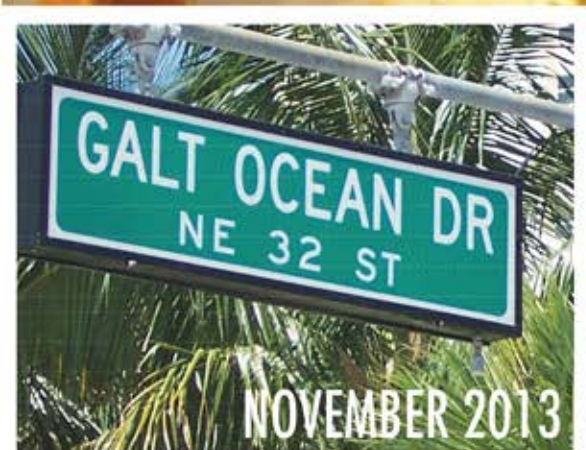
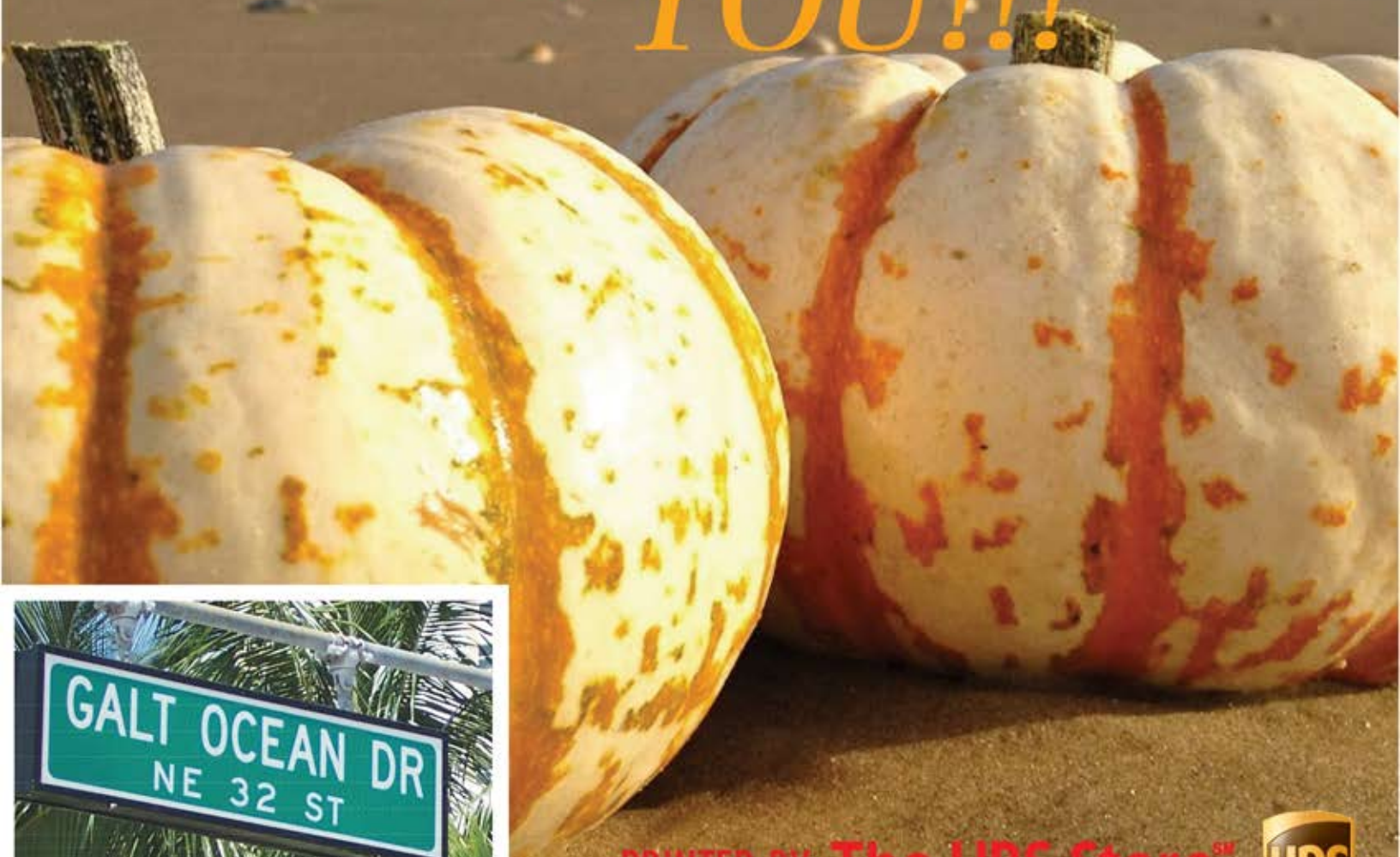


GALT MILE NEWS

THE OFFICIAL PUBLICATION OF THE GMCA

THIS THANKSGIVING
We Thank **YOU!!!**



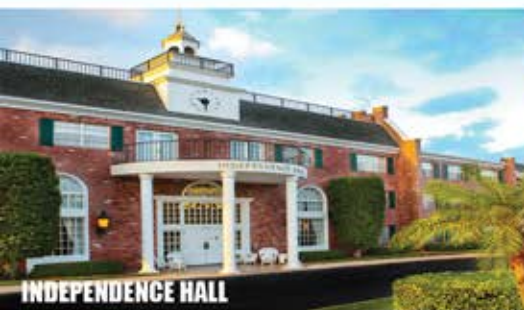
PRINTED BY **The UPS StoreSM**
854-568-1890



Caribe | Commodore | Coral Ridge Towers | Coral Ridge Towers E | Coral Ridge Towers N | Coral Ridge Towers S | Edgewater Arms | Fountainhead | Galleon | Galt Ocean Club | Galt Towers | Il Lugano | L'Ambiance | L'Hermitage 1 & 2
Ocean Club | Ocean Manor | Ocean Sky Ocean | Summit | Playa Del Mar | Playa Del Sol | Plaza East | Plaza South | Regency South | Regency Tower | Riviera | Royal Ambassador | Southpoint | The Tides at Bridgeside Square



Marrinson
Senior Care Residences



INDEPENDENCE HALL



WILLIAMSBURG LANDING



MARGATE MANOR



MANOR OAKS



MANOR PINES

Excellence in care for your Patients for over 46 years



Physicians are encouraged to follow their patients that live with us. You may do house visits or we will bring them to you. We are fortunate to have our physicians entrust their patients with us.

Independent Living

Providing excellent independent care living for those who want to continue enjoying all of life's pleasures, even though they have experienced changes due to physical conditions, security issues or age.

Assisted Living

We are the perfect choice for those who require extra assistance in order to maintain their independence and dignity; providing 24 hour nursing and life management.

Skilled Nursing & Rehabilitation

We have designed comprehensive rehabilitation programs to assist with post-operative or post-stroke to achieve optimal physical & functional outcomes.

Long Term Care

Marrinson's Life Enhancement Programs are designed to meet the challenging needs of cognitively impaired and physically impaired individuals.

Respite Care

Providing respite short term care in a warm, safe, professional atmosphere for short term quality care.

Call Us Today: 954-684-5788

For more information - find out how you can become a staff member of our team. Marrinson Senior Care is a family of distinguished residential, assisted living and skilled nursing facilities providing senior care the way it should be.



www.marrinson.com



ALF 6649



ALF 4416



ALF 7172

ANTERIOR HIP REPLACEMENT YOU HAVE A CHOICE

Every day, people with limps, walkers, canes and wheelchairs come to an important realization - the pain is just too much. Choosing to have any elective surgery is no easy decision; even when you know the end result is saying goodbye to your pain and hello to your life. While total hip replacements have been one of the most successful surgeries since they began, deciding to have the procedure has always come with its costs, until now.

Orthopedic surgeons at the Joint Replacement Center at Broward Health North offer an innovative new approach to hip replacement surgery - anterior hip replacement using the specially designed hana® table. Patients who choose the anterior approach to hip replacement as opposed to the traditional posterior approach don't just say goodbye to the pain, they say goodbye to the restrictions as well.

Patients receiving anterior hip replacement experience none of the precautions related to traditional hip replacement, including no post-op dislocation precautions, no restriction of post-op activity, immediate use of normal toilet height, no post-op abduction pillow (between the knees) required, cross legs as desired, no shoe lift requirements and no post-op sexual activity limitations.

"Approximately 375,000 Americans undergo hip replacement surgery each year," says Dr. Bruce Janke, Medical Director of the Joint Replacement Center at Broward Health North. "With this number expected to almost double over the next 25 years due in part to the aging population, it is important that people know they have a choice in the type of procedure they undergo."

With the anterior approach, a small four inch incision is made just below and to the outside of the groin. Two muscles are then pushed aside, giving the surgeons access to the hip socket to perform the replacement. No muscles at

any time during the procedure are split or detached. For the patient, that results in a faster recovery, less pain, smaller incision, less blood loss and less scarring.

