

GALT MILE NEWS

DECEMBER 2011

THE OFFICIAL NEWSLETTER OF THE GMCA

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FEMA PREPARES TO LOWER THE BOOM

By Eric Berkowitz

In an effort to reduce the effects of flooding, Congress created the National Flood Insurance Program (NFIP) in 1968. For the first time in 14 years, the Federal Emergency Management Agency (FEMA) is preparing a comprehensive review of Flood Insurance Rate Map (FIRM) flood zones throughout Broward County. To enable consistent comparisons of land and water elevations across the nation, the agency is using a more accurate mathematical constant, or "vertical datum" to calculate floodplain statistics. Federally regulated mortgage lenders require homeowners who live in high risk FEMA-designated flood areas to carry expensive flood insurance, which is erratically provided by the federal government's National Flood Insurance Program. Depending on the zone that FEMA assigns to an association property, its members will see their insurance rates either skyrocket or remain relatively level.

As indicated on previous local Flood Zone maps (which used to be available on the City of Fort Lauderdale website), some association beaches are in the flood zone while the structure is not. For other associations, the structure cohabits two zones, the financially preferable X zone and the V zone – which warrants a significant insurance cost. FEMA had long promised to convene a series of local public hearings to explain their drafting parameters and solicit resident input. After repeatedly postponing these meetings, the huge Federal bureaucracy finally notified Broward County that three public hearings were planned for County residents.

The open public meetings were scheduled for November 14, 15 and 16 at south, central and north Broward locations. South County residents were accommodated on November 14th at the South Regional Library, Central Broward property owners attended a November 15th meeting at the Volunteer Park Community Center and the meeting for North Broward residents, which includes those living along the Galt Mile, was scheduled for November 16th from 4 PM to 8 PM at the Herb Skolnick Center at 800 SW 36th Avenue in Pompano Beach. Not surprisingly, FEMA misrepresented the purpose of these meetings.

At the Pompano venue, a large contingent of concerned Edgewater Arms residents led by association president, Gary Tripoli, demanded an explanation for their home being remapped into the high-risk zone. After tolerating rudimentary babble about new mapping technologies, they were directed to a table labeled "Science and Engineering," where FEMA engineers confirmed that they weren't authorized to accept input or vouch for the new flood maps' accuracy. Instead, they mechanically repeated that their new assumptions were based on data that was statistically more reliable (scientific spin for the absence of any onsite verification). The meetings were never meant to collect input. FEMA hoped to lend scientific credibility to

what is essentially an improved level of guess work.

Flood hazard areas on the Flood Insurance Rate Map (FIRM) are each identified as a "Special Flood Hazard Area" (SFHA). The SFHA is defined as the area that will be inundated by a flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the "base flood" or "100-year flood". SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Although the properties within all of these zones are subject to NFIP's floodplain management regulatory enforcement and mandatory flood insurance purchase requirements, zones with an "A" prefix are inland high-risk zones while zones with the "V" designation represent coastal areas burdened by additional hazards such as storm-induced waves.

Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the area inundated by a flood event having a 0.2-percent chance of being equaled or exceeded in any given year. The 0.2-percent annual chance flood is also referred to as the "500-year flood". The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X.

FEMA released some preliminary estimates for changes to the Flood Zone Maps in Fort Lauderdale and Broward County. Initial Broward County findings indicate that 53 percent, or roughly 265,781 of parcels in the county, were removed from the flood zones requiring insurance; 16 percent, or another 77,945 parcels, remain out of the flood zone; 25 percent, or about 121,989 parcels, remain in the flood zone; and 6 percent, or roughly 31,026, were added to the flood zone. According to preliminary Fort Lauderdale estimates, 8,612 parcels in the City will be added to the flood zone and 10,215 parcels will be removed.

After the series of bogus public meetings, during a 90-day appeal process starting in December, local governments, property owners and tenants will have an opportunity to submit scientific or technical challenges to the proposed new flood elevations. Upon expiration of the 90-day appeal period in March of 2012, FEMA will resolve any remaining challenges and issue a Letter of Final Determination (LFD) by June of 2012. Once they receive the Letter of Final Determination, Broward County, the City of Fort Lauderdale and each of Broward's 30 other municipalities will have six months to adopt a new or updated floodplain management ordinance based on the revised flood maps.

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When the updated flood maps are officially adopted by December of 2012, they will be used to determine flood insurance purchase requirements, set flood insurance rates and establish minimum finished floor elevations for new construction or substantial improvements to existing structures.

Adopting the new flood maps will entitle Broward County and its 31 municipalities to FEMA emergency assistance and its residents to federally back flood insurance coverage. However, lawmakers bankrupted the program four times last year, creating havoc for potential home buyers whose lenders require flood insurance. Until Congress provided another 11th hour reprieve, NFIP funding was last set to expire November 18, 2011. Associations and their members who are forced to depend on the FEMA flood insurance program could find themselves engaged in a quarterly crap shoot.

The remapping project was initiated to more accurately define the boundaries of flood hazard areas, which are determined by comparing flood elevations with digital elevation data. To ensure that all the elevations used are based on a common reference system, a FIRM must reference a single vertical datum. A vertical datum is a set of constants that defines a system for comparing elevations. If someone were to measure the height of the ground you are standing on, they would need a point of reference, or a zero (0.0) point, to measure from. A vertical datum establishes a consistent zero point so elevations can be compared with one another even if the elevation measurements are taken by different people at different times or in different parts of the state.

For many years, the zero point used throughout the United States was based on "mean sea level" at 26 separate tidal stations in the US and Canada. This datum was referred to as the National Geodetic Vertical Datum of 1929 (NGVD 29). The main assumption used to create NGVD 29 – that water level is equal all along the coast and thus represents the same zero-point – later proved to be erroneous and was shown to create errors in the elevation data obtained using this datum. Using the outdated vertical datum, two different points measured at 0.0' NGVD 29 can have different actual elevations. That's right – all the previous flood insurance payments billed to the owners of mortgaged properties were based on vapor. Since Broward County first applied the bogus NGVD 29 standard on October 4, 1997, insurance carriers bilked county property owners for untold \$billions by using statistical smoke and mirrors.

