

GALT MILE NEWS

THE OFFICIAL PUBLICATION OF THE GMCA

BEACH RENOURISHMENT ON THE MILE. PAGE 8.

FEBRUARY 2016





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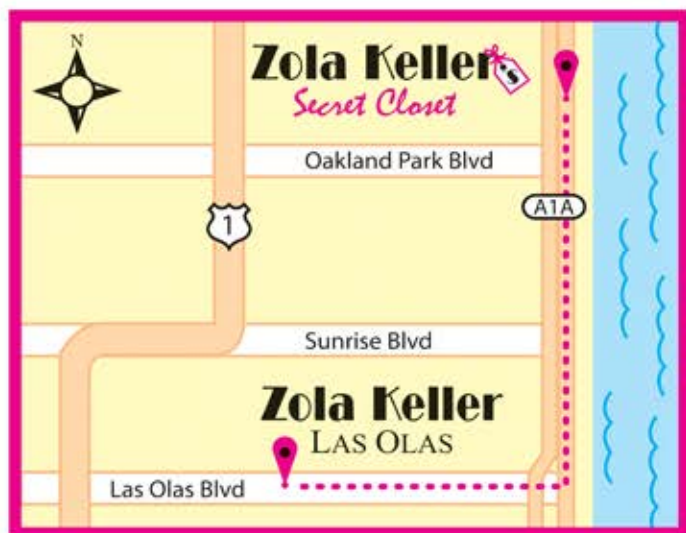
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<p>21 Las Olas Sunday Market 333 East Las Olas Blvd. & SE 4th Ave. 9 a.m. to 2 p.m. Info.: 954-426-8436</p> <p>Gala in the Gardens Flamingo Gardens, 5 to 8 p.m. Info.: www.flamingogardens.org</p>	<p>22</p>	<p>23 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Sanger: 954-563-7268</p>	<p>24 BINGO Regency South Party Room 7 p.m. Info.: Bob Pearlman: 954-547-4063</p> <p>Riverwalk Noon Tunes Performer: Big Harvest (Reggae Band) Huizenga Plaza Noon to 2 p.m. Info.: 954-468-1541 X 205</p>
<p>28 Las Olas Sunday Market 333 East Las Olas Blvd. & SE 4th Ave. 9 a.m. to 2 p.m. Info.: 954-426-8436</p> <p>MS Walk Waterfront City Commons (101 South Flagler Dr., WPB) Registration: 7 a.m.; Start: 8:30 a.m. Info.: 855-372-1331</p>	<p>29</p> <p>Commissioner Bruce Roberts: Pre-Agenda Meeting Beach Community Center, 6 p.m. Info.: 954-828-5033</p>	<p>1 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Sanger: 954-563-7268</p> <p>Fort Lauderdale City Commission Meeting City Hall Regular Agenda: 6 p.m.</p>	<p>2 BINGO Regency South Party Room 7 p.m. Info.: Bob Pearlman: 954-547-4063</p> <p>Riverwalk Noon Tunes Performer: Cutback Surf Band (Tropical Rock) Huizenga Plaza Noon to 2 p.m. Info.: 954-468-1541 X 205</p>
<p>6</p> <p>Sunday Jazz Brunch Riverwalk, Downtown FL 11 a.m. to 2 p.m. Info.: 954-396-3622</p>	<p>7</p> <p>Journalist & Author: Fareed Zakaria Mizner Park Amphitheater, Boca, 7 p.m. Tix. & Info.: 561-368-8445</p>	<p>8 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Sanger: 954-563-7268</p>	<p>9 BINGO Regency South Party Room 7 p.m. Info.: Bob Pearlman: 954-547-4063</p> <p>Riverwalk Noon Tunes Performer: Pitbull of Blues (Blues) Huizenga Plaza Noon to 2 p.m. Info.: 954-468-1541 X 205</p>
<p>13 Las Olas Sunday Market 333 East Las Olas Blvd. & SE 4th Ave. 9 a.m. to 2 p.m. Info.: 954-426-8436</p> <p>Daylight Saving Time Starts</p> <p>4th Annual Fort Lauderdale Shamrock Run Huizenga Plaza, 3 p.m. Info.: 954-661-2732</p>	<p>14 Palm Beach Business Expo Embassy Suites in Boca Raton 5 to 8 p.m. Info.: 954-838-9644</p> <p>Pt Day</p> <p>Commissioner Bruce Roberts: Pre-Agenda Meeting Beach Community Center, 6 p.m. Info.: 954-828-5033</p>	<p>15 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Sanger: 954-563-7268</p> <p>Fort Lauderdale City Commission Meeting City Hall Regular Agenda: 6 p.m.</p>	<p>16 BINGO Regency South Party Room 7 p.m. Info.: Bob Pearlman: 954-547-4063</p> <p>Riverwalk Noon Tunes Performer: Joe Dougherty's Irish Band (Irish) Huizenga Plaza Noon to 2 p.m. Info.: 954-468-1541 X 205</p>
<p>20 Las Olas Outdoor Green Market 33 E Las Olas Blvd. & SE 4th Ave. 9 a.m. to 2 p.m. Info.: 954-426-8436</p> <p>2016 Florida AIDS Walk and Music Festival Huizenga Plaza Reg.: 8 a.m.; Walk: 10 a.m.; Music: 11 a.m. Info.: 954-522-3132</p>	<p>21</p>	<p>22 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Sanger: 954-563-7268</p>	<p>23 BINGO Regency South Party Room 7 p.m. Info.: Bob Pearlman: 954-547-4063</p> <p>Riverwalk Noon Tunes Performer: Andrew Morris Band (Country) Huizenga Plaza Noon to 2 p.m. Info.: 954-468-1541 X 205</p>

