

TOWN OF OCEAN BREEZE
MINUTES SPECIAL TOWN COUNCIL MEETING
Thursday, February 27, 2025, 6:00 p.m.
Ocean Breeze Resort Clubhouse, Media / Maritime Room
700 NE Seabreeze Way, Ocean Breeze, FL

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

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

2. Proposed Resolution No. 359-2025 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE FINDING THAT FORESTAR (USA) REAL ESTATE GROUP, INC. HAS DEFAULTED UNDER THAT CERTAIN CONTRACT OF CONSTRUCTION OF REQUIRED IMPROVEMENTS AND INFRASTRUCTURE FOR OCEAN BREEZE WEST PLANNED UNIT DEVELOPMENT (PUD); AUTHORIZING A CLAIM (A “CALL”) UPON THE PERFORMANCE SURETY BOND FOR SAID INFRASTRUCTURE DEVELOPMENT; PROVIDING DIRECTIONS; AND PROVIDING FOR AN EFFECTIVE DATE – Kim Stanton read the title into the record.

Attorney Paul Nicoletti stated that at the February 10, 2025, Town Council meeting, staff was directed to bring this item before the Town Council as soon as possible for consideration. He gave a brief history regarding the Seawalk development infrastructure. He added that, if passed, he would contact Westchester Fire Insurance Company through its agents (Chubb Insurance) and send them a certified copy of the Resolution and the attachments. He stated that he had spoken to Attorney Will McFetridge, representing Forestar Development, regarding the situation.

Council Member Squires, seconded by Council Member Ciaschi, made a motion to adopt Resolution No. 359-2025.

President Docherty asked for comment from the public.

Liz Reese, 1363 NE White Pine Terrace, Ocean Breeze, thanked the Mayor and the Town Council on behalf of the Seawalk HOA and homeowners.

[start: verbatim transcription] Matthew Biondolillo, 2680 NE Breezeway Circle, and again I would like to congratulate the Town for moving forward with respect to this. It has been a long journey obviously for many of us in Ocean Breeze east as well as west right with respect to the construction that’s gone on. I would like to make one proposal for discussion as it relates to the wording within the Resolution...um...the Resolution, about midway through, describes required improvements and infrastructure...um...which I believe is accurate as well as consistent with the ah surety bond the performance bond...um...then, later on it mentions that the surety bond for said infrastructure development...um...my proposal would be to...um...strike out the word infrastructure because now it is a development if you will with you know 143 units so it is a pretty simple change but it is not an infrastructure development in my opinion...um...many of you know I work for the South Florida Water Management District. We do a lot of in...infrastructure projects (inaudible). That is my recommendation to the...uh...Council of Town of Ocean Board to strike out the word infrastructure (inaudible) word development. [end: verbatim transcription]

Attorney Nicoletti stated that he used the term “infrastructure” because that was the term used in the contract and in the bond itself. He added that Seawalk was unquestionably a development and that he did not believe that it would cause confusion to keep his wording within the Resolution.

(Roll call vote: Yes: Docherty, Kelley, Ciaschi, Galante, Heller, Squires; No: none; motion passed 6-0)

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

4. Adjourn – Council Member Galante, seconded by Council Member Squires, made a motion to adjourn the meeting at 6:45 p.m.

(All in favor: Yes: Docherty, Kelley, Ciaschi, Galante, Heller, Squires; No: None; Motion passed 6-0)

Respectfully Submitted,

Kim Stanton

Town Clerk

Minutes approved: April 14, 2025