"The outcomes are incredible," says Dr. Steven Naide, Medical Director of Orthopedic Trauma at Broward Health North. "Within weeks our patients are getting back to golf, tennis, yoga, whatever it is they enjoy doing that became impossible due to pain."

The Joint Replacement Center is the recipient of the Florida Hospital Association 2011 Celebration of Achievement in Quality and Service award for Innovation of the Year in Patient Care. The Center is also first in Broward County to be Joint Commission Certified for Hip and Knee Replacement.

**Broward Health North has
performed more hip
replacements than
any other hospital
in Florida.**

as seen in the Dec 2012

U.S. News & WORLD REPORT



**Steven Naide, MD, Medical Director of
Orthopedic Trauma & Bruce Janke, MD, Medical
Director of the Joint Replacement Center.**

**1201 E Sample Road, 2nd Floor
Pompano Beach, FL 33064
954.942.4433**


**BROWARD
HEALTH
NORTH**

To find out more about anterior hip replacement, call 954.786.6635 or go to BrowardHealth.org/BHN

A Five Star Independent, Assisted Living and Skilled Nursing Community



*The gang at
Court at Palm Aire*

Proud to Be the Talk of the Town.

Talk about a classic! The Court at Palm Aire lifestyle is vintage fun – friendly neighbors, fantastic activities and live entertainment. Plus, you won't find a lot of stuffy rules and regulations. And with no more maintaining a home or cooking to do, you can focus on good times – the race track, casino and shopping are right around the corner, and on-site dining, entertainment and amenities are always nearby. Come discover the senior lifestyle everyone is talking about!

Experience Carefree Living!

- Self-contained, 10-story campus
- Spacious apartments
- 3 chef-prepared meals daily
- Hurricane impact windows and doors
- Fun and friendly neighbors
- Frequent live entertainment
- Housekeeping and linen service
- New Wellness Center

THE COURT AT PALM AIRE

FIVESTAR SENIOR LIVING, INC.

2701 N. Course Drive, Pompano Beach, FL 33069 • 954-975-8900



Assisted Living Facility #5961



Special promotional offers available – Join us for lunch and a tour to learn more!



THE SOUTH FLORIDA SAND SAGA

By Eric Berkowitz

In May of 2007, former Broward Beach Administrator Stephen Higgins issued a report that 1) announced the conclusion of the 18-month Segment III Monitoring period, 2) summarized the financial status of the completed South County Segment III beach renourishment, and 3) announced an erosion control study in support of the Port Everglades sand bypass.

The Search for Sand

Buried in the report was the seemingly innocuous statement, "The County will be investigating the use of sand from other locations, including locations outside of the United States, for future nourishment of Segment II." Responding to a frenzied email from the neighborhood association asking whether he was spinning another delay for the Segment II project, Higgins wrote "We are close to executing an amendment with our consultants to undertake several tasks in preparation for resuming the Segment II engineering/design/permitting. One important task is to find sand."

Although Broward reserves were heavily depleted by past projects, every scrap of relevant documentation, from the Final Environmental Impact Statement to the plan approved by the State, targets the waters off Deerfield Beach as a sand "borrow site" adequate for both Segment III and Segment II renourishments. Why scavenge for sand in other locations? Was Higgins overreacting? KABOOM - The other shoe dropped!

Higgins revealed "Borrow area No. 1, which has enough material with which to construct Segment II, now has a higher percentage of rock in it after removing sand for Segment III. We'll need to investigate that. We'll also look for additional sand offshore, but I'm not confident that we'll find any significant new deposits. Accordingly, we will also be looking for more remote sources of domestic sand (e.g. offshore central FL and in the Gulf of Mexico) and for non-domestic sand, with emphasis on Bahamian aragonite. When we find the sand we're going to use, if it's different from the sand we had proposed to use in our previous plans, we will have to do some re-engineering of the project and redo some of the permitting."

As decades of delays engineered by radical pseudo-environmentalists exponentially skyrocketed project costs, 2004 and 2005 serial hurricanes claimed huge incremental sections of beach from the county's vulnerable coast - fueling the need for additional sand. The shortage was real. Higgins began investigating alternative sources of sand for use in Segment II, including the possible utilization of recycled "glass sand" since glass and sand are both composed primarily of silicon dioxide. The County hired Coastal Planning and Engineering, Inc. (CPE) to compile a report about the advantages and disadvantages of artificial sand.

On November 13, 2008, the Broward County Commission meeting agenda included this update, "A sand search is being conducted to dis-

cover new sources of beach-compatible sand for placement onto Broward County beaches, including those of the City of Fort Lauderdale, the Town of Lauderdale-By-The-Sea, and the City of Pompano Beach. These beaches comprise Segment II of the Broward County Shore Protection Project. The search for sand will include not only the seafloor offshore of Broward County, but also areas offshore of other Florida counties and areas outside of US waters. In addition to finding new sand sources for Segment II, the County will reevaluate the Segment II project in the context of current economic and environmental conditions, and will propose a project appropriate to those updated conditions. Finally, a high-resolution study is being undertaken to ascertain whether erosion control structures can be employed along the County's shoreline to reduce the rates of erosion and help sustain our beach nourishment projects."

80 - 85% Of the beach sand lost to tidal erosion occurs at inlets - such as Port Everglades and Hillsboro. By capturing sand that would otherwise be sucked into the lagoon or washed out to sea where the coast "breaks", and transferring it from the north to south side of the inlet, a sand bypass reinstates the natural southerly migration of sand down the coast - to Hollywood, Hallandale, Dania - and ultimately, Miami.

The Battle for Broward Sand

In the preceding months, hoteliers, politicians and realtors in Hollywood, Hallandale and Dania repeatedly met privately with Higgins, insisting that he redeploy the sand planned for Segment II to "shore up" faltering South County beaches renourished two years earlier - at least until a Port Everglades sand bypass could diminish the sand lost to tidal erosion. Denying that the Segment II sand was under siege and that "Hollywood is not looking to make a sand grab," South Broward politicians asserted that "hot spots" in Hollywood and Hallandale Beach could be addressed with "Sands of Opportunity" pending installation of a sand bypass. Of course, there were no "Sands of Opportunity." Any sand used to address erosion-based shortages in Segment III would have to be hijacked from Segment II.

Galt Mile officials and Fort Lauderdale City Commissioners were livid. On January 6, 2009, an outraged City Commission approved City Resolution No. 09-11, withdrawing City approval to build a Port Everglades sand bypass until the Segment II project was completed. The City posted a page on its web site entitled "Help Save Fort Lauderdale Beach," which provided the email addresses of the County Commissioners and stated "The Fort Lauderdale City Commissioners need your help to make sure that Fort Lauderdale is not pushed to the back of the line. Let Broward County know that you oppose the proposed Port Everglades Sand Bypass Project and that you want them to implement the Segment II Beach Renourishment Project as promised."

Continued on page 6

After decades of slugging his way through scores of scientific and regulatory bear traps, Higgins was caught in political quicksand. When asked by Galt Mile officials about the Segment II project, officials in Higgins' Biological Resources Division responded with non-descript delays throughout 2008 and 2009. Concerned about the lack of progress, the Galt Mile Community Association (GMCA) contacted Michael Sole, who served as Florida Department of Environmental Protection (FDEP) Secretary under former Governor Charlie Crist. Sole informed GMCA President Pio Ieraci that Broward Beach officials hadn't responded to Departmental inquiries for more than a year. While the two agencies were locked in this dilatory two-step, the Federal and State permits authorizing the project expired. Broward County dropped the ball.

Prior to proceeding with the Segment II beach fix, Broward beach officials would first have to repeat the environmental testing required for a new federal permit. Since Michael Sole worked with Higgins as a Marine Biologist in Broward County before his appointment to FDEP, he was conversant with the project's scientific and engineering parameters. While a painful repetition of the federal permit process was unavoidable, Sole granted Higgins a 5-year State permit extension through June 4, 2014, saving his former Broward colleague months of bureaucratic tedium. The extension proved to be a parting gift. A year later, Sole stepped down as FDEP Secretary after overseeing the State's response to the Deepwater Horizon fiasco and accepted an offer from Florida Power & Light to serve as Vice President of their Governmental Affairs Department.

Hoping to quell the simmering animosity between its northern and southern coastal municipalities, Broward County Administrator Bertha Henry sent a beach renourishment update to former Fort Lauderdale City Manager George Gretsas on May 27, 2010. She concluded her summary of beach project issues with a pipe dream cloaked in a political olive branch "Broward County-conducted beach construction in Segment II is targeted for November of 2011, pending completion of the engineering/design and permitting processes in a timely fashion." Shortly afterwards, Beach Administrator Higgins announced that he would retire in 2011. He could no longer stomach being treated like a bureaucratic pinata. Although he would continue as a consultant, his duties would be assumed by Deputy Director Eric Myers of Broward's Environmental Protection and Growth Management Department. Myers was Higgins' boss. In contrast with Higgins, Myers couches an impressive understanding of the underlying science in a bottomless inventory of country parables.

