

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

March 9, 2026, 10:30 a.m.
Ocean Breeze Resort Clubhouse Pineapple Bay Room
700 NE Seabreeze Way, Ocean Breeze, FL

PLEASE TURN OFF CELL PHONES

CITIZEN PARTICIPATION GUIDELINES

- Complete one “Request to Speak” card for each Agenda item on which you wish to comment.
- Please state your name and address and speak directly into the microphone.
- Comments shall be addressed to the Town Council as a body.
- Comments are limited to **3 MINUTES**.
- Speakers shall be respectful of other citizens, staff, and Council Members.
- People interfering with the orderly procedure of the Council may be removed from the meeting.

1. Call to Order, President Docherty

- Pledge of Allegiance
- Roll Call

2. Special Order of the Day: Charter Review Workshop Until 11:30 am – Dan Hudson, Town Management Consultant (Public comments to be heard at 11:30)

3. Approval of Minutes – Regular Meeting January 12, 2026
(Motion, second, all in favor)

4. Budget to Actual – Wendy Price (Memo from Holly Vath, Town Financial Consultant)

- Fiscal Year 2024-2025
- First Quarter 2025-2026

**5. ORDINANCE No. 374-2026 – Town Attorney Gemma Torcivia
AN ORDINANCE OF THE TOWN OF OCEAN BREEZE, FLORIDA, RELATING TO
CONDOMINIUM AND COOPERATIVE BUILDING SAFETY; REQUIRING REPAIRS TO
COMMENCE WITHIN 365 DAYS OF A PHASE II MILESTONE INSPECTION; AND FOR
OTHER PURPOSES.**

(Motion, second, roll call vote)

**6. Retroactive Confirmation FMIT Trustee Nomination for President Docherty –
Town Management Consultant, Dan Hudson**

**7. Confirm Martin County Sheriff’s Office Patrol Schedule –
Town Management Consultant, Dan Hudson**

8. Comments from the public on topics not on the Agenda

- 9. Comments from the Council on topics not on the Agenda – Committee Reports**
- 10. Comments from Town Management Consultant, Dan Hudson**
- 11. Comments from Town Attorney, Gemma Torcivia**
- 12. Comments from Mayor Ostrand**
- 13. Announcements** – Monday, April 13, 2026, at 6:00 p.m. – Regular Town Council Meeting will be held at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida.
- 14. Adjourn**
(Motion, second, all in favor)

To: Mayor & Council Members
From: Dan Hudson, Town Management Consultant
Subject: Special Order of the Day: Charter Review Workshop until 11:30am
Date: Council Meeting – February 9, 2026

Summary: Council is requested to review, discuss, and direct updates to the Town Charter.

Council Member George Ciaschi distributed a draft of Town Charter revisions at the January Town Council meeting. The Town Council directed the Charter Review be conducted as a workshop at the beginning of upcoming meetings and to set aside the first hour for the review.

The Charter Review Workshop is set as the Special Order of the Day on the agenda. This is a Robert's Rules procedure to set the start time and duration of a specific item of business. The time may be extended by majority vote of the Council, if desired.

Staff suggests the following guidelines for conducting the review:

1. Staff will facilitate and lead the review.
2. Council will proceed page by page of the initial draft. In addition to the changes noted in the draft, Council Members may interject any other items on each page.
3. Focus on material policy changes. Try not to word-smith by committee.
4. Many items can be addressed by consensus [e.g., reducing number of council seats to five].
5. Staff will ask for a straw vote if there are differing opinions on a topic.
6. Staff and attorneys will be available throughout for advice and input as required.
7. Attorneys will do final editing once the Council review is complete. This will include things like gender neutral wording, pagination, updating of archaic language, and similar edits.
8. Once the workshop review is complete, it will be scheduled for formal adoption, public comments, and referendum date.

Please note there are two election dates scheduled for 2026: Primary election August 18, 2026 and November 3, 2026.

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CHARTER OF THE TOWN OF OCEAN BREEZE



CHARTER OF THE TOWN
OF OCEAN BREEZE

ARTICLE I.

CORPORATE EXISTENCE, FORM OF GOVERNMENT, BOUNDARY, AND POWER

Sec. 1.01. Corporate Existence, Form of Government, and Charter.

The Town of Ocean Breeze in Martin County, Florida, which was created in accordance with the provisions of Chapter 165, Florida Statutes of 1959, shall continue as a municipal corporation with a Mayor-Council form of government and with this document as the charter for the Town.

Sec. 1.02. Description of Corporate Boundary.

The area described in Appendix A of this charter shall constitute the corporate boundary of the Town of Ocean Breeze.

Sec. 1.03. General Powers of the Town.

The Town shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes except as expressly prohibited by this charter or other applicable law.

Sec. 1.04. - Construction

The powers of the Town shall be liberally construed in favor of the Town, limited only by the constitution, general and special law, and specific limitations in this charter.

ARTICLE II.

THE MAYOR AND THE TOWN COUNCIL

Sec. 2.01. The Form of Government.

The Town of Ocean Breeze shall operate under the Mayor-Council form of government, consisting of a mayor and **six five** councilmen, each of whom shall be residents of the Town registered to vote and shall be elected by the people, as hereinafter provided in this charter.

Sec. 2.02. General Powers of the Town Council.

All powers of the Town shall be vested in the Town Council except those powers given herein to

the Mayor, the Town Clerk, heads of departments or specifically reserved by this charter to the electors of the town.

Sec. 2.03. The Mayor.

A. Powers. There shall be a Mayor. The Mayor is the chief executive officer of the Town. ~~The Mayor shall not receive a salary for service as Mayor.~~ The mayor shall:

- 1) Enforce the laws and ordinances of the Town and see that peace, good order, safety and good morals are preserved within the Town.
- 2) Recommend to the Town Council any measures which the Mayor deems necessary and expedient for the proper governance and management of the Town.
- 3) Oversee the departments of the Town government, and the operations of the Town Clerk.
- 4) Execute or veto ordinances and resolutions submitted to the Mayor for approval.
- 5) Make appointments to boards, commissions, or other agencies, and hire employees to fill vacancies in the office of Town Clerk and the departments of the Town government, which appointments and hiring may be subject to subsequent confirmation by the Town Council, if required by ordinance.
- 6) Negotiate and execute contracts with employees and independent contractors, set salaries or other compensation for department heads, independent contractors, and employees of the Town, which contracts and salaries may be subject to subsequent confirmation by the Town Council, if required by ordinance.
- 7) Dismiss employees of the Town, terminate contracts with independent contractors, remove those serving in the office of Town Clerk and other departments of the Town government, and remove those serving on boards, commissions or other agencies of the Town government, which dismissal or removal may be subject to subsequent confirmation by the Town Council, if required by ordinance.
- 8) Attend meetings of the Town Council.
- 9) Recommend an annual budget.
- 10) Execute contracts, deeds and other legal instruments on behalf of the Town upon direction from the Town Council.
- 11) Perform ceremonial duties on behalf of the Town.
- 12) Exercise such other duties and have such other powers as may be necessary or appropriate to perform the functions of the chief executive officer of the Town.

B. Execution of Ordinances and Resolutions. All ordinances and resolutions passed by the Town Council shall be submitted before going into effect, to the Mayor or person acting as such, for the Mayor's approval. If approved, the Mayor shall sign the same, when it shall become a law. If disapproved, the Mayor shall return the same with ~~his the~~ objections in writing to the Town Council, at their next regular meeting, who shall cause the same to be entered in full upon the

record of their proceedings, and proceed to consider the Mayor's objections, and to act upon the same. If, upon consideration, the Town Council shall pass the same by a two-thirds vote of the members present, which vote shall be entered upon the records, the ordinance or resolution shall then become a law, the Mayor's objections to the contrary notwithstanding. Any ordinance which shall not be returned to the Town Council at the next regular meeting of the Council after its passage, shall become a law in like manner as if signed by the Mayor or person acting as such.

Sec. 2.04. The Town Council.

There shall be a Town Council. The Town Council is the legislative body of the Town. The Town Council shall be composed of ~~six~~ five councilmen. ~~No councilman shall receive a salary for service as councilman.~~ The Town Council shall:

- 1) Pass and adopt such ordinances and resolutions as may be necessary and expedient for the proper governance and management of the Town.
- 2) Create or abolish departments, boards, commissions or other agencies of the Town government, excluding the offices of Mayor and Town Clerk. The foregoing power to abolish shall only be exercised pursuant to the unanimous vote of Town Council.
- 3) Confirm or reject the mayoral appointments, contracts with employees and independent contractors, and salaries set by the mayor, if required by ordinance.
- 4) Hold meetings at least once a month.
- 5) Exercise such other duties and have such other powers as may be necessary and appropriate to perform the function of the legislative body of the Town.

Sec. 7.07. Recall.

Any member of the Town may be removed from office by the electors of the Town following the procedures for recall established by general law.

State law reference(s)—Recall of municipal officials, F.S. § 100.361.

Sec. 2.05. Town Council Meetings.

- A) Time and Place. The Town Council shall meet regularly at least once a month at such time and place as the Town Council may prescribe by ordinance. A special meeting may be held at the call of the Mayor, or at the request of a majority of the councilmen and, whenever practicable, shall provide for ~~not less than twelve (12) hours'~~ notice to each member and the public shall be informed thereof ~~over the Town's loudspeaker system or~~ as otherwise provided by ordinance.

Sec. 7.08. Quorum requirements and voting rules.

- (a) Quorum. A majority of the Town Council shall constitute a quorum.

(b) Voting. Voting on ordinances and resolutions shall be by roll call, which vote shall thereafter be recorded by the Town clerk in the minutes. The Town Council shall vote on all other matters as provided in its rules of procedure.

~~B) Quorum and Rules. A majority of the Town Council shall constitute a quorum.~~

Sec. 2.06 The President of the Council.

At the first meeting after ~~the a Town Council Election~~ annual election the Town council shall elect a President and a Vice- President from among its members. The Mayor shall not be president of the Town Council. The President shall preside over meetings of the Town Council. In the absence of the President, the Vice-President shall preside. In case of the absence of the Mayor for any reason including but not limited to, sickness, disability or death, the President shall act as mayor for the time being and while so acting shall be disqualified from presiding over the council. During the Mayor's absence, the Vice-President shall become acting President. In the absence of both the Mayor and the President, the Vice-President shall act as Mayor and the Town Council shall elect a president pro term who shall preside during the absence of the Mayor and the President.

Sec. 2.07 Vacancies, Filling of Vacancies.