FEB 26-28: 13th Annual Palm Beach Fine Crafts Show 2016, Palm Beach County Convention Center (650 Okeechobee Blvd., WPB), Info.: 203-254-0486

FEB 27: Blue Point Boatyard Bash, Huizenga Plaza, Info.: 303-777-6887

FEB 27: ReptiDay, Universal Palms Hotel (4900 Powerline Rd.), 10 a.m. to 5 p.m., Info.: 803-814-5018

FEB 27-28: 73rd Annual Davie Orange Blossom Festival, Parade and Rodeo, Davie Town Hall, Info.: 954-797-1163

FEB 27-28: Delray Beach Fine Art Festival, Delray Beach Center for the Arts (45 E. Atlantic Ave.), Delray Beach, Info.: 954-487-8061

MARCH 5: The 33rd Annual Southeast Florida Scottish Festival & Highland Games, Plantation Heritage Park (1100 S. Fig Tree Lane, Plantation), 9 a.m. to 5:30 p.m.

MARCH 5: Household Hazardous Waste and Electronics Drop-off Events, City Hall (4800 West Copans Rd., Coconut Creek), 9 a.m. to 2 p.m., Info.: 954-828-8000

MARCH 5: Mad Hatter's Tea Party, Historic Stranahan House Museum, 11 a.m. to 12:30 p.m., Info.: 954-524-4736

MARCH 5: 4th Annual Galt Mile Wine & Food Festival, 3351-3531 Galt Ocean Dr. & NE 35th St., 4 to 8 p.m., Info.: 561-338-7594

MARCH 5-6: Buckler's 4th Annual Craft Fair, The Promenade at Coconut Creek, Info.: 386-860-0092

MARCH 9: Broward Condo & HOA Expo, Broward County Convention Center, 8:30 a.m. to 3:30 p.m., Info.: 800-374-6463

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25 15th Annual South Beach Wine & Food Festival (Through 2/28) South Beach, Miami, 10 a.m. to 10 p.m. Info.: 877-762-3933	26 Florida Renaissance Festival (Through 2/28) Quiet Waters Park 10 a.m. to Sundown Info.: 954-776-1642	27 Delray Beach Fine Art Festival (Through 2/28) Delray Beach Center for the Arts (45 E. Atlantic Ave.) Info.: 954-487-8061
3 2016 Dania Beach Marine Flea Market (Through 3/6) Mardi Gras Casino (831 N Federal Hwy., Hallandale) Info.: 954-761-7073	4 10th Annual Festival of the Arts BOCA (Through 3/16) Mizner Park Amphitheater Info.: 561-368-8445	5 North Beach Art Walk Broward Art Guild (A1A, 32nd & 33rd Streets 7 to 11 p.m.
10 	11 14th Annual International Orchid Festival (Through 3/13) Fairchild Tropical Gardens 9:30 a.m. to 4:30 p.m. Tix.: www.fairchildgarden.org	12 Evening on Antique Row 2016 South Dixie Highway, WPB 6 to 11 p.m. Info.: 561-832-4164 X 103
17 Palm Beach Int'l Boat Show (Through 3/20) Info. & Locations: 954-764-7642 Saint Patrick's Day G.M.C.A. Advisory Board Meeting Nick's Italian Restaurant, 11 a.m.	18 Miami Spring Home Design & Remodeling Show (Through 3/21) Miami Beach Convention Center Info.: 305-667-9299 64th Annual Miami-Dade County Fair & Exposition (AKA: The Youth Fair) (Through 4/10) Miami-Dade County Fairgrounds 8 a.m. to 5 p.m. info.: 305-223-7060	19 Delray Beach Bacon & Bourbon Festival (Through 3/20) Delray Beach Center for the Arts & Old School Square Park, Noon to 11 p.m. Info.: 561-279-0907 The Color Run 5K Riverwalk Fort Lauderdale Huizenga Plaza 7:30 a.m. to Noon Info.: 954-468-1541 X 205
24 25th Annual Fort Lauderdale Int'l Auto Show (Through 3/27) Broward County Convention Center Info.: 305-981-1448	25 	26 International Orchid & Bromeliad Show (Through 3/27) Flamingo Gardens 9 a.m. to 5 p.m. Info.: 954-473-2955

March 30
Riverwalk Noon Tunes
Huizenga Plaza, Noon to 2 p.m.
Performer: The Flyers (Rock 'n' Roll)
Info.: 954-468-1541 X 205

April 2 - 3
28th Annual Las Olas Art Fair - Part II
Las Olas Blvd. between SE 6th Ave &
SE 11th Ave.
10 a.m. to 5 p.m.
Info.: 954-472-3755

April 2 - 3
Dania Beach Arts & Seafood Celebration
Frost Park (300 NE 2nd St.), Dania Beach
10 a.m. to 7 p.m.
Info.: 954-924-6801

April 3
SunTrust Sunday Jazz Brunch
Riverwalk, 11 a.m. to 2 p.m.
Info.: 954-396-3622

