

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

April 13, 2026, 6:00 p.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. Representative Toby Overdorf – Discussion on Florida Property Tax and Legislative Bills

3. Special Order of the Day: Charter Review Workshop Until 7:00 p.m. – Dan Hudson, Town Management Consultant (Public comments to be heard at 7:00 p.m.)

4. Approval of Minutes – Regular Meeting March 9, 2026
(Motion, second, all in favor)

5. Proclamation National Donate Life Month
(Motion, second, all in favor)

**6. Second Reading 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)

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

8. Comments from the Council on topics not on the Agenda – Committee Reports

9. Comments from Town Management Consultant, Dan Hudson

10. Comments from Town Attorney, Gemma Torcivia

11. Comments from Mayor Ostrand

12. Announcements – Monday, May 11, 2026, at 10:30 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 – April 13, 2026

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

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.

ARTICLE IV ELECTIONS

In light of the technical nature of elections, staff has taken initiative to re-draft this section of the proposed charter amendments. Attorney Paul Nicoletti, in consultation with this writer, has prepared the attached draft. Please refer to this draft when discussing elections.

Policy Considerations

1. Term of Office. Does the Council wish to change the term of office from two years to four years?
 - a. For Council Members?
 - b. For the Mayor?
2. Tie votes. The current language seems inherently unfair: "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."
3. Other. Certain other improvements are suggested related to referenda, unopposed candidates, and special elections.

* * *

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 and at large elections.

All elections for the offices of Mayor or Town Council Member 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.

Qualifying for the office of Mayor or Council Member shall begin on the first weekday in August of the year in which an election shall take place, and continue for not less than twenty-one days thereafter, and as otherwise provided by ordinance of the Town Council. All candidates for office shall qualify by filing a written notice of candidacy with the Town Clerk, performing and completing all other lawful requirements for candidacy and taking and subscribing an oath or affirmation substantially in the form required by Florida law. In no event shall a person be a candidate for the position of both Mayor and Councilmember or for more than one Councilmember seat at the same election.

NOTE: This language tracks the provisions of Ord. 304-2020 and Ord. 276-2018

Sec. 4.04. Elections.

(a) Regular Elections. Regular municipal elections shall coincide with general elections held in Martin County, which are normally set for the first Tuesday after the first Monday in November of each even-numbered year. In those years when a general election does not take place, regular municipal elections shall also be held on the first Tuesday after the first Monday in November, except in the event of a state of emergency or impending emergency, in which case a delayed municipal election shall be rescheduled pursuant to an emergency ordinance. Said elections shall be held at such location(s) and times as shall be designated by the Martin County Supervisor of Elections, but in the absence of such designation, the Mayor shall decide the location(s) and times of such election.

NOTE: This language is derived directly from Ord. 276-1018.

(b) Terms of Office.

CHAPTER 4, ELECTIONS

April, 2026 Version v.1

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1. Council Members shall be elected for a term of [two or four?] years. Three members shall be elected in even-numbered years and two members shall be elected in odd-numbered years.

NOTE: Council Member Ciaschi suggests four-year terms rather than the current two year terms. In the event the Council prefers four-year terms, then an odd-numbered year election is not necessary and that clause can be adjusted.

2. The Mayor shall be elected for a term of [two or four?] years. Mayoral elections shall be held in even-numbered years.

NOTE: Council Member Ciaschi suggests four-year terms rather than the current two year terms. In the event the Council prefers four-year terms, then an odd-numbered year election is not necessary and that clause can be adjusted.

(c) Ranked Choice Voting. All voting for Mayor and Council Members shall be conducted in a single election by the method of ranked-choice voting, that is, the candidate(s) with the highest number of votes for the given number of offices open shall be deemed elected.

NOTE: The above is new language reflecting the Town's current election procedure.

(d) Tie Votes. In the event of a tie vote for the office of Mayor or Council Member where two or more persons receive an equal and highest number of votes for the same office, such persons shall draw lots to determine who shall be elected to the office. Said procedure shall be open to the public, and conducted by the Town Clerk during a meeting of the canvassing board.

NOTE: This is similar to language suggested by Council Member Ciaschi, but it tracks the procedure set forth in Sec. 100.181, Florida Statutes. The existing language declares the office vacant and allows the Town Council to fill the vacant.

(e) 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.

(f) Special Elections. Special elections including those for *referenda* may be scheduled as provided by law. The Town Council shall fix the time, date, place, and purpose for holding such elections by resolution.

(g) Public Notice. Public notice of all elections shall be provided in accordance with state law and local ordinance.

Ocean Breeze Town Charter DRAFT
CHAPTER 4, ELECTIONS
April, 2026 Version v.1

Sec. 4.05 Canvassing board.