A) Vacancies. The office of a councilman shall become vacant in accordance with general law or if a Councilman is absent from four (4) ~~consecutive~~ regular Town Council meetings within their term without being excused by Town Council prior to the fourth ~~consecutive~~ absence within their term.

B) Filling of vacancies. A vacancy on the Town Council shall be filled by a majority vote of the remaining members of the Town Council. Any person appointed by the Town Council to fill a vacancy shall hold office for the duration of the remainder of the unexpired term of the office being filled. If at any time the membership of the Town Council is reduced to less than a quorum, the remaining member or members may by majority vote appoint additional members in conformity with this section or shall call for a special election to be held within sixty (60) days from the date of the vacancy which reduced the Town Council to less than a quorum. In the event that all seats on the Town Council become vacant, the Mayor shall appoint an interim Town Council which may serve until the next regular election, and in the absence of such appointments by the Mayor, the governor shall appoint the interim Town Council.

ARTICLE III.

ADMINISTRATION

Sec. 3.01. Administrative Offices and Departments.

There shall be such administrative offices and departments as are deemed necessary and appropriate to carry out the functions of the Town. All persons serving in administrative capacities shall serve at the pleasure of the Mayor, subject to confirmation by the Town Council, if required

by ordinance.

Sec. 3.02. The Town Clerk.

There shall be a Town Clerk. The Town Clerk shall:

1. Attend meetings of the Town Council and keep the minutes of its proceedings.
2. Be custodian of this Charter, the Seal and all records of the Town.
3. Perform municipal bookkeeping functions.
4. Supervise municipal elections.
5. Keep the Town Council informed about Town business.
6. Recommend to the Town Council any measures which the Town Clerk deems necessary and expedient for the proper governance and management of the Town.
7. Act as a liaison between the Mayor, Town Council and the departments of the Town.
8. Authenticate by signature all ordinances, resolutions, and other city documents.
9. Perform such other duties as may be delegated or assigned by the Mayor or the Town Council.

Sec. 3.03. Town Attorney.

The Town shall hire such attorney, or attorneys, as may be deemed necessary, from time to time, to represent and advise the Town regarding its legal business, and to perform such professional duties as may be required. The Town attorney shall be admitted to the practice of law in the State of Florida, and shall be the legal advisor to and attorney for the town. The Town attorney shall prosecute and defend all suits, complaints, and controversies for and on behalf of the city, unless otherwise directed by the commission, and shall review all contracts, bonds and other instruments in writing in which the town is to be a party, and shall endorse on each approval as to form and legality. The town attorney shall be appointed on merit and fitness alone and without regard to political beliefs.

Sec. 3.04. Departments.

A. Town Manager. The Town may hire a Town Manager who shall attend Town meetings; act as a liaison to the other departments of the Town; keep the Town informed with regard to Town business; and perform such duties as may be delegated or assigned by the Mayor, the Town Clerk or the Town Council. The Mayor & Town Council shall appoint a Town manager. The Town manager shall be responsible for the efficient administration of all the departments except for those under the control of the other charter officer. The Town manager shall be appointed on the basis of merit and fitness alone and without regard to political beliefs.

B. Town Engineer. The Town may hire a Town Engineer, or engineers, who shall perform such duties as may be delegated or assigned by the Mayor, the Town Clerk or the Town Council.

C. Town Planner. The Town may hire a Town Planner, or planners, who shall assist the Town in its planning and zoning functions and perform such other duties as may be delegated or assigned

by the Mayor, the Town Clerk, or the Town Council.

D. **Town Auditor.** The Town may hire a Town Auditor, or auditors, who shall perform financial and compliance audits; assist the Town with its accounting needs; perform such other functions as may be delegated or assigned by the Mayor, the Town Clerk, or the Town Council.

E. **Other Departments.** There shall be such other departments as may be created, from time to time, by the Town Council. Nothing herein shall be deemed to prohibit the Town Council from abolishing any of the aforementioned departments, pursuant to Section 2.04(2) of this Charter.

Sec. 4.01. Boards and committees [created].

The Town council may create boards and committees as it deems necessary. The members of all boards and committees shall serve without pay, shall consult with and advise the Town Council, Mayor and the various departments, and shall perform all duties and powers prescribed by ordinance or resolution.

ARTICLE IV.

ELECTIONS

Sec. 4.01. Electors.

Any person who is a resident of the Town, who has qualified as an elector of the State of Florida, and who registers in the manner prescribed by law, shall be an elector of the Town.

Sec. 4.02. Nonpartisan Elections.

All elections for the offices of Mayor or Town Councilman shall be conducted on a nonpartisan basis without any designation of political party affiliation and those elected shall be chosen at large by the electors of the Town.

Sec. 4.03. Qualifying.

No less than thirty (30) days before the election, candidates for the offices of Mayor or Town Councilman shall qualify by filing a written notice of candidacy with the Town Clerk, taking and subscribing to an oath or affirmation substantially in the form required by ordinance.

Sec. 4.04. Elections.

- (a) In years when there is a state primary election, that shall be the date upon which the regular municipal election shall be held. In years when there is no state primary election, the regular municipal election shall be held on the date when a state primary election would have occurred, had a state primary election been held, that is, calculated the same as provided by general law.

- (b) A runoff election, when necessary, shall be held on the day designated to be the state general election day. In years when there is no state general election, the runoff election shall be held on the date when a state general election would have occurred, had a state general election been held, that is, calculated the same as provided by general law.
- (c) Any matter which by the terms of this charter may be submitted to the electors of the city at any special election may be submitted and voted upon at a regular or runoff election.
- (d) Election procedures.

Regular municipal elections shall be held each year every two years on the ~~third Tuesday in December~~ first Tuesday in November or such other date as may be prescribed by ordinance. The election of Town Councilmen for a term of ~~two~~ four years shall be conducted so that three members shall be elected every even-numbered state primary year and ~~three~~ two members shall be elected every odd-numbered non-state primary year. The election of the Mayor for a term of ~~two~~ four years shall be held every even-numbered state primary year. In any election the candidate receiving the greatest number of votes shall be elected. ~~In the event of a tie vote the office shall be deemed vacant and the vacancy shall be filled by vote of the Town Council. In the event a candidate for any office is unopposed, such candidate shall be considered as elected without the formality of presentation of his candidacy to the electorate as otherwise provided herein.~~

In the event of a tie in any of the following situations:

- (a) Where there are only two or more candidates in a given regular election;
 - (b) Where there are two or more candidates in a given group in a runoff election;
 - (c) Between any candidate receiving the same number of votes as another candidate where the effect would be to prevent only two or more candidates from occupying places in the runoff election; the same shall be decided by drawing a winner from a box containing the names of the appropriate candidates, said procedure shall be open to the public, and conducted by the Town clerk not less than five (5) days subsequent to the meeting of the canvassing board as provided hereinafter;
 - (d) Unopposed candidates. In the event a candidate for the office is unopposed, such candidate shall be considered duly elected without the formality of presentation of his candidacy to the electorate and as otherwise permitted by law.
5. Special elections. Special municipal elections shall be held in the same manner as regular elections except that the Town Council, by resolution, shall fix the date for holding such special elections.
6. Public notice. All elections held pursuant to this charter shall have at least thirty (30) days' notice of election or referendum by publication in a local newspaper. The publication shall be made at least twice, once in the fifth week and once in the third week prior to the week in which the election or referendum is to be held.

Sec. 4.05. Oath of Office.

After election or appointment and before taking office, the Mayor and each Town Councilman, in addition to any other oath required pursuant to Florida Law, shall swear or affirm:

"I do solemnly swear (or affirm) that I will support, honor, protect and defend the Constitution and Government of the United States of America and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State and under the Charter of the Town of Ocean Breeze; and that I will faithfully perform the duties of (title of office) to the best of my abilities, so help me God.

ARTICLE V.

FISCAL POLICY AND BUDGET ADOPTION

Sec. 6.01. Fiscal policy.

The Mayor & Town Council shall review and adopt an annual fiscal policy for the Town about April 1 of each year. The fiscal policy shall clearly state the parameters within which the Town manager shall recommend the annual budget for Town Council consideration. The fiscal policy shall be supported by documentation of historic patterns of revenues and expenditures and future projections of revenues and expenditures.

Sec. 5.01. Budget Adoption.

The Town Council shall adopt an annual budget for the Town by resolution or ordinance before October 1 of each year. A resolution or ordinance adopting an annual budget shall constitute appropriations of amounts specified as expenditures from the funds indicated and shall constitute a levy of the property tax proposed, if any.

ARTICLE VI.

CHARTER AMENDMENTS

Sec. 6.01. Charter Amendment.

This Charter may be amended in accordance with the provisions for Charter Amendments as specified in the Florida Statutes. The form, content and certification of any petition to amend submitted by the electors shall be established by ordinance. Any provisions hereof which the laws of Florida permit to be amended by ordinance alone shall be subject to such amendment.

Sec. 6.02. Future amendment of the Charter

The Town Council shall meet at least once every decade to consider whether amendment of the Charter would be in the best interest of the Town. The Town Council may appoint a Charter review board of residents to advise the Town Council on such Charter amendment. The Town Council shall submit to the electors proposed amendments of the Charter in a manner in accordance with State laws.

ARTICLE VII

TRANSITION

Sec. 7.01. Repeal of Former Charter Provisions.

All charter provisions in effect prior to the effective date of this Charter are hereby repealed except those provisions regarding the establishment of the municipal corporation known as the Town of Ocean Breeze.

Sec. 7.02. Ordinances Preserved.

All ordinances in force on the effective date of this Charter, to the extent not inconsistent with it, shall remain in force until repealed or amended.

Sec. 7.03. Pending Matters.

No rights, claims, actions, contracts, or legal or administrative proceedings existing on the effective date of this Charter which involve the Town shall be affected by the adoption of this Charter.

Sec. 7.04. Continuation in Office.

The Mayor and Councilmen shall continue to hold their offices for the term to which they were elected or appointed and to discharge their duties until their successors are elected and take office.

Sec. 7.05. Effective Date.

This Charter shall become effective on the 17th day of December, 1991.

NOTE: The effective date of revisions to Article II, Sec. 2.03 A) 9 and Section 2.05 B) was December 18, 2001.

NOTE: The effective date of revisions to Article II Sec. 2.03 A) 9; Article 11, Sec. 2.05 B); and Article IV. Sec. 4.03 was December 16, 2003.

NOTE: The effective date of revisions to the Charter removing the word "Park" from the name of the Town was December 18, 2012.

NOTE: The effective date of revisions to Article II, Section 2.07 B) was December 20, 2016.