April 7
31st Annual Mercedes-Benz Corporate Run
Huizenga Park, 6:45 p.m.
Info.: 305-666-7223

April 8
21st Annual Wine, Spirits and Culinary Celebration
Museum of Discovery and Science
Info.: 954-712-1172

April 8 - 9
Boca Bacchanal Wine & Food Festival
Various locations in Boca Raton, 10 a.m. to 5 p.m.
Info.: 561-395-6766 X 101

April 8 - 10
54th Annual Delray Affair
Intracoastal to NW 2nd Ave. in Downtown Delray Beach
Info.: 561-279-0907

**FOR A COMPLETE
LISTING OF EVENTS,
GO TO THE
CALENDAR AT
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MARCH 19-20: Dig The Beach Volleyball Pompano, 7 a.m. to 7 p.m., Info.: 561-241-3801

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, Fort Lauderdale Beach Park, 1100 Seabreeze Blvd., 7 to 11 a.m., Info.: 954-593-8501

Mondays: Food Trucks at ArtsPark, 5:30 to 10 p.m., Youngs Circle in Hollywood

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

Daily: Yoga on the Beach, Ocean Manor Resort (4040 Galt Ocean Dr.), 9:30 a.m. (weather permitting), Mats supplied, \$10 donation, Open to the Public, Info.: 754-779-7519 or 516-840-1455

Beach Project: *Plowing Through Segment II*

By Eric Berkowitz

When a brigade of construction vehicles rolled across Broward County on January 4, a time-hardened layer of skepticism was peeled from the Galt Mile - like a rancid Band-Aid. After seventeen years of rain-dancing in Tallahassee, Congressional foot-dragging and gridlock in Washington DC and nearly two decades of broken promises by Broward officials, back-hoe excavators, bulldozers, front end loaders and off-road trucks descended on several beachfront staging areas along the North Broward coast. The equipment belongs to bid-winning contractor Bernie Eastman, proprietor of Eastman Aggregates Enterprises. Having recently fleshed out 5 miles of beach in Lauderdale-by-the-Sea (LBTS), Eastman's intimate familiarity with the Broward shoreline proved an insurmountable advantage during the October 2015 Segment II bidding process.

Of Broward County's 24 miles of sandy beaches, 21.3 miles were originally declared "critically eroded" by the Coastal Engineering Section of the Florida Department of Environmental Protection (FDEP). Nearly half of these depleted beaches were replenished during the South Broward Segment III project completed in March of 2006, when 1.7 million cubic yards of sand dredged offshore Deerfield Beach was deposited along 6.2 miles of the 8.1-mile span from the Dade County line to John U. Lloyd Beach State Park. As originally conceived, the Segment II project was anticipated to do the same for 10 miles of North Broward beaches, adding 935,000 cubic yards of sand to the County shoreline from Hillsboro Inlet to just north of Port Everglades. The plan was scrapped after Hurricane Sandy.

For years, beach and port projects underwritten by the Army Corps of Engineers (ACOE) were frozen as Congress played partisan political ping pong with the Water Resources Reform and Development Act, a multi-\$Billion pork-fest and funding Piñata for the nation's ports, inland waterways and beaches. When Sandy turned picturesque East Coast cities and towns into post-apocalyptic wastelands, ACOE scooted around the Congressional shell game.

To restore eligible East Coast beaches pulverized by Hurricane Sandy, the Corps triggered its Flood Control and Coastal Emergency program (FCCE) authorized by Public Law 84-99 (PL 84-99), which empowers the Corps to directly provide disaster relief on its own authority. Along with scores of Northeastern coastal communities, Lauderdale-by-the-Sea jumped on the FCCE bandwagon, severing dependence on the County's then tenuous Segment II beach fix. From November 2013 through February 28, 2014, Corps contractor Eastman Aggregate Enterprises trucked 126,700 cubic yards of beach quality sand from the E.R. Jahan Ortona sand mine in Moore Haven to Lauderdale-by-the-Sea, where it was dispersed along 5.1 miles of eroded shoreline.

LBTS was no longer dependent on Segment II sand. Also, the ten miles of north county coast originally planned for renourishment was reduced by half. Instead of buying 935,000 cubic yards of sand, the remaining 4.9 miles of eroded beach would only require 750,000 cubic yards of sand. What remains of the Segment II project are two stretches of beach. About 170,000 cubic yards of sand is currently being spread along the 1.4 mile northern reach, which begins at SE 4th Street in Pompano Beach and extends south, ending about 700 feet into Lauderdale-by-the-Sea (behind the Ocean Colony Condominium). The longer 3.6 mile span from Commercial Boulevard - across the Galt Mile - to Terramar Street in Fort Lauderdale, will receive 550,000 cubic yards of sand.

On January 4, the Broward Segment II project was launched from beachfront staging sites in each of the three municipalities. In Pompano Beach, Eastman cloistered a crew at SE 12th Street. For two weeks, beach fill operations moved north to SE 4th Street, after which the contractor turned south. Construction is expected to reach to the Ocean Colony Condominium in Lauderdale-by-the-Sea by late April.

Another crew assembled at Palm Avenue in Lauderdale-by-the-Sea and initially headed north along the beach. After a few days (before reaching Commercial Boulevard), it turned south toward Galt Ocean Mile. A week later, construction along the Galt Mile Beach had proceeded past Plaza South.