On January 24, 2010, FEMA sent a memorandum to Broward County announcing that the new Flood Insurance Rate Maps scheduled for release in 2011 would be referenced to the North American Vertical Datum of 1988 (NAVD 88). Since it more accurately measures vertical elevation differences, FEMA plans to make the North American Vertical Datum of 1988 (NAVD 88) the official U.S. vertical datum. The letter further explained that NAVD 88 will be used to update existing FIRMs, which will result in an average difference of minus 1.51 feet (-1.51 ft.) between elevations shown on the new (2012) FIRM as opposed to the old (1997) FIRM. In a nutshell, this entire effort is an exercise in converting the old 1997 maps based on the 1929 data (NGVD 29) to the new maps based on the 1988 data (NAVD 88). For instance, if a building's finished floor elevation is shown on an existing elevation certificate as 10.0' NGVD 29, subtracting the 1.51 average conversion factor roughly yields the new NAVD 88 elevation of 8.49' (10.0' [under NGVD 29] - 1.51 = 8.49' [under NAVD 88]).

In Florida's windstorm insurance market, Citizens' subsidized rate structure forces commercial windstorm carriers to restrain their own rates. For commercial flood carriers to remain viable, they must similarly tailor their insurance products to compete with NFIP coverage options. Since many associations purchase their flood coverage from commercial insurers, they indirectly depend on NFIP to maintain this competitive pressure on their commercial counterparts. In addition to moderating rates, it prompts commercial insurers to provide coverage options that mirror those offered by NFIP. Associations suddenly faced with negotiating high-risk flood coverage with their commercial insurers should familiarize themselves with the NFIP products and exemptions that their commercial coverage options are based on.

On the FEMA website, a resource record detail about NFIP Condominium Coverage reviews the eligibility requirements for an association's flood insurance options. For associations in a high-risk flood zone, NFIP offers a Residential Condominium Building Association Policy (RCBAP), which insures all units in a condominium building under a single policy that requires only one deductible, creating a cost savings to unit owners. Since building coverage is provided on a replacement cost basis, to minimize uninsured losses, a co-insurance clause requires the condominium association to insure its building to at least 80 percent of the replacement cost value. While the policy makes available contents coverage for common areas and individual units, most associations hold their unit owners responsible for protecting their personal possessions via an individual HO-6 policy.

FEMA exhorts unit owners to closely scrutinize association insurance decisions. Specifically, FEMA states "If for any reason a condominium association elects to discontinue its RCBAP, individual unit owners may be responsible for covering flood damage. That is why having flood insurance and proper coverage is important for all residents living in condominium buildings, including high-rise condominiums. It doesn't matter if you live on the first, third, or tenth floor, every unit owner has an undivided interest in the common elements of the building and can be assessed for unpaid damages to common areas even if their own unit remains undamaged. Also, condominium by-laws require all unit owners to be assessed for uninsured damages to common areas of a building if damaged by flood." Ironically, the 2010 missive was inserted into the FEMA library when the Park South Six Condominium in Lauderhill was barbecued soon after Board President Consywelia Howard cancelled their master insurance policy to save a buck, despite having collected the assessed premiums. Not exactly Consywelia's finest hour. The unit owners lost everything.

For associations located outside designated floodplains, the National Flood Insurance Program's Preferred Risk Policy (PRP) offers lower-cost protection for homes and apartments in areas of low to moderate flood risk. These areas are designated as B, C or X zones on a Flood Insurance Rate Map (FIRM). Association properties newly mapped into a high-risk zone (e.g., labeled with A, AE, AO, AH or V, or VE on the flood maps) may temporarily preserve their prior low-risk PRP rate structure by applying for a two-year PRP rate extension and/or seek permanent relief by demonstrating eligibility for the NFIP Grandfather Rules.

Since the impending changes to floodplains and flood risks will drive changes in flood insurance requirements, FEMA provides eligible property owners with an opportunity to access grandfathered NFIP flood insurance rates, significantly lowering premiums for properties remapped into high-risk zones. Property owners and associations may be allowed to maintain the rate associated with the prior map's flood zone if: 1) The flood insurance policy was bought before a new map became effective; or 2) The building was built to conform to standards of the earlier map.

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RIGHT TO GIVE VS RIGHT TO LIVE

Spare Change Sours Neighborhoods – and Costs Lives

On November 10th in the late afternoon, Regency South Manager Michael Gonzalez fired off an email to GMCA President Pioteraci. One of several association managers that serve on the neighborhood association's Advisory Board, Gonzales informed Pioteraci about an article brought to his attention by a Regency South unit owner. Entitled "Fort Lauderdale seeks end to downtown panhandling," the article by the Sun-Sentinel's Larry Barszewski scopes City plans to immunize Fort Lauderdale's business district to a cottage industry built on "spare change". Gonzales wanted to know if the City effort could somehow stretch to address panhandling along the Galt Mile.

Following their initial encounter with our local bench dwellers, often outraged new residents that contact the neighborhood association are surprised to learn that the homeless people they just met aren't simply swept up and disposed of by the police. Although the benches they occupy were paid for from a funding assessment for the Galt Mile Improvement Project, they are city property located on a municipal right-of-way. Unless homeless squatters break the law, they are legally entitled to remain undisturbed. Whether or not you agree with their decisions, our courts have historically viewed passive panhandling as constitutionally protected free speech.

On July 20, 1993, the City of Fort Lauderdale passed Resolution 93-143, in which Beach Rule 7.5(c) prohibits panhandling, begging and soliciting on the beach and beach sidewalks (the area within 150 feet of Atlantic Boulevard or Seabreeze Boulevard). Since Fort Lauderdale was the only city in the country that forbade the homeless from begging in a nonthreatening manner in a public place, the ACLU jumped in with both feet (Smith v. City of Fort Lauderdale). Confident of a high-profile, precedent-setting victory, ACLU co-attorneys Bruce Rogow and Beverly Pohl slugged their way through the courts. In June of 1999, they argued that "Sidewalks are the quintessential public place" before the 11th U.S. Circuit Court of Appeals, the highest federal court for Florida, Georgia and Alabama. They lost – big time. On October 29, 1999, the United States Supreme Court refused to hear their appeal. Game, set and match.