Town Clerk

From: pnicoletti@comcast.net
Sent: Tuesday, January 6, 2026 2:44 PM
To: Town Clerk; Dan Hudson
Cc: Gemma Torcivia
Subject: Re: Charter amendments

Pam:

A few types of Charter amendment (legal descriptions, employee departments; judicially excluded language) may be done by ordinance alone, but anything that affects the conditions or terms of elected officials, must be approved by referendum. Here is the main statute:

166.031 Charter amendments.—

(1) The governing body of a municipality may, by ordinance, or the electors of a municipality may, by petition signed by 10 percent of the registered electors as of the last preceding municipal general election, submit to the electors of said municipality a proposed amendment to its charter, which amendment may be to any part or to all of said charter except that part describing the boundaries of such municipality. The governing body of the municipality shall place the proposed amendment contained in the ordinance or petition to a vote of the electors at the next general election held within the municipality or at a special election called for such purpose.

(2) Upon adoption of an amendment to the charter of a municipality by a majority of the electors voting in a referendum upon such amendment, the governing body of said municipality shall have the amendment incorporated into the charter and shall file the revised charter with the Department of State. All such amendments are effective on the date specified therein or as otherwise provided in the charter.

(3) A municipality may amend its charter pursuant to this section notwithstanding any charter provisions to the contrary. This section shall be supplemental to the provisions of all other laws relating to the amendment of municipal charters and is not intended to diminish any substantive or procedural power vested in any municipality by present law. A municipality may, by ordinance and without referendum, redefine its boundaries to include only those lands previously annexed and shall file said redefinition with the Department of State pursuant to the provisions of subsection (2).

(4) There shall be no restrictions by the municipality on any employee's or employee group's political activity, while not working, in any referendum changing employee rights.

(5) A municipality may, by unanimous vote of the governing body, abolish municipal departments provided for in the municipal charter and amend provisions or language out of the charter which has been judicially construed, either by judgment or by binding legal precedent from a decision of a court of last resort, to be contrary to either the State Constitution or Federal Constitution.

(6) Each municipality shall, by ordinance or charter provision, provide procedures for filling a vacancy in office caused by death, resignation, or removal from office. Such ordinance or charter provision shall also provide procedures for filling a vacancy in candidacy caused by death, withdrawal, or

removal from the ballot of a qualified candidate following the end of the qualifying period which leaves fewer than two candidates for an office.

History.—s. 1, ch. 73-129; s. 1, ch. 86-95; s. 1, ch. 90-106; s. 43, ch. 90-315; s. 45, ch. 94-136.

Please let me know if you have any questions.

Paul

Paul J. Nicoletti | Attorney at Law

Of Counsel: TG Law PLLC, West Palm Beach, Florida
Board Certified in City County and Local Government Law
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From: Town Clerk <townclerk@townofoceanbreeze.org>

Sent: Monday, January 5, 2026 2:26 PM

To: Dan Hudson <dHUDSON@Townofoceanbreeze.org>

Cc: Gemma Torcivia <gtorcivia@tgjustice.com>; Paul Nicoletti <pnicoletti@comcast.net>

Subject: RE: Charter amendments

It was my understanding (and I may be wrong) that certain articles in the Charter could only be amended by Ordinance. I am uncertain of which they are, but it is a question for the attorneys.

Pam Orr

Town Clerk

Permit Processor



P. O. Box 1025
Jensen Beach, FL 34957
772-334-6826 Office
772-807-2557 Cell

From: Dan Hudson <dHUDSON@TownofOceanBreeze.org>
Sent: Monday, January 5, 2026 10:34 AM
To: Town Clerk <townclerk@townofOceanBreeze.org>
Subject: Charter amendments

You have mentioned that Rick Crary always spoke about ordinances which amended the Charter...

Attached are 4 ORDN's that I think you gave me relating to the Charter. Are these the only ones or are there others?

Thx
Dan

Dan Hudson
Town Management Consultant
Town of Ocean Breeze
772.233.1396
dHUDSON@TownofOceanBreeze.org

Town Clerk

From: Paul Nicoletti <pnicoletti@tgjustice.com>
Sent: Tuesday, January 6, 2026 2:55 PM
To: Richard Tranter
Cc: Gemma Torcivia; Dan Hudson; Terry O'Neil; Town Clerk
Subject: AutoZone Development at Ocean Breeze Plaza

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

Hello, Richard and Happy New Year!

I heard yesterday from Scott Montgomery, P.E., Town Engineer that he anticipates receiving a new plat submittal from the developer which makes some minor adjustments. He said he would review it without delay. I will also need a copy of the proposed plat to review any easements and other dedications for legal sufficiency, and assuming they are, the Mayor can then sign it, and you should have an approved final plat ready for recording within a few days.

I have discussed the development agreement issue with the OB staff and we believe we can conditionalize the issuance of a development permit such that it does two major things:

1. No permit can or will be issued unless and until the Town is satisfied that the drainage system is being repaired to operate properly; this has been understood (and we believe was agreed by P-E from the beginning). If that is not the case, the Town may have to explore enforcement actions to require repair of the system prior to the issuance of any further permits... which we don't want to do.
2. The issue of the realignment of the ingress/egress to NE Skyline Drive needs to be resolved. This is somewhat delicate... years ago there was a segment of adjacent (non-Town) residents who didn't want a normal intersection with Hilltop St., and they prevailed upon Martin County to have the existing intersection created. Years later, the Town now has residents in the Sea Walk neighborhood who do want the ability to make a safe left hand turn out of the shopping center onto Skyline Drive to return to their neighborhood. This of course would require a minor reconfiguration of the intersection, and what looks like the potential loss or relocation of a few parking spaces. I don't know at this point, how it would affect the Plat, if at all.



All of the other matters of concern are consistent with and can be provided as notes on the Development Permit. They include, (but may not be limited to) the following or similar language to accomplish the following:

1. Any minor plat amendments required would be at the expense of the developer;

2. Town Ordinance #181 requires payment of the Town's costs to administer the permitting (already being done);
3. Site permitting requires review by the Town Engineer;
4. Construction permitting fees are based upon the value of construction (estimated at \$600k by the developer) and are the adopted fees by the Town;
5. Building permit application will be reviewed by the Town's Building Official, but building inspections will be completed and ultimately approved by a private provider approved by the Town and hired by the developer;
6. Once building permits are approved; no additional permits will be required except for signage, which will be submitted for approval by the Town;
7. The developer and the owner shall continue to operate the Plaza as one unified development;
8. Parking will continue to be arranged and based upon and 5.5 parking spaces per thousand square feet of building area;
9. Impact fee credits from Martin County will likely be allowed in the approximate amount of \$102,000, based on the replacement of square footage; and the Plaza and County shall designate the allocation and apportionment of the impact fee credits among the 3 properties, and advise the Town accordingly;
10. No "open-air vehicle repairs" shall be permitted by Auto Zone, and P-E shall assure compliance with this requirement by an appropriate and enforceable rule, covenant, or deed restriction.

These are the issues of which I am aware, but the Building Official, the Permit Processor, and the Town Engineer may have other issue that will produce notes on the permitting documents. Please let me know if you have any questions about this email. Thank you.

Paul J. Nicoletti, of Counsel
TG Law PLLC
Mobile: (772) 260-3276
Fax: (772) 600-5581
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tgjustice.com

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

Monday, January 12, 2026, at 6:00pm
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 pm

- **Pledge of Allegiance** – Mayor Ostrand led the Pledge of Allegiance
- **Roll Call** – Present: Mayor Karen M. Ostrand; President Kevin Docherty; Vice President George Ciashi; Council Members, Sandy Kelley, Janet Galante, Margaret Pugsley, and Gail Balogna
- **Staff Present** – Town Management Consultant, Dan Hudson; Town Attorney, Gemma Torcivia; Town Clerk, Pam Orr; Town Bookkeeper, Wendy Price

2. Approval of Minutes

President Docherty asked Council Members if there were any changes to the December 8, 2025, regular meeting minutes.

Council Member, Galante suggested changes to the regular meeting minutes from December 8, 2025. Council Member Galante, seconded by Vice President Ciashi, made a motion to approve the December 8, 2025, regular meeting minutes with changes.

(All in Favor: Yes: Docherty, Ciaschi, Galante, Balogna, Pugsley, Kelley; No: None; **Motion Passed 6-0**)

President Docherty asked Council Members if there were any changes to the September 24, 2025, Final Budget and Millage Rate Hearing meeting minutes.

Council Member, Galante suggested changes to the September 24, 2025, Final Budget and Millage Rate Hearing meeting minutes.

Council Member Galante, seconded by President Ciaschi, made a motion to approve the September 24, 2025, Final Budget and Millage Rate Hearing minutes.

(All in Favor: Yes: Docherty, Ciaschi, Galante, Balogna, Pugsley, Kelley; No: None; **Motion Passed 6-0**)

3. Board and Agencies Appointments – Town Management Consultant, Dan Hudson, asked Council Members to volunteer for vacant/unassigned appointments to various committees and boards.

Mayor Ostrand stated that the Jensen Beach Neighborhood Advisory Committee (NAC) informed her that there was a vacant position on the Board and that she would follow up to see if a liaison was also needed.

All vacancies were discussed and were filled by Council Members.

President Docherty asked Town Clerk, Pam Orr, to forward the Jensen Beach News Biz to all Council Members in the future.

Council Member Galante, seconded by Vice President Ciaschi, made a motion to approve the list of appointees to the various vacant positions on Committees and Boards.

(All in Favor: Yes: Docherty, Ciaschi, Galante, Balogna, Pugsley, Kelley; No: None; **Motion Passed 6-0**)

4. Charter Review Discussion and Set Workshop Date – Town Management Consultant, Dan Hudson proposed scheduling a date for a Charter review Workshop. Mr. Hudson continued that Vice President Ciaschi had taken a leadership role and had drafted some suggested changes to the Charter.

Vice President Ciaschi recommended discussing the Charter review at the end of each of the monthly meetings.

Mr. Hudson suggested doing the review at the beginning of each meeting so Council Members would be fresh to discuss issues.

Pam Orr, Town Clerk, asked for clarification if this would be the first item to be discussed at the beginning of each monthly meeting and that Council Members would not come in early to discuss the Charter.

Mr. Hudson suggested setting a specified time period per meeting to discuss the charter review.

Council Member Kelley inquired as to whether the discussions regarding the charter review would be open to the public.

Mr. Hudson confirmed that they would be open to the public.

President Docherty asked for comments from the public.