Enter Eric Myers

On February 3, 2011, Myers asked Galt Mile officials to help reboot the dormant beach project. At subsequent meetings with the City of Fort Lauderdale and association officials, Myers presented an updated plan to repair disappearing north county beaches. Having re-engaged the primary stakeholders, Myers initiated an accelerated permitting process and eliminated many of the plan's regulatory roadblocks by revising the sand source. By purchasing perfectly matched sand from inland mines instead of dredging scarce and less compatible offshore sediment, Myers allayed regulatory concerns about reef damage and heightened levels of turbidity.

As Federal and State beach renourishment resources waned, the initial financing burden for salvaging and/or stabilizing shrinking beaches would fall to local jurisdictions. For the past several years, Broward County has been desperately trying to cash in past due renourishment markers from Tallahassee and Washington.

When Hurricane Sandy dismantled several blocks of State Road A1A and the adjacent beach, it became obvious that a reliable and financially reasonable sand source was critical to future renourishments, whether to rehabilitate an entire coastal system or to repair "hot spots" prone to accelerated erosion. As observed by FDEP's late Lonnie Ryder "Beaches are the backbone of tourism in the state of Florida. As your beaches go, so goes your economy." The future health of Broward's beaches - and its beach-based economy - will depend on the cost of getting compatible sand to the beach and fitting inlets with the beach erosion architecture that will help keep it there longer.

The underlying problem is geography. Sand snatched from the seabed adjacent to an eroded beach is the safest, most convenient and least expensive source. Where the ocean floor plummets past the continental shelf, the seabed is too deep to frugally harvest sand. As the continental shelf passes south of Palm Beach, it narrows to a thin band, leaving Broward and Miami-Dade Counties with significantly smaller "borrow areas" than their neighbors to the north. To avoid damage to some of the state's few active reef systems, Broward "borrow sites" are further limited to north county waters, near Deerfield Beach.

After decades of repeated renourishments, Miami-Dade is about to exhaust its offshore sand supply in February, when the last granules will go to repair a beach in the affluent village of Bal Harbour. Broward isn't much better off, as its few remaining "borrow sites" are minuscule and their proximity to delicate reef systems makes them difficult to dredge. "Here we have coral reef systems that constrict the areas where we can go to retrieve sand," said Tom Martin, a senior coastal engineer with the U.S. Army Corps of Engineers. Continued on page 7

THE GALT MILE NEWS

PUBLISHER/ADVERTISING

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

EDITOR

Eric Peter Berkowitz

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
(954) 563-1001

DIRECTORS

Ralph Hamaker
(954) 568-4146

Donna Oppert
(954) 567-2969

Fred Nesbitt
(954) 564-4329

Andrew Surdovel
(954) 568-0191

SECRETARY

Fern McBride*
(954) 561-2965

ADVISORY BOARD

Jim Abruzzino
Annmarie Adams

Lorraine Alfano
Richard Bazerghi

Eileen Bendis
Diane Bergheim

Ron Bibace
Franci Bindler

Anda Bloom
Francis Casier

Theresa Claire
Dr. Jim Comis

Holly Custer
Robert Dally

Doug Dawson
Lisa Edwards

Louis Fox
Kathleen Freismuth

Richard Gabrielle
Arnulfo "Ray" Garcia

Michael Gonzalez
Ed Hashek

Amanda Hawkins-Vogel
Warren Hurley

Elaine Jaffe
Marlene Katkin

Michael Katz

Mel Kessler

Frances Constance
Robert Korn

Linda LeDuc
Lisa LaMarca

Don Larson
Laurie Madenfort

George Mayer
Fern McBride*

Madeline Mercado
Jean Miller

Charles Morton
Ulli Parker

John Pescosolido
Richard Pohan

Everett Pyatt
Patricia Quintero

Glenn Rollo
Carol Schmidt

Hussein Shehata
Mary Short

Daryl Slattery
Richard Solewin

Helen Swinghammer
Frank Talerico

Gary Tripoli
Huey Vanek

The publisher accepts no liability for the accuracy of statements made by association members, outside contributors, third party articles, or advertisers.

Treasure Coast Sand - Regionalization

In considering sand sources for a Miami-Dade Federal Project, the U.S. Army Corps of Engineers and the FDEP explored sites in federal designated waters off Martin, St. Lucie, Palm Beach and Broward counties in addition to deep water sites off Miami-Dade. Encouraging news about huge sand deposits along the Treasure Coast prompted Director Mark Thomasson of Florida's Division of Water Resource Management to comment "I would characterize it as a source of sand that meets our needs in the foreseeable future."

Given the catastrophic consequences threatened by the impending loss of Miami-Dade and Broward beaches - as protection for people and property against storm damage and their local and Statewide value as economic engines, the U.S. Army Corps of Engineers (USACE) conducted the "Southeast Florida Sediment Assessment and Needs Determination" (SAND) study. The SAND study's primary purpose was to calculate the volume of sand needed to continually renourish all beaches in St. Lucie, Martin, Palm Beach, Broward and Miami-Dade Counties for a time frame of 50 years (2012 - 2062) and measure the volume of offshore sand available to these 5 counties. Prepared in partnership with the State, the Corps and the 5 participating Counties, a draft report completed in November 2012 was subsequently vetted by the FDEP.

The FDEP retained Boca Raton-based Coastal Planning and Engineering, Inc. (CPE) to perform a technical review of both the Sediment Assessment and Needs Determination portions of the SAND study. On May 31, 2013, a memorandum of record summarized how criteria imposed by FDEP on the draft SAND study reduced the USACE's initially estimated volume of available sediment by approximately 26% - or 100 million cubic yards (Mcy). The final SAND study concluded that "174,101,870 cubic yards of sediment are needed to support placement of planned, full-sized beach nourishment projects through 2062. With contingencies and confidence levels applied, it was found that 280,037,956 cubic yards exist offshore of Southeast Florida that meet the criteria for this study established for sand placement on Florida beaches. Therefore, currently known sediment resources for St. Lucie, Martin, Palm Beach, Broward and Miami-Dade Counties exceed sediment needs by 100,000,000 cubic yards." The actual residual excess is stated as 105,936,086 cubic yards.

In short, after examining the Treasure Coast sand deposits along the adjacent seabed and in federal waters past the three nautical mile State limit, U.S. Army Corps of Engineers and the FDEP concluded that St. Lucie, Martin and Palm Beach counties have enough offshore sand reserves to address every renourishment project from Miami Beach to Port St. Lucie for at least 50 years, with more than 100 million cubic yards to spare. To immunize the study against accusations of massaging the data to benefit recipient counties, the Needs Determination was fitted with a 55% contingency cushion (30% - sand dropped in borrow area; 15% - other dredging losses; 10% - future performance impacts i.e. sea-level rise). Like a gift that keeps on giving, the memorandum also noted "This volume estimate will increase as potential and unverified sediment sources identified in the study area are further developed."

In a recent Sun-Sentinel article, Washington-based Tribune reporter William E. Gibson sought to place the enormous volume of Treasure Coast sand into perspective by pointing out "Broward County's eight major beach restoration projects since the 1970s have used about 10 million cubic yards of sand." While the study verified available sediment volumes upwards of 280 million cubic yards, if the "contingency" criteria were stripped from the findings, the amount of available sand jumps to 475,392,915 cubic yards (475 million cubic yards) - upping the amount of sand left over after 50 years of renourishments to 300 million cubic yards. YIKES!

Continued on page 10

INJURED?

