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THE OFFICIAL PUBLICATION OF THE GMCA JULY 2018



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EDITOR'S COMMENTARY

Chip LaMarca's May 2018 Newsletter

By Eric Berkowitz

*Since initially elected, District 4 Broward Commissioner Chip LaMarca has staunchly supported the county's economic engines. As Enterprise Funds, these money machines don't burn through tax dollars, but sink or swim on inhouse profits. In his May 2018 constituent update, while enumerating a litany of worldclass cruise vessels scheduled to serve Port Everglades travelers, LaMarca looks at two regional economic engines - major Broward transportation hubs - and serves up statistical evidence of dynamic growth in Port Everglades and Fort Lauderdale / Hollywood International Airport.

Port Everglades
In 1911, when the City of Fort Lauderdale was officially incorporated with William H. Marshall as its first mayor, the Florida Board of Trade passed a resolution calling for a local deepwater port so nearby farmers could ship produce to the north and west. Lake Mabel, a shallow coastal lake separated from the Atlantic Ocean by a low sand ridge would become Lake Mabel Harbor.

On Feb. 22, 1928, with schools and businesses closed, some 85 percent of Broward's residents gathered for a harbor dedication event promoted as the "Wedding of the Waters." President Calvin Coolidge was to press a button at the White House detonating explosives to emulsify a rock barrier separating the harbor area from the ocean. However, when (and if) Coolidge pressed the button, nothing happened.

The barrier was later removed and by the end of 1928, about \$100,000 a year of cotton products were passing through the port to Cuba and elsewhere in the Caribbean and Latin America. A name contest conducted by several local women's clubs in 1930 morphed Lake Mabel Harbor into "Port Everglades".

Although the cruise business accounts for 42% of its operating revenue, Port Ever-glades generates the vast majority of its economic activity as a throughput for cargo. By handling more than one-million TEUs in 2016 (TEUs are 20-foot equivalent units - the cargo industry's standard con-tainer measurement), the port chalked up \$27.4 billion of its \$29.4 billion in economic activity.

While promoted as a crossroads of North-South and East-West trade, Port Everglades primarily serves as a gateway to the Caribbean, Central and South America, and some access to Northern Europe and the Mediterranean, with only a taste of trade from the Middle East, Africa. India and East Asia, which instead send hundreds of \$billions in cargo to ports in Savannah and Charleston.

Its storybook expansion as a container port is the result of 3 Master Plan capital improvements, an expansion crafted to

prepare Port Everglades for future growth in container traffic. On July 14, 2014, a public-private partnership funded by the port and the Florida East Coast Railway (FECR) opened an on-site Intermodal Container Transfer Facility (ICTF) to enable the seamless transfer of international containers between ship and rail, trimming the time required for bringing goods to market - and vesting the port with a significant competitive advantage over other Florida East Coast ports (like Port Miami).

Ever since the Panama Canal expansion enabled huge ocean-going monsters – 50% wider and 25% longer with 50-foot drafts as compared to their Panamax predecessors – to leapfrog between the Atlantic and Pacific Oceans, when these Post-Panamax vessels flock to Port Everglades, they must compensate for the relatively shallow entrance channel, which impairs maneuvering and the offloading of goods.

When the U.S. Army Corps of Engineers approved a long-awaited Final Feasibility Report and Environmental Impact Statement along with a Chief of Engineers Report in 2015, and Congress pumped nearly \$16 billion into the Corps' funding cookie jar by passing the Water Resources Development Act of 2016 (WRDA16), it cleared the way for Port Everglades to begin the next phase of a \$389 million project to deepen and widen its channels from 42 feet to 48 feet (plus two feet of allowable overdepth for a total of 50 feet). The Port's third Master Plan capital improvement, a \$437.5 million Southport Turning Notch Extension project, is lengthening the existing deep-water turn-around area for cargo ships from 900 feet to 2,400 feet, adding five new cargo berths served by new Super Post-Panamax gantry cranes.

The Florida Department of Transportation (FDOT) has also been busy. To expedite distribution of incoming cargo from the ICTF to Florida's interstate highway system, FDOT invested \$42.5 million to build the Eller Drive Overpass, allowing vehicles to travel unimpeded over FECR's existing rail tracks in a straight shot to the interstate. The port also partnered with FDOT to realign McIntosh Road, the main artery in the Port's Southport containerized cargo area, building an efficient multi-lane loop road with ample room for truck staging.

Already located in the heart of the nation's eighth most populous metropolitan region, less than one mile from the Atlantic Shipping Lane, two miles from Fort Lauderdale-Hollywood International Airport (FLL), with direct access to the Interstate highway system and an on-port Foreign-Trade Zone, the new capitol upgrades would allow Port Everglades cargo to reach 70 percent of the U.S. population within four days.

The improvements set the stage for its current meteoric growth, as shippers offering long-term agreements lined up to share in the port's uniquely competitive advantages.

Fort Lauderdale / Hollywood International Airport

A year after the Port's emergence in 1928, Merle Fogg Airport – named for Fort Lauderdale's pioneer aviator – opened with two crisscrossing shell-rock runways on May 1, 1929, on the abandoned nine-hole Southside municipal golf course. When substantially expanded by the U.S. Navy in 1942 in order to train World War II naval aviators to fly carrier-based torpedo attack planes, it was renamed Fort Lauderdale Naval Air Station (NAS). Closed on October 1, 1946, NAS Fort Lauderdale was transferred to county control, becoming Broward County International Airport in January 1948.