Until then, the only anti-panhandling laws that survived constitutional challenges prohibited aggressive panhandling, or soliciting people at bank machines, in line at public transportation or at outdoor restaurants. ACLU attorney Beverly Pohl noted that they were all upheld because they were "narrowly tailored." The Fort Lauderdale ban spanned a five-mile beach. Beach Rule 7.5 states its intention to "eliminate nuisance activity on the beach and provide patrons with a pleasant environment in which to recreate." It wasn't drafted to target the homeless. According to former Assistant City Manager Bud Bentley, "It was meant to crack down on rowdy Spring Break kids."

The courts upheld the limited no-panhandling zone because the City successfully demonstrated that it served a larger civic objective. Since the public beach area is one of Fort Lauderdale's main fiscal engines, City attorneys offered credible evidence that soliciting and panhandling threatened the municipality's economic viability. City officials are preparing to duplicate a similar no-panhandling zone in the downtown business area. The ordinance discussed in the newspaper article lays the groundwork for denying this second, specifically defined neighborhood to panhandlers.

The proposed ordinance follows a lead pioneered by other Florida municipalities. After initially cordoning off its business district to panhandlers in 2008, Miami widened the zone last year to include the Arsht Center for the Performing Arts and the American Airlines Arena. St. Petersburg, Orlando and Clearwater have also passed successful no-panhandling ordinances that target certain areas or neighborhoods. Other jurisdictions that flirted with broad, non-specific local no-panhandling laws failed miserably.

In April of 2010, West Palm Beach officials explored passing a law banning all panhandling along county roads and medians. County attorneys maintained that any ban would have to outlaw all fundraising from county medians to survive legal challenges. Since the ban would have also hampered youth sports teams collecting money from county medians and the firefighters' annual Labor Day "fill-the-boot" campaign for the Muscular Dystrophy telethon, by July the Palm Beach County commission agreed instead to outlaw "aggressive" panhandling. Although the new law constrained people from blocking the flow of traffic or badgering people who refused to cough up their spare change, it didn't preclude all panhandlers, vendors and fundraising groups from county medians.

Palm Beach Sheriff Ric Bradshaw warned that crowded jails, limited budgets and revolving door prosecutions would make arresting all panhandlers a waste of public safety resources already thinned by the economic downturn. Bradshaw said "Most offenders arrested for this type of misdemeanor spend a day or less in jail, at a public cost of \$130 per person," not exactly the "homeless" cure expected by the County Commission. Since a network of state, county and city roads crisscross the area; the compromise measure that prohibited "aggressive" panhandling only on county roads made enforcement a bad joke.

Having demonstrated that arresting panhandlers caught obstructing traffic cost county taxpayers \$30,000 a year, Bradshaw observed "That's a bunch of money for something that is not solving the problem." Bradshaw recommended a combination of stepped up enforcement for aggressive panhandling, redesigning medians to discourage congregation by panhandlers and/or fundraisers and a public relations campaign exhorting people to spend their money on more productive homeless venues.

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FEDERAL HOUSING BUREAUCRATS CRUNCH CONDOS

By Eric Berkowitz

Our Federal Housing agencies are experiencing their annual break with reality. Every year, the FHA, HUD or congressional stepchildren Fannie Mae and/or Freddie Mac pass seemingly well-intentioned rules that wreak havoc on the housing market. It's no accident that their favorite fiscal piñatas are condominiums, preferably in South Florida.

The Federal Housing Administration (FHA) has recently revised eligibility standards for Associations wherein buyers and sellers rely heavily on FHA-insured financing. According to Agency spokesperson Lemar Wooley, of roughly 25,000 associations that faced eligibility expiration from last December through September 2011, only 2100 were re-certified - about 8.4%. Potential buyers for units in rejected associations must often pony up the 20% to 30% down payment ordinarily required for a conventional loan instead of the current FHA minimum of 3.5%. The FHA insures roughly 40% of all condo loans in some major markets, especially for first-time and middle-income buyers.

Many associations were first alerted to the little-publicized revisions when unit owners complained that bona fide buyers were repeatedly disallowed FHA mortgage financing. The FHA thought it unnecessary to inform condos, co-ops and homeowner associations about the rule changes. Prompted by unit owners seeking to sell or refinance, when associations applied to reinstate their lapsed eligibility, the vast majority were rejected. Thousands of complaints are pouring in to the FHA from all parts of the country. While the revisions impact associations nationwide, they are particularly devastating to the slowly recovering South Florida market.

Contending that the new rules "have been prudently designed to avert losses from delinquencies and foreclosures," the revised FHA regulations tightened required standards for association budgets, levels of insurance and reserve funds. However, hundreds of associations that ostensibly meet the new standards are being systematically rejected. Evidently, anal psychotic bureaucrats are rejecting fiscally compliant associations for "technical violations." As recently reported in the St. Petersburg Times, an association was declared ineligible because the bank account that housed the association's fully funded reserves didn't carry the words "Reserve Fund".

The 30,000 member Community Associations Institute (CAI), a nationally recognized condo industry advocate, has joined with tens of thousands of buyers, sellers, associations and realtors in objecting to the new rules and how they are being implemented. CAI Government Affairs Director Andrew Fortin insisted that the agency once again failed to consult with industry leaders before covertly adjudicating the new standards. Focusing on the single most dogmatic issue, he questions why the agency is requiring volunteer board members to place themselves in personal legal jeopardy to elicit FHA approval for their association.

Describing a case that drew CAI involvement, Fortin explained that no more than 15 percent of an association's unit owners can be 30 days or more delinquent on their association dues to sustain eligibility. Despite the fact that this standard is a moving target prone to monthly variation, the association's board members must personally certify compliance to achieve eligibility. Board members must also sign statements confirming that the condo documents comply with all local statutes. Buried in the haystack of personal guarantees is an enigmatic requirement for board members to certify that they have no knowledge of situ-

ations that could cause any unit owner to become delinquent at some later date (includes disputes between unit owners, dissatisfaction with the association, etc.).

Penalties for mandatory certifications that are later deemed "incorrect" include \$1 million in fines and 30 years imprisonment. What board member this side of Bellevue will risk life in prison for failing to accurately predict future unit owner delinquencies? Since the FHA is a Federal nuthouse, call Congressman Allen West at (954) 202-6211, Senator Bill Nelson at (954) 693-4851 and/or Senator Marco Rubio at (305) 418-8553. For more information, check "Mortgage Matters" on the CAI website (www.caionline.org).