- AUTO ACCIDENTS
- WRONGFUL DEATH
- SLIP & FALL
- WORKERS COMP.
- MEDICAL MALPRACTICE
- NURSING HOME NEGLECT



FREE CONSULTATION

954-749-3330

WE WILL COME TO YOUR HOME OR HOSPITAL

CHARLES COHEN
ATTORNEY AT LAW

25 YEARS OF EXPERIENCE

SE HABLA ESPAÑOL • NOU PALE KREYÓL

THE JAPANESE



SINCE 1989

AUTO PROFESSIONALS PLUS
FAMILY OWNED AND OPERATED



DOMESTIC CARS ALSO

90 NW Spanish River Blvd.
Boca Raton 33431
561-393-3914

1100 W. Oakland Park Blvd.
Wilton Manors 33311
954-565-1518

EASILY REMOVE AND PLACE ON YOUR FRIDGE

NOVEMBER/DEC

SUN	MON	TUE	WED
10 Las Olas Outdoor Green Market 333 E Las Olas Blvd. & SE 4th Ave. 9 a.m. to 2 p.m. Info.: 954-426-8436 Honor Our Troops Classic Car Show Pompano Citi Centre 10 a.m. to 4 p.m. Info.: 954-560-5412	11 Veteran's Day	12 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Songer: 954-563-7268	13 BINGO Regency South Party Room 7 p.m. Info.: Bob Pearlman: 954-547-4063 Charlotte's Web Parker Playhouse Tix.: 954-462-0222
17 Las Olas Outdoor Green Market 333 E Las Olas Blvd. & SE 4th Ave. 9 a.m. to 2 p.m. Info.: 954-426-8436	18 Commissioner Bruce Roberts: Pre-Agenda Meeting Beach Community Center, 6 p.m.	19 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Songer: 954-563-7268 American Cancer Society Relay For Life Kick-off Party: Learn How to Get Involved! Jarvis Hall (4505 N Ocean Blvd., LBTS) 6 to 8 p.m. RSVP/Info.: 954-200-7514	20 BINGO Regency South Party Room 7 p.m. Info.: Bob Pearlman: 954-547-4063 Winter Business Expo: Biz to Biz Networking Broward County Convention Center (Hall A) 3 to 8 p.m. Info.: 954-838-9644
24 Las Olas Outdoor Green Market 333 E Las Olas Blvd. & SE 4th Ave. 9 a.m. to 2 p.m. Info.: 954-426-8436	25	26 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Songer: 954-563-7268	27 BINGO Regency South Party Room 7 p.m. Info.: Bob Pearlman: 954-547-4063 Erev Chanukah
1 Las Olas Outdoor Green Market 333 E Las Olas Blvd. & SE 4th Ave. 9 a.m. to 2 p.m. Info.: 954-426-8436 Daylight Saving Time ends 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 Christmas on Las Olas 600-1100 E Las Olas Blvd. 5 to 10 p.m. Info.: 954-258-8382	4 BINGO Regency South Party Room 7 p.m. Info.: Bob Pearlman: 954-547-4063 The South Florida Condo, HOA & Co-op Expo Broward County Convention Center 10 a.m. to 4 p.m. Info.: 212-683-5700
8 Las Olas Outdoor Green Market 333 E Las Olas Blvd. & SE 4th Ave. 9 a.m. to 2 p.m. Info.: 954-426-8436 Pompano Beach Holiday Boat Parade Lake St. Barbara North to The Hillsboro Blvd. bridge 6 p.m.	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

NOVEMBER 16: Craig Ferguson: Hot and Grumpy Tour, Hard Rock Live, 8 p.m., Tix.: 954-797-5531

NOVEMBER 16: Estonian National Symphony Orchestra, Broward Center for the Performing Arts, 8 p.m., Tix.: 954-462-0222

NOVEMBER 21: Where the Cars Are, Along Las Olas Boulevard, 6 to 9 p.m., Info.: 954-771-0729

NOVEMBER 21 - DECEMBER 1: 38th Annual Broward County Fair, Pembroke Pines City Center, Info.: 954-922-2224

NOVEMBER 22 - JANUARY 4: Holiday Fantasy of Lights at Tradewinds Park, Nightly from 6 to 10 p.m., Info.: www.holidaylightsdrivethru.com

NOVEMBER 23 - 24: 39th "The Harvest" at Miami-Dade Fair Expo, Dade Fair Expo Center in Miami, Info.: 386-860-0092

NOVEMBER 23 - 24: The South Palm Beach Art Fair on the Ocean, A1A in Lake Worth, 10 a.m. to 5 p.m., Info.: 954-472-3755

DECEMBER 1: Winterfest Family Fun Day, Riverside Hotel Lawn, Noon to 4 p.m., Info.: 954-767-0686

DECEMBER 6: CAI-SEFL Annual Casino Night, IGFA Fishing Hall of Fame, 7 to 10 p.m., Info.: 954-816-0661

ONE SOURCE FOR COMMUNITY HAPPENINGS

THU

FRI

SAT

14

2nd Annual Flavors of Fort Lauderdale
(Through 11/17)
Westin Beach Hotel, Las Olas Marina
Info.: 954-765-3636

21

Art Walk Las Olas
Las Olas Blvd., 5 to 9 p.m.
Info.: 954-258-8382

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

Riverwalk Get Downtown
Courtyard Plaza at Las Olas, 5 to 8 p.m.
Info.: 954-476-5317

28

3rd Annual Turkey Trot & Paddle
DC Alexander Park, 10 a.m. to 5 p.m.
Info.: 954-468-1541

5

12

15

Jazz on the Square
El Mar Drive & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-776-5092

Ft. Lauderdale Fall Home Design
And Remodeling Show
(Through 11/17)
Broward County Convention Center
Info.: 888-353-3976

22

Jazz on the Square
El Mar Drive & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-776-5092

Last day to reserve tickets to Cabaret Night with
"Barbara Streisand"
(See December 7th)

29

Jazz on the Square
El Mar Drive & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-776-5092

6

Jazz on the Square
El Mar Drive & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-776-5092

Lauderdale Live
(Through 12/8)
Huizenga Plaza
Info.: www.lauderdalelivemusic.com

13

Jazz on the Square
El Mar Drive & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-776-5092

16

Music-By-The-Sea
A1A & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-771-2900

SwampFest & SwampFEAST
3750 Flamingo Rd., Davie, 11:30 a.m.
Info.: 954-473-2955

23

Music-By-The-Sea
A1A & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-771-2900

Skate Las Olas
(Through 1/6)
Riverside Hotel Lawn
Info.: 954-377-0943

30

Music-By-The-Sea
A1A & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-771-2900

Downtown Delray Beach
Thanksgiving Weekend Art Festival
(Through 1/1)
Downtown Delray Beach
10 a.m. to 5 p.m.
Info.: 954-472-3755

7

Music-By-The-Sea
A1A & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-771-2900

Cabaret Night with "Barbara Streisand"
Temple Bar-Yam (5151 NE 14th Terrace)
8 to 10 p.m.
Tix. & Info.: 954-943-0617 or 954-547-4417

14

Music-By-The-Sea
A1A & Commercial Blvd
6:30 to 10:30 p.m.
Info.: 954-771-2900

Seminole Hard Rock Winterfest Boat Parade
6 p.m.
Info.: www.winterfestparade.com

UPCOMING EVENTS IN OUR AREA

December 7

Cabaret Night with "Barbara Streisand"
Temple Bar-Yam (5151 NE 14th Terrace), 8 to 10 p.m.
Tix. & Info.: 954-943-0617 or 954-547-4417
Must reserve by 11/22

December 22

Jingle Bell Jog
Sawgrass Technology Park (1601 NW 136 Ave., Sunrise), 7 a.m.
Registration/Info.: www.gflrc.org

December 27 - 29

International Gem and Jewelry Show
War Memorial Auditorium
Info.: 301-294-1640

December 31

9th Annual New Year's Eve Downtown Countdown
SW 2nd St. (between SW 2nd Ave. and SW 4th Ave.)
3 p.m. to 3 a.m.
Info.: 954-396-3622

January 3 - 5

Miami City Ballet: George Balanchine's The Nutcracker
Broward Center for the Performing Arts
Tix: www.browardcenter.org



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

DECEMBER 6 - 8: Palm Beaches Marathon & RunFest, S. Flagler Dr at Banyan Stree, WPB), Info.: 305-278-8668

DECEMBER 7: Seussical, Broward Center for the Performing Arts, 11 a.m. and 1 p.m., Tix./Info: www.browardcenter.org

DECEMBER 7: Kid Inlet Challenge Bicycle Ride, Starts at KID Campus, 5 a.m. to 2 p.m., Info.: www.inletchallenge.kintera.org

Fridays: Aruba Beach Cafe's Friday Fun Fest Pig Roast, 4 to 7 p.m.

First Saturday of Every Month: Beach Cleanup, Commercial Blvd. & the Beach LBTS (Meet at Pavilion), 9 to 9:30 a.m., Info.: 954-776-1000

First Saturday of Every Month: North Beach Art Walk, 3280 NE 32nd St, 7 to 11 p.m., Info.: 954-537-3370

Second Saturday of Every Month: Beach Sweep, 9 a.m. to 12 p.m., Info.: 954-474-1835

Sundays: Tour-the River Ghost Tour, Stranahan House & Water Taxi, 7:30 p.m., Tix.: 954-524-4736

Saturdays: Saturday Night Under the South Florida Stars, Fox Astronomical Observatory at Markham Park, Sunset to Midnight, Info.: 954-384-0442

The study advocates the creation of a regional approach to managing sand resources. Steve Higgins and Eric Myers have always maintained that since the health of renourished beach segments depends on the stability of adjacent segments to the north and south, the Broward Shore Preservation Project is only sustainable if addressed in its entirety. Since this structural paradigm holds true for the entire coast, the sustainability of all renourishment projects would be more effectively managed on a regional basis. To achieve this, Federal and State authorities must mitigate the "Sandbox" mentality that permeates coastal counties.