Liz Reese, 1363 NE White Pine Terrace, inquired as to whether it would make a difference if Seawalk stayed or if they de-annexed from the Town, in the discussions regarding the charter review.

Mr. Hudson replied that Seawalk was part of the Town and therefore should be considered in anything that the Board would decide whether now or in the future. He went on to explain that the Charter defined the structure of the Council/Government and who the Officers. He continued that the Council would pass ordinances on items in which they needed to be involved, either from a regulatory or a support or other advisory measure. Mr. Hudson further stated that the final level would be the budget to do whatever the Council had directed.

Council Member Kelley expressed concerns regarding following through with the charter review with the possibility of Seawalk de-annexing from the Town.

Council Member Galante clarified that going forward, the charter review would be the first item discussed following the roll call.

5. Comments from the Public on topics not on the Agenda

Melissa Heller, 2760 Breezeway Circle, expressed her concerns regarding the inaccuracy of the Seawalk close out matrix and asked that an updated matrix be included in the February 9, 2026, meeting agenda packet.

Mayor Ostrand commented that any paid person that had told residents that they were not allowed to attend a walk-through on the property should not prevent a resident from leaving their home and walking over to talk to them.

6. Comments from the Council on topics not on the Agenda

Council Member Galante stated that the end of the year budget should be added to the agenda for discussion.

Pam Orr, Town Clerk, clarified that the 1st quarter fiscal year Budget to Actual Report dated October – December 2025 that was received by Council Member Galante was a draft. Ms. Orr further stated that Town Financial Consultant, Holly Vath, must review and approve it before it was final.

Council Member Galante stated that Mr. Stroud should not be able to have input on the Town holding Zoom meetings as he does not attend meetings. Council Member Galante stated that residents had displayed interest to her for this service.

Town Clerk, Pam Orr, commented that the Town was currently waiting on estimates to incorporate Zoom or live streaming into monthly meetings.

Council Member Kelley stated that she appreciated Mr. Stroud's input that if there was no equipment currently available to perform Zoom meetings, the Town would have to invest in purchasing the equipment needed.

Vice President Ciaschi commented that he was currently reviewing the Charter and that copies of the Charter had been supplied to all Council Members as well as the Mayor.

Vice President Ciaschi stated that he recently attended the NAC/CRA meeting and that the residents were having many problems with Martin County. He commented that he approached them regarding annexing into the Town and added that many business owners seemed to be interested.

Vice President Ciashci stated that the drainage system on Maple Street would be repaired and that the road would be torn up while they put in new sewer systems. He continued that the project was out for bid and should be approximately 3 – 6 months for them to get an answer. He added that after the drainage repairs on Maple Street they would be moving forward with improvements for the circle, the directions and the arrows.

Mayor Ostrand commented that six years ago the Town spent \$5,000 on plans that addressed safety issues in the traffic circle. She stated that the report had been submitted to Martin County three times and that the Engineers admitted that the Town was correct on the safety issues. She continued that she spoke to the Director of Community Development for Martin County and that she had asked her to email her the report.

Mayor Ostrand stated that the sidewalk on river side was collapsing. She continued that she would call the local television news station and have them report on the issue.

Vice President Ciaschi mentioned that the Developer near Church Street would be giving 30 feet of their property to the roadway for parking on both sides of the street.

Vice President Ciaschi would like the Council to do their due diligence in researching if all of the expenses that have happened in the Town are necessary and if the Town was getting them at the lowest cost possible. He recommended that each month, time be spent discussing and examining each line item to make certain it was being done efficiently and if they were needed. He added that when all items had been discussed and reviewed, the Council could then illustrate to the residents and the Town that the Council was doing everything necessary to run the Town in the most cost-effective manner possible.

Council Member Galante asked for an update on the Indian River crosswalks.

Town Management Consultant, Dan Hudson, responded that there was a memo in the packet from Leo Giagrande, P.E. with an update on the Indian River crosswalks.

Council Member Galante recommended getting an update to the public regarding the 6% increase in the utility tax.

Mayor Ostrand stated there was not an exact date on when the utility tax would be added to the resident's monthly bill and added that it would most likely be in February, but the Town had not received that information from FP&L.

President Docherty stated that Data Centers would be coming to the area and added that these may affect the Town's bills in the future.

President Docherty stated that the State was continuing to try to eliminate property taxes.

President Docherty recommended that the residents of Seawalk write letters to their State Legislature opposing the elimination of property taxes.

President Docherty stated that sovereign immunity would directly affect the Town. He continued that the Town paid \$28,000 per year for liability coverage. He remarked that the State would increase liability to \$500,000 per person and \$1,000,000.00 per incident which would substantially increase the Town's premium each year.

7. Comments from Town Management Consultant, Dan Hudson – Mr. Hudson commented that the Town was making progress on the Seawalk close out and that there were three remaining issues.

He discussed the costs that may be involved in incorporating Zoom into the monthly Town meetings.

Council Member Galante inquired as to whether there were companies that would run Zoom meetings for Towns.

Town Management Consultant, Dan Hudson replied that Sewall's Point had a consultant that ran their Zoom meetings. He stated that the Town had reached out to different vendors to secure quotes.

Pam Orr, Town Clerk, reported that the Town's webmaster, Impactful Media, would also be providing a quote.

Mr. Hudson suggested putting a notice on the Town's website to inform residents of the upcoming Florida Power & Light increase in their utility bill. He requested a copy of a current bill from a Council Member to review.

President Docherty stated he would provide him a copy of his utility bill.

8. Comments from Town Attorney, Gemma Torcivia – Attorney Torcivia encouraged everyone to attend the Legislative Action Days in Tallahassee to voice their concerns if they were able.

President Docherty inquired as to which side, as our Town Attorney, does she side with; the State who wants to increase Sovereign Immunity or the Town's who would like to limit it.

Attorney Torcivia responded that it was a terrible bill and she was definitely in opposition of it.

9. Comments from Mayor Ostrand – Mayor Ostrand stated that she would be in Tallahassee on January 26, 2026. She commented that she would be there to fight against the sovereign immunity legislative bills.

Council Member Galante commented that after receiving the AutoZone landscaping plan, she would like to be more involved in the AutoZone project.

Town Clerk, Pam Orr, replied that Mr. O'Neil, the Town's Planning Consultant, had encouraged any Council Member to reach out to him if they had any questions regarding the AutoZone project.

Mayor Ostrand commented that when dealing with businesses, zoning and locations, the Town was dealing with private property, it is not Town of Ocean Breeze property. She continued that the Town could be involved and make suggestions, however the Town did not have the authority for a final say.

13. Announcements – President Docherty announced the next Regular Town Council meeting would be held on Monday, February 9, 2026, at 10:30 a.m. at the Ocean Breeze Resort Clubhouse, Pineapple Bay Room, 700 NE Seabreeze Way, Ocean Breeze, Florida.

14. Adjourn

Council Member Galante, seconded by Council Member Kelley, made a motion to adjourn the meeting at 7:20 p.m.

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

Respectfully submitted,

Pam Orr

Pam Orr, Town Clerk

Approved _____

Memorandum

TO: **TOWN COUNCIL AND MAYOR**

FROM: **HOLLY VATH, FINANCIAL CONSULTANT**

SUBJECT: **QUARTERLY FINANCIAL REPORT**

DATE: **FEBRUARY 9, 2026**

Attached is the quarterly financial report for the first quarter of fiscal year 2026.

Revenue

The total budgeted revenues were \$139,640, the Town received \$117,653 which is \$21,986 less than budgeted. ½ Cent sales tax remains below budget. There is a one-month lag in this revenue, so we anticipate receiving the budgeted revenue. Building permit revenue is also below budget. Interest income is also below budgetary expectations. With the reduction in the federal funds rate, the FL Class 30-day yield has dropped to 3.83% from 4.46% last year.

Expenditures

The total budgeted expenditures through December 31, 2025, were \$104,791. The Town spent \$83,491 which is \$21,300 less than budgeted. Accounts of special note are the two Code Compliance accounts. The Code Compliance Legal account is significantly over budget. This continued trend may cause the 2026 spending to exceed the 2026 budget. The estimated undesignated reserves for 2026 year end are \$94,836. This leaves little room for 2026 overspending. A significant amount of time has been spent on resolving the outstanding PUD items at Seawalk. The positive net income will reverse with the utilization of \$42,086 of budgeted reserves.

Town of Ocean Breeze General Fund Profit & Loss Budget vs. Actual October through December 2025

