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BROWARD MAYOR KEN KEECHL'S NEWSLETTER

** In his September 2010 Newsletter, Broward Mayor Ken Keechl summarizes the home stretch of an 8-year contest of wills. Following decades of "in your face" corruption by Broward public officials, frustrated and angry Broward voters passed ballot*

issues (2002 and 2008) demanding formulation of an ethics code applicable to County Commissioners. Since these voter mandates bore a strange similarity to flustered parents asking pathologically light-fingered children to determine their own punishment, the results were not surprising. County Commissioners simply ignored the electorate and did nothing.

Like nasty kids who suddenly "get religion" after overhearing Mom and Dad discuss a boarding school on the far side of the moon, when the FBI began tossing County officials into the slammer, the Broward Commission opted to preempt a decidedly more severe fate and grudgingly give the voters their ethics code. An Ethics Commission appointed in early 2009, finished codifying viable behavioral guidelines by February 19, 2010.

Throughout the year-long process, individual Commissioners made repeated attempts to abort the evolving set of rules, subjecting committee members to threats, legal challenges and unrelenting political pressure. Shortly before the Ethics Commission's last meeting on June 18, 2010, County Attorney Jeff Newton issued a politically motivated memo stating that Broward Commissioners would be "violating their oath of office" by adopting the Ethics Code, vailing a threat to engulf the ethics panel in legal turmoil.

Ethics Commission Chair Neal de Jesus admitted that he was "not surprised at all" that the County Commission was suing to derail corruption reform. Ethics Commission appointee Bob Wolfe said he was "personally livid, disgusted and appalled" by the Commission's actions. Wolfe added "They're going to do everything imaginable to have someone else strike every position they can out of this ordinance. It's a shame. They don't get it. I guess they've got to see another colleague of theirs walk out in handcuffs before they get it." When Ethics Commission member Robin Rorapough asked Newton's Chief Appellate Counsel Andrew J. Meyers why the County Attorney decided to suddenly plant legal land mines so late in the process, Meyers let slip that Commissioner Ilene Lieberman was behind the memo.

His admission wasn't exactly a surprise, since Lieberman (who generates lobbying income under married name Ilene Michelson), Stacy Ritter and John Rodstrom all enjoy healthy income streams from trading on their Commission seats. The surprise is that Meyers' wife is also a lobbyist. Employed by the Berger Singerman law firm, Dawn Meyers represents clients transacting County business.

The Broward Legislative Delegation unanimously supported Representatives Ellyn Bogdanoff (Fort Lauderdale Republican) and Ari Porth (Coral Springs Democrat) to spearhead a statutory basis for the Code's critically important "Office of Inspector General." After meeting with lobbyists sent to Tallahassee by two County Commissioners, Delegation member Representative Jim Waldman unexpectedly loosed a series of personal and partisan attacks on Bogdanoff and recommended watering down Broward's ethics legislation. After a blistering negative response by fellow Democrats, the local media (including the Sun-Sentinel editorial board) and his own constituents, Waldman cooled the rhetoric; evidently realizing that any "favors" his actions would cultivate with collusive Commissioners were hardly worth his political future.

Aghast at their blatant attempt to destabilize corruption reform in both local and State forums, an irate Ari Porth declared "The people of Broward County are sick and tired of public corruption and those that sit idly by doing nothing to stop it. It appears that some of our commissioners need to have the plugs removed from their ears to hear the public's outcry."

Despite the minefield of political obstacles, an intact Ethics Code was delivered to the County Commission one week before the August 18th submission deadline for placing items on the November ballot. Since this was their last chance to dilute provisions that prospectively soured their extra-curricular financial opportunities, County Commissioners launched a series of amendments to weaken the code. When they failed, Commissioner Stacy Ritter filed a "Hail Mary" amendment that replaced the

entire section empowering an Inspector General with a virtually toothless substitute, deftly stripping the I.G. of the tools required to either prevent or punish Commission corruption.

Given the scope and virulence of the County-wide outcry against her scam amendment, a week later she apologetically returned the I.G.'s right to act independently while pursuing wrongdoers. However, other regressive elements of her skewed amendment remained. When the watered down Ethics Code was put to a vote, only Ken Keechl opposed, arguing that any variation of the original version would further inflame public suspicion. Commissioner Gunzburger asked to change her vote, joining Keechl on the losing side of a 6 Years vs. 2 Nays decision to place Ritter's diluted version of the Ethics Code on the November ballot.

Having concluded that the questionably amended version preserved enough of the original work product to still provide effective reform, Keechl participated in the Commission's unanimous decision to approve an ethics code, thereby sparing Broward voters a third infuriating disappointment. His September 2010 Newsletter enumerates the new code's major corruption deterrents and supports widening its application to municipal officials as well, an ambitious undertaking that will undoubtedly trigger jurisdictional warfare. (If you squint, you can almost see local officials whipping out copies of the Constitution while declaring their God-given right to plunder their own constituents free of duress or interference from the County political food-chain.) Read Mayor Keechl's summary of the Ethics Code... - [editor]"

*"Ethics Reform at the Broward County Commission"
by Broward County Commissioner and Mayor Ken Keechl*

I'm proud to report that the Broward County Commission unanimously passed a Code of Ethics that will govern how business is done at the Broward County Commission. Don't let anyone tell you that it wasn't a major change in the way business has been done in the past. This is substantive ethics reform! A few key aspects of the new Ethics Code include:

1. County Commissioners will no longer be able to serve on selection committees where major contracts are awarded. Specialized staff members will control the selection process with oversight by the Commission only at the time of contract approval on the dais.
2. An Office of Inspector General will be created to detect misconduct and conduct investigations.
3. County Commissioners cannot be employed as lobbyists or engage in lobbying activities with cities or other governmental entities in Broward.
4. County Commissioners cannot accept gifts of any value from lobbyists or vendors doing business with Broward County.
5. All lobbyists must be registered and provide detailed information as to the substance of all meetings with Commissioners. Additionally, if a meeting occurs outside a Commissioner's office, he or she must disclose the lobbying activity, including phone calls and electronic communications.
6. Lastly, there are now fines of \$250 to \$5,000 per violation, as well as public reprimand, censure, and possible jail time.