With the survival of critical coastal infrastructure in Broward and Miami-Dade at stake, implementing a regional authority has become a State and Federal imperative. "If we get hit by a large storm, unlike in the past where we knew we had resources right off our coast, those simply don't exist now," said Stephen Blair, chief of restoration and enhancement in Miami-Dade's Department of Environmental Resources Management. "That vulnerability is very real." The study additionally asserts that after a Regional Sediment Management Plan was created for all of the included sand sources, the FDEP and the US Department of Interior, Bureau of Ocean Energy Management could draft a lease agreement for the sediment sources that fall under Federal jurisdiction.

Many Public Officials in St. Lucie and Martin Counties view attempts to regionalize coastal management as a veil for aggressive "panhandling" by neighbors with designs on their reserves. They are understandably leery about providing unfettered access to their coastal bonanza. Attempts by Miami to purloin their offshore sand in 2006 were met with such local rage that they were dropped, especially after former Senate President Ken Pruitt characterized it as "almost a criminal act," and starred in television commercials exclaiming "We will fight to the death to make sure you don't take one grain of sand."

Since the reserves being considered are in State and Federal Waters, jurisdictions that plan to use them must first elicit approval of the same State and Federal agencies that support the creation of a regional plan. Whether in Miami-Dade, St. Lucie or Martin Counties, beach projects must pass muster with FDEP and the Corps. As such, disgruntled county officials are reluctantly exploring a process in which stakeholders, counties, and the State and Federal agencies allocate sand resources on a regional level.

Since calculating the adequacy of an exhaustible resource begs the question "how much is enough," petulant officials in donor counties hope to drown the process in dogma. For instance, St. Lucie County Commissioner Frannie Hutchinson asked, "What happens in 50 years when all that sand is gone? Where are we supposed to go then? I told them to take their sand shovels and sand buckets and go home and come up with a better plan."

Despite objections by angry Treasure Coast public officials, Federal and State authorities are seeking to hammer out an agreement that the five South Florida Counties can live with. While ostensibly cooperating with the State and Federal agencies that pull the strings on their own beach renourishment plans, officials in St. Lucie and Martin Counties are driven by enlightened self-interest to subvert the process or at least minimize its impact. With impressive reserves of its own, Palm Beach's participation in this negotiation is largely a function of its location, as it buffers the donor and recipient members of this 5-county coastal block. According to Palm Beach Environmental Program Supervisor Leanne Welch, "We have enough near-shore sand for the next 30 or 40 years."

The Corps hosted public hearings in each of the 5 counties this past August. As participants entered the Martin County meeting, they filed past a lime-green neon poster board inscribed with the message "No! You may not have our sand! Do not destroy our beaches too!" The bad blood prompted Eric Myers to state the obvious "The locals didn't take too kindly to us South Florida folks coming up there to try to steal their sand."

Until the regulatory approval process is formulated, and a regional agreement is reached, Treasure Coast sand will not be available to Miami-Dade or any other planned renourishment projects. Corps Officials are hoping to begin dredging for the Miami project by December 2015. Unless the process bears fruit, jurisdictions will have to rely on other sand sources.

Sand from Inland Mines

Although structurally and aesthetically ideal - and a regulatory no-brainer, sand trucked in from inland mines is expensive. Even if conducted with military precision, moving 20,000 truckloads of sand through local communities to coastal distribution sites could prove a strategic nightmare. Broward beach boss Eric Myers is currently planning such a campaign for our long delayed \$45 million Segment II renourishment. 750,000 cubic yards of sand will be trucked from three upstate mines to beachfront staging areas in Lauderdale-by-the-Sea, the Galt Mile and Lauderdale Beach. Since local residents have been passionately fighting to realize this beach fix for decades, it is likely that the trucks will be met with more cheers than complaints.

Glass Sand

While recycling beer bottles into sand may soon kill two environmental birds with one stone, the converted glass must first be approved as an adequate replacement for Broward beach sand. Initially proposed as a fill for small beach gaps, glass cullet is undergoing regulatory testing. Given the excellent results to date, Broward Mayor Kristen Jacobs is seeking to revive a stalled \$1.5 million plan to complete the final phase of a county environmental study. In 2008, a \$1,447,000 Broward plan to dump 3,000 tons of recycled glass on a Hollywood Beach was waxed by budget cuts.

Since there is no local facility capable of recycling glass into sand, production costs are unclear. Myers noted, "It's environmentally feasible, you have to make it economically feasible." If determined cost effective, Broward's entry in this new industry could flourish, given the built-in South Florida customer base.

Continued on page 15

Sportif
Hart, Shaffner & Marx
St. Croix
Tommy Bahama
Sansabelt

MARTONE
MEN'S WEAR
QUALITY MEN'S WEAR
Since 1958
2635 E. ATLANTIC BLVD., POMPAHO

954-941-6493
Open Mon.-Sat. 9AM-5PM

House Bill 7119

Targets Community Association Managers

Since House Bill 7119 addressed issues that primarily impact Homeowner Associations (HOAs), it sailed through the 2013 legislative session below the radar of most Galt Mile Condo and Co-op residents. Sponsored by Representatives Mike LaRosa (R - St. Cloud), Joe Gibbons (D - Hallandale Beach) and Frank Artiles (R - Miami) with a collateral push from the House Judiciary Committee and the House Business & Professional Regulation Subcommittee, the new law extended regulations that have long protected Condominium (Chapter 718) and Cooperative (Chapter 719) members to also shield parcel owners in Homeowner Associations. Along with mandating criteria for posting notice, levying special assessments, maintaining association records, amending governing documents and a tough anti-kickback provision for managers and directors, the bill established rules for the annual members meeting, election procedures, proxy voting, board member eligibility and addressed the issue of "joint and several liability" for assessment obligations from association-owned parcels. A companion bill in the other house, Senate Bill 580, was filed by Senator Alan Hays (R - The Villages).

To guard against the introduction of eleventh hour amendments that unnecessarily hamper home rule, association advocates carefully monitored the bill throughout the legislative vetting process. The sponsors muted concerns about the State usurping the right of Homeowner Association members to govern themselves by foraging statutory language from comparable provisions in the Condominium and Cooperative Acts (Chapters 718 & 719, F.S.).

Unlike the unilateral association support enjoyed by House Bill 73 (the Omnibus Association Bill filed by Representative George Moraitis), HB 7119 was repeatedly beset by challenges from association officials. Suspicions surrounding the bill crystallized two weeks before Governor Scott signed it into law on June 14, 2013 (Chapter 2013-218). A legislative Consortium composed of the Alliance of Delray Residential Associations, the Broward Coalition, the Coalition of Boynton West Residential Associations, the Lake Worth Road Coalition and the West Boca Community Council requested that Governor Scott veto HB 7119.

The new law requires the HOA CAM Manager, management firm or Board (if the association is self-managed) to annually report the association's name, address, Federal Employee Identification Number (FEIN), number of parcels and the total revenues and expenses featured in the annual budget. The data will be collected by the Department of Business & Professional Regulation (DBPR), which also regulates condominiums and cooperatives, and provided annually to the Governor, the President of the Senate and the Speaker of the House of Representatives.

The Statute mandates that DBPR create a website to facilitate collecting the HOA data. HOAs have until November 22, 2013 to either mail in the information or post it online at www.myfloridalicense.com/hoa. After being compiled, the DBPR annually passes the reported data to the Legislature by December 1st until July 1, 2016, when this subsection sunsets. Although concerned that publicly exposing their budgets and expenditures would invite a brutal flood of solicitation, HOA officials primarily feared the prospect of impending overregulation by the State. En route to passage, the huge original 123-page bill was pared to 15 pages as sections that sought to micro-manage HOA operations were divested. Association watchdogs were also leery about one of the Bill's sponsors.

In 2012, Miami Representative Artiles filed House Bill 1013, an anti-consumer stinkweed vehemently opposed by associations – and virtually every homeowner in the State. For years, Common Law Implied Warranties protected homeowners from defective construction of roadways, retention ponds, underground pipes, and drainage systems throughout a subdivided development. The companion bill for former

Bradenton Senator Michael Bennett's Senate Bill 1196, Artiles' State-house doppelgänger stripped those protections from Florida homeowners.

The bills – which are now law (Chapter 2012-161) – shield developers from liability for construction defects and code violations for construction elements located outside the walls of a home, including sewer and water systems, drainage systems, development roadways – virtually all of a home's support systems. Although technically offsite appurtenances, these construction elements are critical to the home's habitability, and figure prominently in the builder's marketing campaign for a new development. In fact, developers can't secure Certificates of Occupancy for new homes without stipulating to the adequacy of access roads and/or sewer systems they built to service those properties. Since this external infrastructure falls outside the purview of Home Inspectors hired to verify the home's integrity, homebuyers must rely on developer representations when closing on a property.

