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**WHERE'S
THE BEACH?**

Eric Berkowitz

Hollywood Mayor Mara Giulianti, comporting herself as a sensitively empathetic municipal guardian during a real life natural disaster, responded succinctly to her interviewer from channel 10, "Well, the situation is extremely dangerous because there is no beach to buffer us from the effects of the storm." POINT TAKEN! On September 4th, Hurricane Frances was skirting its North Palm Beach landfall at about 4:30 PM Saturday afternoon as her live interview hit the air. The cameras caught sections of Surf Road just south of Dania Boulevard actually dissolving during the Mayor's evaluation of the

damages suffered along the vulnerable beach. The beaches in Hollywood disappeared several years ago, the victim of sustained tidal erosion. The condition is mirrored up and down the East Coast of Broward, as 21 of the 24 miles of the County's beaches are critically eroded. In 1999, Broward County put the recovery process into motion, hoping to repair the deteriorating shoreline within the two - three year window that a safe, responsible beach renourishment would normally take. Every major environmental agency and organization took the opportunity to institute extensive protective measures and exigent monitoring requirements as the Broward County Department of Planning and Environmental Protection (DPEP), Biological Resources Division, carefully steered the plan through its statutory paces in an effort to rescue the beach.

Despite receiving a positive General Reevaluation Report (GRR) and Final Environmental Impact Statement (FEIS) from the Army Corps of Engineers, the Joint Coastal Permits for Segment III (Hollywood) and Segment II (Ft. Lauderdale) from the Florida Department of Environment Protection and achieving complete conformity with the

Continued on page 4

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ENTRY PASS Eric Berkowitz

When a mandatory evacuation is declared, the barrier island becomes extremely vulnerable. Armed with the knowledge that many of the domiciles are vacant, certain human insects will attempt to gain unobstructed access to the temporarily "easy pickings". To deter looting and other criminal activity, police stationed at entrance checkpoints carefully scrutinize the identification credentials of anyone attempting to return to the island, verifying that they are either a resident or an owner/operator of a barrier island concern. If you can't prove that you either live or work here, you won't get in!

The City distributes entry passes to residents and business owners of the barrier island. Contact the Fort Lauderdale Police Department's Community Support Division (CSD) at (954) 828-6400 and prepare to make available the following verifiable identification that you reside or work east of the Intracoastal Waterway (ICW): 1) Light bill, 2) Drivers License, 3) Water bill, 4) Tax bill, 5) Proof of employment or 6) similar verifiable identification. Condominium Associations are welcome to arrange for volume acquisition and distribution of these passes to its member residents.



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Dine in...take out.

After...Continued

Review your condominium documents; particularly, the "repair aftercasualty" section of the insurance provision. It is not uncommon to find language such as the following:

1. **Estimates of Costs** - Immediately after deciding to rebuild or repair damage to property for which the association is responsible, the Association shall obtain reliable and detailed estimates of the cost to rebuild or repair.
2. **Construction funds** - The construction fund shall be disbursed in payment of such costs in the manner required by the board of directors of the association upon approval by an architect qualified to practice in Florida and employed by the association to supervise the work.

Where the aforesaid provisions exist in your documents, contracting for reconstruction prior to obtaining a scope of work will be contrary to both the association's best interest, and the obligations set forth in the documents.

In order to respond to an emergency, the association may need to obtain a short term loan. Absent a restriction within the documents, not-for-profit community associations can borrow; however, they, generally, cannot pledge the condominium property as security. Most banks with which the association does business will approve a commercial line of credit secured by the association's accounts and/or assessment and lien rights. The association also may obtain a small business administration loan that is available to victims of disaster, generally, at lower interest rate. Of course, reserve funds can also be utilized if approved by a majority of the total voting interest.

LESSON SIX - SETTLING THE INSURANCE CLAIMS

On television, within minutes of a disaster, an insurance adjuster appears on the scene with checkbook in hand. In the space of a thirty second commercial, all claims are resolved, and the victims shower praise on the company's quick response and positive attitude. While it does occasionally happen, it is an unlikely scenario. In a major disaster, it is rare, if not impossible, to fully assess the damages within such a short time frame. In fact, the association should not seriously entertain a settlement until the full scope of work is known and costs ascertained.

Immediately following the disaster, it will be necessary for the association to secure the property to mitigate against further damage and clean-up debris. Most insurers will offer advances for this purpose. As long as the association signs no releases or settlements, there is nothing wrong with accepting such advances.