This Ethics Code is long overdue and I support it wholeheartedly. Moreover, as your Commissioner I voted against all amendments that could be viewed by the public as weakening the Ethics Code. However, I want to go further. I want to apply it to cities as well. After all, what's good for the Broward County Commission is also good for the commissioners in Lighthouse Point, Fort Lauderdale, Pompano Beach and all of our 31 cities.

So during my second term as your County Commissioner, I will work on additional measures to increase the scope of the Ethics Code and make disclosure of lobbyist and Commissioner activities even more transparent. After all, you and your families deserve nothing less.

Ken Keechl, Broward County Commission District 4
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COMMISSIONER ROBERTS 2010 SUMMER NEWSLETTER

"In his late Summer Newsletter to constituents, District 1 City Commissioner Bruce Roberts offers a snapshot of City programs in various stages of development. The August 17th Commission Meeting marked the end of the City Commission's mid-Summer hiatus. Evidently, the Budget Advisory Board convinced Commissioners that using \$17 million in Reserve funds to partially plug the projected FY 2011 budget's \$31 million shortfall was inherently evil. The City Commission sent interim City Manager Allyson Love back to the Budget and Management slaughterhouse to locate additional spending cuts, enough to wash out the \$31 million deficit (about 5% of the total budget) and trim next year's spending plan to \$580 million.

Ms. Love's stellar performance in the City's Management and Budget arena is a glowing testament to her fiscal skills. However, it would require an advanced degree from Hogwarts to incrementally trim 5% from each department while complying with the Commission's prerequisite for no layoffs or painful service cuts. Either the City Commission will have to renege on their budget promises or Love's playing field will be restricted to sacrificing infrastructure, employee benefit concessions and/or a painfully executed dog and pony show.

Roberts outlines the operational underpinnings of a lightning prediction system approved by the City Commission last April and subsequently installed in 13 city parks. In March, two companies were considered for the project. When Plantation-based Francis Uriel Electric Adt, Inc., the low bidder at \$96,930, misrepresented their system's capabilities, the contract went to a Sunrise company called Thor Guard Inc. Unfortunately, the \$135,000 that was budgeted for the project didn't cover the \$153,326 Thor Guard bid. To square the difference without denting the budget, the City Commission snagged unused revenues residual to the now completed Mills Pond Park playground project and transferred the \$18,326 required to offset the Thor Guard contract shortfall.

When the "Mark Wandall Traffic Safety Act" (House Bill 325) became effective on July 1, 2010, it provided a statutory basis for the City's new Red Light Camera Enforcement system. Fort Lauderdale's contract with vendor American Traffic Solutions was amended to comply with the new State law. The City originally passed an ordinance to govern red light camera violations. Now that State law regulates enforcement, the City can issue legitimate traffic tickets for infractions instead of constitutionally questionable "code violations".

Galt Mile residents following this project may have noticed that the intersections originally selected for camera enforcement have been changed. The camera-mounted traffic signals planned for Federal Highway at Oakland Park Boulevard and Commercial Boulevard resurfaced miles away on NE 8th Street. Don't get too comfortable, however, since this is a pilot project. Barring unforeseen consequences, the nine initial locations will ultimately mushroom to 50 sites at dangerous intersections throughout Fort Lauderdale. It's only a matter of time before the original nearby intersections are fitted with cameras.

Also, the City of Oakland Park has been planning to install some cameras at other nearby intersections like Dixie Highway at Oakland Park Boulevard and Commercial Boulevard. Along with lead-footed locals, unsuspecting snowbirds and visitors historically fall prey to newly installed camera enforcement systems. You might want to think twice before lending your vehicle to anyone, since the vehicle owner - not the driver - gets hit with the \$158 ticket.

Commissioner Roberts reviews recent developments impacting the City's evolving Noise Ordinance. The longstanding controversy surrounding the limitation on decibel levels primarily affects mixed use neighborhoods, often setting residential and commercial community activists at each other's throats. The issue is exacerbated by commercial enterprises that grind out music long after their approved hours of operation and residents armed with sound detection equipment swearing out frivolous complaints. Since thriving commercial and residential components are survival requirements for any mixed use community, if one side or the other wins, everyone loses.

As exclaimed by Commissioner Roberts, balancing the right to peaceful enjoyment with the right to make a living can only be achieved with a carefully tailored and realistic noise ordinance. The City's consultant, President Eric Zwerling of Noise Consultancy, LLC, has forged an excellent reputation by settling similar conflicts for the State of New Jersey, the Cities of New York, Philadelphia, Long Beach (N.Y.), Gainesville, Seattle and other urban noise battlegrounds.