In Fort Lauderdale, a third staging area was located just south of the Galt Mile at Vista Park in Lauderdale Beach. Moving north, Eastman's crew built out the beach areas behind L'Hermitage and Southpoint within a few weeks. In pressing fill operations from two different directions, project planners hope to complete construction along the Galt Mile beach by the end of March (before Sea Turtle nesting season suspends the project), as Eastman's converging crews are expected to meet behind either Playa del Mar, The Regency Tower or Galt Ocean Club.

Following completion of the Galt Mile beach fill in late March, the staging areas will be vacated as Eastman's crews move to NE 18th Street in Fort Lauderdale, a staging site for the southernmost project segment. After continuing operations through the end of April, Eastman will pack it in until Sea Turtle Nesting Season ends in November, when the crews will reoccupy the SE 18th Street staging area, along with a second launch point on Sunrise Boulevard. Nine to ten weeks later, the final curtain comes down on the Segment II project.

Continued up top



At a December 16 public meeting convened by project planners at the Sonesta Hotel, Broward Beach Administrator Nicole Sharp, project contractor Bernie Eastman, and Broward Commissioner Chip LaMarca reviewed stakeholder concerns and invited questions from attending association officials and homeowners. Concerned about how their respective beaches would be impacted by the project, some Association officials asked about the size and location of dunes and how existing vegetation would be integrated with new flora.

Although Sharp had explained that areas allocated to dune restoration or vegetation would be balanced with adequate recreational space, homeowners inquired about how this would specifically apply to their respective beaches. More importantly, they wanted to know when each beach would be overrun by construction. Unable to accurately address inquiries about the existing condition of individual association beaches, Sharp invited attendees to contact her at nsharp@broward.org.

Over the next month, while Sharp visited a few associations that contacted her to discuss project issues, she still lacked a reliable vehicle for addressing the concerns of all 23 beachfront associations. Since she had no way of determining exactly when the contractor's crews would arrive at each association beach, she was also stymied by inquiries into when the construction would impair beach access for each association's homeowners and visitors.

After the January 21, 2016 Advisory Board meeting, Galt Mile officials and Sharp explored whether pictures of the beach adjacent to each association might assist with responding to these inquiries. To facilitate this option, L'Hermitage Advisory Board member Len Sanders offered a helicopter for snapping aerial shots of each beach. Forwarded to member associations on January 30, some of the resulting photographs provided a useful basis for discussing how to best balance dunes and vegetation with recreational space, although others did not. Also, Sharp was still unable to predict construction progress with sufficient specificity to provide association officials with a credible operational timetable.

Sharp had informed Galt Mile officials that a scheduling conflict precluded her attending the February 1 Presidents Council meeting at Plaza South. Standing in for the Broward Beach Administrator was Beach Program Specialist Greg Ward, who works hand in glove with Sharp on Segment II issues. An official County contact for Beach Renourishment inquiries, Ward was instrumental in creating the Beach Project presentation at the December 16 introductory meeting, where these issues were first raised by association officials.

Following his introduction, Ward informed the Presidents Council that each association would be contacted shortly before the contractor rolls across its beach, thereby providing its officials with an opportunity to impact how their dunes and vegetation are configured. As such, association officials could only provide their members with a loosely estimated timetable until they receive the call from County planners. A few days before construction is planned for each property, the administration can provide unit owners with a more reliable start date.

Addressing a security concern posed by Galt Mile officials, Ward explained that dunes needn't be placed adjacent to a seawall, where they might be abused as springboards for trespassers. Speaking to fearful rumors about an 11-foot high mountain of sand blocking access to the beach, Ward assured attendees that the dune heights were modest and mildly graded (the State Permit defines a vertical/horizontal ratio of 1:2, yielding a gradient of about 26.5 degrees). When an association official observed that even modest-sized dunes might present an access impediment to elderly beachgoers, Ward described how dunes can be configured in a manner that doesn't impair beach access, such as carving a downward slope toward the beach egress to provide a level pass-through.

Although Ward's plan falls short of providing the kind of reliable notice that association officials and unit owners would have preferred, it does give associations a hand in shaping their beaches. Also, if fill operations continue to move at the current pace, beachfront Galt Mile Associations may be out of the woods by the end of March, ending our neighborhood's twenty-year tenure as a regulatory pincushion. More to come...•



Commissioner Chip LaMarca's

JANUARY 2016 Newsletter



In his opening 2016 Newsletter, District 4 County Commissioner Chip LaMarca polishes the economic halo adorning Port Everglades, including a record-breaking number of cruise passengers serviced on December 20, a decision by corporate cash cow Florida International Terminal LLC to renew its lease, and an unprecedented jump in rail freight attributable to the recently completed Intermodal Container Transfer Facility. Given his passionate concern for pets and Broward's feral fauna, LaMarca reviews three newly approved programs crafted to abate the occupancy rate in the County's animal shelter, and steers cat-lovers to grant recipient "Stray Aid & Rescue", a mobile Wilton Manors spay/neuter clinic that will also vaccinate for rabies, clip an identifying ear notch and treat for debilitating feline bugs - for only \$2 (a negligible co-pay to subsidize the rabies shot). LaMarca closes with an opportunity for ambitious conservationists to win \$1000 for engineering and implementing a local water conservation program.