The following decade saw a new passenger terminal and a major relaunch as the Fort Lauderdale / Hollywood International Airport (FLL) in October 1959. By 1970, passenger levels had exceeded one million per annum, rising steadily over the years and topping ten million in 1994, twenty million in 2004, twenty-five million in 2015, and thirty million by 2017. Hundreds of new domestic and international routes offered by scores of new carriers attracted to the fast-grow-ing large hub airport were ultimately managed in 4 repeatedly upgraded and reconfigured terminals.

Although hampered by a land-deprived site of only 1,380 acres, the subsequent series of improvement projects, terminal expansions and renovations - and the September 2014 opening of an 8000-foot runway extended to accommodate larger aircraft and simultaneous landings – enabled FLL to keep pace with the explosive growth in domestic and international passenger traffic.

In 2017, FLL surpassed both Philadelphia Airport and La Guardia Airport in total passenger traffic, jumping from the 21st to the 19th busiest U.S. airport. When a \$2.3 billion expansion and modernization project is completed in 2020, Broward County Aviation Director Mark Gale anticipates that FLL will annually serve 40 million passengers.

Greater Fort Lauderdale/Broward County Convention Center

Despite its omission from LaMarca's May 2018
Newsletter, the Greater Fort Lauderdale/Broward
County Convention Center is widely characterized as a
third county economic engine, although crippling neglect annually veils a diminishing fiscal dividend.

Hampered by age, an inadequate footprint and a serious operational deficiency, the current 600,000 square foot facility built in 1991 has been leaking \$100 million in annual revenues as longtime customers relocate their business to other second tier convention cities that offer integrated onsite lodging.

For years, the Center has been forced to offset its lack of a dedicated hotel with a laundry list of expensive perks, further squeezing embattled profits. In varying proportions, prior attempts by the County Board in 1991, 1997 and 2007 to correct this competitive shortcoming were squelched by turf protection, greed... or stupidity.

To reverse this costly trend, the county has approved a plan by Dallas-based developer Matthews Southwest Inc., (MSW) to expand the Convention Center by 300,000 square feet and add a headquarters hotel with at least 800 rooms. Since a federally mandated Security checkpoint on a road that shared access to the center and Terminal 2 in adjacent Port Everglades un-

necessarily irked and impeded visitors to the Convention Center, the security checkpoint at the 17th Street entrance to Eisenhauer Boulevard and the center was dismantled and relocated south of the center to 20th Street, eliminating the security drama for conventioneers. Cruise patrons now clear security when they enter Terminal 2.

The planned hotel will be located on the site of the adjacent Portside Yachting Center property, which the County Commission agreed to acquire to expand the overall project area and maximize views of the waterfront. Connecting all facilities will be a public open space for community recreation and events that can be supported by retail and entertainment venues.

An economic impact analysis of the Convention Center expansion projected an incremental 47 events annually, an estimated 50 percent increase in new attendees, and more than 115,000 new annual room nights (overnight stays). Other fiscal impacts detailed in the analysis include new annual spending of \$83.1 million (in 2013 dollars) by delegates, exhibitors and event organizers, the creation of 721 permanent full-time jobs, a minimum of \$96 million in future annual tax revenues (also in 2013 dollars) - more than \$70 million to the State of Florida and \$21 million to Broward County - and \$1.1 billion in recurring economic impacts over a 20-year period.

Ground breaking is planned for late fall 2018 and the entire facility is expected to be open to the public by late fall 2021. Peruse Commissioner LaMarca's May 2018 Newsletter in its entirety elsewhere in this edition... – [editor]*





Dear Broward County Residents,

I am honored to serve as your County Commissioner representing our coastal communities from Deerfield Beach to Fort Lauderdale and all of the amazing cities, towns and villages in between. Here are some recent highlights from around Broward County:

Broward County's Economic Engines

Broward County is home to more than 1.9 million residents and two powerful economic engines that fuel Broward's economy: Port Everglades and the Fort Lauderdale-Hollywood International Airport. These two major entities have a tremendous economic impact on our community. Combined, these powerful operations provide for hundreds of millions of dollars in revenue and create thousands of good jobs for people in our community. The seaport and airport have also enhanced Broward County's global image as a great tourist destination.

Port Everglades

Broward County's Port Everglades (PEV) is one of the world's best kept secrets. PEV is Florida's largest container port and the third largest cruise port in the world. The Port handles a uniquely diverse business mix - cruise, containerized cargo, dry and bulk cargo, as well as petroleum for twelve counties and three international airports. It is rare to have such diversity in one seaport. PEV is the #1 seaport in Florida by revenue, #1 container port in Florida (#10 in U.S.) by volume - with more than 1,037,226 TEUs, and the #1 seaport for exports in Florida - with \$11.7 billion exports, \$10.4 billion imports (Calendar Year 2016). Additionally, Broward's seaport is the #3 cruise port in the world for passengers for multi-day cruises - with 3.8 million total passengers.

Port Everglades' main economic impact to our community is from its self-supporting revenues combined with state and local grants to pay for capital improvements, meaning no local property tax dollars are used for Port construction or operations. The Port generates \$29.4 billion in total economic activity, pays \$1.1 billion in state and local taxes, supports 12,963 direct local jobs receiving \$507.7 million in direct wage and salary income, and produces 222,914 Florida jobs generating \$8.8 billion in wages.