Commissioner Roberts wraps up his Newsletter by inviting residents to free Citizen's Crime Alert meetings hosted by iconic law enforcement officials. Also, one of the two new locations he selected as sites for his twice-monthly pre-agenda meetings is just up the block - the Beach Community Center. Read on... - [editor]"



FROM THE DESK OF COMMISSIONER BRUCE G. ROBERTS

Budget The proposed budget presented by the City Manager represents an overall increase of 1.7% over the current fiscal year. At our August 17th meeting, your Commission directed staff to present a proposal which does not increase the millage rate while simultaneously reducing the new budget by 5% under the current year's budget. As a reminder, there will be Public Hearings on the budget at the next two commission meetings on September 7th and 21st.

As we move forward establishing a new administrative staff, it is important to note that on October 12th, the Commission will have a public workshop to discuss the process of hiring an interim and fulltime City Manager. We are also preparing to have a budget workshop in October. The purpose of this will be to discuss the development of a five year business plan. This will give us the ability to better measure operational efficiencies relative to service demand, priorities and costs.

City of Ft. Lauderdale Parks and Recreation Lightning Safety Information - What You Should Know About Our Lightning Prediction Systems In the United States, more than 400 people are struck by lightning each year. To encourage lightning safety, and at the direction of your Commission, the City of Fort Lauderdale's Parks and Recreation Department has installed lightning prediction systems at several park locations. The Parks and Recreation Department will utilize the lightning prediction systems as a weather-monitoring tool that will provide additional protection to employees, recreational program participants and other park patrons. The following park locations have been equipped with the lightning prediction systems that will be operational ONLY during normal park hours and as warranted for special events:

- Bass Park: 2750 N.W. 19 St, Ft Lauderdale 33311
- Bayview Park: 4401 Bayview Dr, Ft Lauderdale 33308
- Croissant Park: 245 W. Park Dr, Ft Lauderdale 33315
- Floyd Hull Stadium: 800 S.W. 28th St, Ft Lauderdale 33315
- George English Park: 1101 Bayview Dr, Ft Lauderdale 33304
- Holiday Park: 1150 G. Harold Martin Dr, Ft Lauderdale 33304
- Joseph C. Carter Park: 1450 W. Sunrise Blvd, Ft Lauderdale 33311
- Lauderdale Manors: 1340 Chateau Park Dr, Ft Lauderdale 33311
- Mills Pond Park: 2201 N.W. 9 Ave, Ft Lauderdale 33311
- Osswald Park: 2220 N.W. 21 Ave, Ft Lauderdale 33311
- Riverland Park: 950 S.W. 27 Ave, Ft Lauderdale 33312
- Snyder Park: 3299 S.W. 4 Ave, Ft Lauderdale 33315
- Warfield Park: 1000 N. Andrews Ave, Ft Lauderdale 33304

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COUNTY COMMISSION PULLS BAIT & SWITCH WITH NEW ETHICS CODE

By Eric Berkowitz

Broward residents spent the last two decades watching their elected representatives claw their way to financial prosperity on the public dole. In South Florida, the unrelenting parade of borderline and/or openly illegal activity flourished without consequence for so long that public officials became arrogantly comfortable with scamming their constituents "in the sunshine" (School Board members actually declared illegal gifts on their tax returns). Local media reports detailing how these officials lobbied for and benefitted from dumping funds into black holes were dismissed by high profile perpetrators. As proof of wrongdoing was repeatedly ignored or even rewarded with re-election, an initially askance public grew numb. Despite their pervasive sense of frustration and impotence, a lingering anger drove Broward voters to twice mandate the creation of an ethics code (2002 & 2008).

Although State Attorney Michael Satz peacefully slumbered through a blizzard of bribes, theft, money laundering and graft, some local journalists picked up the slack. When describing clearly illegal activity, articles written by investigative reporters like Bob Norman weren't simply exercises in mud-slinging. They were cogent, highly incriminating reports supported by documentation adequate for arrest warrants – in any other jurisdiction.

Fortunately, the Feds weren't suffering from the same pathological stupor that afflicted local law enforcement for decades. They were also familiar with the turf. Federal investigators spent the 1990s decapitating crooked public officials in Miami, shaping its reputation as one of the country's most corrupt cities. After the Millennium, they took their show north to Palm Beach, where they sent Palm Beach County Commissioners Tony Masiolotti, Warren Newell and Mary McCarty to the slammer on public corruption charges. It was only a matter of time before Federal resources would explode into Broward.

The 2009 sting that netted former Broward School Board member Beverly Gallagher, Broward Commissioner Josephus Eggelation and Miramar City Commissioner Fitzroy Salesman was originally hatched in 2005. After setting the stage, the Feds pulled the plug four years later. There was such a cornucopia of bad players and openly crooked activity that their single most delicate operational challenge was deciding who should be turned and who should do time. The dominoes started to fall across the county, tainting former Deerfield Beach Mayor Al Capellini, Broward Commissioner Stacy Ritter (and husband Russ Klenet), Broward Commissioner Diana Wasserman-Rubin, Florida Medical Association PAC fundraiser Dr. Alan D. Mendelsohn and Master of the Universe attorney Scott Rothstein. FBI regional chief John Gillies, with 500 agents between Key West and Fort Pierce, warned that there is more to come, stating "We have a number of investigations ongoing, and like all of our cases, we'll go where the evidence takes us."

With the Federal bulldozer rolling in high gear, the Broward Commission was forced to swallow hard and grudgingly sponsor an Ethics Commission to formulate an ethics code. On February 19,

2010, their 27-page work product was finalized. An inspector general with the power to seek fines of up to \$5,000 and refer cases to state and federal prosecutors would enforce the new rules. The I.G.'s office would have subpoena power, take testimony under oath from witnesses and investigate any reasonable suspicion of misconduct. The inspector general would serve a four-year term once appointed by a five-member panel of legal professionals and law enforcement officials.