- (a) **Canvassing Board.** The town canvassing board shall be composed of the Mayor, if not currently running for election, or if so running, a member of the town council not currently running for election appointed by the town council, the town clerk, and the town attorney who shall act as chair of the board. Should any of the parties named herein be a candidate for election at the same election being canvassed, then the town council shall appoint another qualified elector of the town as a canvassing board member to take the place of such candidate.
- (b) By interlocal agreement, the town council may arrange for any or all of the duties of the town canvassing board to be performed by the county canvassing board as currently composed.
- (c) At the close of the polls of any town election, or as soon thereafter as practicable, the canvassing board shall meet at a place and time designated by the chairman and shall proceed to publicly canvass the absentee electors' ballots and then publicly canvass the vote as shown by the returns then on file in the office of the city clerk or when appropriate, the supervisor of election of Martin County, Florida.
- (d) The board shall prepare and sign a certificate of election containing the total number of votes cast for each person or other measure voted on. The certificate shall be placed on file with the city clerk and the Supervisor of Elections and this shall be the official results of the election, and at that time the person shall be deemed elected.

Sec. 4.06. Newly elected officials and oath of office.

At any time after a candidate is elected as certified by the canvassing board or upon the appointment of the Town Council, as appropriate, and before taking office, the Mayor and each Town Council Member 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 and ordinances 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."

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 OF OCEAN BREEZE
REGULAR TOWN COUNCIL MEETING
MINUTES**

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

- 1. Call to Order, President Docherty** – President Docherty called the meeting to order at 10:32 a.m.
 - **Pledge of Allegiance** – Mayor Ostrand led the Pledge of Allegiance
 - **Roll Call** – Present: Mayor Karen M. Ostrand; President Kevin Docherty; Vice President George Ciaschi; Council Members; Janet Galante, Sandy Kelley, 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. Special Order of the Day: Charter Review Workshop - Dan Hudson, Town Management Consultant

Town Management Consultant Dan Hudson explained the process of reviewing the Town Charter. He continued that after the Charter had been reviewed by the Town Council, it would be turned over to the Town Attorney for the revision.

[A FINAL DRAFT OF THE PROPOSED CHARTER CHANGES WILL BE SUBMITTED FOR COUNCIL APPROVAL AT A FUTURE DATE]

Section 1.04. Construction – Mr. Hudson stated that on the draft, this section had been added as a new section to the Charter.

Section 2.01. The Form of Government – Mr. Hudson stated that the language had been changed from six Council Members to five Council Members. He asked Council Members if there were any comments on the first page of the Charter. There were none.

Council Member Kelley stated that she was in favor of changing the charter to reflect five Council Members rather than six. She questioned whether language could be added, stating that no community would have more than three members on the council to not create a monopoly.

Discussion ensued regarding adding districts. It was decided that it remain “as is” using the electoral process to elect Council Members.

Section 2.03. The Mayor, Part A. Powers – Mr. Hudson stated that the only change would be to strike “The Mayor shall not receive a salary for service as Mayor”. He clarified that the Town operated as a Strong Mayor form of government which meant that the Mayor was the Chief Executive Officer of the organization.

Discussion ensued regarding the possibility of the Mayor or Council Members receiving a salary or compensation in the future and that it would either have to be done by ordinance, which would require advertising and two readings, or as a charter amendment which would require a vote. It was decided to leave the language “as is” and remove the strike through statement.

Section 2.03. The Mayor, Part B. Execution of Ordinances and Resolutions – Mr. Hudson, stated that the only change in this section would be to strike the word “his” and replace it with the word “the”.

Section 2.04. The Town Council – Mr. Hudson stated there was a change from six Council Members to five. He continued that the other change in that section would be to leave the current section “as is”, “No Councilman shall receive a salary for service as a Councilman”.

Mr. Hudson clarified that any sentence that was highlighted meant that it had been lifted from the document of another organization. He noted that the numbering would need to be adjusted accordingly.

Section 7.07. Recall – He continued that Section 7.07 related to recall provisions and stated that recall provisions were standard in local governments.

Attorney Torcivia outlined the possible reasons and procedures for the recall of an elected official.

Section 2.05. Town Council Meetings – Mr. Hudson stated that the sentence regarding notifying the public “over the Town’s loudspeaker system” would be removed. He explained that the wording “not less than twelve (12) hours” would be added to reflect the notice necessary to call a special meeting.

Section 7.08. Quorum requirements and voting rules – Mr. Hudson stated that this section was lifted from the document of another organization and would be added to the Town Charter. He explained when a roll call vote would be necessary.

Section 2.06. The President of the Council – Mr. Hudson stated that this section was designed to draw a clear distinction between the Mayor and the office of the President. He explained that the change proposed was that any time there was a council election that the Town Council would seek to re-establish the President’s office, as opposed to just during an annual election.

President Ciaschi asked if the election of the President would happen more than annually.

Mr. Hudson replied that if the Town Council had a special election to fill a seat for a Council Member, then that would trigger a vote for the President.

Discussion ensued regarding how often to hold elections for the President. It was decided to leave the wording “as is” for now until the Council reviewed the section regarding length of term.

Section 2.07. Vacancies, Filling of Vacancies – Discussion ensued regarding the number of absences that would be allowed per term.