Since initially elected to the Broward Board, LaMarca has repeatedly equated the County's fiscal future with the adequacy of its infrastructure. While most Broward residents view renourishing County beaches as integral to their quality of life, LaMarca's perception of District 4 beaches as economic engines served as a more effective platform for dismantling regulatory obstacles in Tallahassee and Washington DC. His monthly District 4 Newsletters often update competitive infrastructure enhancements to other fiscal keystones; build-outs for transportation hubs (Port Everglades, Hollywood - Fort Lauderdale International Airport, etc.) and framing the Convention Center with a dedicated Headquarters Hotel.

To cement its future as a regional economic powerhouse, Port Everglades is racing to implement \$600 million in self-funded Master Plan improvements. Last February, the Army Corps of Engineers Civil Works Review Board approved dredging the channel to 48 feet (50 feet with allowable overdepth) and expanding the Southport turning notch (which includes construction of five additional supersized berths), thereby adding Port Everglades to the short list of Gulf and East Coast pit stops for monster post-Panamax vessels that plow across the Panama Canal. The third signature improvement - Florida East Coast Railway's (FECR) Intermodal Container Transfer Facility (ICTF) - was completed in 2014.

Actually, the Port's record 53,485 travelers weren't exactly unexpected, as eight of the world's largest cruise ships were simultaneously berthed on December 20. Of the thousands of vacationers who redeemed "Thank You Points" to bootleg a Holiday-at-sea, 6400 oozed from Royal Caribbean International's big dog - Allure of the Seas (along with a crew of 2394) and another 3200 from Navigator of the Seas (with a crew of 1181). Princess Cruises Royal Princess and Regal Princess each carried 3600 passengers (with crews of 1346 apiece) while Holland America's MS Eurodam and Nieuw Amsterdam each hauled 2104 guests and crews of 929. Carnival Cruise Line's Carnival Conquest brought in 2974 more cruisers and a crew of 1180 and Celebrity Cruises' Celebrity Silhouette added 2850 passengers and 1246 crew members. With these eight floating villages accounting for 37,383 warm bodies, it didn't take much foot traffic to provide the remaining 16,102 - and crush the five-year old former record by a mere 120 Port patrons.

Hooking the Florida International Terminal LLC (FIT) for another decade was Holiday cheddar negotiated by Port Officials. Two years after being formed in 2004 by Latin American Port Operators SAAM and Agunza, FIT opened in Broward (2006) to service some of the huge post-Panamax ocean carriers anticipated in the Port's Master Plan. Initially, FIT was handling 76,170 TEUs (20-foot equivalent units, the standard industry measurement for containers) at its outset. Having grown 105% in the past decade, FIT moved 156,045 TEUs in FY2015 - although much of the growth was realized in the past year - when Port Everglades was selected as the first and last U.S. calls for SeaLand and APL's North American Express Service (NAE/ACX) to Latin America. SeaLand - an ocean freight shipping company that recently opened headquarters in Miramar - was acquired in 1999 by Maersk Line, the world's largest con-

tainer shipping company (14% global market share). APL (American President Lines Ltd.) - the world's fifth-largest container transportation and shipping company - is a wholly owned subsidiary of Singapore-based Neptune Orient Lines, a global transportation and logistics company. The joint SeaLand/APL service selected FIT to provide cargo handling and stevedoring service at Port Everglades, and generates more than 20,000 container moves annually.

*It's no coincidence that SeaLand/APL moved their business to Port Everglades upon completion of Florida East Coast Railway's (FECR) Intermodal Container Transfer Facility (ICTF). Increasing the intermodal facility's available capacity from 100,000 to 450,000 lifts a year - and keeping cargo off congested highways - expedited freight to 70% of the U.S. markets within 4 days, fattening bottom lines. As observed by LaMarca, by handling a 26 percent jump in product during its first year of operation, the ICTF also plumped the Port's containerized cargo volume by 5%. The \$millions in new tax revenues funneled from the Port into State and local coffers would otherwise show up on County trim notices. For LaMarca's January 2016 message in its entirety, Read on... - [editor]**

Dear Broward County Residents,

I am honored to serve as a County Commissioner, representing our coastal communities from Deerfield Beach to Fort Lauderdale. Here are some recent highlights from Broward County.

Port Everglades Breaks World Record

Broward County's Port Everglades broke its own world record for the most cruise passengers to embark and disembark in a single day. An astonishing 53,485 guests had the privilege of visiting Port Everglades on December 20th, 2015. The Port's last record was set March 20th, 2010 with 53,365 guests. Broward County's Port Everglades is consistently ranked as one of the top three busiest cruise ports in the world. The Port's widespread fleet of cruise ships provides guests with a range of cruise vacation choices. For details and more information about Port Everglades, please visit www.porteverglades.net or email PortEverglades@broward.org.

FIT Renews 20-year Agreement at Port Everglades

Florida International Terminal LLC (FIT) is celebrating its 10th anniversary at Broward County's Port Everglades. Recently, FIT renewed its long-term marine terminal lease, which is projected to generate \$57 million over the next 10 years of the agreement. The agreement also includes two five-year renewal options.

This agreement will support an estimated 400 direct local jobs and 1,060 total jobs statewide that will generate more than \$72 million in personal income and nearly \$7 million in state and local taxes each year. Construction is expected to begin in early 2017 and be completed by the end of 2019. Ongoing capital improvements and expansion will ensure that Port Everglades can continue to handle future growth in container traffic. Port Everglades is the top ranked container port in the state of Florida.