Openly abusing a transparent conflict of interest for decades, many Broward Commissioners have repeatedly engaged in bartering "access" in exchange for benefits ranging from campaign contributions to paper bags filled with cash. Instead of Commissioners serving on committees that evaluate bids and select contractors for lucrative county projects, professional staff committees will make recommendations that will be voted up or down by the Broward Commission.

Although criticized by some citizens groups as too soft and slammed by politicians and lobbyists as too tough, the Ethics Commission did a creditable job, as evidenced by the blistering objections raised by Commissioners and other historical beneficiaries of preserving the "status quo". Angry about the provision that would preclude him from distributing a rich supply of lucrative contracts, Commissioner John Rodstrom accused task force members of exceeding their mandate. Contending that their premise for preventing Commissioners from directly handing out contracts was "baseless" and should be "revisited", Rodstrom said "I actually found that offensive or found that they didn't really understand their charge as a board, that they were way outside the boundaries of what they were charged to do and so I think we need to sit down and have a real frank discussion at some point."

Not surprisingly, most of Rodstrom's Commission colleagues failed to acknowledge any problematic conflict of interest and echoed his sentiments, notwithstanding that two of their number were already in or en route to the slammer. Several other Commissioners supported a controversial "glitch" ordinance and other rule changes drafted by County Attorney Jeff Newton in an attempt to dilute or severely limit the impact and scope of the new regulations. At a subsequent Commission meeting, one of Newton's subordinates revealed that Commissioner Ilene Lieberman actually scripted the text for what was supposedly an objective legal opinion from the County Attorney.

On August 10, 2010, the Broward Board of County Commissioners met to either support the Ethics Code or send it to the voters in November as a ballot issue. The meeting emulated a World Wide Wrestling Federation "Steel Cage" event as Commissioners sought to grind up provisions that threatened their cash cows or pepper the code with loopholes. As written, nothing less than a high profile super majority vote by the Commission or a citizens' initiative could water down the provisions and provide the fox with a back door to the henhouse. Newton proposed the removal of this

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protective clause, which would have allowed the Commission to install elephantine loopholes or scrap the code at will.

Much of the visible strain on Commissioners was a by-product of trying to appear supportive of provisions they actually opposed. The Commission tried removing many of the new code's central elements. They sought to eliminate a provision that prohibited Commissioners (and their spouses, domestic partners, family members and office staff) from hiring out as lobbyists appearing before local cities and towns. Also known as "lobbying down", the clause will deter Commissioners from lobbying Broward municipalities on behalf of developers that also appear before the County Commission, a prominent source of Commissioner Ilene Lieberman's annual income. It will also throw a monkey wrench into the husband & wife shell games practiced by Commissioner Stacy Ritter and Russ Klenet, former Commissioner Diana Wasserman-Rubin and husband Richard (whose grants written for the Town of Southwest Ranches served to incarcerate his wife) and Commissioner Sue Gunzburger and late husband Gerry, all of whom made out like bandits by funneling contracts, client favors or cash to their "better halves," thereby fattening up the family kitty.

They also tried to sidestep imposing the code constraints on advisory board members and staff; prevent the ban on accepting gifts from lobbyists from extending to commissioners' husbands, wives, domestic partners, immediate family, aides and staff; and dilute penalties for code violations. Last gasp efforts to mitigate the effects of the code included a proposal to delay implementation for 120 days or worse, exempt the current members of the Commission and apply the rules only to future commissioners.

How do members of the Ethics Commission feel about the County Commission's unrelenting attempts to scuttle the ethics code?

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Meeting observer reflects the pugilistic demeanor of embattled commissioners.

County Commission...Continued

Governmental liaison Bob Wolfe of the Broward County Property Appraiser's Office (and a longtime friend to the Galt Mile community) was appointed to the Ethics Commission last year by Mayor Keechl. Describing the County Commission's behavior as "despicable, disgusting, and outrageous", Wolfe accused Commissioners of trying to "gut the new code." In his capacity as the B.C.P.A.'s Media Director, Wolfe has earned a reputation for effectively simplifying seemingly complex issues. Angered by the surreptitious efforts of several Commissioners to bully task force members and torpedo the code sections most threatening to their supplemental incomes, Wolfe said "We don't want to see any more of this go on. You get a choice to be in public service – either abide by the rules or go do something else."

Torn between dependence on lucrative income streams threatened by the ethics rules and political survival in the upcoming elections, how each commissioner balanced public support for the reforms with attempts to mitigate their impact, fueled simmering new divisions within the County Board. As the meeting progressed, the resulting strain on commission collegiality became increasingly evident. Suddenly, the entire County Commission exploded at Commissioner Sue Gunzburger. Earlier, Gunzburger sent an electioneering email entitled "Stand with Sue for Ethics Reform" to Broward residents. It blatantly accused County Attorney Jeff Newton of conspiring with her fellow Commissioners to subvert the ethics code. As the email continued, she added Fort Lauderdale State Senator Chris Smith to the conspirators. Gunzburger concluded by warning voters to "not be fooled by any slick political spin or intentionally complicated legal gibberish offered as excuses" by all of her peers on the County Board. Since she was initially accused of corruption by former State Senator Steven Geller, a candidate for Gunzburger's Commission seat, Gunzburger has been using ethics reform to offset Geller's assertion that she became wealthy by steering the county to award a recycled plastics monopoly to her late husband, Gerald Gunzburger.