	Oct - Dec 25	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
6001 · Taxes from other Governments				
312300 · State Fuel Tax	13,813.00	11,225.01	2,587.99	123.1%
312410 · Local Option Gas Tax	0.00	0.00	0.00	0.0%
312420 · New Local Option Gas Tax	0.00	0.00	0.00	0.0%
314160 · Electric Utility Tax	0.00	13,350.48	-13,350.48	0.0%
314200 · Local Communications Svc Tax	1,832.66	1,662.48	170.18	110.2%
335120 · State Revenue Sharing	5,827.53	4,775.00	1,052.53	122.0%
335140 · Mobile Home Tags	672.25	775.02	-102.77	86.7%
335150 · Alcoholic Beverage Licenses	0.00	575.01	-575.01	0.0%
335180 · 1/2 Cent Sales Tax	12,813.86	21,124.98	-8,311.12	60.7%
335190 · 1/2 Cent Infrastructure Tax	10,211.07	20,000.01	-9,788.94	51.1%
Total 6001 · Taxes from other Governments	45,170.37	73,487.99	-28,317.62	61.5%
6002 · Licenses & Permits				
322000 · Building Permits	3,082.73	5,000.01	-1,917.28	61.7%
338200 · Occupational Licenses	70.69	125.01	-54.32	56.5%
Total 6002 · Licenses & Permits	3,153.42	5,125.02	-1,971.60	61.5%
6004 · Investment & Other Earnings				
361000 · Interest Income	3,859.08	5,000.01	-1,140.93	77.2%
Total 6004 · Investment & Other Earnings	3,859.08	5,000.01	-1,140.93	77.2%
6005 · Ad Valorem Revenue				
312100 · Ad Valorem	65,470.70	69,378.00	-3,907.30	94.4%
Total 6005 · Ad Valorem Revenue	65,470.70	69,378.00	-3,907.30	94.4%
Total Income	117,653.57	152,991.02	-35,337.45	76.9%
Expense				
6101 · General Government				
513150 · Gross Payroll	21,617.25	25,740.00	-4,122.75	84.0%
513297 · Grant Management Consultant	0.00	0.00	0.00	0.0%
513301 · Management Consultant	3,546.88	7,000.00	-3,453.12	50.7%
513302 · Rent	4,990.52	3,771.25	1,219.27	132.3%
513304 · Communications / Website	2,911.43	2,670.00	241.43	109.0%
513305 · Engineering	0.00	1,249.99	-1,249.99	0.0%
513306 · Accountant	0.00	2,000.01	-2,000.01	0.0%
513308 · Insurance W/C	1,988.00	1,250.00	738.00	159.0%
513309 · Insurance Package	27,789.00	28,050.00	-261.00	99.1%
513311 · Public Advertising Notices	722.80	1,000.02	-277.22	72.3%
513312 · Office Equipment & Supplies	2,287.16	2,840.01	-552.85	80.5%
513313 · Postage	0.00	250.00	-250.00	0.0%
513315 · Audit	0.00	0.00	0.00	0.0%
513316 · Utilities	172.90	180.00	-7.10	96.1%
513317 · Dues	350.00	385.01	-35.01	90.9%
513318 · Mileage Reimb. - Clerks	22.40	50.01	-27.61	44.8%
513319 · Conferences & Travel - Council	1,546.80	1,162.50	384.30	133.1%
513321 · Election Expenses	1,680.10	2,000.00	-319.90	84.0%
513326 · Special Projects	0.00	0.00	0.00	0.0%
513820 · Contributions	0.00	0.00	0.00	0.0%
514100 · Legal Counsel	1,600.00	6,000.00	-4,400.00	26.7%
514200 · Computer Services	1,055.82	1,725.00	-669.18	61.2%
531110 · Payroll Taxes - Fica	1,340.26	1,968.75	-628.49	68.1%
531111 · Payroll Taxes - Medicare	313.47	373.74	-60.27	83.9%
Total 6101 · General Government	73,934.79	89,666.29	-15,731.50	82.5%
6102 · Public Safety				
524200 · Building Official Services	3,887.50	5,499.99	-1,612.49	70.7%
524210 · Building Code Compliance Ser	819.37	2,000.00	-1,180.63	41.0%
524220 · Code Compliance Legal	4,375.00	1,250.01	3,124.99	350.0%
524300 · Fire Safety Inspector	0.00	125.00	-125.00	0.0%
524310 · Permit Processing Services	0.00	0.00	0.00	0.0%
Total 6102 · Public Safety	9,081.87	8,875.00	206.87	102.3%

**Town of Ocean Breeze General Fund
Profit & Loss Budget vs. Actual
October through December 2025**

01/19/26

Accrual Basis

	Oct - Dec 25	Budget	\$ Over Budget	% of Budget
6104 · Transportation				
541300 · Road and Street Maintenance	474.51	1,250.00	-775.49	38.0%
541301 · Street Lights	0.00	0.00	0.00	0.0%
541400 · Sheriff Road Patrol	0.00	5,000.00	-5,000.00	0.0%
Total 6104 · Transportation	474.51	6,250.00	-5,775.49	7.6%
Total Expense	83,491.17	104,791.29	-21,300.12	79.7%
Net Ordinary Income	34,162.40	48,199.73	-14,037.33	70.9%
Net Income	34,162.40	48,199.73	-14,037.33	70.9%

Town Clerk

From: Holly Vath <hvath3867@gmail.com>
Sent: Friday, January 23, 2026 6:36 AM
To: Dan Hudson; Town Clerk; Bookkeeper
Subject: Reserve Analysis
Attachments: Reserves.pdf

Attached is a summary of the reserves after year end accruals. The projected fund balance going into the 2027 budget is \$94,836, which would be only 27% of the current year budget. As previously discussed there will be no reserves available to utilize in the 2027 budget.

**Town of Ocean Breeze
Reserve Analysis**

2025 Ending Fund Balance	453,253
Reserve for Gas Tax	(261,558)
Reserve for Infrastructure Tax	(54,773)
Unreserved fund balance	136,922
2026 Budget utilization	(42,086)
2027 Projected	94,836

Memorandum

TO: TOWN COUNCIL AND MAYOR

FROM: HOLLY VATH, FINANCIAL CONSULTANT

SUBJECT: FISCAL YEAR 2024-2025 YEAR END REPORT

DATE: FEBRUARY 3, 2026

Attached are the unaudited financial report for the 2025 fiscal year.

Revenue

The total budgeted revenue was \$271,002, the Town received \$356,788 which is \$85,786 more than budgeted. The positive variance is generated from gas tax revenue and an the new ½ cent infrastructure tax. Both these items are restricted assets and can only be used for a specific purpose. Additional gas tax funding will become restricted net assets, an additional \$43,020 will be added to the Gas tax reserve. Gas tax funding must be utilized for transportation expenses such as street lighting and road maintenance. For the ½ cent infrastructure sales tax, this purpose is related to environmental improvements. The \$54,773 of revenue collected will establish a restricted asset. The 2025 budget anticipated utilization of \$83,093 of reserves, the actual general fund reserve utilization was \$101,284.

Expenditures

The total amended budgeted expenditures were \$354,095, the Town expended \$348,437. General government expenses were below budget by \$177 while Public Safety, which is mainly Building and Code compliance activity, was under budget by \$4,108.

Town of Ocean Breeze General Fund Profit & Loss Budget vs. Actual October 2024 through September 2025

12/27/26

crual Basis

	Oct '24 - Sep 25	Budget	\$ Over Budget	% of Budget
Binary Income/Expense				
Income				
6001 · Taxes from other Governments				
312300 · State Fuel Tax	4,932.01	3,438.00	1,494.01	143.5%
312410 · Local Option Gas Tax	27,014.88	22,450.00	4,564.88	120.3%
312420 · New Local Option Gas Tax	19,632.39	22,450.00	-2,817.61	87.4%
314160 · Electric Utility Tax	0.00	0.00	0.00	0.0%
314200 · Local Communications Svc Tax	7,253.33	5,900.00	1,353.33	122.9%
335120 · State Revenue Sharing	22,744.28	15,662.00	7,082.28	145.2%
335140 · Mobile Home Tags	2,773.50	3,100.00	-326.50	89.5%
335150 · Alcoholic Beverage Licenses	3,230.30	2,300.00	930.30	140.4%
335180 · 1/2 Cent Sales Tax	84,706.14	86,540.00	-1,833.86	97.9%
335190 · 1/2 Cent Infrastructure Tax	54,773.32	0.00	54,773.32	100.0%
Total 6001 · Taxes from other Governments	227,060.15	161,840.00	65,220.15	140.3%
6002 · Licenses & Permits				
322000 · Building Permits	31,891.92	20,000.00	11,891.92	159.5%
338200 · Occupational Licenses	778.74	500.00	278.74	155.7%
Total 6002 · Licenses & Permits	32,670.66	20,500.00	12,170.66	159.4%
6003 · Other Fees for Services				
322001 · Fire Inspections	0.00	0.00	0.00	0.0%
Total 6003 · Other Fees for Services	0.00	0.00	0.00	0.0%
6004 · Investment & Other Earnings				
361000 · Interest Income	17,307.65	20,000.00	-2,692.35	86.5%
Total 6004 · Investment & Other Earnings	17,307.65	20,000.00	-2,692.35	86.5%
6005 · Ad Valorem Revenue				
312100 · Ad Valorem	69,750.42	68,662.00	1,088.42	101.6%
Total 6005 · Ad Valorem Revenue	69,750.42	68,662.00	1,088.42	101.6%
6007 · Miscellaneous Income				
369000 · Misc Inc - MCSB Admin Fee, Etc.	10,000.00	0.00	10,000.00	100.0%
Total 6007 · Miscellaneous Income	10,000.00	0.00	10,000.00	100.0%
Total Income	356,788.88	271,002.00	85,786.88	131.7%
Expense				
6101 · General Government				
513150 · Gross Payroll	69,237.50	45,500.00	23,737.50	152.2%
513155 · PTO Accrual	2,740.17			
513297 · Grant Management Consultant	0.00	0.00	0.00	0.0%
513301 · Management Consultant	22,699.25	28,000.00	-5,300.75	81.1%
513302 · Rent	14,868.44	14,905.00	-36.56	99.8%
513304 · Communications / Website	12,626.98	14,650.00	-2,023.02	86.2%
513305 · Engineering	1,015.00	5,000.00	-3,985.00	20.3%
513306 · Accountant	4,770.00	8,000.00	-3,230.00	59.6%
513308 · Insurance W/C	497.00	5,000.00	-4,503.00	9.9%
513309 · Insurance Package	23,576.00	27,000.00	-3,424.00	87.3%
513311 · Public Advertising Notices	193.82	4,000.00	-3,806.18	4.8%
513312 · Office Equipment & Supplies	11,376.50	10,665.00	711.50	106.7%
513313 · Postage	705.02	1,000.00	-294.98	70.5%
513314 · Petty Cash	0.00	0.00	0.00	0.0%
513315 · Audit	16,500.00	17,000.00	-500.00	97.1%
513316 · Utilities	698.03	720.00	-21.97	96.9%
513317 · Dues	1,557.00	1,565.00	-8.00	99.5%
513318 · Mileage Reimb. - Clerks	84.35	300.00	-215.65	28.1%
513319 · Conferences & Travel - Council	5,980.96	6,900.00	-919.04	86.7%
513321 · Election Expenses	743.00	2,000.00	-1,257.00	37.2%
513324 · Special Project-Digitizing	0.00	0.00	0.00	0.0%
513326 · Special Projects	7,646.50	12,000.00	-4,353.50	63.7%
513820 · Contributions	300.00	1,000.00	-700.00	30.0%
514100 · Legal Counsel	25,857.50	24,000.00	1,857.50	107.7%
514200 · Computer Services	10,447.76	6,900.00	3,547.76	151.4%

Town of Ocean Breeze General Fund Profit & Loss Budget vs. Actual October 2024 through September 2025

	Oct '24 - Sep 25	Budget	\$ Over Budget	% of Budget
531110 · Payroll Taxes - Fica	4,292.78	2,830.00	1,462.78	151.7%
531111 · Payroll Taxes - Medicare	1,003.96	660.00	343.96	152.1%
Total 6101 · General Government	239,417.52	239,595.00	-177.48	99.9%
6102 · Public Safety				
524200 · Building Official Services	16,762.50	17,000.00	-237.50	98.6%
524210 · Building Code Compliance Ser	34,737.50	37,500.00	-2,762.50	92.6%
524220 · Code Compliance Legal	33,912.50	34,500.00	-587.50	98.3%
524300 · Fire Safety Inspector	0.00	500.00	-500.00	0.0%
524310 · Permit Processing Services	19,980.00	20,000.00	-20.00	99.9%
Total 6102 · Public Safety	105,392.50	109,500.00	-4,107.50	96.2%
6104 · Transportation				
541300 · Road and Street Maintenance	1,938.00	3,200.00	-1,262.00	60.6%
541301 · Street Lights	1,689.23	1,800.00	-110.77	93.8%
541400 · Sheriff Road Patrol	0.00	0.00	0.00	0.0%
Total 6104 · Transportation	3,627.23	5,000.00	-1,372.77	72.5%
Total Expense	348,437.25	354,095.00	-5,657.75	98.4%
Net Ordinary Income	8,351.63	-83,093.00	91,444.63	-10.1%
Net Income	8,351.63	-83,093.00	91,444.63	-10.1%



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

MEMORANDUM

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

SUBJECT: HB 913 (2025) CONDOMINIUM & COOPERATIVE BUILDING SAFETY

DATE: JANUARY 30, 2026

THIS MEMORANDUM IS PUBLIC RECORD

I have reviewed Florida House Bill 913, which became law on July 1, 2025. This new law amends Chapter 553 (Building Inspection), and Chapters 781 (Condominiums) and 719 (Cooperatives) of Florida Statutes, and requires all municipalities to adopt an ordinance mandating repair provisions for those building types.