Chip LaMarca's MAY 2018 Newsletter

Cruise News

Silversea Cruises welcomes its newest ship in the fleet, the 596-passenger Silver Muse. She is scheduled for five 2018 sailings in addition to her sister ships Silver Whisper and Silver Wind also sailing from Port Everglades. Crystal Cruises has two ships sailing from Port Everglades — Crystal Symphony and Crystal Serenity — which began October 2017. Princess Cruises began year-round sailings in April with the Caribbean Princess, equipped with the new Ocean Medallion wearable technology service. Celebrity Cruises' new 2,918-passenger Celebrity Edge, the ship designed to leave the future behind, will sail from Port Everglades beginning December 16th. The Edge is the first ship in Celebrity Cruises' new class of ships in nearly a decade. Royal Caribbean maintains service out of Terminal 18, which is the home of the two largest cruise ships in the world, Oasis Class Ships: Allure of the Seas.

Fort Lauderdale's International Airport

Broward County's Fort Lauderdale- Hollywood International Airport (FLL) is currently the fastest growing large hub airport in the United States. Total passenger traffic for 2017 was about 33 million up by 11.3 percent, international traffic was up 18.06 percent and domestic traffic was up 9.4 percent. FLL is the 12th busiest large hub airport for international traffic. This year has started off to a great start, with total passenger traffic for the 1st quarter of 2018 at 9,383,778, up 9.6 percent over the 1st quarter of last year.

Additionally, commercial aircraft operations for March 2018 were 27,862, up 6.7 percent over last year. This is an increase of 57 take offs and landings a day. FLL ranks 2nd among large hub airports for growth in scheduled available seats for the 2nd quarter of 2018, up 9.1 percent over the 2nd quarter last year. Based on scheduled seats and historic load factors, we estimate total passenger traffic for the 2nd quarter 2018 to reach 9M passengers. Total passenger traffic could reach 18M by the end of June!

With the tremendous economic impacts from PEV and FLL in our diverse community, it is important to continue to advocate for the future of Broward's economic engines. Both the seaport and the airport have implemented massive master plans that will assist them in preparing for the future growth of cargo and the tourism industry in Broward County.

The Resident's Guide to Government

Provides a convenient resource to help people stay connected to their local government. It includes contact information for County officials and Federal, State, and local agencies. Visitors can subscribe to eNews and social media sites. Please sign up at Broward.org/District4 to receive email updates from our office. If there is anything that we can do to assist you with your vision for a better Broward, please do not hesitate to contact our office at 954-357-7004 or by email at clamarca@broward.org.

The Resident's Guide to Government

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.

As always, it is my honor and privilege to serve you. Best regards

THE GALT MILE NEWS

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City Bikes Independence Day Sprint Triathlon Duathlon Tradewinds Park 6:45 a.m. Info.: 954-213-6699	2	Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Songer: 954-563-7268	Regency South Party Room 7 p.m Info.: Bob Pearlman: 954-547-4063
SunTrust Sunday Jazz Brunch Riverwalk 11 a.m. to 2 p.m. Info.: 954-396-3622		Fort Lauderdale City Commission Meeting City Hall, 6 p.m.	July 4th Family Celebration and Fireworks Fort Lauderdale Beach Family Activities, DJ Music, Games: 12:30 to 4:30 p.m.; Live Music & Entertainment: 4 p.m.; Fireworks: 9 to 9:30 p.m. Info.: 954-396-3622
8	9	BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Songer: 954-563-7268	BINGC Régency South Party Room 7 p.m Info.: Bob Pearlman: 954-547-4063
A STATE OF THE PARTY OF THE PAR	Commissioner Heather Moraitis: Pre-Agenda Meeting Broward Health Imperial Point, 6 p.m. Info.: 954-828-5033	Fort Lauderdale Gty Commission Meeting City Hall, 6 p.m.	
Farmers Market El Prado Park, LBTS 9 am to 2 p.m. Info.: 561-714-2745	16	17 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Songer: 954-563-7268	18 BING Regency South Party Roor 7 p.n Info.: Bob Pearlman: 954-547-406
Classic Car & Truck Show Weston Town Center 11 a.m. to 4 p.m. Info.: 954-349-5900		Moonlight Sea Turtle Walk Museum of Discovery and Science 9 to 11 p.m. Info.: https://mods.org	
Farmers Market El Prado Park, LBTS 9 am to 2 p.m. Info.: 561-714-2745	23	24 BINGO Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Songer: 954-563-7268	25 Regency South Party Rooi 7 p.n Info.: Bob Pearlman: 954-547-406
		BugFest-By-The-Sea (Through 7/29) El Prado Park, LBTS 4 to 10 p.m. Info.: 954-640-4209	47
29	30	Galt Towers Social Room (4250 Galt Ocean Drive) 7:30 p.m. Info.: Cyndi Songer: 954-563-7268	Regency South Party Roo 7 p.i Info.: Bob Pearlman: 954-547-406
International Ballet Festival of Miami (Through 8/19) Hispanic Cultural Center for the Arts of Miami (111 Southwest 5th Ave.), Miami Info.: 786-747-1877		Panicl at the Disco BB&T Center Tix.: www.ticketmaster.com BTS), Parade: 10 to 11:30 a.m.; Food, Games, U	

ULY 4: Lauderdaie-by-the-Sea July 4th Events, El Prado Park (East of A1A at B Mar Dr. in LBTS), Parade: 10 to 11:30 a.m.; Food, Games, Contests: Noon to 4 p.m.; Fireworks: 9 to 9:30 p.m., Info:: 954-640-4210