FEC's Broward Facility Boosts Rail Freight Traffic

The Florida East Coast Railway's (FECR) 43-acre intermodal facility in Broward County is bringing more cargo through South Florida. The Intermodal Container Transfer Facility helped boost cargo volume at Port Everglades. There was a 26 percent increase in volume at the facility during its first year of operation.

Continued on page 11

Containerized cargo volumes at Port Everglades grew by 5 percent during 2014 and it is attributed to the increase in new and expanded cargo service, including the first full operational year of FECR's intermodal facility. Customers are now provided with faster deliveries and more efficient cargo handling due to less containers having to be trucked through interstate highways.

Broward County Saves Community Cats

In order to reduce the number of unwanted animals entering the County's shelter by lowering the overall birth rate of puppies and kittens and helping our community animals be healthy and safe, the County Commission agreed upon three programs: the Spay, Neuter Incentive Program (SNIP), the Trap-Neuter-Return (TNR) program, and the Return-to Field (RTF) program.

The SNIP program, which is similar to the county's Stop Pet Over-population Together (SPOT) program, helps SNIP providers perform pet sterilizations for owned dogs and cats for income-eligible Broward County residents. A co-payment will be established with no co-payment for low-income residents, \$10 for median income residents and \$70 for a resident earning above the median income. The second program, TNR, consists of humanely trapping, sterilizing, vaccinating, ear notching and returning feral cats to the location they were obtained from. The TNR program service providers will perform sterilizations and additional services as outlined in the agreement at an established reimbursement amount of \$50 per cat. The agreement also provides for a trapping reimbursement in the amount of \$25 per authorized trapping trip regardless of the number of cats obtained. The RTF program will conduct a similar process to cats that enter the County's shelter. RTF service providers will perform sterilizations and additional services as outlined in the agreement at an established reimbursement amount of \$50 per cat. Shelter staff are also allowed to immediately sterilize, vaccinate and return cats, rather than waiting three days, and authorize their return to the streets where they were living.

Great News from Stray Aid & Rescue Spay/Neuter Clinic

Stray Aid & Rescue operates a mobile spay/neuter clinic in Wilton Manors. Florida Animal Friend awarded the organization \$25,000 to spay/neuter 714 cats in zip codes 33304, 33313, and 33441. There will be a \$2 co-pay to cover the rabies vaccination. All cats will be spayed/neutered, vaccinated for rabies, ear notched to show that they have been "fixed", and given Ivermectin for ear mites, mange, and intestinal parasites. This program will continue until July 31st, 2016.

These cats are not only reproducing, but suffering as well. They are in dire need of help and the organization cannot do all of this alone. Help is needed from residents and business owners to be proactive to trap and bring these cats to the clinic. Kitten season is just around the corner and help is needed to get ahead of it. More information and instructions about this program can be found on the Stray Aid & Rescue website www.strayaid.org.

Broward Water Partnership Launches Neighborhood Water Challenge

Residents in participating Broward Water Partnership communities are eligible to participate in the Neighborhood Water Challenge from April through May 2016. The contest consist of two categories: Water Conservation and Outreach and Education. In the Water Conservation category, neighborhood teams of 2 to 5 can get together to conserve water. Neighbors have to work together over a two month period to save water. Water savings will be determined by comparing 2015 water bills with 2016 water bills. The second category, Outreach and Education challenges contestants to create and implement an outreach program to help their neighbors understand that conservation and reuse are about



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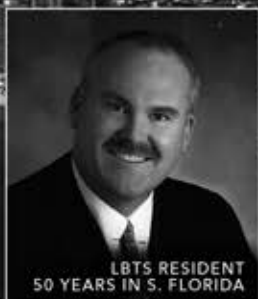
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Each first place winner will receive \$1000 cash. Second place winners will receive a water-conserving irrigation system. Contestants must register by March 15, 2016. Program details are available at ConservationPays.com.

Best Regards,
Chip LaMarca
Broward County Commissioner, District 4 •

The Broward County Commission meets generally on Tuesdays at 10:00 am in Room 422 of the Broward County Governmental Center, 115 S. Andrews Ave., Fort Lauderdale. (Commission Meeting Schedule and Agenda are listed here: broward.org/Commission/Pages/Meetings.aspx) Residents can view live coverage of the Commission meetings on Comcast Cable channels 12 and 77; Advanced Communications channels 64 and 25; AT&T U-verse channel 99, and through the County's website at broward.org/video/ The County Commission meetings are rebroadcast at 5:30 p.m. each Friday following a Tuesday Commission meeting.

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Nest Feathering in Tallahassee: YEAR 2

By Eric Berkowitz

During last year's legislative session in Tallahassee, two Florida lawmakers proposed bills in the House and Senate that would enhance the profitability of their "day jobs". House Bill 611 was filed by Rep. John Wood (R - Winter Haven) while companion Senate Bill 736 was filed by Sen. Kelli Stargel (R - Lakeland). Although described by Realtors as the "estoppel certificate" bills, homeowners in more than 46,000 Florida community associations knew the legislation as "The Home Tax".

Owners of community association properties must provide buyers or lenders with a statement of their financial status with the association prior to selling or refinancing their homes. The statements prepared for buyers and lenders differ substantially, as lenders additionally solicit information about the association's financial stability (i.e. insurance coverage, FHA certification status, delinquency levels, funded reserves, rental restrictions, etc.).