Insurance policies need to be examined to ensure that "proof of loss" forms are filed within the time limit required under the policies. As a general rule, flood policies require that proof of loss be filed within sixty days of the flood.

Disasters do not respect geographic location or economic status and can occur at any time. Their effects can last for years; however, pre-disaster readiness will go a long way toward promoting recovery.

PROTECTING THE ASSOCIATION THAT PROTECTS YOU!

Eric Berkowitz

During a three week period from the end of July through the middle of August, 2004, we watched Hurricanes Bonnie and Charley dance around Florida, Hurricane Earl hopped from the Atlantic to the Pacific as Hurricane Frances gathered strength prior to slicing across the State. The mind-numbing eight hurricane onslaught of August (Alex-Hermine) left most Floridians feeling like rats on a shock plate. The silver lining to this hyperactive hurricane season is the chilling focus it forced on the population to adequately prepare for this annual threat. Condo Associations along the Galt distributed hurricane plans to their residents. Every municipal, county and civic web site added a hurricane page replete with detailed preparation admonitions designed to ready residents for the impending challenge (including the Galt Mile Community Association web site, of course). While offering a plethora of useful suggestions targeting our residents' safety and the precautions required to secure their personal possessions, few of these plans address the continued functionality of the Condominium's Association, the governing body responsible for effectively confronting potential disasters.

Every viable government equips itself with an emergency disaster plan to oversee and facilitate the security of its constituency and their homes. Statutory preparations for catastrophic events like hurricanes, floods, fire, tornados, etc. will often make the difference between the success or failure of an Association's response to and recovery from these disasters. Does your Association have a "disaster coordinator" authorized to implement a disaster response program? Does every resident know to contact a designated "information facilitator", an individual charged with the task of coordinating communications among residents and board members that scatter during voluntary or mandatory evacuations? Do you have an "emergency operations center" available when the usual meeting sites in the building are inaccessible? If your building's office were destroyed, can a response team access alternate records and documents containing information essential to your Association's response and recovery (resident and vendor contact lists, contracts, insurance policies, asset identification documents such as bank accounts, CDs, etc., contact info for lawyer, accountant, engineer, insurance agent and other professionals whose guidance is warranted)? Do your documents provide for emergency powers that allow the Association to secure emergency services, protection from vandalism, debris removal and engineering guidance without having to elicit a majority vote of the evacuated or out-of-town owners? Has an "Insurance Trustee" been appointed to receive settlement funds for appropriate emergency disbursement (without which many insurance companies will not release proceeds to the Association)? Unfortunately, many Associations haven't addressed these (and other) issues in their disaster plans; their governing documents are riddled with obstacles to an effective response and recovery! When the table stakes are so high, small oversights can result in mammoth losses and/or unnecessary inconvenience. Where's the advantage to protecting the assets within the walls of your unit if the unit itself is at risk?

Continued on page 8

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17	18 Commissioner Christine Teel: Pre-Agenda Meeting Beach Community Center 7 p.m. Info.: 954-828-5033	19 Fort Lauderdale City Commission Meeting City Hall 6 p.m.	20 Ft Lauderdale Int'l Film Fest Through 11/14	21 Orionid Meteor Shower	22	23 Computer Show & Sale War Memorial Info.: 954-828-5380
24 Dolphins vs Rams 1 p.m. Pro Player Tix: ticketmaster.com	25	26	27	28 Ft Lauderdale Int'l Boat Show Through 11/1	29	30 Absolute Fighting Championships War Memorial 7 p.m. Tix: ticketmaster.com
31 Daylight Savings Time Ends Halloween	1 Commissioner Christine Teel: Pre-Agenda Meeting Beach Community Center 7 p.m. Info.: 954-828-5033	2 Fort Lauderdale City Commission Meeting City Hall 6 p.m. King and I Broward Center Through 11/14 Info.: 954-462-0222	3	4	5	6 Metallica/Godsmack Office Depot Center 7:30 p.m. Tix: ticketmaster.com
7 Dolphins vs Cardinals 1 p.m. Pro Player Tix: ticketmaster.com Sunday Jazz Brunch Riverwalk, Downtown FL 11 a.m. to 2 p.m. Info.: 954-828-5985	8	9	10	11	12 Promenade in the Park Holiday Park Through 11/14 Info.: 954-462-4486	13

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- November 27 The Temptations & The Four Tops Broward Center, Info.: 954-462-0222
- November 28 Virsky Ukranian National Dance Company Broward Center, Info.: 954-462-0222
- November 30 Christmas on Las Olas
- December 5 Dolphins vs Buffalo Bills Pro Player, Tix: ticketmaster.com



the Before Storm

Implementing a Disaster

Gary A. Poliakoff, J.D.