Commissioner Kristin Jacobs appeared anguished when she offered a motion to publicly censure Gunzburger. After seconding Jacob's motion, Commissioner John Rodstrom quickly rescinded, implying that Gunzburger would use it to fuel her campaign by hoodwinking voters into believing that she was censured for supporting ethics reform. Describing the censure as "not harsh enough" and suggesting instead that she be recalled as Vice Mayor (a largely ceremonial

title), Rodstrom proclaimed "It's so despicable and so wrong. Your actions were way out there and way off base. You just threw us all under the bus to make yourself look good. You don't deserve to be the vice mayor of this county." Declaring that he had nothing to lose since he will soon be term-limited from his Commission seat, Rodstrom launched into a tirade. Turning to a surprised and riveted audience, Rodstrom announced "Commissioner Gunzburger has tried to make herself look like she's the champion of ethics reform above and beyond all of us and that is wrong." Reminding Gunzburger that she grew rich from her late husband's County pre-greased contract, Rodstrom yelled, "You are a wealthy woman because you fed at the trough of the county and you did your business here. You had contracts. The truth hurts. Sue, we all knew you came and did work here and every county park has your work in it...and you were sole sourced. We know this." When Gunzburger retorted "That's not true," Rodstrom shot back "You can object all you want but you can't out-ethics us!"

The shouting was punctuated by Mayor Ken Keechl's gavel as he finally regained control of the meeting and called a 10 minute recess to cool flaring tempers. Commissioners Jacobs and Wexler emotionally repudiated Gunzburger for disingenuously portraying herself as the sole champion of ethics reform struggling heroically against a vast County-wide conspiracy. Commenting on Gunzburger's email, Jacobs lamented "Her words have levied a dark stain upon this board. The vice mayor's destructive statements have further eroded public confidence. Her words are improper at best and libelous at worst." Lieberman disparaged Gunzburger for deliberately twisting facts to bolster her sagging campaign.

Given the credibility quotient of the cast of characters attacking Gunzburger, the rebukes earned an understandably cynical reaction from a largely bemused audience. After all, while serving on the Broward Board, John Rodstrom also worked for Citibank and Sterne Agee. While pressing the County Commission to mute expansion plans for Fort Lauderdale-Hollywood International Airport, he was simultaneously helping rival Miami International Airport structure financing for similar expansion plans. During his eight years on the Board, he structured bond financing for the Broward County School Board and the City of Sunrise – where he formerly served as Mayor. In view of the new rules, Rodstrom promised to stop lobbying City Officials for bond business. Going forward, he would instead "make presentations" to those same Officials. And the hits just keep on coming!

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While the public was distracted by the Gunzburger dog and pony show, Commissioner Stacy Ritter performed a third trimester abortion of the ethics code. After each of the weakening amendments was defeated, Ritter proposed a provision that she billed as strengthening the code. On the positive side, it absorbs the Ethics Code into the County Charter, immunizing it against capricious alteration. It would also extend the Inspector General's outreach to cover municipal officials, county employees and service providers.

Unfortunately, it would also unilaterally subvert the Inspector General's ability to fight corruption. Ritter replaced the section of the Ethics Code that describes the Inspector General's functional underpinnings with a virtually toothless substitute. She cynically added a requirement that the person complaining be an "identified person who verifies the contents of the complaint." While at first glance, it may seem reasonable to protect our civil servants from unsupported malicious assaults; her amended version was baited with a poison pill.

The Ethics Commission vested the Office of Inspector General with a broad investigative mandate, allowing the I.G. to "take testimony under oath from witnesses and investigate any reasonable suspicion of misconduct." They empowered the I.G. to independently decide which leads to follow, "including but not limited to the receipt of a filed complaint or a credible published report." Like every inspector general in the U.S., Broward's I.G. would actively invite information passed by whistleblowers, news reports or anonymous tips.

Ritter's handiwork would eliminate every source ordinarily explored by an Inspector General and prohibit the I.G. from investigating any wrongdoing that isn't "based on a signed verified complaint." Ordinary citizens with legitimate complaints would no longer be able to bring the I.G. any "reasonable suspicion of misconduct." Under the terms of her amended version, the I.G. can only accept complaints if they are accompanied by legally actionable proof of wrongdoing. It transfers the burden of verifying corruption from the I.G.'s office, which is well equipped to do so, to the complainant, who is not. The Ritter version would specifically prohibit the I.G. from following leads uncovered in newspaper reports or by traditional whistleblowers.

The amended version also states that if a complaint is characterized as "malicious" or "baseless", the person who complained would have to subsidize the entire cost of the investigation. Keep in mind that virtually every crook prosecuted or jailed by the Feds claimed that the charges were malicious and baseless. Her amendment also paves the way for the targeted Commissioner to recover legal fees from the complainant. To complete the I.G.'s wholesale emasculation, Ritter removed the 60 days of jail time prescribed as a penalty in the original document. As such, on the odd chance that the Inspector General will somehow stumble onto a box filled with signed and verified proof of gross misdeeds, he (or she) is limited to two pathetic alternatives - hitting the perpetrator with a censure or a fine. After ripping off a few hundred grand, facing a public reprimand or paying a ticket are relatively unthreatening deterrents.

Ritter performed some legal sleight of hand in structuring her alternative. If the I.G. is unable to substantiate an allegation for any reason, the charge becomes legally baseless, which Ritter's version defines as adequate grounds for suing the whistleblower. No one in their right mind will step up and offer evidence of wrongdoing if they risk being forced to pay for any investigation that the I.G. is unable to successfully bring to fruition. Having mutated the code's fundamental goal from deterring political corruption to prosecuting whistleblowers, the Ritter substitute earned majority Commission approval primarily because it could only be used to punish anyone who dares challenge Commission misconduct.

Continued on page 11

INJURED?