Council Member Galante suggested allowing for three absences rather than four as currently written in the Charter.

The Council decided to allow three absences per calendar year, which would include all regular meetings and budget meetings. The term “consecutive” was stricken from the section.

3.02. The Town Clerk – Council Member Galante asked that updating the Town’s website with public notices for all meetings be added to the duties of the Town Clerk.

Mr. Hudson recommended removing “Perform municipal bookkeeping functions” from the Town Clerk’s responsibilities and add a new letter under **Section 3.04. Departments, Town Bookkeeper.**

Discussion ensued regarding making the following changes to **Section 3.04. Departments:**

D. Financial Services. “The Town may hire Financial Professionals for proficient operation of the Town government.

E. Town Auditor.

F. Other Departments.

Section 3.03. Town Attorney – Mr. Hudson stated that the additional language (which was highlighted) that was added to this section detailed the requirements of the attorney more fully and deliberately.

Section 3.04. Departments – A. Town Manager. Mr. Dan Hudson commented that the wording added in this section provided for a more expansive role for the Administrator and he suggested that in the future the Town may consider looking at expanding the budget for this role. He continued that his current title should be modified to either Consultant or Administrator.

Attorney Torcivia recommended striking the words “except for those under the control of the other charter officer.”

Section 4.01. Boards and Committees. Mr. Hudson explained that this was a newly added section with new language. **It would become letter G, under Section 3.04. Departments.**

President Docherty asked for questions from the public.

Joe Beert, 2050 Breezeway Circle, expressed his concern regarding Section 2.01. The Form of Government. He remarked that the number of Council Members was irrelevant and that the charter should address the long-term effects of Ocean Breeze Resort having a monopoly. He commented that it should be reflected in the charter that Seawalk was represented by the voters.

Sheila Raver, 1519 NE Skyhigh, commented that she would like the charter to reflect three Council Members from Ocean Breeze Resort and three from Seawalk. She added that many of residents in Seawalk work and that the morning meetings made it difficult for many to attend and suggested holding an even number of meetings during the day and evening.

President Docherty stated that more than 50% of the residents in the Resort work full time and that Seawalk agreed to have quarterly evening meetings. He explained that budget meetings were held in the evenings so there were eight morning meetings and seven evening meetings.

Ms. Raver stated that for the general population to be involved in the budget meetings, they must start attending the regular meetings, which she believed were much more important and informative. She commented that she was trying to get more residents to attend the regular Council meetings. She continued that the residents should have a better opportunity to be able to attend meetings by scheduling six meetings throughout the year in the morning and six meetings in the evening.

President Docherty agreed that it would be great if more of the residents would attend the meetings. He added that all meetings were posted in the Resort as well as on the Town website.

Council Member Galante stated that if the meetings were shared over Zoom, then more of the community would be involved and know what was going on in the Town.

Attorney Torcivia stated that all meetings are properly noticed under the law.

3. Approval of Minutes – President Docherty asked for approval of the minutes of the regular meeting of January 12, 2026, and asked if there were any comments from the Council. (There was no meeting in February.)

Council Member Galante shared several changes.

Council Member Galante, seconded by President Ciaschi, made a motion to approve the January 12, 2026, regular meeting minutes, with changes.

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

4. Budget to Actual – Wendy Price, Bookkeeper

Town Bookkeeper, Wendy Price, stated these were the final Budget to Actual figures approved by Town Financial Consultant, Holly Vath, for both the Fiscal Year 2024-2025 and the First Quarter Fiscal Year 2025-2026. She stated that if there were any questions to please see her.

President Docherty asked if there were any questions for the Council.

There were none.

Council Member Galante, seconded by Council Member Kelley, made a motion to approve the Budget to Actual Reports for Fiscal Year 2024-2025 and the First Quarter 2025-2026.

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

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 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.

Attorney Torcivia stated that this Ordinance was required by Florida statute. She explained that this currently did not impact the Town and that there are no building structures of this type. She continued that the Town was required by law to have an ordinance that addressed it. She proceeded with the first reading of the ordinance.

Council Member Pugsley, seconded by Council Member Kelley, made a motion to approve Ordinance No. 374-2026 on first reading.

(Roll Call Vote: Yes: Docherty, Ciaschi, Kelley, Galante, Balogna, Pugsley; No: None; **Motion passed 6-0**)

6. Retroactive Confirmation FMIT Trustee Nomination for President Docherty

Town Management Consultant, Dan Hudson explained that this was a nomination for President Docherty to the Florida Municipal Trust and that President Docherty had extensive background in the insurance industry. He stated that Mayor Ostrand had the authority to make appointments under the Town Charter and Ordinances, however, they were subject to confirmation by the Council.

Council Member Galante, seconded by President Ciaschi, made a motion to approve the nomination of President Docherty as a FMIT Trustee.

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

President Docherty recognized Liz Reese to speak on item 4.