Until 2012, Implied Warranties kept developers and contractors honest. For decades, Florida courts forced builders to repair access roads that turned into Swiss cheese after six months or drainage systems that regularly backfilled homeowner bathtubs within weeks of closing. When Building Trades Lobbyists told vetting committees that forcing developers to comply with the Florida Building Code was hampering new development (as opposed to the dearth of available financing due to the economic downturn), Governor Scott endorsed the bills. After 2012, homebuyers in a new association who neglect providing for the sufficiency of these elements in their contract with the developer may have to rebuild their new home's drainage system or water lines. Artiles' bill also impacts Condominiums. Since the roof of a new condominium development isn't part and parcel to a purchased unit, the new unit owners are out of luck if it leaks like a sieve.

In addition to being one of the most anti-consumer bills to slither through the legislature (with the assistance of Governor Scott), Artiles and Bennett violated the prohibition against lawmakers filing legislation that provides direct financial benefit to its sponsors, their businesses or family members. Bennett is an electrical contractor. In addition to being a real estate agent and public adjuster, Artiles is a State of Florida licensed general contractor.

Although HB 1013 provided Bennett and Artiles with plump campaign war chests, it tanked Artiles' consumer credibility. Artiles hoped to wash some of the mud from his reputation by aggressively pursuing a bill that empowered constituent HOA parcel owners – albeit without lining his own pockets. By sticking to an early session script laid out by association advocates for HB 7119, Artiles' tainted political persona emerged with a new sparkle.

The controversy surrounding HB 7119 blurred one of its less well known objectives. While primarily revising provisions in Chapter 720 (The Homeowners Association Act), the bill created a new subsection (7) to Section 468.436(2) F.S., relating to licensed community association managers. The new provision indicates that disciplinary action may be taken against a manager for violating any provision of Chapters 718, 719 or 720 F.S., while performing community association management services.

The Department of Business and Professional Regulation (DBPR), through the Regulatory Council of Community Association Managers, regulates the licensure of community association managers under Chapter 468, Part VIII, Florida Statutes and Chapter 61-20, Florida Administrative Code. In 2008, former Governor Charlie Crist signed into law a licensing requirement for persons receiving compensation for managing an association with more than 10 units, or a budget of at least \$100,000.

Continued on page 12

Shortly after HB 7119 was enacted, the Regulatory Council of Community Associations proposed rules for implementing disciplinary action against CAM Managers for violating the new law's provisions; rules which the DBPR plans to adopt by November 28, 2013. The newly redefined Standards of Professional Conduct "shall be deemed automatically incorporated, as duties of all licensees, into any written or oral agreement for the rendition of community association management services." The services include:

- 1) Controlling or disbursing funds of a community association;
- 2) Preparing budgets or other financial documents for a community association;
- 3) Assisting in the noticing or conduct of community association meetings;
- 4) Coordinating maintenance for the residential development; and
- 5) Other day-to-day services involved with the operation of a community association.

While soaking definitions for "Due Professional care" and "Professional competence" through a tautological carwash, the Council affirms that a licensee shall not: "(a) Make misleading, deceptive, or fraudulent representations in or related to the practice of community association management; or (b) Make deceptive, untrue, or fraudulent representations in or related to the practice of community association management, or employ a trick or scheme in or related to the practice of community association management."

Licensees can demonstrate "Due Professional care" by "complying with the requirements of the association's governing documents or by laws so long as such documents comply with the requirements of law."

Conversely, the Council explores six violations that constitute Gross Misconduct, beginning with:

1) Holding hostage association property. Notwithstanding the terms of any agreement between the licensee and the community association, a dismissed manager will return any original books, records, accounts, funds, or other property of a community association when provided with reasonable notice (defined as 10 business days). The manager may retain those records necessary to complete an ending financial statement or report for up to 20 days. However, if an association fails to provide access or retention of the necessary accounting records, it will relieve the manager of any further responsibility or liability for preparation of the statement or report. Other infractions dispositive of Gross Misconduct include:

2) "Denying access to association records, for the purpose of inspecting or photocopying the same, to a person entitled to such by law, to the extent and under the procedures set forth in the applicable law."

3) "Creating false records or alter records of a community association or of the licensee except in such cases where an alteration is permitted by law (e.g., the correction of minutes per direction given at a meeting at which the minutes are submitted for approval)."

4) "Failing to maintain the records of a community association manager or management firm or records of any applicable community association, in accordance with the laws and documents requiring or governing the records."

5) "Using funds received by the community association manager or management firm for any purpose other than for the specific purpose or purposes for which the funds were remitted."

6) Under the catchall category "Other Licenses", the Council asserts:

(a) "A licensee shall not commit acts of gross negligence or gross misconduct in the pursuit of community association management or any other profession for which a state or federal license is required or permitted. It shall be presumed that gross negligence or gross misconduct has been committed where a licensee's other professional li-

cense has been suspended or revoked for reasons other than non-payment of fees or noncompliance with applicable continuing education requirements."

(b) "A licensee shall not perform, agree to perform or hold himself or itself out as being qualified to perform any services which, under the laws of the State of Florida or of the United States, are to be performed only by a person or entity holding the requisite license for same, unless the licensee also holds such license or registration; provided, however, that no violation hereof shall be deemed to have occurred unless and until the authority administering the license or registration in question makes a final determination that the licensee or registrant has failed to obtain a license or registration in violation of the law requiring same."

Whether motivated by greed or megalomania, this statutory nugget prohibits community association managers from performing a litany of legal, fiscal and/or engineering functions for which they are ill equipped. This provision is clouded by an ethically questionable formal advisory opinion issued in 2012 by The Standing Committee on the Unauthorized Practice of Law (UPL) of The Florida Bar.

In a shameful display of nest feathering, former Chairman George Meyer of the Real Property, Probate and Trust Law Section of The Florida Bar requested an advisory opinion of the UPL Committee on March 28, 2012, determining whether or not each of 14 distinct activities performed by Community Association Managers exemplified the unlicensed practice of law (UPL). Ranging from the obvious - such as statutory or case law analysis to reach a legal conclusion - to the ridiculous - like calculating the number of owners' votes needed to establish a quorum (which is often benchmarked in an association's governing documents), the list drew blistering criticism from CAM Managers, association officials and most association attorneys.

Miffed by the committee's blatant conflict of interest, Community Associations Institute (CAI) CEO Thomas Skiba cynically inquired "What is the basis for these concerns and could it be perceived as simply related to billable hours and fees?" Also opposed to creating "an arbitrary or petty list of activities or decisions" that must have a legal opinion; Community Advocacy Network (CAN) Executive Director Donna Berger said that some of the attorneys promoting these changes were guilty of "overkill or territorialism."

Since UPL is a criminal offense in the State of Florida - a misdemeanor of the first degree, which is punishable by up to one year in jail and a fine of up to one thousand dollars for each violation, Meyer's attempt to squeeze legal fees from the performance of rote activities that would barely challenge a trained seal was also a veiled threat to Board Members. Although they don't risk a professional license, Board members whose frivolous legal decisions drive up association costs could reasonably be perceived as violating their fiduciary responsibility. As with a manager's contractual protections, the directors' and officers' insurance that fortifies the indemnification provisions in the association's governing documents may not protect directors found culpable of "criminal" activity.

The significant training and experience that licensed CAM Managers bring to the table prompted Dr. Anthony B. Spivey, former Executive Director for the Regulatory Council of Community Association Managers at the DBPR, to oppose many of the committee's decisions.

The notion that the number of days required for a statutory notice must be counted on an attorney's fingers was so transparently self-serving that the committee - and the legal community at large - was conflicted over adoption of their recommendations by the high court. By reframing the issue in terms of Professional Competence, HB 7119 eliminated the turf protection stigma that tainted the Florida Bar's politically skewed Advisory Opinion a year earlier.

Continued on page 14

SURF FISHING

on the GALT OCEAN MILE

As twilight descended on the Galt Mile beach last June, against the silhouette of a beach chair amid four poles rising from the sand, a darkened figure darted right and left, as if guarding the small patch of beach against the rising ocean. The 67-year old amateur angler lives two buildings south of his "lucky" casting spot. The former New Jersey native looks to hook tarpon or jacks in the Spring and snook throughout the Summer. "I used to tie strings from the lines to my fingers because half my time here is spent dozing in the beach chair."

Farther south, a kid named Stuart was fishing with two poles. During regular visits to his aunt's Galt Mile condo, he also aspires to bag snook. Considered an excellent food fish, the average length 2-foot snook is also prized as a game fish for its great fighting spirit. Alternatively called the sergeant fish or robalo, the recreational harvest of snook opens on September 1. From December 1 through the end of February and May 1 through August 31, Fort Lauderdale surf fishing enthusiasts angling for snook practice "Catch and Release" protocols. Why doesn't Stuart go to Anglin's Pier, where \$7 buys access to 24 hours of non-stop fishing? "Because the guy in the bait shack is a jerk," says Stuart, "He treats people like crap." Simple - but elegant.