While the FHA fumbles through another policy blunder that could render unmarketable 92% of the nation's condo units, HUD has decided to insert itself into the growing controversy over the process used by "no-pet" associations to ascertain if accommodated pets qualify as service animals, assistance animals, companion animals, emotional support animals, etc.

Two laws govern the fate of animals in no-pet associations. Title III of the Americans with Disabilities Act (ADA) requires a public accommodation to modify policies, practices, or procedures to permit the use of a service animal by an individual with a disability. Since ADA proponents have the Department of Justice on speed dial, the DOJ recently clarified its definition of a service animal as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition..." As such, only dogs that are trained to perform assistive tasks conform to the ADA definition of a service animal.

The Federal Fair Housing Amendments Act (FHAA) mandates that housing providers (including community associations) cannot discriminate in the sale, rental or terms of housing due to a handicap of the prospective buyer or tenant. Any refusal to make a "reasonable accommodation" in rules, policies and practices or services which are "necessary to afford a person with disabilities an equal opportunity to use and enjoy the dwelling" constitutes discrimination.

Although the DOJ definition clears up some of the legal vagaries that have confounded association pet prohibitions, the Fair Housing Act virtually feeds on them. Doctors have identified companion animals as therapeutic treatment complements for depression, anxiety, arthritis and heart conditions. Since the Fair Housing Law provides a wide berth to physicians, some of the less credible diagnostic justifications include anaphylaxis (allergies), alcoholism and hair loss. If an accommodating physician is willing to certify that a patient will physically or emotionally benefit from any manner of companion animal, domestic or feral, that "patient" is legally entitled to a "reasonable accommodation" for his or her pet reticulated python.

Associations with pet limitations on the Galt Mile have been wrestling with this controversial dilemma. In Playa del Mar, where residents disagree about whether the association documents permit in-residence dogs under a certain size, owner factions for and against the pet restriction have been feuding over the rule in their condo docs for years.

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Unlike the all-out ban, homeless advocacy groups supported the Sheriff's proposed advertising campaign. Instead of handing money to someone wearing a "Will Work for Food" sign, Palm Beach County Community Food Alliance Director Alex Stevens applauded the idea of encouraging people to give money to legitimate organizations that address both the effects and the root causes of homelessness.

In a laid back manner that would have done Andy of Mayberry proud, Bradshaw explained that if people stop handing out money, panhandlers will disappear soon enough. The Palm Beach Commission unanimously agreed with Bradshaw that public awareness is their most important objective. "If you're not getting the money, you're not going to be there - it's that simple," opined Bradshaw.

While Palm Beach County was watering down its panhandling law to avoid a constitutional train wreck, in March of 2010, the City of Oakland Park entertained a controversial plan to jail panhandlers and the Good Samaritans who sustain them. If caught giving money or any "article of value" to a beggar or even buying flowers or a newspaper on an Oakland Park street, violators would face a fine or up to 90 days in jail. Framed as a traffic safety measure, the ordinance would have prohibited "beggars, panhandlers or solicitors" from selling any item on a public street because it "distracts drivers from their primary duty to watch traffic and potential hazards in the road." Contending that "as many as 10 people have been seen soliciting at one intersection" and are often seen dangerously "wandering around the intersections," Oakland Park officials proposed empowering a judge to determine the monetary penalty for violators.

Modeled on a Gainesville ordinance, persons who gave money while operating a motor vehicle would also be in violation of the new law because a driver is prohibited from stopping on a public street to exchange money. By November of 2010, Oakland Park City officials thought better of becoming the first neighborhood to "penalize charity" and reversed course. After dropping the planned deterrent, then Vice Mayor (now Mayor) Suzanne Boisvenue said "It really tears at my heart that we're doing things that hurt other people. We should be spending this time on finding housing, rehabilitating them so they can find a job and earn money. This makes the givers and the receivers wrong, wrong to give, wrong to receive. I was brought up to help thy neighbor. By the grace of God it could be you or it could be I in the same situation - no job, no house." Notwithstanding the politically correct, heart-tugging rhetoric, the measure wouldn't have survived Pee Wee Court.

Municipalities that cite traffic obstruction as the foundation for a "no panhandling" ordinance base their local laws on s.316.2045, Florida Statutes, which states "It is unlawful for any person or persons willfully to obstruct the free, convenient, and normal use of any public street, highway, or road by impeding, hindering, stifling, retarding, or restraining traffic or passage thereon, by standing or approaching motor vehicles thereon, or by endangering the safe movement of vehicles or pedestrians traveling thereon; and any person or persons who violate the provisions of this subsection, upon conviction, shall be cited for a pedestrian violation, punishable as provided in chapter 318." Unless they were granted a permit, the statute also states that persons who dodge vehicles "in order to solicit... are guilty of a misdemeanor of the second degree."

Unfortunately, the underlying statute is constitutional puppy chow. In 2003, an Orlando Federal Court ruled that the Florida statute was so vague that it was unconstitutional. Across the State, the statute's clouded constitutionality has formed the basis for a legal two-step in local courts. When Public Defenders saddled with panhandling clients cite the 2003 case, prosecutors regularly withdraw the complaint or settle for time served. In short, they shun arguing the constitutionality of a law that would eventually land before the state Supreme Court, where it would likely be eviscerated. In May, 2010, Palm Beach County state attorney Michael McAuliffe announced that his office would no longer prosecute panhandlers under the "obstruction of public streets" statute, characterizing the state law as fatally flawed.

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In L'Hermitage I, residents are struggling to limit the growing impact of the elephantine Federal loopholes. Since the poorly drafted Federal Laws are often arbitrarily applied, the conflict between pet owners and their associations has become a hot-button issue.

Unfortunately, the Fair Housing Law's lack of specificity has invited widespread abuse in pet-prohibited associations, enabling manipulative unit owners to extort accommodation for ordinary house pets. While few people will dispute the need for a guide (seeing-eye) dog, when some unit owner engineers an accommodation for the family Rottweiler or the Boa Constrictor that Junior got for his birthday, the news that quickly spreads through the building generates resentment for the thinly veiled fraud. The resulting negative peer pressure is often the only tool available to association members who bought their homes with an expectation of living in a no-pet environment.