Liz Reese, 1363 White Pine Terrace, requested that the Council ask Ms. Vath, Town Financial Consultant, for an estimate for the proposed millage rate for the 2026-2027.

Wendy Price, Bookkeeper, replied that she would check with Ms. Vath.

Liz Reese inquired how Ordinance #374-2026 applied to the Town.

Attorney Torcivia replied that Ordinance #374-2026 did not apply to the Town and stated that the Town was required by the Statute to have this ordinance in place.

7. Confirm Martin County Sheriff's Office Patrol Schedule – Town Management Consultant, Dan Hudson, explained that he, Mayor Ostrand and Town Clerk, Pam Orr, met with Deputy Adams to discuss the issues and concerns with the school age youth and stated that a revised schedule for patrolling the Town had been established. He continued that it would consist of two weekdays for three hours, generally from 5:00 pm – 8:00 pm with varying days, and two weekend days for three hours, also with the varying times. He commented that the budget was approved for \$20,000 and the cost was \$77 per hour, which would be approximately \$35,000 for the fiscal year. He asked for a motion to approve the proposed schedule and stated that a budget amendment would be brought back at a later date to address the cost. He added that the expense would be paid using gas tax funds.

President Docherty asked for comments from the Council.

Council Member Kelley asked how much was available in the gas tax fund.

Mr. Hudson replied that there was approximately \$261,000.

Council Member Galante felt that Ocean Breeze Plaza was an issue and that it should be monitored along with Ocean Breeze Resort.

Deputy Adams responded that the detail would cover Seawalk, Ocean Breeze Resort and the Plaza.

Council Member Galante asked Deputy Adams for clarification of violations within the Town.

Deputy Adams explained that they had trespass authorization for the Town which would be addressed with a trespass warning first, and then it could lead to an arrest. He clarified that it was more lenient with juveniles, but civil citations were used.

Council Member Galante inquired as to whether the patrols covered the Indian River Drive walkway.

Deputy Adams responded, "yes".

President Docherty asked for comments from the Public.

Ann Kagdis stated she would like the Council to invest in new microphones.

She informed the Council that Ann Spanolo, a former resident of Ocean Breeze Resort, would be celebrating her 100th birthday on April 27, 2026. She requested that the Town acknowledge her birthday and the fact that she had lived in Ocean Breeze for more than 60 years.

Ms. Kagdis also requested that the Town consider volunteering at, or donating to, the Art Music Auction, to be held on April 28, 2026, at the Treasure Coast Mall.

President Ciaschi, seconded by Council Member Galante, made a motion to confirm the updated patrol schedule.

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

8. Comments from the public on topics not on the Agenda – Liz Reese, 1363 NE White Pine Terrace, asked Mr. Dan Hudson, what items were left on the close out list for Seawalk.

Mr. Hudson stated that there was nothing from Mr. Giangrande to report. He explained that Mr. Giangrande had communicated with Forestar but no schedule had come of it. He continued that there was a plan for remedial work at Lot 1, Mrs. Raver, that was approved and that he was told verbally that she was satisfied with it. He continued that it was still going to require a schedule.

Ms. Reese inquired about the exotics in Seawalk.

Mr. Hudson explained that Mr. Giangrande's comments were still valid and that the Town could choose to accept the exotics.

Ms. Reese stated that if Seawalk de-annexed then Martin County would force Seawalk to remove the exotics.

President Ciaschi commented that the HOA had a couple of options, one was to have Forestar remove the evasive species, or the second option would be to amend the PUD so that if Seawalk decided to de-annex that Martin County could not force Seawalk to remove them.

Mr. Hudson stated that the PUD already recognized it, and to the best of his knowledge the PUD would take precedence.

David Wagner, 124 NE Bay Drive, stated he was concerned about the safety issue on the West End Blvd. and that the speeding was out of control. Mr. Wagner asked if the Town would request that the Resort paint a crosswalk in the road and add signage to slow down the traffic.

Mayor Ostrand responded that she had given Martin County a plan and that they are reviewing them again. She continued that she had an upcoming meeting with Commissioner Vargas and she was going to review a list of safety issues with her.

Doug Farley, Skyline Drive, stated he was not a resident of the community; however, he wanted to address the issue of the loud train horns, and that he had a petition from a group called Quiet Zones for Martin County. He stated that he would like to garnish support and form an alliance to better address the County Commission to move forward to make this happen. He commented that it could be done legally and safely, they just need some support from the voters. He added that he would leave petitions that could be circulated and signed by the Town residents who supported the issue.

Council Member Kelley responded that Mr. Farley had a lot of support within the community and she would be willing to circulate the petitions.

Attorney Torcivia stated that the Town passed a Resolution in support of quiet zones. She offered to give Mr. Farland a copy.

Discussion continued about safety issues and circulating the petitions.