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- MEDICAL MALPRACTICE
- NURSING HOME NEGLECT

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Lightning prediction sensors evaluate the shifts and changes in the electrostatic field that precede the occurrence of an actual lightning strike. Lightning is a violent act of nature and the City of Fort Lauderdale recognizes the threat of injuries or death from lightning strikes cannot be entirely eliminated. However, certain precautions can minimize the potential for lightning related injuries. When the lightning warning system sounds (one 15-second horn blast), the outdoor facility must be cleared of all patrons as soon as possible. The City of Fort Lauderdale has trained staff to help clear the park's fields. Also, all persons must seek and remain in buildings or vehicles. All persons must wait until the weather clears and the all-clear signal sounds (three five-second blasts) before patrons can resume play. Activities may only resume once the all-clear signal sounds. It is recommended that when possible, park patrons and staff seek and remain in a sheltered area. If such shelter is unavailable, patrons are encouraged to get into their vehicles. Pavilions, sheds, picnic shelters, tents, covered porches, dugouts or trees should not be used for shelter, as they do NOT protect you from lightning. Individuals should keep away from metal objects such as fences, umbrellas, etc. This policy shall apply to programs and facilities operated by the City of Fort Lauderdale and its affiliated groups.

For more information on lightning safety, please visit the following websites:

- National Weather Service - <http://www.lightningsafety.noaa.gov>
- NOAA Weather Radio All Hazards - <http://www.weather.gov/nwr>
- American Red Cross - <http://www.redcross.org>
- Federal Emergency Management Agency - <http://www.fema.gov>

Cameras Now At 9 Fort Lauderdale Intersections Cameras to catch red-light runners are snapping away at nine busy intersections. Through August, violators are getting courtesy warnings, but starting in September they will be fined \$158 for each offense. The intersections with cameras are Federal Highway at Northeast Eighth Street; Northeast 15th Avenue at Sunrise Boulevard; State Road 84 at Southwest Ninth Avenue; Sunrise Boulevard at Northwest 15th Avenue; Commercial Boulevard at Northwest 21st Avenue; Federal Highway at State Road 84; Northwest 62nd Street at Ninth Avenue; Commercial Boulevard at Northwest Ninth Avenue; and Northwest 62nd Street at Northwest 31st Avenue. Cameras are always on.

Partnership Agreement for South Florida Regional Partnership Consortium – HUD Sustainable Communities Regional Planning Grant Program

The South Florida Regional Planning Council (SFRPC) and the Treasure Coast Regional Planning Council are working collaboratively to prepare a joint application to U.S. Department of Housing and Urban Development (HUD) for the Sustainable Communities Planning Grants Program to create a "Regional Plan for Sustainable Development." It is proof of our commitment to work collaboratively with regional partners in a coordinated effort to prepare and carry out a comprehensive work plan pursuant to the receipt of adequate funding from the U.S. Department of Housing and Urban Development's (HUD) Sustainable Communities Planning Grants Program. If awarded, these funds will be used to further develop the Southeast Florida Regional Partnership; establish a comprehensive regional vision; develop a plan identifying critical projects and infrastructure that will improve the Region's sustainability; and establish priorities for focused investment in Southeast Florida. As a member of the Consortium, we are committed to following the Livability Principles relating to the sustainable development and redevelopment of Southeast Florida:

- Provide more transportation choices
- Promote equitable affordable housing
- Enhance economic competitiveness
- Support existing communities
- Coordinate policies and leverage investment
- Value communities and neighborhoods
- Enhance community resiliency to the impacts of Climate Change

This item was presented at the August 17th Commission Meeting and passed unanimously.

Noise Ordinance Recently, there has been a lot of discussion in the community about proposed changes to our current noise ordinance. We all know of our history in trying to balance the integrity and tranquility of the residential community with the interests of the business and entertainment community. Consequently, the previous Commission adopted a Noise Control Ordinance on July 15, 2008, and staff was given direction by the City Manager and Commission to evaluate the newly implemented ordinance as to its overall effectiveness and ability to be enforced. Five parameters were taken into consideration: 1) Special Entertainment District (amplified sound); 2) Commercial, Mixed-Use or Industrial Uses (amplified sound); 3) Commercial delivery, loading and sanitation operations; 4) Construction; and 5) Emergency Generators. The Noise Consultancy, LLC, who provided consulting services to the City for the existing Chapter 17, Noise Control ordinance, was again procured by the Building Department on April 20, 2010 to provide additional consulting services. City staff worked with the consultant, Eric Zwerling, President of Noise Consultancy, LLC, in evaluating the data from the action plan and by drafting the proposed changes to the ordinance to strike a better balance between the interests of the businesses and the interests of the nearby residential districts. The new limits were based upon extensive field studies in the City of Fort Lauderdale and were presented to the Commission at the August 17th Commission Meeting. Those recommendations were more specific to the Entertainment Districts and attempted to

Continued on page 14

Satisfied that Ritter's ploy to Bait and Switch the Code's central element successfully resolved their concerns by meeting's end, the Commissioners were rudely awakened the next morning when they discovered email inboxes flooded with angry constituent correspondences. Within a few hours, the County Board agreed to revisit the issue at a special session scheduled for August 17th, one day before the August 18th deadline for finalizing ballot issues.

After five days of withering public heat, on August 16th, Ritter told incredulous reporters that it suddenly dawned on her that her proposal was inexplicably missing a sentence. A line of text that would have empowered the I.G. to freely follow leads had somehow vanished. Apparently, she must have suffered from a mysterious attention lapse since the text of an amendment that she admittedly crafted over several months was read and thoroughly vetted at the previous meeting.