A few years ago, an 18th floor resident of Regency Tower would scarf down dinner, pack three poles and a bait bag into a canvas carry-all and head to the elevator. The newly remarried middle-aged business consultant set up his fishing gear between Play del Mar and Regency Tower several evenings each week. As he anxiously awaited a telltale tug on one of his three lines, balconies on Regency Tower and Playa del Mar filled with intrigued residents. "It's like a deep relaxation exercise," said one of his Regency tower neighbors, "lying on a chaise lounge while watching this guy fish puts me right to sleep." Every so often, he would awaken his intermittently nodding audience with a victorious "Yee-Haa," after pulling some unidentifiable prize from the ocean. By the time he moved out, a legacy shaped by decades of residence was overshadowed by the therapeutic value of his surf fishing antics.

At the October 17, 2013 meeting of Galt Mile Advisory Board, Edgewater Arms representative AnneMarie Adams surprised her peers. Out of the blue, she asked if fishing was allowed on the Galt Mile beach. Failing to explain why, AnneMarie was disturbed when an acquaintance informed her that fishing on the beach (A.K.A. surf fishing) was not permitted. Following an uneasy silence, members began discussing the drawbacks of fishing where people swim.

Citing the presence of sharks along the Atlantic coast, one member suggested that plying the area with bait seemed a tad antisocial. Following a brief debate about whether fishing on the beach was regulated by a City or County ordinance, District 1 City Commissioner

Bruce Roberts agreed to run it by the City Attorney. In response, Fort Lauderdale City Attorney Cynthia Everett sent this section from Chapter 8 in the City of Fort Lauderdale Municipal Code to GMCA President Pio Ieraci, who shot off an email to members the next day.

"Pursuant to a request made at the GMCA Advisory Board meeting held yesterday, please see pertinent information below."

**Best Regards,
Pio R. Ieraci, CIPS, LCAM
GMCA, President**

We have this ordinance:

Sec. 8-75. Fishing

It shall be unlawful for any person to fish or surf cast from any part of the public beach between the hours of 9 a.m. and 6 p.m. on any day except as follows:

(1) Fishing and surf casting shall be allowed on the sandy part of the public beach located between N.E. 18th Street and N.E. 23rd Street, during any hours other than 9:00 a.m. through 4:00 p.m. Monday through Friday, and 9:00 a.m. through 6:00 p.m. on Saturday, Sunday and national holidays.

(2) Persons engaged in fishing or surf casting as provided herein shall have the affirmative duty to avoid contact with swimmers.

(3) Nothing herein shall authorize any person to launch a vessel from any part of the public beach for purposes of engaging in fishing or surf casting.

(4) The city manager or designee may temporarily restrict fishing or surf casting on any part of the public beach to accommodate an outdoor event or in a declared emergency.

If there is a particular situation that needs addressing, please let me know.

Cynthia A. Everett | City Attorney
City of Fort Lauderdale | City Attorney's Office
100 North Andrews Avenue, Fort Lauderdale, FL 33301
T: 954.828.5037 | F: 954.828.5915 | E: ceverett@fortlauderdale.gov

dfpPILATES

BECAUSE IT WORKS

BALANCE
STRENGTH
FLEXIBILITY
IMPROVED POSTURE
RELEASED TENSION
INCREASED CIRCULATION
HEIGHTENED CONCENTRATION

Call us for a free consultation

ALL LEVELS | PRIVATE | DUETS | CLASSES

Run, walk or bike...
we're just around the corner

dfpPILATES

3300 East Oakland Pk. Blvd
Galt Ocean Mile
(behind Thasos Restaurant)

954.648.5831
dfppilatesstudios.com

House Bill...Continued

(c) "A licensee shall reveal all other licenses or registrations held by him or it under the laws of the State of Florida or the United States, if, as a result of such license or registration, a licensee receives any payment for services or goods from the community association or its board."

(d) "Violation of any provision of Section 455.227(1), F.S., or of any part of this rule shall subject the licensee to disciplinary measures as set out in Section 468.436, F.S."

When taken together, the new and existing provisions governing Professional Standards for community association managers and management companies mandate the following disciplinary actions for violations of Chapters 718, 719 or 720, Florida Statutes, including:

- (a) Denial of an application for licensure.
- (b) Revocation or suspension of a license.
- (c) Imposition of an administrative fine not to exceed \$5,000 for each count or separate offense.
- (d) Issuance of a reprimand.
- (e) Placement of the community association manager on probation for a period of time and subject to such conditions as the department specifies.
- (f) Restriction of the authorized scope of practice by the community association manager.

Hopefully, none of the Galt Mile's dedicated and talented managers will trigger the disciplinary hammer couched in the new law. Rules recommended by the Council reflect an effort to deter Managers and Management Companies from exploiting their unique positions to financially soak the associations they are committed to operate. The revised statute alters the endgame for Florida managers who trifle with the association cookie jar.

A word to the wise - notwithstanding the new law's regulatory repercussions, criminal culpability still includes accommodations in the slammer. •

Treasure Coast "SAND" Statistics —

How Much We Need Vs How Much is Available

	Sand Needs (cy)		Sand Availability (cy)							2012 Total Volume per County	Volume + Contingency/ Confidence	Volume after Needs met	
County	50-Year Volume Need	50-Year Need + 55% Contingency	Jurisdiction	Proven ¹		Potential ²		Unproven ³					
				with 2' buffer	2' buffer w/ 90% confidence	with 2' buffer	2' buffer w/ 70% confidence	with 2' buffer	2' buffer w/ 30% confidence				
St. Lucie	18,017,487	27,927,105	State	28%	19,171,629	17,254,466	16,905,238	11,833,667	1,048,827	314,648	37,125,694	29,402,780	78,222,514
			Federal	72%	32,338,925	29,105,032	39,317,073	27,521,951	67,066,183	20,119,855	138,722,180	76,746,838	
			State	76%	16,939,872	15,245,885	21,705,565	15,193,895	41,054,367	12,316,310	79,699,804	42,756,091	21,888,281
Martin	22,111,000	34,272,050	Federal	24%	-	-	12,590,533	8,813,373	15,302,890	4,590,867	27,893,423	13,404,240	
			State	100%	119,373,269	107,435,942	69,402,925	48,582,048	3,175,619	-	191,951,814	117,728,007	47,083,657
Palm Beach ²	45,577,000	70,644,350	Federal	0%	-	-	-	-	-	-	-	-	-
			State	0%	-	-	-	-	-	-	-	-	-
Broward ³	11,650,000	18,057,500	Federal	0%	-	-	-	-	-	-	-	-	-
			State	0%	-	-	-	-	-	-	-	-	-
Miami-Dade ³	14,968,300	23,200,865	Federal	0%	-	-	-	-	-	-	-	-	-
			State	0%	-	-	-	-	-	-	-	-	-
	112,323,787	174,101,870			187,823,695	169,041,325	159,921,333	111,944,933	127,647,887	37,341,680	475,392,915	280,037,956	105,936,086
													100,000,000

NOTES:

Southeast Florida Sediment Assessment and Needs Determination

GENERAL CONTRACTOR



Commerical & Residential Construction
Kitchens, Bathrooms & Complete Renovations
Flood & Storm Damage Repairs

561.208.5547

www.nothing-general.com

State Certified General Contractor Licensed & Insured CGC1510546



NOTHING GENERAL ABOUT IT, INC.

Sand...Continued

Among the project's ardent supporters, Mayor Jacobs said, "If we could generate our own sand, it would be fantastic." However, fellow Broward Commissioner Tim Ryan is skeptical, "My sense of it is, if it was economically feasible, currently there would be some private entity that would have stepped in and would have acquired some site to convert this glass into glass sand."

Bahamian Aragonite

Bahamian sand, while convenient, plentiful, aesthetically pleasing and relatively inexpensive, may as well be on Mars. Under current United States law, the Army Corps of Engineers must be convinced that domestic sand is not available for economic or environmental reasons before it can authorize the use of foreign sand. Bahamian sand is a good fit for Broward beaches. If the grain size of imported sand is too fine, it can easily be washed away. Because Bahamian aragonite sand contains more shell fragments, it's coarser, and stacks into a steeper slope on the beach, which slows tidal erosion. Sand from other Caribbean or Gulf sources like the Dominican Republic, the Turks and Caicos Islands, and Mexico lacks the appeal of nearby Bahamian aragonite, given the exorbitant cost of transporting the sediment a much greater distance.

In July of 2007, Miami-Dade asked the federal government for permission to buy cheaper foreign sand from the Bahamas. After denying the request because Miami's application failed to state whether or not domestic sand was available for purchase, the Army Corp. of Engineers added that if the county's report were revised and resubmitted with proof that no domestic sand is reasonably available, the request would be reconsidered. If the Treasure Coast counties thwart State and Federal attempts to regionalize sand management, it will provide the Corps with evidence of no suitable domestic source, enabling access to Bahamian aragonite for approved federal projects in sand-challenged counties. It would provide Miami-Dade and Broward with a viable alternative to buying pricey sand from inland mines or sun bathing on empty Heinekens. •

See chart on page 14 for Corps of Engineers SAND statistic.