9. Comments from the Council on topics not on the Agenda – Vice President Ciaschi commented that reviewing the line items for the expenses was discussed at previous meetings and that he had started to go over these items one by one. He went on to say that the top budget items were payroll, which was a set amount for the Town staff as well as the office rent and storage costs, and that there was no way to negotiate the items any cheaper. He stated that the Comcast expense had been reduced to approximately \$300 per month, which included internet and telephones. He continued that, except for the Mayor and the President, the cell phone stipends had been removed so there had been a savings in that category. He also stated that the Engineering fees were payroll expenses and that the copier expense had been lowered from \$349 down to \$279 per month. He added that the largest expense was insurance and it was currently being reviewed to see if it was possible to decrease the cost.

President Docherty replied that Florida League of Cities had the best insurance rates, which combined all the coverages under one entity. He stated that if the Town were to go to private insurance, it would not provide the coverage the Town needed, and that it would be more costly. He continued that the discussion of liability insurance was on the senate floor March 10, 2026. He stated that there was recently an amendment change, the Senate wanted to increase the limits to \$350,000 and \$550,000. He stated he was pushing for \$300,000 and \$450,000. He continued that the House Bill would be

\$600,000 for each individual, with the total aggregate of \$1.2 million dollars. He stated that our premium now is approximately \$28,000 per year and if the House Bill was passed it would double.

Council Member Galante questioned what streetlights we own.

President Docherty commented that we had streetlights on Indian River Drive.

Council Member Galante asked when the crooked light poles would be fixed.

President Docherty responded that he had been fighting FPL for five years to try to get them fixed.

Town Clerk, Pam Orr stated that the light poles were in the right of way and they were Martin County roads.

Council Member Galante inquired as to when we would be receiving the utility tax income from Florida Power and Light.

Town Bookkeeper, Wendy Price, replied that all paperwork had been filled out and filed and that the Town should start receiving the funds in March.

President Docherty reminded residents about the St. Patrick's Day parade on Sunday, March 14th. He commented that everyone was welcome and if anyone was interested in participating to please speak to him.

President Docherty announced that the Town Council, Town Attorney and Town Management Consultant had been invited to the Treasure Coast Regional League of Cities luncheon March 15, 2026. He encouraged those who wanted to attend to register.

Council Member Galante, seconded by President Ciaschi, made a motion to research the cost of getting new microphones.

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

Vice President Ciaschi shared that he and the HOA President did a walk through in Seawalk and that the few items that were left were getting worse. He remarked that the issues that the residents were having with the Town was that even though many of the items had been addressed, they didn't feel like anything was getting done. He continued that the residents would like to know how much longer it was going to take or to at least get a time schedule for when the last few items would be completed. He asked if Mr. Giangrande would come to the next meeting to give an update or ask the attorney for Forestar to attend a meeting to give an update.

Pam Orr, Town Clerk, stated that the Town was currently waiting on Forestar and not Mr. Giangrande.

Mayor Ostrand responded that Mr. Giangrande had been to Seawalk many times. She stated that you can't make their attorney show up to a meeting and added that Pam Orr was on the phone almost daily with Mr. Giangrande to resolve these issues.

Council Member Kelley requested that the Town go back to Chubb to attempt to force Forestar to finish the work.

Attorney Torcivia responded that the Town could go back to Chubb and reiterate that Forestar had stalled, however, they had been working on the Raver project. She believed that Forestar would respond to Chubb by saying they had been working on Lot 1. She added that the Town could go back to Chubb and push Forestar to complete the outstanding items.

Pam Orr, Town Clerk, commented that she would reach out to Forestar.

10. Comments from Town Management Consultant – Town Management Consultant, Dan Hudson, stated that he would be out of the office for the remainder of the week.

Mr. Hudson discussed streaming the meetings and that three vendors had been contacted for quotes; one vendor had not responded, one was not interested, and that we received a competitive quote from the Town’s webmaster, Impactful Media. He commented that the quote came out to approximately \$450 - \$550 per meeting. Mr. Hudson continued that it was not currently budgeted and that the Town would need to investigate the internet capacity for the meeting site as well as what the fee would be for whatever platform was chosen. He suggested we continue working with Impactful media and finalize the remaining details, so it could be added to the budget for next year.

11. Comments from Town Attorney

Attorney Torcivia stated that we were in the final week of session, and she urged everyone to reach out to their Representatives in the House and the Senate and to encourage them to oppose the elimination of property taxes and to oppose the amendments to Sovereign Immunity.

12. Comments from Mayor Ostrand

Mayor Ostrand encouraged Council Members and staff to attend the Treasure Coast League of Cities luncheon March 15, 2026.

13. Announcements – Regular Town Council Meeting to be held on Monday, April 13, 2026, at 6:00 p.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.

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

President Docherty adjourned the meeting at 12:50 pm.