Plan-Part 1

Hurricane Andrew opened our eyes to the vulnerability of multi-family residential communities to catastrophic events. In the aftermath of the Hurricane many authors recommended that communities implement a disaster plan in order to avoid the pitfalls experienced by victims of Hurricane Andrew. Unfortunately, Hurricane Opal, which struck the Florida Panhandle with 140 mile per hour winds and a 20 foot storm surge, painfully reminded us of the hazards of procrastination.

While most of us relate disasters to natural phenomena such as hurricanes, floods and tornados, our communities are equally susceptible to fire, with similar consequences.

This article is based upon first hand experience assisting the victims of both Hurricanes Andrew and Opal with their recovery efforts. These, then, are the "Lessons of Andrew and Opal."

LESSON ONE - DEVELOP A DISASTER PLAN

A complete disaster preparedness plan will allow for the possibility of a total construction loss. Consider the impact of a disaster such as Andrew. While most residents of South Florida were able to clean up the storm debris within a relatively short period of time and return to their normal routines, for tens of thousands of others, life remained in turmoil for years after the storm; for not only did they lose their homes, but many permanently lost their work places.

With the possibility of such wide-spread turmoil, the importance of preparing and adhering to a disaster plan cannot be overstated. Consider the following recommendations when implementing a disaster plan:


Inventory documents and records

Those who experienced the brunt of Andrew/Opal never contemplated that essential information, critical to the initiation of emergency response and action, would be destroyed. Every association should keep a record of essential information at a secure location away from the community. The inventory should include:

1. The location of and account numbers for all bank accounts, including CDs and other savings accounts;
2. A list of all vendors and copies of all contracts;

Continued on page 10

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After...Continued

The larger of these companies will arrive decked out in color coordinated uniforms, large debris removing equipment and even helicopters. Interspersed among the new arrivals will be the con men and profiteers who prey upon the misfortune of others.

While it is very tempting, when confronted with what initially will appear to be an insurmountable task of reconstruction, to sign the first contract stuck in your face, experience has shown that these quick solutions are formulas for disasters of greater magnitude than those already suffered. No greater application exists for the old adage that "haste makes waste" than in these situations. The best advice is to just say no and stick to your disaster plan which, hopefully, will include a plan that anticipates the five (5) phases of reconstruction:

1. Project planning/scheduling;
2. Construction bidding;
3. Contract negotiations;
4. Construction/rehabilitation; and
5. Project completion/close out.

There are intervening steps you should take which may require contracts of short duration and for specific purposes. Even these contracts should be reviewed to insure that proper precautions are taken. The most urgent needs immediately after the disaster will be:

1. Securing the community from acts of vandalism and looting;
2. Removal of storm debris; and
3. Shoring up building structures and closing openings in order to

mitigate against further damage.

Once conditions stabilize, the disaster recovery team will be in a position to meet with professionals trained in disaster recovery, such as:

1. **Architect/Engineer** - Responsible for assessing the damage, preparing plans and specifications in accordance with new building codes, assisting in selection of construction manager and defining other reconstruction requirements.
2. **Construction Manager** - Oversees selection of general contractor, competitive bidding and administrators, directs and coordinates pay requisitions, change orders and all other activities of the parties, and resolves disputes.
3. **General Contractor** - Employs and supervises laborers, supplies materials and builds project in accordance with architect's/engineer's plans and specifications, under the direction of the construction manager.
4. **Attorney** - Reviews construction contracts to insure adequate assurance of job performance and warranties, and compliance with applicable lien laws.
5. **Public Adjuster** - In some instances, the assistance of an independent public adjuster may be beneficial when dealing with the nuisances of an ambiguous insurance policy. While most adjusters will work for a fee based upon a percentage of the insurance proceeds, when the scope of assistance required is limited to specific items, the fee should be adjusted accordingly.

Continued on page 20

the After Storm

Implementing a Disaster Plan-Part 2

Gary A. Poliakoff, J.D.