JULY 4: American Clambake & Fireworks Viewing Party, The Atlantic Hotel & Spa. 4:15 to 10 p.m., Tix.: 954-567-8070 JULY 4: Old Fashioned Fourth & Collectible Car Show, Flamingo Gardens, 9:30 a.m. to 4:30 p.m., Info.: 954-473-2955

JULY 10: 3 Doors Down & Collective Soul With Special Guest Soul Asylum, Mizner Park Amphitheatre in Boca, Doors: 6 p.m., Show: 7 p.m., Tix.: www.ticketmaster.com

JULY 13: Riverwalk's 30th Anniversary -Summer Social Celebration, The Old River House (301 SW 3rd Ave.), 6 to 9 p.m., Info.: 954-468-1541, Ext. 208

JULY 13: Sushi & Stroll Summer Walks, Morikami Museum, Info.: morikami.org

JULY 14: Household Hazardous Waste and Electronics Drop-off Events, Mills Pond Park, 9 a.m. to 2 p.m., Info.: 954-828-8000

JULY 14-15: The Best Bead Show, Courtyard by Marriot Cypress Creek, Info.: 610-241-8329

JULY 21: Cruisin' Down the River, Carrie B Cruises (440 N. New River Dr. East), Ft Lauderdale, 5 to 7 p.m., Info.: 954-703-2606

JULY 21-22: Buckler's 12th Annual Craft Fair, War Memorial Auditorium, Info.: 386-860-0092

JULY 21-22: Dig The Beach Volleyball Fort Lauderdale, Fort Lauderdale Beach, Info.: 561-241-3801

JULY 21-22: Repticon West Palm Beach, South Florida Fairgrounds (WPB), 10 a.m. to 5 p.m., Info.: 863-268-4273

NE SOURCE FOR COMMUNITY HAPPENINGS

	THU	FRI	SAT
3	5	First Friday Food Trucks Flamingo Gardens 5 to 9 p.m. Info.: www.flamingogardens.org	Cool Saturdays Summer Special Bonnet House Museum & Gardens 9 a.m. to 4 p.m. Info.: www.bonnethouse.org
		Bank of America Starlight Musicals Performer: Across the Universe (Beatles Tribute Band) Holiday Park 7 to 10 p.m. Info.: 954-828-5363	"Summer Sizzle Salon" Exhibit Broward Art Guild 6:30 to 9 p.m. Info.: 954-537-3370
	12 Drawing Workshop (Through 5/11) Bonnet House 9:30 a.m. to 3:30 p.m. Register:http://www.bonnethouse.org	13 Culinary Arts Showcase & Moonlit Movie: Deep Jaco Pastorius Park, 6:30 to 10 p.m. Info.: 954-630-4507	7th Annual Boca Burger Battle Sanborn Square Park (72 N. Federal Hwy.), Boca 6 to 10 p.m. Info.: 561-338-7594
	Florida Supercon (Through 7/15) Broward Convention Center Info.: 954-399-1330	Bank of America Starlight Musicals Performer: Stall 4 (Tribute to 80s Rock) Holiday Park 7 to 10 p.m. Info.: 954-828-5363	26th Annual International Mango Festival (Through 7715) Fairchild Tropical Botanic Garden, Coral Gables Info.: 305-667-1651, ext. 3392
O = 1.3	19	20	21 Citywide Yard Sales Jaco Pastorius Park 8 a.m. to 1 p.m. Info.: 954-630-4505
		Bank of America Starlight Musicals Performer: Pocket Change (Funk / Dance) Holiday Park 7 to 10 p.m. Info.: 954-828-5363	Paddle with a Purpose Rev. Samuel Delevoe Memorial Park (2520 NW 6th St., Ft Lauderdale) 9 to 11 a.m. Info.: 917-652-1050
O = -: m	26	27 US Open Judo Championships Broward Convention Center 9 a.m.to 5 p.m. Info.: 786-402-3627	28 Broward Kettle Krush 5k Run/Walk Markham Park Check in: 6 a.m. Race:: 7 a.m. Info.: 954-712-2435
		Bank of America Starlight Musicals Jimmy Stowe & the Stowaways Change (Tropical Rock / Jimmy Buffett) Holiday Park 7 to 10 p.m. Info.: 954-828-5363	Household Hazardous Waste and Electronics Drop-off Events Mills Pond Park 9 a.m. to 2 p.m. Info.: 954-828-8000
60 m m. 53	2	Summer Series: Purple Madness A Tribute to Prince Mizner Park Amphitheatre 8 p.m.	4
		Bank of America Starlight Musicals Performer: Brass Evolution (Classic Rock with Horn Section) Holiday Park 7 to 10 p.m. Info.: 954-828-5363	

LOTS **HAPPENING** IN TOWN!