The actual Bill is 191 pages long, and is very complex. The title alone is the first 23 pages.

The Bill Summary includes the following explanation:

Following the 2021 tragedy in Surfside, where Champlain Towers South partially collapsed, resulting in the deaths of 98 people, the need for stronger structural integrity measures in Florida's aging condominium buildings became critical. Florida is home to over 912,000 condominiums aged 30 years or more, many needing significant repairs. To prevent further tragedies, Florida now requires condo associations to complete structural integrity reserve studies and fund reserves for repairs. To address these challenges, HB 913 modernizes condominium governance with a focus on safety, transparency, and financial accountability. HB 913 requires electronic voting, allowing condo owners to participate more easily in decisions, particularly when requested by a majority. It also streamlines the condo termination process, emphasizing public safety and fairness. Additionally, HB 913 empowers condo boards to take swift action on structural repairs without delays, ensuring timely repairs to prevent catastrophic failures. The bill addresses hotel condos and vertical subdivisions and aims to increase financial transparency and better delineate responsibilities, ensuring smoother governance for mixed-use properties. This legislation addresses the need for modernized, efficient, and inclusive condo management, prioritizing safety and financial sustainability for Florida's communities. It ensures condo owners have a voice while safeguarding their homes and investments.

Requires the boards of county commissioners and municipalities to adopt an ordinance requiring associations and any other owners that are subject to milestone inspection requirements to commence repairs within 365 days after a phase two inspection is received.

Telephone and Fax: +1 (772) 600-5581

Email: pnicoletti@comcast.net

MEMORANDUM

TO: THE MAYOR AND MEMBERS OF THE OCEAN BREEZE TOWN COUNCIL
SUBJECT: HB 913 (2025) CONDOMINIUM & COOPERATIVE BUILDING SAFETY
DATE: January 30, 2026

Milestone inspections are now mandatory for condominium and cooperative buildings that are three or more habitable stories tall. These inspections must be conducted every 10 years once a building reaches 30 years.

Importantly for the Town, is a provision requiring the Town to adopt an ordinance which requires these specific provisions, even though we don't currently have those building types in the Town.

Section 4. Present subsections (12) and (13) of section 553.899, Florida Statutes, are redesignated as subsections (14) and (15), respectively, new subsections (12) and (13) are added to that section, and paragraph (a) of subsection (3) and subsection (11) of that section are amended, to read:

553.899 Mandatory structural inspections for condominium and cooperative buildings.—

(3)(a) An owner or owners of a building that is three habitable stories or more in height as determined by the Florida Building Code and that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium under chapter 718 or a residential cooperative under chapter 719 must have a milestone inspection performed by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reached 30 years of age before July 1, 2022, the building's initial milestone inspection must be performed before December 31, 2024. If a building reaches 30 years of age on or after July 1, 2022, and before December 31, 2024, the building's initial milestone inspection must be performed before December 31, 2025. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.

(11) A board of county commissioners or municipal governing body shall ~~may~~ adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an owner of the building fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

If you have any questions about this matter, please contact Gemma or me prior to the Regular Town Council Meeting on Tuesday, February 9, 2026.

Respectfully submitted,
s/ Original Signed
PAUL J. NICOLETTI

cc: Dan Hudson, Town Manager; Gemma Torcivia, Town Attorney; Town staff

Telephone and Fax: +1 (772) 600-5581

Email: pnicoletti@comcast.net



FIRST READING VERSION

BEFORE THE TOWN COUNCIL OF THE
TOWN OF OCEAN BREEZE, FLORIDA

ORDINANCE No. 374-2026

AN ORDINANCE OF THE TOWN OF OCEAN BREEZE, FLORIDA, RELATING TO CONDOMINIUM AND COOPERATIVE BUILDING SAFETY; REQUIRING REPAIRS TO COMMENCE WITHIN 365 DAYS OF A PHASE II MILESTONE INSPECTION REPORT IDENTIFYING SUBSTANTIAL STRUCTURAL DETERIORATION; PROVIDING FOR SUBMISSION OF PROOF OF REPAIR SCHEDULING; PROVIDING FOR REVIEW AND ENFORCEMENT BY THE BUILDING DEPARTMENT AS THE LOCAL ENFORCEMENT AGENCY; PROVIDING FOR UNSAFE-BUILDING DETERMINATIONS; PROVIDING FOR REPORTING REQUIREMENTS; PROVIDING FOR ADOPTION OF RECITALS; IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted House Bill 913 (2025), amending Chapters 553, 718, and related portions of the Florida Statutes regarding the inspection, repair, and oversight of condominium and cooperative buildings; and

WHEREAS, HB 913 requires each municipality and county to adopt an Ordinance enforcing the State requirement that condominium and cooperative associations (“associations”) commence repairs within 365 days after receiving a Phase II milestone inspection report identifying substantial structural deterioration; and

WHEREAS, HB 913 requires associations to submit proof that such repairs have been scheduled or commenced and requires local enforcement agencies to review compliance to determine whether a building is unsafe for occupancy when an association fails to act; and

WHEREAS, the health, safety and welfare of residents, visitors, and the general public of Florida requires timely identification and remediation of structural deficiencies in multi-story residential buildings; and

FIRST READING VERSION
Ordinance No. 374-2026
Town of Ocean Breeze, Florida

WHEREAS, the prompt scheduling and commencement of structural repairs serves an important public purpose by reducing risks to life safety and preventing structural failure; and

WHEREAS, HB 913 requires local enforcement agencies to maintain records of required inspections and repairs and to report specified information to the State of Florida annually; and

WHEREAS, the Town hereby finds that adopting this Ordinance is necessary to implement and enforce State law, protect building occupants, and promote public safety.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF OCEAN BREEZE, FLORIDA that:

SECTION 1: Recitals. The recitals set forth above are true and correct, and are hereby ratified, confirmed, and incorporated into this ordinance as legislative findings of the Town of Ocean Breeze, Florida.

SECTION 2: Definitions. For purposes of this ordinance, the following terms shall have the meanings set forth below:

Association shall mean a condominium association or cooperative association as defined in Chapters 718 or 719, Florida Statutes.

Milestone Inspection shall mean a structural inspection of a building conducted in accordance with § 553.899, Florida Statutes.

Phase II Milestone Inspection Report shall mean the detailed report prepared by a licensed engineer or architect identifying substantial structural deterioration requiring repair.

Local Enforcement Agency shall mean the Town of Ocean Breeze Building Official which is hereby designated by the Town Council to administer and enforce this Ordinance.

FIRST READING VERSION
Ordinance No. 374-2026
Town of Ocean Breeze, Florida

SECTION 3: Requirement to Commence Repairs within 365 Days.

- 1). In accordance with HB 913 and § 553.899, Florida Statutes, every Association receiving a Phase II milestone inspection report identifying substantial structural deterioration shall commence all required repairs within 365 days of receipt of the report.
- 2). Commencement of repairs includes permitting, contracting, staging, or the physical start of structural work.

SECTION 4. Submission of Roof of Repair Scheduling.

- 1). Within 90 days of receiving a Phase II report, the Association shall submit to the Local Enforcement Agency:
 1. Proof that structural repairs have been scheduled, including a contract, project timeline, or letter of engagement from a licensed contractor; or
 2. Proof that repairs have commenced, including issued permits or evidence of on-site work.
- 2). The Local Enforcement Agency may require additional documentation if needed to verify compliance.

SECTION 5. Review and Enforcement by the Local Enforcement Agency.

- 1). The Local Enforcement Agency shall review all documentation submitted under this ordinance for compliance with State law.
- 2). If an Association fails to submit sufficient proof that repairs have been scheduled or commenced within the required timeframe, the Local Enforcement Agency shall conduct a safety assessment of the building.
- 3). If the Local Enforcement Agency determines that the lack of action presents a risk to structural safety or public welfare, the building may be declared unsafe for occupancy, and appropriate orders may be issued pursuant to the Florida Building Code and the Town's Code of Ordinances.

FIRST READING VERSION
Ordinance No. 374-2026
Town of Ocean Breeze, Florida

SECTION 6. Reporting Requirements.

- 1). The Local Enforcement Agency shall maintain records of all milestone inspections, Phase II reports, repair documentation, and enforcement actions taken under this Ordinance.
- 2). The Local Enforcement Agency shall report required data to the State of Florida in accordance with HB 913 and any applicable rulemaking.

SECTION 7. Implementation Authority. The Mayor or designee may adopt administrative rules, forms, procedures, and submission requirements necessary to implement this Ordinance.

SECTION 8. Codification. The operative provisions of Sections 2 through 7 inclusive of this Ordinance shall be made a part of the Town's Code of Ordinances, and the sections of this Ordinance may be renumbered, re-lettered, reorganized, or otherwise formatted to achieve such codification, provided that the substance of the provisions remains unchanged.

SECTION 9. Conflicting Ordinances. In the event of a conflict between this Ordinance and any other municipal ordinance or regulation, the provisions of this Ordinance shall prevail to the fullest extent permitted by State law. To the extent that State law preempts local government authority, the preemptive provisions of State law shall supersede

SECTION 10. Severability. If any section of this ordinance is determined invalid, the remaining portions shall remain in full force and effect.