In Florida, unit owners are jointly and severally liable with the previous owner for debts on a condominium property. To comply with State law (s. 718.116(8), F.S.), a prospective condo buyer (usually through a realtor or title company) will request the association to verify a property's status as of a certain date by disclosing assessments or fees due to the association, liens against the property and other outstanding debts. The resulting document is known as an estoppel certificate. Its primary purpose is to protect the association's other members by insuring that monies due to the association are accounted for in a sale or loan agreement. Florida law allows community associations to charge a "reasonable" fee to prepare an estoppel certificate.

Since the estoppel certificate also protects prospective buyers against owner or realtor misrepresentations about legal claims against the property (inadvertent or deliberate), "overly aggressive" realtors view the process as a burdensome sales impediment. Drafted by realtors and financially supported by title companies (more than \$2 million helped grease vetting committees), the legislation was designed to flip the script, and shift the cost of preparing estoppel letters from the realtors' paying customers (homebuyers) to the association's members (that's us). A statute created to protect an association's members would now be used to bleed them.

Lawmaking for the Family Business

Not surprisingly, Wood is a Winter Haven realtor (John Wood Realty, Inc.) and Stargel operates WWJD Properties and Rustic Properties, Polk County real estate firms she owns with her husband - Broward Circuit Court Judge John Stargel - a manager or managing member in several other real estate companies, including Green Star Properties, Polk Premier Properties and SMS Properties. The WWJD Properties portfolio is filled with church-owned.

Although marginally enforced, lawmakers are prohibited from filing legislation from which they, or their family members, derive a financial benefit. After filing 4 bills in 2013 that would have bolstered her income by altering the state's property laws, when the associated press questioned Stargel about her highly publicized conflict of interest, she denied having violated the ethics rule, claiming that the bills didn't specifically benefit her - "Nothing in this bill is specific to just me, or narrowly drafted in a way that could be construed to just me." Notwithstanding her somewhat transparent rationalization, the State of Florida would remain oblivious to her conflict, since she omitted her real estate business interests from the financial disclosure form she submitted to the ethics commission. OOPS!

Fortunately, the bills were abandoned on April 28, 2015, when a budgetary impasse with the Senate over Medicaid expansion prompted the House to adjourn on the 57th day of the 60-day session. Unfortunately, they're back. Five months after the bills died on the Calendar, Wood filed House Bill 203 on September 18, 2015. Two months later, on November 3, 2015, Stargel filed a companion bill, Senate Bill 722.

Adulterating a Statute

Despite diligent opposition by association advocates from the Community Association Leadership Lobby (CALL), the Community Advocacy Network (CAN) and the Community Association Institute (CAI), the bills revive a wish list for Title Company lobbyists and the powerful Realtors Association - and threaten the following association bear traps:

1. The legislation will prohibit the association from being paid as a condition of delivering the estoppel certificate. Instead, the bill will require that the estoppel fee be paid to the association from the proceeds at closing.

The current procedure, which has efficiently protected buyers, lenders and associations, is that the fee is paid at the time the work is done. If the bills become law, when a Realtor orders an estoppel certificate on behalf of a buyer who doesn't close, the association would be barred from billing the Realtor or the title company that ordered the certificate. Since the legislation mandates that the cost should instead be assessed to the seller, associations will be forced to wait for a sale of the unit to close before they get paid for the work and fees incurred preparing estoppels. If the unit doesn't close, and the association is unable to collect from the seller - as often occurs when

distressed properties are being sold by owners already delinquent on their association obligations - the association is left holding the bag.

In other words, as title companies solicit numerous estoppels without paying for them, the costs would be shifted to the association, the seller, and ultimately to the association's members. Even if the sale closes, the bill's restrictions would require associations to chase down and assess the former owner (good luck with that), and absorb any resulting collection costs as well.

2. The bill provides that "An association waives any right to collect any moneys owed in excess of the amounts specified in the estoppel certificate from any person who in good faith relies on the certificate." As currently worded, this could include the seller.

Current law allows the association to collect delinquent fees from a unit owner, whether or not the debt is recorded in an estoppel certificate. If an assessment or fee is inadvertently omitted from a complex estoppel certificate, this unintentional error would magically wipe out the seller's debt - which would then be absorbed by the association's members.

While buyers must rely on the estoppel letter to ascertain the fiscal condition of a unit, that's not true for a selling unit owner, who by law, is certifiably and independently notified by the association about every maintenance assessment, unpaid fee, outstanding lien, or other association obligations. Since the unit owner does not "in good faith" rely on an estoppel certificate for information about his or her debt to the association, there is no justification for applying the bill's dogmatic waiver language to a delinquent seller. The estoppel process was conceived as a vehicle for protecting the association's interest in the property. Capriciously forcing a seller's neighbors to subsidize his or her debt undermines the existing legislation's intent.

Continued on page 14

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3. The bill reduces the time that the association must comply with a request for an estoppel certificate from 15 days to 10 days. If the association fails to deliver the completed document within 10 days, the association is barred from collecting a fee for preparing the estoppel certificate.

Preparing a complex estoppel often requires more than 10 days, especially when processing multiple past-due assessments, verifying a recently filed lien, determining the debt position of a delinquent property in default of a mortgage, or projecting expenses for a unit in litigation. If the association is even one day late in issuing the certificate, the costs and fees of generating a document to facilitate the Realtor's closing would be borne by the association's unit owners.