AUGUST 4

"Abstractions" Exhibit Broward Art Guild 6:30 to 9 p.m. Info.: 954-564-3512

AUGUST 4-5

Dig The Beach Volleyball Pompano Beach Pompano Beach (222 N Pompano Beach Blvd.) Sat: 7 a.m.; Sun: 6 a.m. Info.: 561- 241-3801

AUGUST 10

Summer Series: Turnstiles A Tribute to Billy Joel Mizner Park Amphitheatre, Boca Doors: 7 p.m., Show: 8 p.m.ss

AUGUST 25

Sunshine SUP Series Kayak Race 1 2018 Pompano Beach Pier 9 a.m. to 2 p.m. Info.: 415-766-7223

AUGUST 25

Extreme Kayak Fishing Summer SLAM Series Pompano Beach Pier 9 a.m. to 4 p.m. Info.: joe@extremekayakfishing.com

AUGUST 25

Miami Fall Home Design And Remodeling Show Miami Beach Convention Center Info.: 305-667-9299

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

First Saturday of Every Month: Beach Cleanup, Commercial Blvd. & the Beach LBTS (Meet at Pavillion), 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 Hub, 300 S. Fort Lauderdale Beach Blvd., 7 to 11 a.m., Info.: 954-709-3197
Second Saturday of Every Month: Burlock Coast Farmer's Market, Burlock Coast at the The Ritz-Carlton, 9 a.m. to 3 p.m., Info.: myfortlauderdalebeach.com
Second Tuesday of Every Month: Orchid Greenhouse Tours, Bonnet House, 11 a.m. to Noon, Info.: 954-703-2606

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

Thursdays: BHIP Farmer's Market, Broward Health Imperial Point Medical Arts Pavilion (633 N Federal Hwy.), 11 a.m. to 6 p.m.

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

Sundays: Las Olas Sunday Market, 333 East Las Olas Blvd, & SE 4th Ave., 9 a.m. to 2 p.m., Info.: 954-426-8436

Sundays (through May): Farmer's Market at El Prado Park, 9 a.m. to 2 p.m., Info.: 561-714-2745

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

SOBER HOMES & BLOOD PROFITS

By Eric Berkowitz

Over the past few decades, Recovery has grown from a niche business into a \$billion South Florida industry, as local treatment centers offering an opportunity to clean up on a subtropical beach drew addicts from across the planet. Many decide to remain here after their rehab. The Recovery industry's explosive local growth was primarily fueled by two events.

Feeding the Recovery Golden Goose

When the FBI and local authorities collaboratively closed South Florida Pill Mills, it drove the street cost of controlled medications oxycodone, Xanax and hydrocodone through the roof. Thousands of pill-addicted Floridians turned to cheap and readily available heroin, although the street smack was typically laced with a lethal menu of other chemicals, either to stretch the supply or enhance the effect. These chemical cocktails often included synthetic forms of heroin such as fentanyl (50% - 200% stronger than heroin) or carfentanil, an elephant tranquilizer that's a hundred times stronger than fentanyl. According to South Florida Medical Examiners, roughly half the skyrocketing overdose fatalities were attributed to these narcotic variants – and every survivor is a prospective recovery candidate.

The Recovery industry was also a major beneficiary of two federal laws. The Affordable Care Act and the federal Mental Health Parity Act passed in 2008 were intended to guarantee care for those disabled by addiction. Insurers are required to cover substance abuse treatment and barred from rejecting those with preexisting conditions. It also allowed children to remain on their parents' insurance through age 26.

The Florida Model

The standard treatment protocol traditionally accepted by carriers consisted of a 28-day inpatient program, after which patients would return to their homes. Driven by ideology and experience, a handful of Florida operators cited an alternative that could significantly lower the rate of relapse, holding that a managed step-down transition would better prepare addicts in early recovery to productively integrate with family, a work environment, and the community. Under this unprecedented "Florida Model", inpatient detox and a month of intensive rehabilitation was followed by outpatient treatment while living in a Sober Home, ostensibly a Halfway House where patients would pay rent to live, sleep and eat, while reporting to nearby drug treatment centers for scheduled appointments with counselors and doctors. By efficiently controlling expenses, the new model would provide a more comprehensive course of therapy without increasing the cost to carriers.

The reputable operators who first developed the model made it work. The success of this new treatment modality attracted hundreds of physicians, clinical therapists, psychologists and nurse practitioners who specialize in Recovery Medicine. Unfortunately, it also drew scam artists seeking to exploit a well-insured vulnerable population – with plans to bag a windfall by using patients as cannon fodder.

The Relapse Dividend

While conceived to provide structure, rules and a supportive community to newly recovering addicts, Sober Homes run by unscrupulous operators brokered their tenants to insurance-hungry treatment centers for kickbacks, in violation of State Law. "Patient brokering"
evolved into a cottage industry, as Sober Homes offered free rent, manicures, mopeds,
cash, free cigarettes and other perks (including drugs) to attract insured tenants they
could barter for payoffs.

More ambitious operators would buy or rent a multifamily property or a cluster of single family homes in a depressed residential neighborhood, and turn the residences into Sober Homes, reserving one for a cooperative drug dealer. "You have what are so-called 'sober homes' next to houses that sell drugs," observed Sgt. Ed McCabe of the Delray Beach Police Department. In contrast with well-run, legitimate Sober Homes, which blend seamlessly in residential neighborhoods, clusters of those operated by their corrupt counterparts crash local property values, as unmanaged Sober Homes reconfigure the community into an active drug market.

Palm Beach State Attorney Dave Aronberg summarized why Recovery scammers don't consider relapse a setback, but an indispensable income stream, exclaiming "The incentive is to keep them in this relapse system, this gravy train that doesn't end until the person leaves in a body bag or an ambulance. There's no money in sobriety." Since a relapse

will trigger a new round of benefits for patients who graduate from a treatment center to a Sober Home, falling off the wagon can double – or triple – the insurance payout. To realize additional kickbacks, reprobate Sober Home managers will allow or provide drugs to their tenants, who are then brokered back to the high-bidding treatment center for another \$30,000 round of rehabilitation. Patients caught in this revolving door were functionally reduced to commodities by treatment centers they mistakenly believed would save their lives.