"This article is based upon first hand experience assisting the victims of Hurricanes Andrew and Opal with their recovery efforts. These, then, are the 'Lessons of Andrew and Opal.'"

LESSON FOUR - RESPOND QUICKLY AFTER THE DISASTER

A quick response in accordance with preconceived plan will minimize damage and promote a speedy recovery. After the disaster, associations should take steps to:

Account for residents

Knowing the whereabouts of all residents greatly enhances emergency response time following a disaster. In a situation such as a hurricane, in which there is advance warning, a committee should ascertain which residents are remaining in the community and which are evacuating. A temporary destination address and phone number should be obtained from those who are evacuating. Once disaster strikes, the board's first action should be to direct emergency medical assistance to any residents in need.

Survey the property and identify areas needing priority attention

Depending on the nature and extent of the damage, it may be necessary to evacuate or shore-up a structure and obtain security to protect against criminal acts and/or prevent further damage. All contacts with contractors should be made in advance, as part of the disaster plan.

Continued on page 15



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Before...Continued

of the association's engineer. When such a provision exists, insurers will not pay proceeds to the association until a trustee is designated. This can critically delay the receipt of funds necessary for disaster response. It is preferable for the board to act as a "trustee" with disbursements being authorized only when approved in advance by an independent engineer or construction manager employed by the association.

Access to Units

While the Condominium and Cooperative Acts grant the association an irrevocable right of access when necessary for the maintenance, repair or replacement of the common elements or of any portion of a unit to be maintained by the association or as necessary to prevent damage to the common elements or to a unit or units, a gray area exists in relation to the repair or reconstruction of portions of the units maintained by the unit owners. To avoid conflicts, the documents should provide:

1. Right of Access to the units to repair or replace any portion of the condominium property insured by the association.
2. Association as Agent - The association should be irrevocably appointed as agent for each unit owner, each owner of a mortgage or other lien upon a unit and each owner of any other interest in the condominium property, in order to adjust all claims arising under insurance policies purchased by the association and to execute and deliver releases upon the payment of claims.

Powers of Board or Disaster Coordinator to Act in an Emergency

Members of the Board (though less than a quorum) and/or a designated Disaster Coordinator, who act in good faith without pecuniary gain, should be indemnified from actions by members of the association and should have emergency powers, including, but not limited to, the power to contract for: (1) emergency services; (2) security from vandalism; (3) removal of debris; and (4) engineering and other professional services to assist in disaster recovery.

Reconstruction vs. Termination

The unit owners at one South Dade condominium destroyed by Hurricane Andrew were shocked to learn of a provision in their declaration of condominium which provided for automatic termination when damage exceeded fifty (50%) percent or more of the condominium, unless a majority of the total voting interests voted within sixty days to rebuild. Since the unit owners had scattered all across the Country, the association had to seek court relief to prevent the activation of the provision. It is preferable for the documents to require a vote of the owners to terminate the condominium, not to rebuild it.

LESSON THREE - MAINTAIN ADEQUATE INSURANCE

Maintaining adequate insurance is easier said than done. Nevertheless, the documents must be examined in concert with the law to ensure that the scope of coverage satisfies both. Notwithstanding the fact that the Condominium or Cooperative Act may exclude from coverage various unit components and finishes [floor coverings, wall coverings, ceiling coverings, a/c units, built-in cabinets], a provision in the declaration requiring that the association provide coverage for "all improvements" installed by the developer may impose liability on the

Continued on page 15



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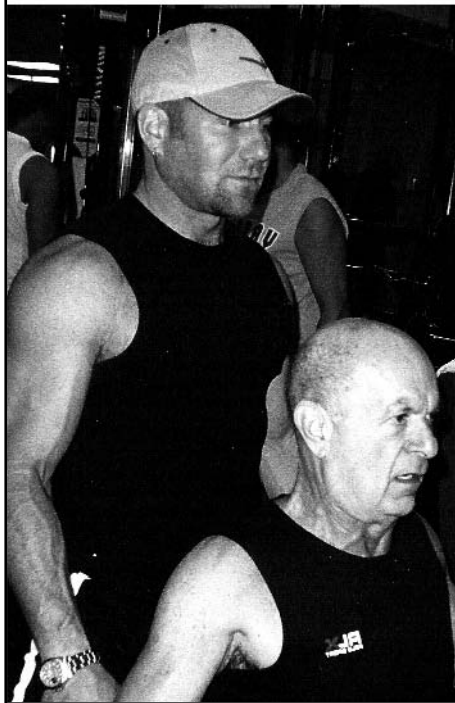
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Before...Continued

3. A list of accountants, lawyers, managers, insurance agents and others whom the community relies upon for professional guidance.
4. Copies of insurance policies, including the name of the agent, and other pertinent information; and
5. A current list of names and addresses of unit owners, including emergency contact persons for each of them.