Six days earlier, while explaining her rationale for prohibiting the I.G. from using published reports in furtherance of an investigation, Ritter barbed, "One person's published report is another person's fish wrapper." In conjunction with her eleventh hour epiphany, she insisted that she "always intended for the I.G. to be able to initiate investigations on his or her own. If the Inspector General reads something that piques his or her interest, it's within the Inspector General's purview to initiate the investigation." A seasoned politician, all that was missing from Ritter's recantation was a rousing "Gee Whiz" in preface to confirming that "it was all just a silly mistake!"

At the August 17th special session, Mayor Keechl was joined by Vice Mayor Gunzburger in voting to dispense with Ritter's mock substitute and reinstate the version molded by the Ethics Commission. Keechl correctly observed that Ritter's amendment inflamed public skepticism about the Commission's sincerity, stating "No matter what we do with regard to this item, no matter how good we try to make it, it's going to appear that we are just trying to thwart the will of the ethics commission." Nonetheless, the other six Commissioners opted to build on Ritter's newly rehabilitated proposal. Specifically, instead of restricting the I.G. to investigations founded on signed, sworn complaints, they agreed to allow the I.G. freedom to initiate investigations based on any credible input, which functionally includes published reports and whistle blowers. With the I.G. again free of commission handcuffs, the amended version finally passed by a vote of 6 - 2.

The Commission also expanded I.G. Selection Oversight Committee to five members, including designees from the U.S. Attorney's Office, the Broward League of Cities, the Public Defender and the State Attorney. The four appointees will elect a fifth member. Other amendments salted into the final product extended the I.G.'s jurisdiction to county employees, municipal officials and providers of goods and services; and placed the County Auditor under the County Commission's purview. Having returned to the Inspector General the investigative independence previously usurped, the Broward Board announced that the Ethics Code would become effective on August 20, 2010. Once an I.G. is hired and equipped, understandably curious Broward residents can begin ascertaining if and how much damage is ascribable to Ritter's residual footprint on the amended ethics code. •



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NOV/OCTOBER

SUN	MON	TUE	WED
10 Young Frankenstein (Through 10/17) Broward Center Info.: 954-462-0222 Urban Gourmet Market 1201 E. Las Olas Blvd. 9 a.m. to 4 p.m. Info.: 954-462-4166	11	12	13
17	18	19 Fort Lauderdale City Commission Meeting City Hall 6 p.m.	20
Urban Gourmet Market 1201 E. Las Olas Blvd. 9 a.m. to 4 p.m. Info.: 954-462-4166	Commissioner Bruce Roberts: Pre-Agenda Meeting Cardinal Gibbons High School, Media Room 6 p.m. Info.: 954-828-5033	Riverwalk Trust Wine Dinner Pier Top at Hyatt Regency Pier 66 Resort 6:30 p.m. Reception, 7:30 p.m. Dinner Tix.: 954-468-1201	
24 Hurricane Wilma Claims Deadline @ Midnight Info.: www.wilmaclaims.com Urban Gourmet Market 1201 E. Las Olas Blvd. 9 a.m. to 4 p.m. Info.: 954-462-4166	25	26	27
Retirement Has Changed: What is Your Next Move? Edward Jones Office, 1719 E Commercial Blvd. 6:30 to 7:30 p.m. LIGHT SUPPER PROVIDED Info.: Leann Barber, Financial Advisor 954-303-6750			
31 Halloween	1	2 Election Day	3
Howl-o-ween at Fairchild Tropical Garden Bring your dog! 9:30 to 4:30 p.m. Info.: www.fairchildgarden.org	Commissioner Bruce Roberts: Pre-Agenda Meeting Cardinal Gibbons High School, Media Room 6 p.m. Info.: 954-828-5033	Fort Lauderdale City Commission Meeting City Hall 6 p.m.	Panthers vs Thrashers BankAtlantic Center 7:30 p.m. Tix.: www.ticketmaster.com
7 Sunday Jazz Brunch Riverwalk, Downtown FL 11 a.m. to 2 p.m. Info.: 954-828-5985	8	9	10
American Institute of Wine & Food South Florida's Culinary Cookoff Flamingo Gardens Info.: www.flamingogardens.org/			Panthers vs Maple Leafs BankAtlantic Center 7:30 p.m. Tix.: www.ticketmaster.com

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UPCOMING EVENTS IN OUR AREA

November 13 - 14
Happy Paws Pet Expo
War Memorial Auditorium

November 14
13.1 Half Marathon
Starting near Port Everglades and the Broward Convention Center finishing at South Beach Park at the south end of A1A.

November 16
Burn the Floor, Broadway
Broward Center for the Performing Arts
Tix.: 954-462-0222

November 18 - 21
Ft Lauderdale Billfish Tournament
Fort Lauderdale
Tix.: 954-523-1004

November 19 - 30
Holiday Fantasy of Lights
Tradewinds Park, Coconut Creek, 6 to 10 p.m.
Info.: 954-968-3880

November 21
Diana Ross
Hard Rock Live, 7 p.m.
Tix.: www.ticketmaster.com

November 24 - December 5
Broward County Fair
106th Avenue, south of Pines Blvd, Pembroke Pines
Info.: 954-922-2224

November 25
Handy Thanksgiving Day Bike Ride Fundraiser
Las Olas Riverfront, 7 a.m. start
Info.: 954-522-2911 ext 208

November 30
Christmas on Las Olas
Las Olas Blvd., 6 to 10 p.m.
Info.: www.lasolasboulevard.com