Also, since the size and sophistication of community associations varies greatly, small associations with antiquated bookkeeping will find these difficult cases virtually impossible to complete within the abbreviated response time. As such, they will be more vulnerable to the abuse legalized by the legislation.

4. The bill caps the amount that can be charged to prepare an estoppel certificate. If no delinquent amounts are owed to the association for the applicable unit, the fee is set at \$200 - or \$400 if delinquencies must be defined and confirmed. If asked to execute an expedited certificate in less than 3 days, another \$100 can be added to the fee.

Fashioning an estoppel letter for a unit that isn't awash in debt will typically cost less than \$400. However, when the unit is rife with delinquencies, burdened with multiple liens or entangled in litigation, the complex estoppels will not only take longer to prepare than allowed by the 10-day deadline, they will cost the association more than the bills' maximum amount recoverable at closing. When the cost of preparing an estoppel is greater than the amount provided for in the bill, the difference will be force-fed to the association's unit owners.

Blasting the Home Tax

The sponsors had an opportunity to file legislation to help codify a confusing process for their home buying clients. Instead, realtors crafted a vehicle for transferring a business expense to community association homeowners. If a realtor's client chooses not to close on an association property or an association delivers an estoppel one hour after the deadline, the bill mandates the same consequence. The association must provide the Title Company with a freebie. Not exactly a beacon of consumer protection.

On November 2, 2015, a group of House members and community association officials staged a demonstration outside the Capitol to register their opposition to the bills, and proceeded to smash a brick adorned with the words "Home Tax" joined by Rep. Heather Fitzenhagen, Rep. Debbie Mayfield, and Rep. Ray Pilon (a Realtor and HOA resident), Rep. Dennis Baxley said, "Any time you are taking money from homeowners, it's a tax hike." Calling the bills a ripoff, President Roger Kesselbach of the Space Coast Communities Association - which represents more than 20,000 residential units and their owners in Indian River, St. Lucie, Brevard, Volusia and Orange counties - refuted contentions by realtor lobbyists that associations unnecessarily increase closing costs, explaining "Title companies and real estate agents, who together already make up nearly 80 percent of all real estate closing costs, while estoppel fees account for just 1 percent." Kesselbach added "And if this Home Tax passes, they will take even more of our hard-earned money."

Continued on page 16



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Title Association lobbyists also claim the bills were filed in response to consumer complaints. Manager's Association Executive Director Mark Anderson observed, "Out of 340,000 real estate transactions last year in Florida, there was a grand total of ZERO complaints to the state regulatory body in charge of addressing these types of issues (The Department of Business and Professional Regulation). Doesn't mean there aren't bad actors out there, but price-fixing and punishing already struggling homeowners is clearly not the answer and that's what this bill does."

Navigating a Tallahassee Tar Pit

The House Committees chosen to review Wood's HB 203 are the Civil Justice Subcommittee, the Business & Professions Subcommittee and the Judiciary Committee. It flew through Civil Justice by a vote of 11 Yeas vs. 2 Nays on November 3, 2015. After some modifications, it ached Business & Professions Subcommittee on February 2nd by a vote of 13 Yeas vs. 0 Nays before being referred to Judiciary. In the Senate, Stargel's SB 722 was referred to the Committee on Regulated Industries, the Committee on Judiciary and the Committee on Fiscal Policy. After squeezing past Regulated Industries on January 13th by a vote of 6 Yeas vs. 4 Nays, the bill was sent to Judiciary.

While testifying against the bills, Travis Moore of the Community Association Institute (CAI), Yeline Goin of the Community Association Leadership Lobby (CALL), and other community association advocates are bumping heads with Title Company lobbyists and the powerful Realtors Association. Although the advocates are chipping away at the legislation's most egregious provisions, they need help neutralizing the cash liberally distributed to key committee members by their opponents. It's no coincidence that Stargel is a member of

all three Senate Committees "chosen" to review her bill, while Wood sits on two of the three House Committees vetting HB 203.

A petition opposing the bills is being circulated by the Community Advocacy Network (CAN) and the Community Association Institute (CAI). Entitled "Smash the Home Tax", it enumerates the bills' potentially adverse impacts on community associations. Decrying how the legislation would force homeowners to subsidize someone else's new home purchase in their community; CAN association advocates estimate that the bills would "raise association fees across the state anywhere from 10 percent to 20 percent – and in some cases upwards of 30 percent."

Unless you don't mind subsidizing realtors' income with a new line item in the association budget, you might consider weighing in against the bills' skewed provisions and their sponsors' nest-feathering agenda. Place the following URL (website) in your browser's address window and click. Altogether, it will take you roughly thirty seconds to help squash this wallet virus – and it's easier than sending dozens of emails to lawmakers. TRY IT – you'll sleep better!!!

<https://www.change.org/p/vote-no-on-hb-203-and-sb-722>

That said, if you prefer getting into this up to your knuckles, this article on the Galt Mile website provides linked email addresses for the Officers and members of the House Judiciary Committee, the next and last stop in the House of Representatives before its sent to the floor. Also available is the contact info for the Senate Committee on Judiciary and the Senate Committee on Fiscal Policy - the two remaining vetting committees in the Senate. Association advocates have informed us that we may soon see some improvement in the House Bill. You can help with that! A computer, tablet or smart phone is all you need to make a difference, and help shred these cankers. •

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