DON'T MESS WITH THE
THE REST, CALL THE

BEST



Fort Lauderdale's
Premier waterfront
property expert.

20+ years
experience.

Deborah London, PA ~ Realtor®, GRI, SFR
"List with LONDON, the Deb-icated Professional"



954-396-3174
RLTRDEB@bellsouth.net
2810 East Oakland Park Blvd.
Fort Lauderdale, FL 33306 ~ USA
Deborah-London.com



In contrast, the Ocean Rescue section on the City of Fort Lauderdale website features a page entitled "Beach Rules and Regulations." Among the enumerated rules is:

7.4 The following beach regulations are intended to reduce safety hazards which may cause injury to beach patrons:

7.4(b) Fishing or netting of fish is limited to the hours of 6:00 p.m. until 8:00 a.m. when on the beach and must be conducted in a safe manner. All debris, bait, fish line and hooks, and other fishing equipment or tackle must be removed from the beach after fishing has been conducted.

Exception: Surf fishing is limited to the hours of 4:00 p.m. to 8:00 a.m. in the area between NE 18 Street to NE 23 Street only.

Since the Rule is inconsistent with the Ordinance, enforcement could prove sticky. For instance, if you get nailed for fishing anywhere from N.E. 18th Street to N.E. 23rd Street between 8 AM and 9 AM, and are charged with violating Beach Rule 7.4(b), your attorney can explain that you were in compliance with Chapter 8, Section 8-75(1), and buy you a walk. God Bless the Venice of America.

With due respect to our new City Attorney, neither the ordinance nor the beach rule seems to address fishing on the Galt Mile beach. County law (Ch. 13, Sections 13-3 & 13-5) prohibits injuring fish with dynamite, lyddite, gunpowder, cartridge, cannon cracker or any other explosive or using nets more than seven (7) feet in length "in the salt waters of Broward County for the purpose of taking or catching fish." While the County frowns on nuking marine life, and the City of Fort Lauderdale doesn't appear to have a dog in this fight, the State of Florida does.

Unless they belong to an "exempted" group – as defined by the Florida Fish and Wildlife Conservation Commission (FWC), Florida Residents and Visitors need a Florida saltwater fishing license or a free resident recreational saltwater shoreline fishing license to fish on the Galt Mile beach. Topping the list of exempted groups are Florida residents age 65 or older, who only need to flash a Florida Driver License or Identification Card to prove residency and age. Eligible seniors may obtain, at no cost, complimentary hunting and fishing certificates from the county tax collector's office, although it isn't necessary. This makes surf fishing a non-regulatory event for a majority of Galt Mile homeowners. Youngsters under the age of 16 also don't need a fishing license, although they must abide by all other fishing regulations such as gear type, bag and size limits. Like seniors, they may be asked to provide proof of age and residency.

Florida residents certified as totally and permanently disabled can fish with a Florida Resident Disabled Person Hunting and Fishing License. Resident members of the U.S. Armed Forces who aren't stationed in Florida, yet are home on leave for 30 days or less, need only show their orders to fish the beach.

Residents don't need a license if determined eligible for the food stamp, temporary cash assistance, or Medicaid Program by the Department of Children and Families External Website (DCF). However, they must carry proof of identification and a benefit issuance or program identification card issued by DCF or the Agency for Health Care Administration External Website.

Residents fishing with live or natural bait, using poles or lines that aren't equipped with a line-retrieval mechanism, and are fishing for noncommercial purposes in their home county are exempt, as are residents with a valid saltwater products license. Finally, anyone can fish on the beach during Free Saltwater Fishing Days (in 2013 - June 1, September 1, October 12 and November 30; in 2014 and beyond - the First Saturdays and Sundays in June and September as well as the Saturday following Thanksgiving).

In short, most Galt Mile residents already meet the regulatory qualifications to surf fish on the Galt Mile beach. However, unless they want to test case the extent to which the City Ordinance legally defines a beach as "Public," following the common sense time constraints that preclude fishing and swimming at the same time in the same place is a no-brainer (swim by day, fish in the evening). By the way, fishing for recreational purposes from Anglin's Pier is covered by their Pier Saltwater Fishing License, similar to the Vessel Saltwater Fishing License carried by boats that conduct outings for vacationing Bassmaster wannabes. That's the skinny, AnneMarie!•

YOU CAN'T AFFORD TO NOT HEAR.

Introducing an
invisible* hearing aid you can afford.

\$1500 A PAIR



Only \$1500
for a limited time

For more information call
954-563-4226



A Atlantic Hearing Aid Center
2310 E. Oakland Park Blvd.
Fort Lauderdale, Florida 33306

*Individual results may vary. Invisibility may vary based on your ear's anatomy.
© 2011 All Rights Reserved NPAD1317-00-EE-XX 1/11



Seasons
HERE...

TIME TO ADVERTISE IN THE
GALT MILE NEWS
& Reach The Beach

TARGET THE LOCAL MARKET WITH AN AD IN THE GALT MILE NEWS. WITH A READERSHIP OF NEARLY 14,000, THESE NEWSLETTERS CAN BE A VALUABLE PR TOOL FOR YOU & YOUR BUSINESS, EITHER AS A SUPPLEMENT TO YOUR CURRENT AREA AD CAMPAIGN, OR AS THE ONLY ADVERTISING THAT YOU DO ON THE AFFLUENT GALT OCEAN MILE.

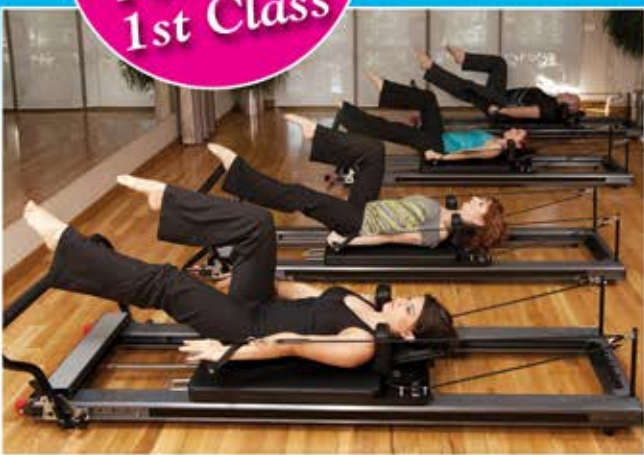
SECOND STUDIO
Newsletters | Magazines | Copywriting

9 5 4 - 2 9 2 - 6 5 5 3

ULTIMATE PILATES AND FITNESS

BODY *Couture*

Only
\$15
For Your
1st Class



Have You Ever
Tried Pilates?
**NOW's Your
Chance!**

**Introductory FREE*
Reformer/Pilates Class**

- Saturday, December 14th
at Noon (Limit Only 8)
*New Clients Only



**Voted #1
Pilates &
Yoga Studio
In S. Florida!**

**Introductory Package
ONLY \$99 For 10 Classes**
Call Today for an appointment!

4368 N. Federal Hwy., Ft. Lauderdale, FL 33308

954.828.2730

inquiry@bodycouturennow.com
www.bodycouturennow.com

Download our
FREE App
for iPhone/iPad:
Body Couture Pilates
& Fitness



Safe Choice for Surgery



Broward Health Imperial Point recently received an 'A' in a national Hospital Safety ScoreSM by *The Leapfrog Group*[®] which graded hospitals on their ability to keep patients safe from infections, injuries, and medical and medication errors. That's good to know when deciding on a hospital for your surgery. With the resources of Broward's largest health system and the highest level of patient safety, Broward Health Imperial Point is a smart, safe choice.

To find a physician, call 954.759.7400 or visit BrowardHealth.org/physicians.

Surgical Services
Inpatient • Outpatient
Minimally Invasive • Robotic



The [Leapfrog] Hospital Safety ScoreSM grades hospitals on data related to how safe they are for patients. For more information, visit HospitalSafetyScore.org.



A happy holiday begins with The UPS Store Certified Packing Experts®, who help make sure gifts arrive safely. It's printing experts who help you personalize and send out holiday greetings. And with our mailbox services, it's someone to sign for your packages, so you can do other things during the holidays, like go shopping.

Please call for our Holiday Extended Hours!

The UPS Store Gateway:
1007 N Federal Hwy
Fort Lauderdale, FL 33304
954.764.6245
www.florida-ups.com

The UPS Store Bayview:
2805 E. Oakland Park Blvd
Ft. Lauderdale, FL 33306
954.568.1990
www.theupsstorelocal.com/2033

20% OFF
PACKING SERVICE
(with \$10 minimum purchase)

The UPS Store 

CERTIFIED PACKING EXPERTS

PACK & SHIP PROMISE

HOLIDAY PRINTING SERVICES

EXTENDED HOLIDAY & WEEKEND HOURS