To balance the right of unit owners to enforce their home's no-pet status and the right of those with a legitimate medical basis for an accommodation, Associations with no-pet policies often create reasonable rules that limit access for companion animals (not service animals), regulate animal noise and/or require proof of domestication. To defuse concerns about compromised hygiene, companion animals are often precluded from pool and recreational areas, the mail room, the office and are restricted to dedicated elevators (usually the service elevator), entrances and egresses. Associations have also set various standards for demonstrating medical necessity. Some require two diagnoses from different physicians; others require the physician to certify a specific animal in writing. Taking a page from disability insurance providers, some associations have requested ongoing therapeutic confirmation, asking the "patient" for an updated diagnosis every 6 months or annually.

In walks the Department of Housing and Urban Development (HUD), arguably one of the planet's most conflicted bureaucracies. A sprawling 20-story condominium with 776 occupied units called The Philadelphian (2401 Pennsylvania Avenue in Philadelphia) faces discrimination charges filed by HUD over its approval process for accommodation or service animals. In their action against the Philadelphian Owners Association (POA), HUD tossed out any distinction between the two Federal Laws, ignored legal precedents and advocated allowing virtually any animal unrestricted access to all parts of the association property.

In its complaint, HUD states, "Respondent POA's pet policies discriminate against persons with disabilities in need of an assistance animal in many ways. For example, persons with disabilities who use an assistance animal may not enter the following areas when accompanied by their assistance animal: passenger elevators, lobby, lobby sitting rooms, library, art room, social rooms, swimming pool areas, fitness rooms, mailroom, common areas, management office or laundry room. In addition to its denials of valid reasonable accommodation requests, Respondent POA's pet policies seek private medical information from a resident requesting an accommodation, to which it is not entitled."

HUD decided that the Association's requests for medical verification are illegal, despite the precedent set by *Hawn v. Shoreline Towers Phase I CAI*, which determined that a board is entitled to request verification of a disability and the medical basis for an accommodation. In characterizing all in-residence animals as "assistance animals" which should be accorded the same access rights as unit owners, HUD ignores the differences between service animals as defined by the Americans with Disabilities Act (ADA) and emotional support animals required as accommodations under the Fair Housing Act (FHA). Since legitimate service animals are presumed to perform tasks that compensate for disabilities, the animal is generally permitted unfettered accompaniment of its owner. However, animals accommodated to alleviate the effects of arthritis or baldness are hardly critical to "use and enjoy" the library or the lobby sitting room.

Ironically, HUD is an agency with a longstanding reputation for re-

quiring endless layers of support documentation before approving program eligibility for an individual or association applicant. Conversely, their action demands that an association approve exemptions to its pet prohibition based solely on the unverified claims of owners, guests, visitors, etc. In fact, it is unclear whether or not HUD favors allowing a trespasser to take his dog for a swim in the association pool after casing the property.

The only HUD charge that wasn't previously legally vacated is a woman's claim that the association didn't address the resentment expressed by her neighbors "because of her assistance dog." HUD is prosecuting the association's failure to prevent other residents from disparaging what they believe are medically laughable accommodation demands. In its charges, HUD implies that the association is responsible for the attitudes of its residents and that the board should have somehow forced them to respect one another.

Although the Philadelphian case is one in a recent series of HUD cases brought to bring attention to the accommodation issue, its primary objective is to offset the media mugging HUD suffered for fumbling their management of Federal refinancing programs. They seem less concerned with the legal basis for their charges than their value as a nationwide vehicle for shedding the agency's image as an insular, bloated and ineffective bureaucracy. Industry pundits point to similar high profile cases playing out in Nebraska, Utah and other jurisdictions across the country.

If HUD is successful, no-pet rules will become wholly unenforceable once an association is precluded from requiring medical verification. The real danger here has little to do with pets. If some heavily muscled Federal bureaucracy can obliterate an association's rules and bylaws, they are interfering with the contractual rights of every unit owner who purchased their home with the understanding that pets wouldn't be allowed. HUD is empowered to enforce the Fair Housing Act, not to rewrite it.

The case will be heard by a United States Administrative Law Judge who may award damages to aggrieved persons if discrimination is established. The judge may also order injunctive relief to deter further discrimination, as well as payment of attorney's fees. In addition, the judge may impose fines "in order to vindicate the public interest." If any party to the charge alternatively elects to have the case heard in federal district court, the judge may also bang the association for punitive damages.

Although association attorneys are closely following the legal events surrounding this issue, there is no clear consensus about an appropriate association policy. As such, each association board should consult with their attorney about the need to draft procedures and adopt policies for evaluating accommodation requests in compliance with the two governing laws. Thus far, associations that have been able to demonstrate reasonable accommodation procedures and careful compliance will the ADA and Fair Housing laws have survived baseless or mercenary court challenges. Association boards with a history of treating such requests capriciously may want to ask their attorney to explain the possible consequences. If not, they may soon find themselves sharing a sandbox with HUD. •



However, there is a legal roadmap for implementing enforceable no-panhandling laws. In a 1995 St. Petersburg panhandling case (Ledford v. State), the Second District Court of Appeal weighed the right to beg (a form of speech) with the right to be free from being hassled. The Court of Appeals found "In subjecting the ordinance to strict scrutiny, we hold that section 20-79 of the City of St. Petersburg Code is unconstitutionally overbroad and infringes on Ledford's free speech rights in a manner more intrusive than is necessary. We embrace the holding in CCB that the aim of protecting citizens from annoyance is not a 'compelling' reason to restrict speech in a traditionally public forum."

The Court of Appeals made reference to a Jacksonville case (C.C.B. v. State) that also held a city ordinance as unconstitutional because it was too restrictive. The Court in Jacksonville stated, "The City of Jacksonville is not entitled to absolutely prohibit a beggar's exercise of his freedom of speech, but the city may regulate that right subject to strict guidelines and definite standards closely related to permissible municipal interests, such as could be imposed by a narrowly drawn permit system."

As such, for a local panhandling ordinance to circumvent First Amendment pitfalls, it must be carefully tailored and demonstrate a compelling governmental interest. Fort Lauderdale is looking at some of the more successful municipal models for its new law. In Clearwater, beggars who receive donations for playing a musical instrument or holding up a sign are tolerated in no-panhandling zones. However, if panhandlers verbally request spare change, they're off to the clink. To deter a thickening gauntlet of aggressive street denizens in their business district, in 2000, Orlando imprinted downtown sidewalks with 35 box-shaped 3 ft. by 15 ft. blue outlines from which panhandlers could dun passers-by for contributions. On September 17, 2007, Orlando beefed up the prohibition, forbidding begging after dark.

