
- Provides government policy analysis and consultation.
- Provides governance Framework Analysis.
- Advise Community Redevelopment Agencies (CRAs) and local governments on Florida redevelopment law and strategic revitalization initiatives to drive economic growth and infrastructure improvements.

HALL AND ROSENBERG, P.L. SUNRISE, FL

JANUARY 2023-DECEMBER 2024

Partner

- Contracted as Assistant City Attorney for the City of Lauderhill.
- City of Lauderhill Planning and Zoning Board attorney.
- Reviews all competitive solicitations for public procurement and drafts associated contracts.
- Drafts City ordinances and resolutions.
- Drafts and reviews development agreements associated with public, private partnerships.
- Drafts legislative summaries.

CITY OF LAUDERHILL LAUDERHILL, FL

JANUARY 2020-DECEMBER 2022

Interim Director of Planning and Zoning

- Responsible for the oversight and management of the City's Community Development Division, comprised of the Planning and Zoning and Economic Development sections.
- Provided land use and zoning interpretation in the form of written memorandum for elected officials.
- Represented the public interest in quasi-judicial hearings for community development related items at public meetings.
- Represented the City of Lauderhill on the Broward County Metropolitan Planning Organization (MPO) Technical Advisory Committee.
- Oversaw and facilitated the submittal of the Broward MPO Complete Streets grant for multimodal transportation improvements and was awarded \$1.3 million dollars.
- Presented proposed projects, processes, and policies during City Commission and Planning and Zoning Board meetings.

DUNAY, MISKEL, AND BACKMAN LLP. BOCA RATON, FL

JANUARY 2019-JANUARY 2020

ASSOCIATE

- Drafted land use and due diligence memorandum for large scale developments and planned unit developments.
- Drafted justification statements in support of land development entitlement applications.
- Provided thorough land use and zoning analysis in consult with clients.
- Attended local Commission and Planning Council Meetings in a legislative and policy monitoring capacity.

CITY OF LAUDERHILL. LAUDERHILL, FL

FEBRUARY 2017-JANUARY 2019

Community Development Manager

- Successfully lobbied the Broward County Commission for reconsideration and approval of a \$1,000,000.00 allocation to the City's Community Redevelopment Agency as part of the Broward Redevelopment Program.
- Tracked redevelopment specific legislation and formulated subject memorandum for internal dissemination.
- Provide land use and zoning analysis for redevelopment and new development Citywide.
- Manage both the City's Community Redevelopment Areas.
- Draft Community Redevelopment Area specific State and County grant proposals.
- Presented proposed projects, processes, and policies to City Commission and oversaw subsequent implementation.

FRANKLIN STREET REAL ESTATE SERVICES PLANTATION, FL

JULY 2016-FEBRUARY 2017

Retail Investment Sales Associate

- Facilitated Landlord – Tenant representation in commercial leasing
- Drafted tenant lease agreements.
- Conducted market velocity analysis.
- Transaction underwriting.

EDUCATION

Indiana University Maurer School of Law

BLOOMINGTON, IN

Juris Doctorate

MAY 2015

- Recipient of Indiana Law School Merit Scholarship
- Member of Black Law Student Association—Elections Committee, Barrister's Ball Committee
- Member of Black Law Student Association Mock Trial Team Spring 2015 semester
- Member of Latino Law Student Association
- Participant of Outreach on Legal Literacy (OLL)
- Admissions Fellow with the law school's admissions office during the 2013-2014 academic year

Indiana University School of Public and Environmental Affairs

BLOOMINGTON, IN

Bachelor of Science in Public Affairs

MAY 2011

Concentration on Legal Studies in Public Affairs; Minor in Management

- Recipient of Alpha Beta Award (Student Athlete maintaining at least a 3.2 GPA)
- Indiana University Football team, Running Back 3 Year Varsity Letter Winner 2008, 2009, and 2010
- Academic All-Big Ten 2008, 2009, and 2010
- Graduate of IU Emerging Leaders Program

KING'S COLLEGE

LONDON, ENGLAND

School of Public and Environmental Affairs Study Abroad Program

SUMMER 2011

Focus on regulatory reform in US and EU

YONSEI UNIVERSITY

SEOUL, SOUTH KOREA

School of Public and Environmental Affairs Study Abroad Program

JUNE 2010

Scholar in Global Citizenship and Government Policy

LICENSES AND MEMBERSHIPS

The Florida Bar

APRIL 2016 - PRESENT

- Member in good standing.

Urban Land Institute

- Member in good standing.
- Graduate of the ULI Leadership Institute (August 2022)

JANUARY 2022 - PRESENT

Florida Redevelopment Association

- Designated Florida Redevelopment Professional (FRA-P)

OCTOBER 2017 - PRESENT

Florida Real Estate Sales Associate License

- Licensed to represent clients in the purchase and disposition of real estate.
- Currently in Voluntary Inactive Status

JUNE 2016 - PRESENT

RERERENCES

Bernie Friedman
Shareholder
Becker and Poliakoff, P.A.
1 E. Broward Blvd., #1800
Ft. Lauderdale, FL 33301
954-328-9144

Hope Calhoun, Esq.
Partner
Miskel and Backman LLP
14 SE 4th St. #36
Boca Raton, FL 33432
954-494-5724

Russell Jacobs, Esq.
Managing Partner
The Jacobs Law Group.
20700 W. Dixie Hwy
Aventura, FL 33180
305-776-6500

Julie Medley
Executive Director
ULI Southeast Florida/Caribbean
500 W Cypress Creek Rd # 120,
Fort Lauderdale, FL 33309
954-817-9423