While billing exorbitant fees to the insurance carrier, the scam centers typically waive invoicing co-pays to the policy holder, for fear that the patient will be induced to leave the facility, ending the windfall. According to the FBI, an operation that includes the Real Life Recovery Delray treatment center and the Halfway There Florida home raked in almost \$19 million by fraudulently billing insurance companies for \$58 million over four years.

Bulletproof Bunco

Incredibly, shooting galleries masquerading as "Sober Homes" are notoriously difficult to evict or otherwise regulate, since these corrupt cankers are shielded by well-intended federal disability laws. Recovering addicts are protected by the Americans with Disabilities Act, and the U.S. Supreme Court ruled in 1999 that it is illegal to craft zoning laws that discriminate against disabled groups. The federal Fair Housing Act bars housing discrimination against the disabled, also trumping local zoning laws that would otherwise bar businesses from residential neighborhoods. Although enacted to protect legitimate recovery facilities from malicious local regulations, as an unintended consequence, it also shields fraud factories implicated in the overdose deaths of their own patients.

Attempts by cities to regulate Sober Homes have been systematically dismissed in Federal court, after which each municipality was successfully sued for discrimination by the targeted Sober Home. The City of Boca Raton spent \$1.3 million in a losing effort to ban sober homes.

The corruption permeates most of the treatment centers as well. Historically, drug screening consisted of a \$5 dipstick drug test that would occasionally be sent to a laboratory for confirmation when the results raised suspicions of tampering. Crooked centers and Sober Homes put in "standing orders" for near-daily drug screens and send each

Continue on page 13

urine sample to a laboratory that charges the insurance up to \$5000 per test, along with orders for unnecessary DNA and allergy tests that cost thousands more. In return, participating laboratories kick back much of the insurance windfall. When drug abuse in a treatment center was rampant, samples taken from employees were submitted for lab tests under the names of patients. Minutes-long counseling sessions were billed at \$1800.

Ground zero for sober homes in Palm Beach County is Delray Beach, where an estimated 700 facilities house up to 7,000 people in recovery. Hundreds more sober homes are in nearby Lake Worth, Boynton Beach and West Palm Beach. Delray Beach Mayor Cary Glickstein angrily lamented "These kids are just cycled through different houses. There's no supervision. Many times, they're supervised by convicted felons, people that are trafficking drugs while they're supposed to be supervising kids in recovery." Frustrated by the Federal handcuffs on State and local authorities, Palm Beach State Attorney Dave Aronberg remarked "It's a total scam. Not only are taxpayers footing the bill, but people are dying unnecessarily because of this."

State Scratches the Surface

In preparing to prosecute the rampant fraud, and far more egregious crimes, but concerned about the sheer volume of bad players, the FBI needed a slam-dunk in court, followed by a sentence sufficient to intimidate future defendants into accepting plea deals. While investigating the fraudulent treatment centers and Sober Homes, the FBI concentrated most of its resources on putting an owner they considered "worst of the lot" behind bars. Kenneth "Kenny" Chatman, a Sober Home operator who licensed a Margate Recovery facility called "Reflections" in his wife's name to dodge a prohibition against convicts owning a treatment center, was sentenced to 27 years for running a recovery brothel (conspiracies to commit health care fraud, money laundering and sex trafficking) by U.S. District Court Judge Donald Middlebrooks, who threw out a 14-year plea agreement previously negotiated by Chatman's attorney. Characterizing his crimes as "never before seen in a federal court - turning his patients into prostitutes,"

Assistant U.S. Attorney Marie Villafaña trod out evidence of neglected patients who died in his facilities and young female patients kept in a drug-induced state of impairment while he placed internet listings to pimp them out.

On May 3, 2017, after dragging his feet for years, Governor Rick Scott finally addressed the State's astronomical overdose fatality rate when he signed Executive Order 17-146, classifying Florida's opioid crisis as a public health emergency. The measure provided \$54 million in federal funds for prevention, treatment and recovery services for the uninsured and under-insured in 2017 and 2018. The grant also funds overdose response training, behavioral-health consultants for child-welfare workers, peer-mentoring programs and other initiatives.