Inventory equipment

Create either a video or photographic record of the community and its equipment, and maintain a copy of the record off-site.

Designate a disaster coordinator

An officer, director, or owner trained in disaster response should be authorized to implement the disaster response program.

Establish an information facilitator

Many communities devastated by Andrew were evacuated prior to the storm. The residents, including the officers and directors, scattered in all directions, rarely leaving word of where they were going. Following the storm, a total communications blackout and the destruction of most community facilities left nowhere for owners to meet. It was difficult, if not impossible, to locate community leaders and communicate with them. Every association needs to identify a person to serve as an information facilitator. The name, address, and phone number of this person should be provided to every owner so when the ability to communicate with other owners or the board is disrupted, the information facilitator can coordinate communications among the residents of the community.

Establish an emergency operations center

Designate a location from which the board will operate in the event of a disaster.

Include contingency plans

Andrew's impact on the community was different than Opal's. For the most part, South Dade communities were occupied by full time residents who boarded up their homes, stocked food and water supplies and filled their automobiles' gas tanks. However, few contemplated devastation so great that they would be unable to leave their homes for an extended period following the storm or, thereafter, find available housing. Generally, most Florida Panhandle condominium owners were seasonal residents who pooled their units into large rental pools. For them, the storm meant an interruption of both income and vacation destination. Alternative scenarios must be contemplated when preparing for a disaster.

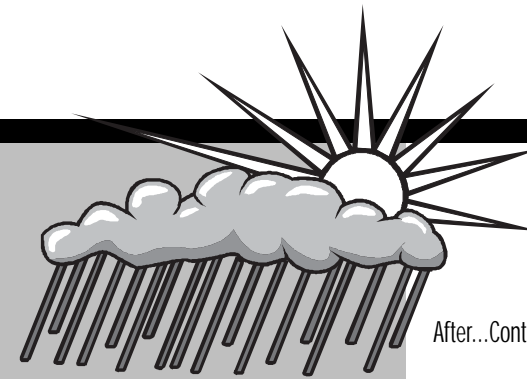
LESSON TWO - REMOVE THE BARRIERS TO RECOVERY

State laws and document restrictions designed to insure owner access to information and input in the decision-making process often impede disaster recovery. For example, the use of reserve funds in an emergency is hampered by laws requiring prior approval of a majority of the total voting interests. If necessary, documents should be reviewed and amended to remove barriers to recovery and provide boards with emergency powers. Areas of concern include:

"Insurance Trustee" provisions

Generally found within the insurance section of the documents, these provisions require that the proceeds of insurance settlements be paid to a third party for disbursement at the instruction

Continued on page 14



Before...Continued

In addition to basic coverage, Andrew and Opal taught us that some major sources of economic loss, such as landscaping, exterior building paint, building foundations, walkways, pools, tennis courts, and satellite dishes, are not normally covered by insurance. While excluded from basic coverage, some areas of potential loss can be covered for a small additional premium. None are as important as "ordinance or law" exclusion.

Ordinance or law exclusion states that the insurer will not pay for loss or damage caused directly or indirectly by the enforcement of any ordinance or law: (1) regulating the construction, use or repair of the property; or (2) requiring the tearing down of any property, including the cost of removing its debris. This exclusion is aimed at the application of building codes that may require more expensive reconstruction material, installation, design or methods than those used in the existing building. It may also apply to environmental laws that require elaborate and expensive decontamination processes, or upgrade construction practices in hurricane and flood zones.

For example, following Hurricane Andrew, a Dade County Ordinance required that a number of partially damaged buildings [considered to be damaged by 50% or more] could be restored only if they were elevated to a specific height above sea level. Under such circumstances, the cost of elevation plus repair of the damage generally would exceed the limit of building insurance, unless there was coverage afforded under the rider to the base policy.