Respectfully submitted,

Pam Orr
Town Clerk

Approved _____



Item # 5

National Donate Life Month Proclamation

- WHEREAS: One of the most meaningful gifts that a human being can bestow upon another is the gift of life; and
- WHEREAS: over 105,000 men, women and children are currently on the national waiting list for organ transplantation, of which over 6,000 reside in Florida; and
- WHEREAS: 49,065, a historic number of organ transplants, occurred in the calendar year 2025 in the United States thanks to the generosity of 23,787 deceased and living donors, of which LifeLink of Florida honored more donors than ever before serving 360 organ donors who provided 995 lifesaving transplants to patients in need; and
- WHEREAS: more than 2.5 million people throughout the country and in Florida benefit annually from tissue transplantation thanks to thousands of tissue donors; and
- WHEREAS: the need for organ, eye, and tissue donation remains critical as a new patient is added to the national waiting list for an organ transplant every 8 minutes and each day roughly 13 people die due to the lack of available organs; and
- WHEREAS: more than 10 million Floridians have already registered their decision to give the Gift of Life through organ and tissue donation at www.DonateLifeFlorida.org or on their driver license; and
- WHEREAS: LifeLink® of Florida, the non-profit organization dedicated to the recovery of organs and tissue for transplantation therapy in Florida, with a mission to honor donors and save lives through organ and tissue donation.

Now, therefore, I, Karen M. Ostrand, Mayor of the Town of Ocean Breeze, Florida do hereby proclaim the month of April, 2026 as

DONATE LIFE MONTH

in Ocean Breeze, Florida, and encourage all residents to consider leaving an infinite legacy through organ donation and to sign up at www.mystorycontinues.com or when renewing their driver license or state identification card.

KAREN M. OSTRAND, MAYOR

DATE



Item #6

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

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.

SECTION 3: Requirement to Commence Repairs within 365 Days.

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

- 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.

SECTION 6. Reporting Requirements.

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

- 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 9th day of March, 2026.

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

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 13th day of April, 2026.

ATTEST:

PAMELA ORR
TOWN CLERK

KAREN M. OSTRAND
MAYOR

APPROVED AS TO FORM & LEGALITY:

TOWN ATTORNEY
TG Law, PLLC

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. FMIT Appointment Confirmation, President Kevin Docherty

B. Home Rule Hero Award 2026 – Mayor Karen M. Ostrand

C. Home Rule Hero Award 2026 – President Kevin Docherty

D. Ocean Breeze Resort Stipulation Agreement Status Report

E. Letter from Mayor Ostrand to Sheila Raver

F. FPL Utility Tax

Item A



March 31, 2026

The Honorable Kevin Docherty
Council President, Ocean Breeze
PO Box 1025
Jensen Beach, FL 34958-1025

Dear Council President Docherty:

This letter confirms your appointment to serve as a Trustee of the Florida Municipal Insurance Trust (FMIT). Congratulations!

We will be in contact with you to schedule a virtual orientation prior to the next meeting.

Trust meetings are reimbursable with appropriate receipts and documentation, and Trustees receive a \$500.00 fee for attending a Trust meeting. Please note that information regarding hotel reservations and other meeting details will come from Michaela Metcalfe at the League. The next meeting will be held on Friday, June 5, 2026, at the EAU Palm Beach Resort in Manalapan, Florida, at 8:30 am. Prior to each meeting an agenda book will be sent to you via an electronic link in an email.

We appreciate your willingness to serve as a Trustee of the Florida Municipal Insurance Trust. Please call our office if you need any assistance during your service as a Trustee.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeannie", written in a cursive style.

Jeannie Garner
Executive Director/CEO

cc: Scott Black, Chair, FMIT; Mayor, Dade City
Chris Krepcho, Chief of Insurance and Financial Services

**LOCAL
VOICES
MAKING
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CHOICES**



301 S. Bronough St., Suite 300
Tallahassee, FL 32301-1722

P.O. Box 1757
Tallahassee, FL 32302-1757



Phone: 850.222.9684
Fax: 850.222.3806



flcities.com

Item B



301 S. Bronough St., Suite 300 • Post Office Box 1757 • Tallahassee, FL 32302-1757
850.222.9684 • Fax: 850.222.3806 • Website: flicities.com

The Town of Ocean Breeze Honored with 2026 Home Rule Hero Award

The Town of Ocean Breeze official recognized for advocacy efforts during the 2026 Legislative Session

FOR IMMEDIATE RELEASE: March 31, 2026

CONTACT: Pam Orr, Town Clerk

townclerk@townofocceanbreeze.org / 772-334-6826

The Town of Ocean Breeze, FL – The **Florida League of Cities (FLC)**, the united voice for Florida’s municipal governments, recently recognized The Town of Ocean Breeze Mayor, Karen M. Ostrand with a 2026 Home Rule Hero Award for their hard work and advocacy efforts during the 2026 Legislative Session. Ostrand worked tirelessly throughout session to promote local voices making local choices by sharing insights, local data, and real-world examples that helped inform state lawmakers and elevate the voice of Florida’s cities.

“Local voices matter, and during the 2026 Legislative Session, these leaders made sure those voices were heard,” said **FLC Chief of Legislative Affairs Casey Cook**. “By engaging early, often, and thoughtfully, they helped elevate the municipal perspective and reinforce the importance of local decision-making. We sincerely appreciate their dedication and are proud to recognize their advocacy on behalf of Florida’s cities.”