SECTION 11. Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED on first reading this _____ day of February, 2026.

Council Member _____ offered the foregoing ordinance and moved its adoption. The motion was seconded by Council Member _____ and upon being put to a roll call vote, the vote was as follows:

FIRST READING VERSION
Ordinance No. 374-2026
Town of Ocean Breeze, Florida

KEVIN DOCHERTY, COUNCIL PRESIDENT
 GEORGE CIASCHI, COUNCIL VICE PRESIDENT
 SANDY KELLEY, COUNCIL MEMBER
 JANET GALANTE, COUNCIL MEMBER
 GAIL BALOGNA, COUNCIL MEMBER
 MARGARET PUGSLEY, COUNCIL MEMBER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this ____ day of _____, 2026.

ATTEST:

 PAMELA ORR
 TOWN CLERK

 KAREN M. OSTRAND
 MAYOR

APPROVED AS TO FORM & LEGALITY:

 TOWN ATTORNEY
 TG Law, PLLC

Item #6



PROTECTING THE COMMUNITIES WE CALL HOME

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@flcities.com.

NOTE: NOMINATIONS MUST BE RECEIVED NO LATER THAN FRIDAY, MARCH 6, 2026.

Nominee Name: Kevin Docherty
(Nominee must be an elected official of the municipality participating in the Trust)
 Town Council
 Nominee's Title: President
 Municipality: Town of Ocean
 Cell Phone Number: 617-997-8024
 Email Address: Kdocherty@townofoceانبreeze.org

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

Nominated by: Karen M. Ostrand
 Title: Mayor
 Municipality: Town of Ocean Breeze
 Date: _____

PLEASE EMAIL THIS NOMINATION FORM AND A RESUME OR BIOGRAPHICAL SKETCH BY FRIDAY, MARCH 6, 2026 TO:

APPROVED

Date 2-9-26

By Mayor Karen M. Ostrand

Melissa Solis
 Insurance Member Services Manager
msolis@flcities.com

- Mayor Karen M. Ostrand

To: Mayor & Council Members
From: Dan Hudson, Town Management Consultant
Subject: Update Sheriff Patrols
Date: Council Meeting – March 9, 2026

Summary: Update on the MCSO patrol schedule.

Recommendation: Motion to confirm the schedule.

The Town initiated the MCSO patrol at the end of January in response to concerns in Seawalk neighborhood regarding school age youth. The initial schedule was set for four hours daily throughout both Town neighborhoods plus the commercial plaza, with the intention to reassess after a few weeks. The schedule is filled with off duty deputies on a voluntary basis.

The Mayor and Town staff met with Deputy Sheriff Adams on February 23, 2026. D/S Adams works closely with the schools and agreed to assist in coordinating the Town patrols.

The schedule moving forward will be as follows:

- Two weekdays for three hours, from 5:00pm to 8:00pm. The days selected will vary.
- Two weekend days for three hours, with time varying, but generally will be afternoons and early evenings.

Scheduling is coordinated through MCSO Corporal McDonald. The Town will provide advisory instructions to Corporal McDonald for use by deputies filling the schedule. D/S Adams will be involved with any follow up with particular youth.

Overall the Town has a very low crime rate and a low call volume. Normal Sheriff operations cover a very large patrol zone for this part of the county. It routinely covers Indian River Drive. It is a very busy zone, but MCSO is available for any emergency.

In the past, the Town used off duty deputy patrols twice weekly for three hours, with schedules determined by MCSO.

The Town approved a budget of \$20,000. The cost is \$77.00 per hour. Based upon the revised schedule, this is \$924 per week. The Mayor and management intends to operate this schedule through the end of summer, for an estimated cost of \$35,000 for the fiscal year. The Town will need to amend the budget to accommodate the schedule, otherwise it will expire in early June. The patrol service is paid from gasoline tax revenue.

* * *

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. Seawalk Update – Leo Giangrande, P. E.
- B. Update on Ocean Breeze Plaza – Paul Nicoletti, Attorney Consultant
- C. Update on FPL Utility Tax Implementation
- D. Live Stream Proposal Impactful Media Group
- E. Speed Sign Data

Engineer's Progress Report

Date: February 1, 2026
To: Town of Ocean Breeze
From: Leo Giangrande, P.E.
Subject: Seawalk PUD Closeout, Ocean Breeze Resort,
Town of Ocean Breeze
GEP No.: 24-034



Distribution: Town File

This Engineer's Report is provided as an update to the items addressed in the last month.

OCEAN BREEZE RESORT

1. Town accepted final certification drawings and testing reports for 1 NE Palm Drive drainage improvements. All work was coordinated by the Town from permit review to final certification. Work has been completed in accordance with the permit drawings.

SEAWALK

1. GEP walked the site with Forestar's engineer and HOA representatives on December 23, 2026. The purpose of this site walk was to further define the areas requiring, re-grading, resodding or stabilization. During the site visit, Forestar noted the areas of improvements along with type of improvements. An exhibit will be provided by Forestar once this exhibit is completed. Forestar will provide the marked-up exhibit to the contractors who will actually perform the work. The subcontractors may revisit the site to verify the limits of the work.
2. It is anticipated that a final exhibit and schedule will be provided shortly by Forestar. It was also directed that this exhibit shall also address final irrigation for the site. GEP continues to coordinate with Forestar until project is closed out.
3. Ms. Raver's lot is also outstanding to be addressed by Forestar. An engineering plan has been submitted by Forestar and has been reviewed and accepted. A separate permit is required for these improvements.
4. Exotics either need to be removed or the PAMP needs to revise which would require a PUD Amendment.
5. Asphalt around main entrance median needs to be addressed.



Indian River Drive

1. Indian River Drive crosswalk maintenance improvements have been coordinated with Martin County Public Works. The County is willing to perform the maintenance as long as the crosswalks are maintained to Martin County crosswalk standards.

Should you have any further questions on this, please do not hesitate to contact me at (772) 888-9076 or Leo@GEP-LLC.com.

Town Clerk

From: pnicoletti@comcast.net
Sent: Tuesday, March 3, 2026 11:26 AM
To: Kennedy, Harlene Silvern
Cc: Gemma Torcivia; Dan Hudson; Terrance O'Neil; Town Clerk; Karen Ostrand
Subject: Re: Stormwater Management Agreement_Ocean Breeze clean 2-24-26 for trans(182560735.1).doc

Hi, Harlene:

I'm sorry that Friday became Tuesday! Here are my responses and updates:

- 1. AutoZone GOTTChA:** I don't think we have heard back from AutoZone regarding the second version of the GOTTChA language, but we may be able to handle that directly with them after they take ownership of the property. I think we were close to acceptable language, and I believe we can put the needed language into the development permits and make it enforceable. So, maybe this is a **non-issue**.
- 2. Driveway:** As stated before, the Town is okay with the *status quo*, so long as the County doesn't raise the issue (and we don't believe they will). My cautionary notice is just that... cautionary. So, this also may be a **non-issue**.
- 3. Parking:** I have not been able to reconcile your comment that the current ratio is 4.4, when the Covenants state that it is 5.0. If you will ask your engineers to provide a count of the actual spaces then we can resolve it quickly. Our engineers and planners all agree that the entire site (all 3 parcels together) functions properly and they are not seeking any additional parking from AutoZone. However, you mentioned that the site apparently HAS cross-easements but I haven't found them. Please provide those to me or point me in the right direction to see them. It is important that the Town understand the site parking and driveways will continue to work as originally planned, that is, as one contiguous site.
- 4. Drainage:** The Stormwater Agreement you sent is very light... what it contains the Town already has in its code enforcement abilities. We do understand that some of the cleaning work may have already been done, and Quinn Gadow has discussed this somewhat with the Town staff already. But it is not up to the Town to tell your client what work to do or how to do the work. The Town simply wants to obtain a proposed plan and a timeline for the remediation and then hold the parties responsible for performing. Once your engineers have completed their inspections and review, and prepared a plan and obtained permits, then we can address the ongoing requirements and we **may not even need an agreement at that point**.

5. **Blanket Utility Easements:** At our meeting last Thursday, Scott Montgomery, P.E., discussed his conversations with Quinn Gadow and others regarding how the Easements would be handled. It sounded to me that the engineers all preferred putting them on the proposed Plat. As long as the correct dedication language is obtained, the Town doesn't have a dog in the fight. I would caution you that Martin County has very specific dedication language for its easements. So, again I think this is a **non-issue**.

I am not aware of any further issues and I believe the ones above are easily resolved. I don't see anything which should impede your client's sale of the parcel, except for the platting. The Town is ready to receive a proposed Plat and if it meets the statutory requirements we will administratively approve it in the time required by law. After that, if there are remaining issues, we should be able to easily resolve them.

With my regards,

Paul

Paul J. Nicoletti | Attorney at Law

Of Counsel: TG Law PLLC, West Palm Beach, Florida

Board Certified in City County and Local Government Law

1445 SE Lark Boulevard

Stuart, Florida 34996-2609

Office & Fax: (772) 600-5581

Voice & Text: (772) 260-3276

Email: pnicoletti@comcast.net

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From: Kennedy, Harlene Silvern <HKennedy@foxrothschild.com>

Sent: Thursday, February 26, 2026 8:46 AM

To: pnicoletti@comcast.net <pnicoletti@comcast.net>

Subject: Re: Stormwater Management Agreement_Ocean Breeze clean 2-24-26 for trans(182560735.1).doc

Thank you, Paul.

Harlene

Harlene Silvern Kennedy

Counsel

Fox Rothschild LLP

📍 West Palm Beach | Dallas

📞 (561) 804-4413

📠 (210) 385-5933

✉️ hkennedy@foxrothschild.com

From: pnicoletti@comcast.net <pnicoletti@comcast.net>

Sent: Wednesday, February 25, 2026 4:53 PM

To: Kennedy, Harlene Silvern <HKennedy@foxrothschild.com>

Cc: Dan Hudson <dHUDSON@townofOceanBreeze.org>; Town Clerk <townclerk@townofOceanBreeze.org>; Terrance O'Neil <terrancewoneil@gmail.com>; Scott Montgomery <scott@ccmaengineers.com>; Gemma Torcivia <gtorcivia@tgjustice.com>

Subject: [EXT] Re: Stormwater Management Agreement_Ocean Breeze clean 2-24-26 for trans(182560735.1).doc

Thank you, Harlene:

I have a meeting with Town staff tomorrow (Thursday) morning to go over this Agreement and the Sanitary Sewer language sent to the engineers. I will advise you by Friday.