November 30
Protecting What is Important;
How Insurance Fits in Your Financial Strategy
Edward Jones Office (1719 E Commercial Blvd)
6:30 to 7:30 p.m., Light Supper Provided
Info.: Leann Barber, Financial Advisor: 954-303-6750

14
2nd on 2nd Thursdays Block Party
200 Block SW 2nd Street
5 to 9 p.m.
Info.: 954-468-1541

BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr)
7 p.m.
\$5/person for 3 boards

21
Panthers vs Stars
BankAtlantic Center
7:30 p.m.
Tix.: www.ticketmaster.com

BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr)
7 p.m.
\$5/person for 3 boards

28
Ft. Lauderdale Int'l Boat Show
(Through 11/1)
Info.: 954-764-7642

BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr)
7 p.m.
\$5/person for 3 boards

4
Seminole Tribe of Florida
Circuit Finals Rodeo
(Through 11/6)
Bergeron Rodeo, Davie, 7:30 p.m.
Info.: 954-680-5355

BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr)
7 p.m.
\$5/person for 3 boards

11
2nd on 2nd Thursdays Block Party
200 Block SW 2nd Street
5 to 9 p.m.
Info.: 954-468-1541

BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr)
7 p.m.
\$5/person for 3 boards

15
Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
7 p.m.

Rocktoberfest
Downtown Fort Lauderdale, Riverwalk
5:30 to 10 p.m.
Tix.: 954-468-1541

22
Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
7 p.m.
Info.: 954-776-5092

Ft Lauderdale Int'l Film Fest
(Through 11/11)
Info.: 954-525-FILM

29
Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
7 p.m.

5
Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
7 p.m.

Panthers vs Hurricanes
BankAtlantic Center
7:30 p.m.
Tix.: www.ticketmaster.com

12
Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
7 p.m.

Riverwalk Get Downtown
Las Olas Place
5 to 8 p.m.
Info.: 954-468-1541

16
Panthers vs Lightning
BankAtlantic Center
7 p.m.
Tix.: www.ticketmaster.com

Glam-A-Thon, Glam Doll Strut
Downtown Fort Lauderdale, Riverwalk
7 p.m.
Info.: www.glam-a-thon.com

23
Buckler's 20th Annual Craft Fair
(Through 10/24)
South Florida Fairgrounds
Info.: 386-860-0092

Las Olas Art Fair
(Through 10/24)
Las Olas Blvd.
10 a.m. to 5 p.m.
Info.: 954-472-3755

30
Shooters Annual Halloween
Street Party & Costume Contest
Shooters Waterfront Cafe
6 p.m. to Midnight
Info.: 954-566-2855

Lauderdale-By-The-Sea Craft Fair
(Through 10/31)
A1A and Commercial Blvd
Info.: 954-472-3755

6
Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
7 p.m.

Plant Show and Sale
(Through 11/7)
Fairchild Tropical Garden
9:30 a.m. to 4:30 p.m.
Info.: www.fairchildgarden.org

13
Harold and the Purple Crayon
Miramar Cultural Center
11 a.m. and 1 p.m.
Info.: 954-602-4500

Happy Paws Pet Expo
(Through 11/14)
War Memorial

ADDITIONAL EVENTS

OCTOBER 23: Fright Night on Las Olas, Las Olas Blvd. (Riverside Lawn) from 7 to 11 p.m., TIX: 954-721-3078

OCTOBER 30: The 12th Annual Women In Distress Safewalk-Run 5K, Markham Park @ 7:30 a.m.

make the ordinance easier to enforce in a fair and consistent manner by not only better (legally) pinpointing the source of the illegal noise, but also by permitting a slight increase in legal decibel levels. After a lengthy public discussion with residents, businessmen, staff and the consultant, it became apparent that more work needed to be done. I will keep you informed as this item moves forward and welcome your input.

Citizen's Crime Alert of Fort Lauderdale – Schedule of Meetings To Come These meetings (8th Floor Cafeteria) are open to everyone and we welcome you to bring friends, neighbors and family. September 13 – 7 p.m.: Traffic Homicide Investigator Jill Hirsch; October 11 – 7 p.m.: Police Chief Frank Adderley (Q&A); November 8 – 7 p.m.: Immigration and Customs Agent Miguel Figueroa (I.C.E.) re: Smuggling and Human Trafficking.

As a reminder, I host two Pre-agenda Meetings per month in addition to attending homeowner meetings at your request. The pre-agenda meetings focus on items of interest as well as the upcoming agenda. They are held the Monday before a Commission Meeting, 6p.m., at either the Beach Community Center (9/20; 10/18; 11/15; 12/20) OR Imperial Point Hospital AUD A&B –south side of hospital entrance towards the back (10/4; 11/1; 12/6). We will not be having a meeting on 9/6 due to the holiday.

Office Contact: Robbi Uptegrove – 954-828-5033; email: ruptegrove@fortlauderdale.gov •



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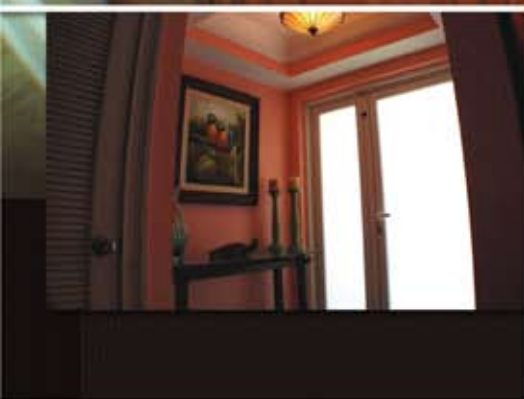
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