Home Rule is the ability for a city to address local problems with local solutions with minimal state interference. Home Rule Hero Award recipients are local government officials, both elected and nonelected, who consistently responded to the League’s request to reach out to members of the Legislature and help give a local perspective on an issue.

Founded in 1922, the Florida League of Cities is the united voice for Florida’s municipal governments. Its goals are to promote local self-government and serve the needs of Florida’s cities, which are formed and governed by their citizens. The League believes in “Local Voices Making Local Choices,” which focuses on the impact citizens and city leaders have in improving Florida’s communities. For more information, visit flicities.com.



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To: President & Council Members
Via: Mayor Karen M. Ostrand
From: Dan Hudson, Town Management Consultant
Subject: Stipulation Agreement Status Report
Date: Council Meeting – April 13, 2026

Summary: For information only, no action required. This report summarizes the status of the Stipulation Agreement. Town Council was informed in December of a necessary delay related to Paragraph 13.a) stormwater improvements. All infrastructure work is forecast to be completed by December 31, 2026.

This status report is prepared at the Mayor’s request. The Mayor and Town staff met with Sun staff on March 5, 2026 to evaluate the status of the Stipulation Agreement between the Town and Sun Communities, Inc. dated 1/13/2025 (Agreement).

The items summarized below correspond to the numbered paragraphs of the Agreement. The bullet points refer to key elements of each paragraph. *The italicized text reflects this writer’s assessment of current status for each paragraph.*

10. COMPLETION ASSURED. Sun agrees for itself and its successors in interest, to complete the development of what is described herein as the "Infill Area" and "Roadway Lighting" as set forth in paragraphs 11-17 and according to the following additional terms and conditions:

11. POTABLE WATER AND FIRE HYDRANT SYSTEM

- Record drawings & permit application 2/14/25 COMPLETE
- Complete Phase 1 fire protection 12/31/25 COMPLETE
- Complete Phase 2 remainder 12/31/26 forecast to be on time

12. ROADWAY PAVING

- Roadway condition reports 2/14/25 pending

*Were any reports submitted?
Are there any changes to roadway conditions?*

COMMENTS: *No prior reports were identified. Due to the on-going underground work within the Infill Area, roadway needs are readily observable. Additional core samples [aka “potholing”] are being taken to assure no interference with existing water, sewer, drainage, power, and other infrastructure. Sun intends to resurface the Infill Area prior to 12/31/26, once underground work is complete.*

13. STORMWATER SYSTEM IMPROVEMENTS

13.a) STORMWATER IMPROVEMENTS (GENERALLY).

- Record drawings 8/1/25 COMPLETE
- Complete Phase 1 12/31/25 pending
- Complete Phase 2 12/31/26 forecast to be on time

What is distinction between Phases 1 & 2?

COMMENTS: Phase 1 refers to the northern section of the Infill Area and Phase 2 refers to the southern section of the Infill Area.

Town Council was informed in December of the need to delay completion of the Phase 1 stormwater and relocate the proposed drain lines to beneath the roadbed. Sun plans to begin construction by late March or early April.

13.b) STORMWATER (FLOODING) [no date]

Any issues?

COMMENTS: Sun has addressed known flooding issues to the degree possible. Some isolated ponding is observable after heavy rains but usually clears. Any additional concerns should be reported to Sun management.

14. SANITARY SEWER SYSTEM

- Sewer conditions report 2/14/25 COMPLETE

*Were any reports submitted?
Are there any changes to sewer conditions?*

COMMENTS: The Stipulation Agreement described the sewer system to be "in generally good repair." However, certain deficiencies have since been noted. These have been repaired by installing impermeable liners inside the existing sewer lines, a standard industry practice.

15. ROADWAY LIGHTING SYSTEM

- Record drawings 8/1/25 COMPLETE

COMMENTS: The drawings of record are found in the lighting plan dated August 2019.

Installed lighting is consistent with the plan. However, certain areas are observably deficient, notably in the northwest area in the vicinity of Nautical Drive. Sun indicates a willingness to modify lighting as needed.

16. ADDITIONAL LOT

Discretionary

Are there any additional lots to consider?

COMMENTS: *This refers to a lot identified by Sun as "91A" located between lots 91 and 92.*

Sun intends to propose an amendment to the Master Site Plan to accommodate lot 91A at some time this year. If so, it would be a good time to finalize an exact count of buildable lots. Sun uses a working number of 489 lots in its sales prospectus (dated 2019) and in other uses. However, a count of the numbered lots on the Master Site Plan by this writer indicates just under 500 lots. To balance this, Sun reports that several numbered lots are in fact unbuildable due to size, particularly in the very south end of the Resort. The lot count includes both modular homes and RVs. Nevertheless, the project is presently over 80% built out, and a final agreed upon count should be obtainable.