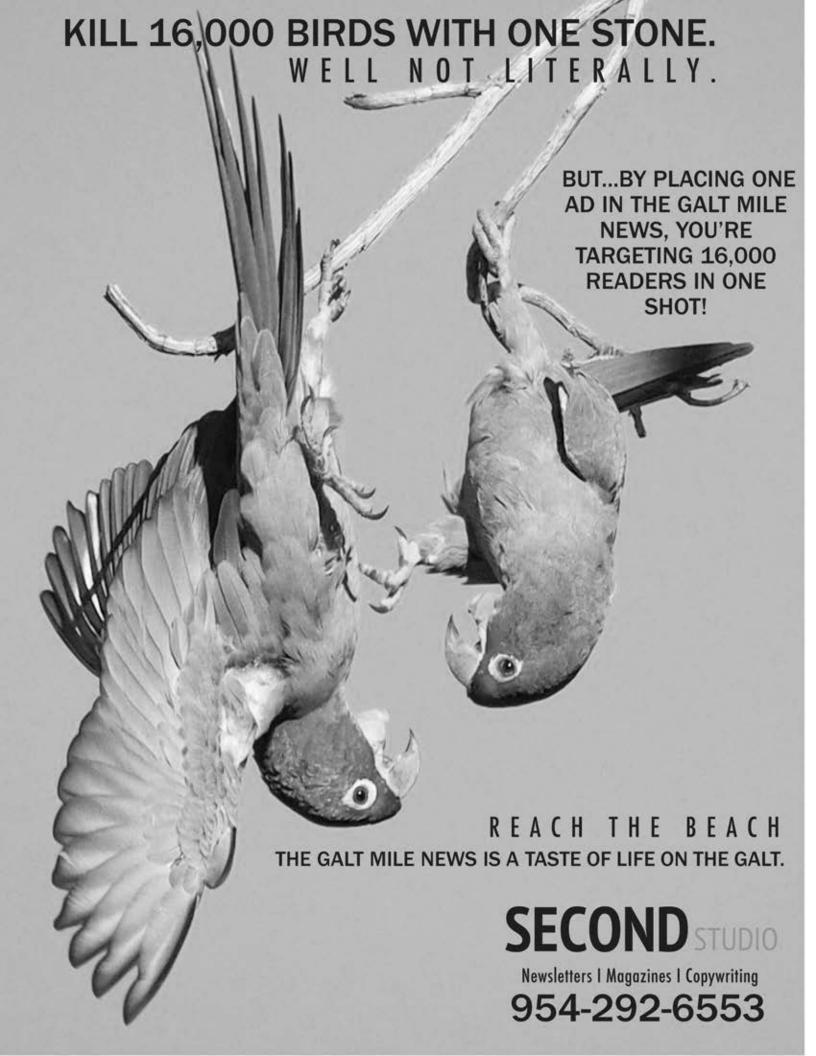
Two days later, Scott signed bipartisan legislation on the recommendation of Palm Beach State Attorney Dave Aronberg's Sober Home Task Force, which released a scathing report on the recovery industry and suggested new regulations. The statute bans false advertising used to lure new patients, forces sober home telemarketers to register with the state, clarifies existing laws that make kickbacks illegal and requires background screenings for owners, directors and clinical supervisors of treatment centers that refer patients to Sober Homes. It also makes patient brokering a crime punishable under the state's "Racketeer Influenced and Corrupt Organization Act", or RICO. Like its Federal namesake, RICO empowers law enforcement to crack down on organized groups.

Feds Slip us a Loophole

Last November, Federal guidelines released at the urging of U.S. Rep. Lois Frankel (D-West Palm Beach) demonstrated how cities could regulate the clustering of sober homes within a neighborhood. A Joint Statement by the Justice Department and the Department of Housing and Urban Development detailed how a city can deny an accommodation request for a sober home by proving a strain on city resources. The guidelines also provide for new zoning laws that benefit addicts in recovery, consider the proximity of group homes to one another, and equally apply to all homes with a minimum

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number of unrelated residents. Cutting to the chase, the statement holds that the Fair Housing Act does not prevent state or local government from taking action in response to criminal activity, insurance fraud, Medicaid Fraud, neglect or abuse of residents, or other illegal conduct occurring at bogus group homes.

Delray Beach, one of the cities in Frankel's 21st Congressional District that requested her assistance, jumped on the opportunity. First, Delray contracted with Daniel Lauber, an Illinois attorney uniquely conversant with how federal law impacts recovery communities, to compile a detailed sober home study of Delray Beach. By meticulously meeting the requirements for regulatory oversight spelled out in the new guidelines, Lauber developed a set of zoning regulations for sober homes that don't conflict with Federal law.

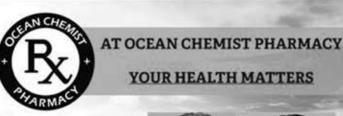
For instance, to affirm that clustering hampers recovery, as conditionally required by the guidelines to justify imposing regulations, Lauber asserts that a community residence sheltering those disabled by addiction should emulate a biological family - and seek to normalize its residents and integrate them into the surrounding community. His study observes "Their neighbors serve as role models which helps foster the normalization and community integration at the core of community residences." He then shows how clustering deprives recovering addicts of these role models nearby neighbors who successfully function without using drugs and instead confines their exposure to others disabled by addiction, which impedes normalization and their integration into the community.

Lauber demonstrates how the suggested zoning requirements benefit recovering addicts, reduce the strain on city resources by reducing crime, and preserve the character of residential communities. Delray Beach crafted an ordinance that incorporated Lauber's recommendations. In her May 2018 newsletter, City Commissioner Heather Moraitis outlines how a similar city law, Ordinance No. C-18-11 approved in Fort Lauderdale, will mitigate clustering by Sober Homes. Following the Delray Beach playbook, in a February 13, 2018 sober home study of Fort Lauderdale commissioned by the city, Lauber mirrors recommendations made to Delray Beach, albeit with a few minor changes. The Delray Beach Ordinance requires the separation of Sober Homes with 4 to 10 recovering residents by a standard city block of 660 feet. Since several Fort Lauderdale blocks are extremely long, the city law discussed by Moraitis requires a 1000-foot separation of sober homes with 4 to 10 persons. Residences with 11 or more recovering addicts must be approved by a Special Magistrate to warrant accommodation.