Since the proposed law's survival depends on carefully limiting its scope and proving an overriding public benefit, Fort Lauderdale City Attorney Harry Stewart described how the City plans to prepare for its business district panhandling ordinance. He said that the city first will conduct a study to determine if the problems warrant codified restrictions. Stewart explained "We don't just adopt an ordinance that someone else has adopted. It needs to be tailored carefully so we don't infringe on someone's First Amendment rights." Fort Lauderdale performed a similar study prior to creating the beach prohibition.

When Ieraci received Gonzales' inquiry, he forwarded it to City Commissioner Bruce Roberts, whose experience with homeless panhandlers dates back to his tenure as the City's Chief of Police. As top cop, Roberts fashioned the policy wherein police work with homeless advocates to provide long-term outreach services to homeless persons living on the street. Exclaiming that he shares "everyone's frustration with the existing situation," Roberts told Ieraci that the proposed ordinance would create a "prohibited panhandling zone in the Downtown only." He also promised to address this further at the upcoming November Advisory Board meeting. To help fill in the blanks, he would bring Fort Lauderdale Police District 1 Major Raul Diaz.

On November 17, Roberts attended the GMCA Advisory Board meeting accompanied by Major Diaz. Although Diaz had been placed in charge of Police District 1 (encompassing the Galt Mile community) last year, he was granted a temporary leave of absence. Until Major Diaz could return, Captain Michael Gregory fulfilled his responsibilities, serving as our Police District's "Acting Major." However, Diaz was well known to Advisory Board members long before his promotion to Major, assignment to District 1 and survival of three tours in Iraq. That's where our District Commander spent his leave of absence. Diaz recently returned from the war zone, where he served as a highly decorated Captain in the United State Air Force.

Continued on page 12

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After joining the Fort Lauderdale Police Department (FLPD) in November of 1989, Diaz served in the Patrol Division as a Patrol Officer, Patrol Supervisor and Shift Captain. He also served in the Special Investigations Division and Operation Support Division as the Division Commander and Executive Officer to the Chief of Operations. When former District 1 Police Commanders Mary Negrey (retired as an Assistant Chief) and Russell Hanstein (currently an Assistant Chief) addressed the Advisory Board, before answering questions about neighborhood crime, they would tell the membership that they had to first consult with Diaz. His statistical expertise and intimate familiarity with crime trends was unique in the Department.

He also served as a SWAT Team member, Explosive Detection K-9 handler and Bomb Squad Commander. Not surprisingly, Diaz has received 20 departmental commendations, 34 public commendations and was twice named Officer of the Month. He earned a Bachelor's Degree in Professional Studies from Barry University and a Master of Science in Public Administration from Lynn University. Diaz enjoys a record that would make Alvin York jealous.

At the Advisory Board meeting, GMCA President Ieraci asked Diaz what the police could do to make the Galt Mile less attractive to its growing homeless community. The Major confirmed that unless police officers personally witness an act of solicitation, they can only encourage squatters to participate in programs established to provide food, housing and medical care. Since several Advisory Board members - such as Mary Short of the Galt Ocean Club - are integrally involved with local Homeless programs, the board has long been aware that participation in these programs is extremely limited and often erratic. After all, why wait on line for a bowl of soup and a peanut butter sandwich when riding a bench buys three squares a day?

Ieraci told Diaz that when residents indignantly complain about the neighborhood's homeless people, he informs them that it's our own fault. As long as Galt Mile residents continue providing beggars with money, they will stay put. Our District 1 Police Major then shed some light on the seedier flip side of their existence. When would-be Samaritans give some change to Walter, Shirley or other relatively civil bench people, they smile politely and humbly express gratitude. They are less likely to reveal the scars and hematomas sustained from repeated beatings and muggings. The homeless make tempting assault prey for thieves, robbers and other homeless persons. When a Galt Towers woman lost her bag to muggers in the Winn-Dixie parking lot last year, the police caught and locked up the offender later that day. When the homeless get jumped, beaten and robbed, the perpetrators know that the assault won't be reported to the police. These unanswered crimes are an unavoidable consequence of street panhandling.

Major Diaz stressed the importance of educating local residents about the larger impact of feeding money to squatters. Whether local residents give money to assuage some neurotic sense of personal guilt, to share their good fortune with others or simply because they feel intimidated, they are enabling an extremely dangerous lifestyle. When any of the neighborhood's current group of homeless people no longer occupy their Galt Mile benches, it is equally probable that they either found a more remunerative location or failed to survive their last beating. Virtually every homeless advocate, program or charity concedes this deadly prospect in its mission statement. The Major urged "Instead of enabling someone to remain a squatter by handing them money, give it to any number of legitimate charities or governmental programs that actually address the scourge of homelessness."

Diaz spoke to another adverse consequence of freely dishing out spare change. "It's no coincidence when a significant number of homeless people suddenly enter a neighborhood. In addition to showing panhandlers that they chose the right place to set up shop, the regular flow of money serves as a red flag to other homeless persons seeking a more lucrative environment. Along with members of the homeless community come those that prey on them." Diaz intimated that these people are not very discriminating. Drug addicts, muggers and other street punks that seek out and victimize homeless people threaten every neighborhood resident. Diaz warned "If a homeless victim isn't conveniently available for an easy rip-off, anyone who appears vulnerable will suffice." By inadvertently attracting this predatory slime and enabling an extremely hazardous lifestyle, those residents who innocently or blindly hand out money are also placing their own friends and family at risk.

Continued on page 16

THE GALT MILE NEWS

PUBLISHER

Second Studio, LLC
954-292-6553
2ndstudios@gmail.com

EDITOR

Eric Peter Berkowitz

ADVERTISING

954-292-6553

PRINTER

The UPS Store®
954-568-1990

GMCA BOARD OF DIRECTORS

PRESIDENT & CHAIRMAN, PRESIDENT'S COUNCIL

Pio Ieraci

(954) 561-9795

VICE PRESIDENT

Eric Peter Berkowitz

(954) 564-4427

TREASURER

Leah Glickfield

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(954) 567-2969

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The simplest way to grandfather a prior low-risk zone rate is to purchase a flood insurance policy before the new map takes effect and maintain coverage without a lapse. If a structure was built in compliance with the less exigent requirements in place at the time of construction, the zone and base flood elevation (BFE) that were in effect at that time can be used for future rating purposes. However, associations hoping to qualify must be prepared to submit proof that the structure was built in compliance with the flood map that was in effect at the time of construction. FEMA recommends that affected property owners or associations ask their insurance agents about the documentation they would need to be grandfathered to the old rates.