17. RECREATIONAL VEHICLES

- RVs removed from Infill Area 12/31/25 COMPLETE
- All RVs relocated to RV area 11/20/27 pending

COMMENTS: *All RVs have been removed from the Infill Area. Unbuilt lots continue to be used for RVs in the south end. This deadline has moved several times due to declared emergencies. It could move again if another declared emergency event occurs.*

Item E



Town of Ocean Breeze

March 24, 2026

Sheila Raver
1519 NE Skyhigh Terrace
Ocean Breeze, FL 34957

Dear Ms. Raver:

The Town of Ocean Breeze is unclear as to your intentions with respect to your recent email. Your correspondence has been reviewed by the Town Engineer and Town staff. The following comments are offered:

1. An engineering plan was submitted by Forestar for the remediation of your property. The plan was reviewed and approved by the Town Engineer.
2. The plan as submitted conforms with the Town regulations, which can be found at <https://townofocceanbreeze.com/planning-zoning/>.
3. The standards cited in your email are not relevant to the site conditions at hand. The standards cited appear to describe generic grading/retaining requirements, but they are not a universal "engineering standard" or code formula on their own.
4. The Town is prepared to move forward with the remediation and is in communication with the developer Forestar.
5. To move the project forward, the Town needs to be assured that you will approve appropriate access to your property, as a signatory on the permit application.

The Town respectfully requests that you provide a signed written statement of your intention to authorize the approved plan no later than April 15, 2026.

Regards,

A handwritten signature in black ink that reads "Karen M. Ostrand".

Karen M. Ostrand
Mayor

cc: Town Council, Town Attorney, Town Engineer, Town staff
Attachment: Town Engineer letter dated March 16, 2026

P. O. Box 1025 • Jensen Beach, FL 34958

Office: 772-334-6826 • Fax: 772-334-6823 • townclerk@townofocceanbreeze.org

Review Memorandum

Date: March 16, 2026
To: Town of Ocean Breeze
From: Leo Giangrande, P.E.
Subject: Seawalk Lot 1, Ms. Raver
Town of Ocean Breeze
GEP No.: 24-034



Distribution: Town File

This memorandum is published to respond to the attached email received on March 15, 2026. The town has approved the plans provided by Fourstar to improve the grading issue at the above lot.

The referenced email suggests that this should comply with the "Engineering Residential Building Standards" along with the following:

Engineering standards including formula:

- Formula: Height x 1.5 = Horizontal Run
- Calculation: 12ft x 1.5 = 18ft Horizontal Run.
- Building proximity: Within 10ft of a foundation a flatter ration of 2:1 or 3:1 or a retaining wall may be required to meet building codes.

The Town standards for the Land Development Code regulations are located at <https://townofoceanbreeze.com/planning-zoning/>. The "Residential Building Standards" with above calculations are not part of the town's code or ordinances. In addition, the numbers utilized in the above equations do not appear similar to field conditions or any referenced topographical surveys.

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



On Mar 15, 2026, at 5:31 PM, Shelia Raver <sraver@rocketmail.com> wrote:

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

I am writing regarding Lot 1 in the Seawalk development located in Ocean Breeze, Florida 34957

Dear Mayor Karen Ostrand, President Kevin Docherty, Vice President George Ciaschi, Council Members Janet Galante, Gail Balonga, Margaret Pugsley, Sandy Kelly, Town Manager Dan Hudson and Code Enforcement David Holcomb

I am sending this "Engineering Residential Building Standards" for your review.

Engineering standards including formula.

- **Formula:** Height x 1.5 = Horizontal Run
- **Calculation:** 12ft x 1.5 = 18ft Horizontal Run.
- **Building proximity:** Within 10ft of a foundation a flatter ration of 2:1 or 3:1 or a retaining wall may be required to meet building codes.
- **Additionally, utility easements must be maintained and accessible.**

The 8ft clearance/easement behind lot 1 does not allow for the minimum standard with a horizontal run of 18ft.

I will continue to work diligently to provide information supporting my Engineers report for Lot 1. Please let me know if you have any questions.

Respectfully,
Shelia Raver
1519 NE Skyhigh Terrace
Ocean Breeze, FL 34957

sraver@rocketmail.com
352 446 2722

Life is not how many breaths you take, but how many things take your breath away.

Item F

Bookkeeper

From: 00FIBATCHPA <00FIBATCHPA@FPL.COM>
Sent: Thursday, March 19, 2026 7:33 AM
To: Bookkeeper
Subject: Notice of NextEra Payment: 2028014757 1500 2026

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Do not reply to this e-mail address. For questions contact your accounts payable representative.

On 03/20/26 , FLORIDA POWER & LIGHT CO will be depositing \$4,020.51 in your account at SEACOAST NATIONAL BANK .

This is payment for the following invoices:

Invoice Number	Invoice Date	Document Number	Invoice Amt	Discount Amt	Net Amount
2603061052022260	03/20/26	1900986948	4,020.51	0.00	4,020.51

Payment Total: \$4,020.51