To help recovery candidates or concerned family members separate the wheat from the chaff, sober homes that seek certification by the Florida Association of Recovery Residences (FARR) must meet 37 standards (i.e. staff training, site inspections, etc.) before they are included in a list of approved facilities. The new Fort Lauderdale ordinance requires that otherwise unlicensed Sober Homes meet FARR certification standards. While exploring the Sober Home minefield, prospective patients who consult the list may find a therapeutic environment and avoid expiring on the front lawn of Motel Hell.

On May 10, 2018, Senators Marco Rubio (R) and Bill Nelson (D) co-sponsored the "Sober Homes Fraud Detection Act". While announcing that its objective is to "prosecute those offenders that prey on the most vulnerable members of society," disappointingly, it only recruits federal and state agencies to help identify fraudulent operators in order to provide prospective patients with another resource for selecting a legitimate treatment center or sober home. In short, the bill was launched to make a political splash, not a difference.





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EDITOR'S COMMENTARY

District 1 City Commissioner HEATHER MORAITIS' May 2018 Newsletter

By Eric Berkowitz

*In her May 2018 Newsletter, District 1 City Commissioner Heather Moraitis reviews the provisions of a Community Residences Ordinance approved at the April 17, 2018 City Commission meeting. It authorizes zoning regulations that govern the placement of Sober Homes within Fort Lauderdale. Until now, Federal law precluded local governments from regulating these Halfway Houses. While some are excellent, others are parasitically fraudulent and dangerous – and fuel the disintegration of residential neighborhoods.

Moraitis also provides a 24-hour Aircraft Noise Abatement Reporting Line for residences and businesses near Executive Airport; encourages constituents to download the Neighbors application (iOS/Android) (i.e. Ring), to access a series of security cameras for safety purposes; reminds us to separate yard waste from bulk trash; promotes the Excellence in Higher Education Act of 2018, which restores the Florida Bright Futures Scholarship awards to their pre-recession levels; recruits volunteers to help in the Salvation Army kitchen; announces her impending Pre-agenda Meeting dates and locations

and lists upcoming events.

Unfortunately, Moraitis doesn't explain why she detailed provisions in a Community Residences Ordinance, the dilemma it addresses or why its resolution warranted an obtuse reconfiguration of zoning laws. Her description of the ordinance as protective of persons with disabilities who are in recovery is somewhat misleading, since it actually protects anyone in recovery. By definition, the ordinance is consistent with federal laws which hold that those in recovery are disabled by addiction – and are therefore beneficiaries of federal protections that bar discriminatory housing practices against the disabled.

These federal protections were successfully used nationwide by Sober Home operators to block attempted local regulations anathematic to their survival or bottom lines, until two federal agencies provided municipalities with protocols that protected recovering residents in Sober Homes as well as the surrounding residential neighborhoods. With the help of a renowned zoning attorney authoritatively conversant with the impact of federal law on recovery facilities, Fort Lauderdale became one of several South Florida municipalities to follow the federal breadcrumbs and craft an ordinance that welcomes legitimate licensed facilities while giving the boot to those impaired by mismanagement or awash in fraud. To better understand how enforcing this regulatory Rubik's Cube will save lives and pull the teeth of a costly threat to every South Florida neighborhood, check out "Sober Homes & Blood Profits" elsewhere in this issue and peruse Commissioner Moraitis' May 2018 Newsletter, also in this edition. – [editor]*



From the Desk of Commissioner HEATHER MORAITIS

May 2018

Community Residences Ordinance

The city passed an ordinance to regulate community residences commonly referred to a "sober homes", in order to protect the residents of those homes, persons with disabilities who are in recovery, from concentrations that undermine the ability of community residents to achieve normalization and community integration, and to protect the character of the neighborhood. The ordinance generally is modeled after an ordinance recently adopted in Delray Beach.

In summary, the ordinance regulates Community Residences, by 1) defining "family" for purposes of regulating dwelling units; 2) defining Community Residences, including two types: Family Community Residences and Transitional Community Residences; 3) allowing Community Residences in the city residential zoning districts as either permitted or conditional uses, depending on the type of Community Residence; 3) requiring certification of all Community Residences by the state credentialing agency under Section 397.487, Florida Statutes; 4) establishing conditional use requirements for Community Residences; and 5) establishing a reasonable accommodation process, by special magistrate, necessary for Community Residences of 11 persons or more, and to allow modifications in the zoning standards.

Essentially, a family is defined as related persons, or up to three (3) unrelated persons. A Community Residence generally is a residential living arrangement for more than (3) unrelated individuals with disabilities, living as a single functional family to provide shelter in a

family-like environment, which is important to their recovery. A Family Community Residence is a relatively permanent living arrangement, measured in years, for 4 – 10 persons. A Transitional Community Residence is a temporary living arrangement, measured in weeks or months, for 4- 10 persons.

All Community Residences must register with the City and be certified by the state credentialing agency, if one is available for the type of disability. Community Residences, of either type, are allowed in all residential districts as permitted uses if they are 3 persons or less. Community Residences, of either type, with 11 or more residents, are only allowed in residential districts if they receive a reasonable accommodation approval.

Family community residences (4 – 10 persons) are allowed in all residential districts as a permitted use if they meet 1000' distance requirements from other community residences and community residential homes (SSRFs). If they do not meet distance separation requirements, they must obtain a conditional use permit, which includes additional standards for community residences.

Transitional community residences (4 – 10 persons) are allowed in single family residential districts by conditional use and must meet 1000' distance requirements

Sincerely,
Heather Moraitis





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