While the grandfather option may provide relief to associations that are suddenly mapped into a high-risk zone, disaster pundits have blamed NFIP's shaky financial underpinnings on the agency's lax collection policies. If political pressure forces the program to insure that properties in high-risk zones carry their weight, Congress could make these relief options disappear overnight. Should congressional leaders opt to implement this regulatory magic trick instead of providing associations with a reliable long-term source of relief, the Grandfather Option will be reduced to a bureaucratic exercise in creative writing. The boilerplate fine print in commercial policies that addresses compliance with regulatory changes will also enable commercial carriers to conveniently back out of any longterm grandfathering commitments.

The only permanent protection will auger from insuring that our associations are assigned to low-risk zones. If not, Galt Mile associations and unit owners would confront an annual risk for \$hundreds of thousands in additional flood insurance premiums. Since Broward County and the City of Fort Lauderdale must both adopt the new maps, we will have to depend on County Commissioner Chip LaMarca and City Commissioner Bruce Roberts to weigh in if FEMA's NAVD 88 Vertical Datum saddles us with this prospective financial burden - especially after learning that the expensive flood insurance premiums paid by millions of property owners for decades were a mandated gift to insurance industry shareholders. •

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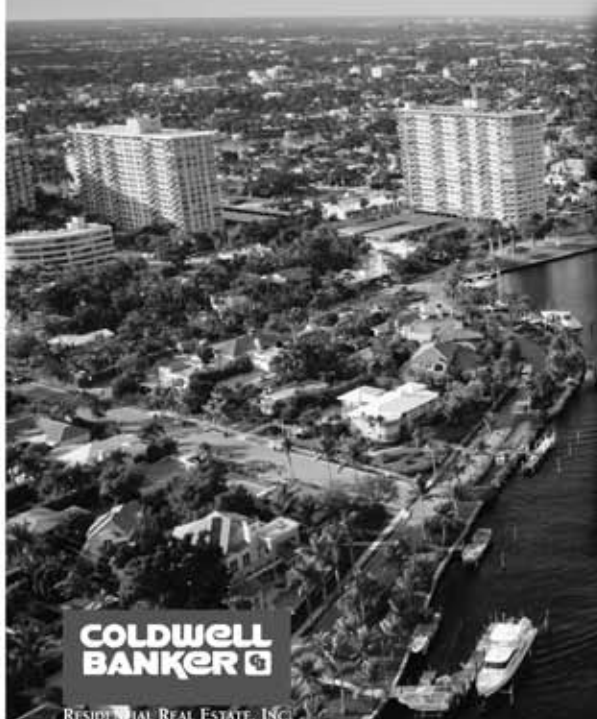
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11

Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

Pompano Beach Holiday Boat Parade
Intracoastal Waterway, Pompano Beach
6 to 10 p.m.
Info.: 954-941-2940

12

Songwriter's Showcase
Broward Center
8 p.m.
Info.: 954-462-0222

Sounds of the Season:
A Holiday Extravaganza
Broward Center for the Performing Arts
8:15 p.m.
Tix.: 954-462-0222

13

BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-7268

14

BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

18

Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

Parkland 5 Mile Holiday Run
Pine Trails Park, Parkland, FL
Check-in: 6:30 to 7 a.m.
Info.: www.parklandholidayrun.com

19

Commissioner Bruce Roberts:
Pre-Agenda Meeting
Beach Community Center, 6 p.m.

20

BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-7268

Erev Chanukah

Fort Lauderdale City Commission Meeting
City Hall, 6 p.m.

21

BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

Miami City Ballet: The Nutcracker
(Through 12/24)
Broward Center for the Performing Arts
Tix.: 954-462-0222

25

Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

Christmas Day

26

S. Florida Chanukah Festival
Gulfstream Park, Hallandale Beach
7 p.m.
Info.: 954-458-1877

27

BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-7268

Ft Lauderdale Holiday Antiques Show & Sale
(Through 12/28)
War Memorial Auditorium
Info.: 954-563-6747

28

BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

1

Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

Sunday Jazz Brunch
Riverwalk, Downtown FL
11 a.m. to 2 p.m.
Info.: 954-828-5985

2

Commissioner Bruce Roberts:
Pre-Agenda Meeting
Beach Community Center, 6 p.m.

3

BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-7268

Fort Lauderdale City Commission Meeting
City Hall, 6 p.m.

4

BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

Orange Bowl National Championship
Sun Life Stadium, 8 p.m.
Tix.: 305-341-4700

8

Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

6th Annual Open Car & Truck Show
Ed Morse Sawgrass Auto Mall
11 a.m. to 4 p.m.
Info.: 954-980-2670

9

10

BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-7268

11

BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

Jersey Boys
(Through 1/29)
Broward Center for the Performing Arts
Tix.: 954-462-0222

ADDITIONAL EVENTS

DECEMBER 3 - JANUARY 2: Holiday Fantasy of Lights, Tradewinds Park, 9:30 a.m. to 5 p.m., Info.: www.flamingogardens.org/events.htm

DECEMBER 3 - 31: Garden of Lights, Flamingo Gardens, 6 to 10 p.m., Info.: www.holidaylightsdrivethru.com

DECEMBER 11: Toys In The Sun Run, Markham Park, Motorcycle Parade/Event Info.: www.toysinthesunrun.com

DECEMBER 11: Buckler's 21st Annual Craft Fair, Americraft Expo Center - South Florida Fairgrounds, Info.: 386-860-0092

DECEMBER 15: Alice Cooper, Hard Rock Live, Tix.: www.ticketmaster.com

DECEMBER 15: G.M.C.A. Advisory Board Meeting, Nick's Italian Restaurant, 11 a.m.