Regards,

Paul

Paul J. Nicoletti | Attorney at Law

Of Counsel: TG Law PLLC, West Palm Beach, Florida

Board Certified in City County and Local Government Law

1445 SE Lark Boulevard

Stuart, Florida 34996-2609

Office & Fax: (772) 600-5581

Voice & Text: (772) 260-3276

Email: pnicoletti@comcast.net

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From: Kennedy, Harlene Silvern <HKennedy@foxrothschild.com>
Sent: Tuesday, February 24, 2026 1:35 PM
To: Paul's Comcast <pnicoletti@comcast.net>
Subject: Stormwater Management Agreement_Ocean Breeze clean 2-24-26 for trans(182560735.1).doc

Hi Paul:

Here attached is a proposed Stormwater Management Agreement for your review and execution by your client. Please confirm your approval. Also, please forward any information relating to progress on our other open subject matter for the platting.

Thanks.
Harlene



Harlene Silvern Kennedy
Counsel

📞 (561) 804-4413

📠 (210) 385-5933

✉️ hkennedy@foxrothschild.com

📍 Phillips Point
777 S. Flagler Drive
Suite 1700 West Tower
West Palm Beach, FL 33401

📍 2501 N. Harwood Street
Suite 1800
Dallas, TX 75201

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Town Clerk

From: Moye, Debra <Debra.Moye@fpl.com>
Sent: Wednesday, January 21, 2026 1:20 PM
To: Town Clerk
Cc: Dan Hudson; Holly Vath; Bookkeeper; Permits
Subject: RE: Municipal Public Service Tax Database Report
Attachments: FEDI Agreement_NextEra.pdf

Hello,

I followed up with the billing team and they will be billed effective 2/1.

In addition, the vendor maintenance team will need the following completed in order to set up payment information for the town.

Please let me know if you have any questions.

Thank you,

Debbie Moye
FPL Tax Manager
561-691-7291



From: Town Clerk <townclerk@townofoceanbreeze.org>
Sent: Monday, January 19, 2026 11:00 AM
To: Moye, Debra <Debra.Moye@fpl.com>
Cc: Dan Hudson <dHUDSON@Townofoceanbreeze.org>; Holly Vath <hvath3867@gmail.com>; Bookkeeper <bookkeeper@Townofoceanbreeze.org>; Permits <permits@Townofoceanbreeze.org>
Subject: FW: Municipal Public Service Tax Database Report

Hi Debra:

Would you please provide us with an update as to when the utility tax will take effect?

Thank you!

Pam Orr
Town Clerk
Permit Processor



P. O. Box 1025
Jensen Beach, FL 34957
772-334-6826 Office
772-807-2557 Cell

From: Town Clerk
Sent: Friday, September 5, 2025 12:46 PM
To: Debra.moye@fpl.com
Cc: Holly Vath <hvath3867@gmail.com>; Dan Hudson <dhudson@Townofoceanbreeze.org>; Bookkeeper <bookkeeper@Townofoceanbreeze.org>
Subject: Municipal Public Service Tax Database Report

Hi Debra:
Please see attached the Municipal Public Service Tax Database Report and Ordinance #360-2025 to initiate the tax on the electric in the Town. If you have any questions, please feel free to give me a call.

Have a great day!

Pam Orr
Town Clerk
Permit Processor



P. O. Box 1025
Jensen Beach, FL 34957
772-334-6826 Office
772-807-2557 Cell

Town Clerk

From: iggy@impactfulmedia.com
Sent: Friday, January 9, 2026 11:17 AM
To: Town Clerk
Subject: Live Streaming Services Quote – Monthly & Special Meetings
Attachments: Town of Ocean Breeze Livestream Proposal.pdf

Morning Pam,

Thank you for the opportunity to provide pricing for live streaming the Town of Ocean Breeze's monthly and special meetings.

Based on the anticipated meeting length, setup and breakdown time, and the requirement to archive each meeting for public access, my proposed pricing is as follows:

- **Standard rate:** \$450 - 550 per meeting

This service includes:

- Single-producer / single-camera professional live stream
- Up to 2-hour live Town Council meeting coverage
- One hour setup and thirty-minute breakdown
- Streaming cameras (3-5), tripods, audio capture, and encoder
- Live monitoring throughout the meeting
- Full meeting recorded and archived for public access (1 hour post production)
- Delivery via town-designated platform (YouTube, Facebook, website, or cloud folder)

This is a very specialized sort of service... and there is a range included because of what additional on screen elements that you may be envisioning. The more of that we include, the more time involved in pre-production, etc. I think what may be best is to get together and discuss the whole process. I can show you some examples of what others have done, and what I can do to make it easier for us.

I have attached a brief proposal outlining the scope of services that include some additional items for your review.

Let me know if you have time to chat soon.

Thanks!

--

Ignacio Fiallos
impactful media group
772-232-6030 / Cell: 786-546-3803
iggy@impactfulmedia.com

1/5/26



PRESENTED BY: IGNACIO FIALLOS
IMPACTFUL MEDIA GROUP

MONTHLY MEETING LIVESTREAMING PROPOSAL

Impactful Media Group will provide professional live streaming services for the Town of Ocean Breeze's monthly and/or special Town Council meetings. Services are designed for public transparency, reliability, and ease of access. Quoted rate to include:

- Single-producer / single-camera professional live stream
- Up to 2-hour live Town Council meeting coverage
- One hour setup and thirty-minute breakdown
- Streaming cameras (3-5), tripods, audio capture, and encoder
- Live monitoring throughout the meeting
- Full meeting recorded and archived for public access (1 hour)
- Delivery via town-designated platform (YouTube, Facebook, website, or cloud folder)

Rate:	\$ 450 - \$550 per meeting
Audio Only Version:	\$ 75 per meeting
Transcripts Provided:	\$ 50 per meeting
Each additional hour:	\$ 100
 <u>Terms</u>	
Pricing is based on meetings up to two hours in length. Rates are valid for twelve months from approval. Invoices are payable within fifteen (15) days of service. While production is operated by a single professional, all equipment and workflows are designed with redundancy and reliability suitable for public municipal meetings	
Approved	Approved
Town of Ocean Breeze	impactful media group, inc.
<i>Signature</i>	<i>Signature</i>
<i>Print or Type Name</i>	<i>Print or Type Name</i>
<i>Title</i> <i>Date</i>	<i>Title</i> <i>Date</i>



Item E

Town Clerk

From: Matt Stoneburg <mes1024@gmail.com>
Sent: Tuesday, February 3, 2026 3:57 PM
To: Town Clerk
Subject: Speed Sign Analysis
Attachments: 2H2025 Speed Sign Analysis.pdf

You don't often get email from mes1024@gmail.com. [Learn why this is important](#)
Pam,

Here is the speed sign analysis for the past 6 months. This picks up at the end of the last analysis. Things are just about the same as they always are.

Thanks,
Matt Stoneburg
772 486 1782

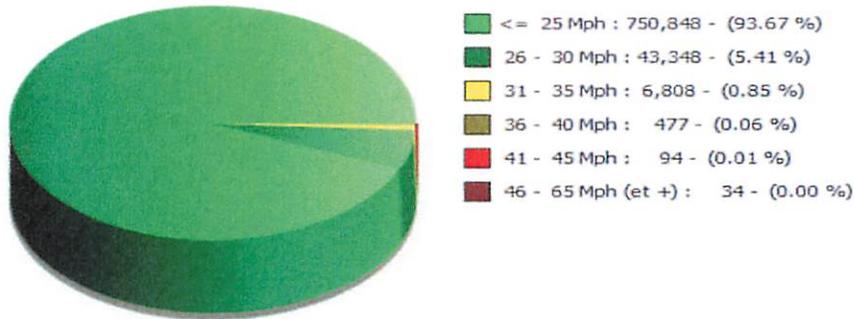
2H 2025

North Speed Sign Data

(Located north of city – catching southbound cars)

- **July 1,2025 to Dec 31,2025 (184 days)**

- Total Number of Cars: 801,609/6 months, 4357 cars per day
- % Cars <= 30mph: 99.15% (794,196) – 4316 cars per day
- % Cars 31-35mph: 0.77% (6808) – 37 cars per day
- % Cars >35mph: 0.10% (605) – 4 cars per day

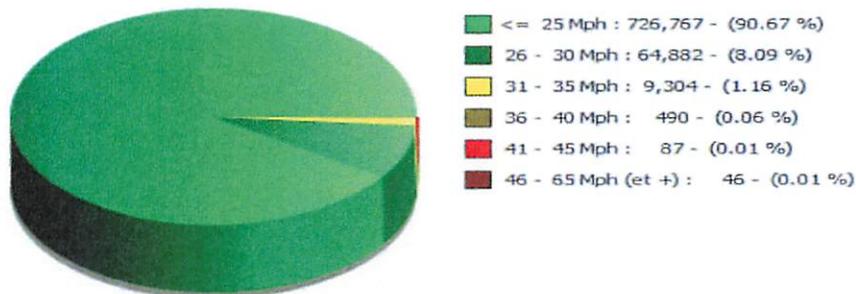


South Speed Sign Data

(Next to Environmental Studies Center – catching northbound cars)

- **July 1,2025 to Dec 31,2025 (184 days)**

- Total Number of Cars: 801,576, 4,356 cars per day
- % Cars <= 30mph: 98.74% (791,649) – 4302 cars per day
- % Cars 31-35mph: 1.15% (9,304) – 51 cars per day
- % Cars >35mph: 0.10% (623) – 3 cars per day



To: Mayor & Council Members
From: Dan Hudson, Town Management Consultant
Subject: Martin County Sheriff's Office (MCSO) Patrol
Date: Council Meeting – February 9, 2026

Summary: Council is requested to review, discuss, and direct updates to the Town Charter.

Please be advised that the Town initiated the MCSO patrol at the end of January in response to concerns in Seawalk neighborhood.

The initial schedule was set for 6:00-10:00 pm daily. This will likely be modified to a mix of afternoon and evening. The patrols are covering the entire Town.

The patrols are filled with Deputy Sheriffs who are off from their normal duties. MCSO posts the available shifts and then deputies volunteer for the patrol duty. Once there is a rhythm established we will ask Officer Adams to evaluate the schedule, to provide on-going recommendations and to maintain continuity.

At some point in time the Town should also consider part of the patrol for traffic enforcement on Indian River Drive.

The cost is \$77.00 per hour. Based upon the initial schedule, this is \$2,156 per week. The Town budgeted \$20,000 for the year, so we will need to evaluate the budget soon. The service is paid from gasoline tax revenue.

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