DECEMBER 17: Miracle on 34th Street, Broward Center for the Performing Arts, Tix.: 954-462-0222

DECEMBER 27 - JANUARY 1: Cirque Dreams Holidaze, Broward Center for the Performing Arts, Tix.: 954-462-0222

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UPCOMING EVENTS IN OUR AREA

January 15
Mommy and Me Tea
Fairchild Tropical Garden, 3 p.m.
Info./Reservations: 305-663-8059

January 20
Art Walk Las Olas
Las Olas Blvd, 5 to 4:30 p.m.
Info.: 954-258-8382

January 20 - 22
6th Annual Intl Chocolate Festival with Coffee & Tea
Fairchild Tropical Botanic Garden, 9:30 a.m. to 4:30 p.m.
Info.: www.fairchildgarden.org

January 20 - 22
2012 International Orchid Show
War Memorial Auditorium
Info.: 954-563-3548

January 21
The CRTS White Elephant Sale
3333 NE 34th Street (corner of A1A & NE 34th Street)
10 a.m. to 2 p.m.

January 21 - 22
Downtown Delray Beach Festival of the Arts
1111 East Atlantic Avenue in Delray, 10 a.m. to 5 p.m.
Info.: 954-472-3755

February 11 - March 11
20th Annual Florida Renaissance Festival
Quiet Waters Park, 10 a.m. to Sundown, WEEKENDS only
Info.: 954-776-1642

February 18 - 19
Riverwalk Blues & Music Festival
Bubier Park, Ft Lauderdale
Info.: 954-399-BLUE

February 19
A1A Marathon
Starts at the Museum of Discovery, 6 a.m.
Info.: www.a1amarathon.com

**FOR A COMPLETE LISTING OF
EVENTS, GO TO THE
CALENDAR AT
WWW.GALTMILE.COM**

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

Art Walk Las Olas
Las Olas Blvd
(from Museum of Art to SE 16th Ave)
5 to 9 p.m.
Info.: 954-258-8382

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

First Day of Winter

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

Smokey Robinson
Hard Rock Live

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

12 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

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

The Nutcracker
Parker Playhouse
Tix.: www.parkerplayhouse.com

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

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

International Gem and Jewelry Show
(Through 1/1)
War Memorial Auditorium
Info.: 301-294-1640

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

Ft. Lauderdale Beach Collector Car Public
Auction
War Memorial Auditorium
Info.: 561-561-533-7945

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

17 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

Forces of Nature Weekend
Museum of Discovery & Science
12 to 4 p.m.
Info.: www.mods.org

24 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

31 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

New Year's Eve Downtown Celebration
Downtown Ft Lauderdale

7 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

24th Annual Las Olas Art Fair - Part I
(Through 1/8)
East Las Olas Blvd
10 a.m. to 5 p.m.
Info.: 954-472-3755

14 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

Fort Lauderdale Gun & Knife Show
(Through 1/15)
War Memorial Auditorium
Info.: 954-828-5380

ADDITIONAL EVENTS

DECEMBER 30 - JANUARY 1: West Palm Beach Antiques Festival, AmeriCRAFT Expo Center - South Florida Fairgrounds, Info.: 941-697-7475
JANUARY 11: Business Education Seminar Series: Business Financing, Holiday Park Social Center, 6 to 8 p.m., Info.: 954-828-4347
JANUARY 14 - 15: Boca Fest, The Shops at Boca Center, 10 a.m. to 5 p.m., 954-472-3755
JANUARY 14: Flamingo Fest, Flamingo Gardens, 9:30 a.m. to 5 p.m., Info.: www.flamingogardens.org/events.htm
First Saturday of every Month: Beach Cleanup, Commercial Blvd & the Beach LBS, 9 to 9:30 a.m., Info.: www.lbs.com
Wednesdays: Yoga in the Garden, Bonnett House, 8 to 9 a.m., Info.: 954-563-5393 ext. 137
Wednesdays: Pilates with Terry White, Esplanade Park, 6:30 p.m., Info.: 954-644-2330
Mondays and Wednesdays: Cardio Mix with Josh Hecht, Esplanade Park, 6:30 p.m., Info.: 954-732-0517

Several members complained about the aggressive panhandlers that gather outside the Walgreens on Oakland Park Boulevard and A1A. Having announced that she was accosted by panhandlers while gassing up at the Hess Station on A1A, Marlene Katkin of Fountainhead admitted that she wasn't about to stick around and swear out a complaint. Franci Bindler of the Riviera operates the popular Business World Neighborhood Postal Center on 3415 Galt Ocean Drive. Bindler told Diaz that street people who hang out between her store and the Library regularly enter and intimidate her employees.

The Major said that his teams would focus on the concerns discussed at the Advisory Board meeting. He also told members that the neighborhood was a prime target for thieves who quickly cannibalize unlocked vehicles. After grabbing the DVD player, a GPS unit or a cell phone left on the seat, this portable swag is pawned within minutes. He added that burglaries were trending in the area. Since the perpetrators in many of these break-ins grabbed loose change and nearly worthless small items while leaving laptops, portable TVs, and other more valuable loot, Diaz asserted that they were likely amateur thieves (perhaps kids acting out) or the dumbest crooks on the east coast. Diaz informed the board about a useful website called RAIDS Online. A catchy acronym for Regional Analysis and Information Data Sharing, RAIDS Online provides access to crime statistics and crime trends in every jurisdiction nationwide.

Sponsored by BAIR Analytics (another acronym - Behavioral Analysis & Intelligence Resources), the website offers a less robust version of the same data used by every law enforcement agency in the United States. Diaz described the information as unadulterated, with the exception of domestic violence, rape and other crimes impacted by shield laws and privacy acts. Available at <http://www.raidsonline.com/>, clicking on any incident displayed on an interactive crime map reveals the date, time and crime category, the source of the crime data (the "Agency" that provided the information) and links that enable the site user to provide tips about each incident to the relevant police department or agency.

Receiving the data directly from each law enforcement agency ensures that the information is always up to date, accurate, complete and FREE! Using this intuitive tool, Galt Mile residents that are sick of lying by the pool - like a lox - can easily explore neighborhood, citywide, statewide and national crime trends. Although last month's neighborhood and citywide crime statis-

tics are still available on the City website, since this user-friendly resource provides a nearly real-time mirror for crime in the Galt Mile neighborhood and surrounding communities, the Advisory Board plans to use RAIDS Online to better tailor its public safety expectations. So can you, Sherlock!•



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