Many communities were left waterlogged by Hurricanes Andrew and Opal, only to find that their basic policies did not cover water damage from flooding. Effective October 1, 1994, all condominiums in flood zones, must purchase flood insurance equal to eighty (80%) percent of the value of the building, not to exceed a total limit of \$250,000 per unit. New flood policies include coverage for foundations. The entire building is covered under one policy, including both the common elements and the individual units.

For many owners and managers in the Florida Panhandle, the greatest loss wasn't property but, rather, income from lost rentals. Business interruption insurance is essential for owners or managers who rely upon vacation rentals for their livelihood. Managers, particularly, need to ensure that their business interruption coverage is not just for the premises where they maintain their offices, but also for the communities where they manage rental units.

Many homeowners failed to maintain coverage for their personal effects and building upgrades within their homes. It is recommended that homeowners residing in mandatory membership communities maintain homeowner coverage with at least the following endorsements:

Loss Assessment Coverage

Protects against special assessments levied by boards to cover losses from covered peril, when the primary coverage is inadequate.

Continued on page 21

After...Continued

association for failure to maintain such coverage.

Establish lines of communication

It is imperative to identify, in advance, a source outside the community to coordinate communications among community leaders following a disaster. The designated person may be a board member's relative located in another city or a professional engaged by the community for that purpose. Regardless, every officer and director should be instructed to contact the communications coordinator within a fixed time period after the disaster and provide him or her with an address and phone number. The communications coordinator can also be a vital link between the board and the residents. Efforts should be made to locate all owners.

Dispel rumors by disseminating necessary information

After establishing a means of communication, every effort should be made to meet with owners to discuss the situation and inform them of the actions in progress to protect their property and respond to their needs.

Following Hurricane Opal, one astute manager began preparing a pre-recorded daily update accessible to unit owners who dial in to a given phone number.

Contact employees and vendors

The communications coordinator should maintain a detailed list of all vital information and services utilized by the community. This should include:

1. A list of all vendors and professionals employed by the community (accountants, attorneys, insurance agents, etc.);
2. Copies of all outstanding contracts, bank accounts, locations of all community funds (including CDs and/or other investments), and insurance policies; and
3. The names of the building's designers to use as a source of back-up for as-built plans and specifications.

It may be necessary to suspend or cancel ongoing contracts, such as pool and lawn services, following a disaster. Contracts should be reviewed to insure that in the event of a disaster, services can be suspended without obligation on the part of the Association.

Ensure protection of persons and property

Following Andrew, looting was widespread in some areas. It may be necessary to contract for private security when police are unavailable.

LESSON FIVE - HASTE MAKES WASTE IN RECONSTRUCTION

Within hours of any disaster, the affected community will be besieged by companies and individuals looking for work and/or offering disaster recovery services. This group will consist of qualified professionals, ranging from public adjusters to companies specializing in disaster recovery.

Continued on page 16



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Association...Continued

Gary A. Poliakoff, J.D. (Managing Shareholder of Becker & Poliakoff P.A.), a pioneer in the field of Condominium Law, composed many of the Florida Statutes governing Condominiums, Cooperatives and Homeowner Associations. His legal and practical insights into the protective measures required for Associations facing natural disasters are authoritative and comprehensive. Minor adjustments to an Association's Documents and reasonable preparations can save \$\$\$ millions in recovery expenses. He has created a disaster plan appropriate for Galt Mile Condominium and Cooperative Associations that paves the way to an adequate response and a successful recovery. The Disaster Plan contained in this month's newsletter is divided into two parts, Part I: Before the Storm and Part II: After the Storm. After reading them, it would behoove every Association to contact their attorney to ascertain the extent to which these protections are incorporated into their documents and, more specifically, their disaster plans.

Becker & Poliakoff P.A. represent the interests of many Associations throughout the State of Florida. They maintain a web site devoted to the Condominium Association Legislative Lobby (CALL), a powerful voice in Tallahassee that concentrates on issues impacting Condo, Co-op and Homeowner Associations and their resident-members. Their "CALL" web site (www.callbp.com) is replete with "always fresh" information about Association governance, safety and finance issues including information about FEMA assistance and IRS/Florida Dept. of Revenue relief for Associations and Condo residents that are victimized by disasters. It also carefully scrutinizes and analyzes current legislation affecting Associations. Galt Mile Community Association members are invited to access the CALL web site to review Association news as it breaks. (Check with your Association's office to retrieve the login and password!)

The Galt Mile Community Association also maintains a hurricane section on its web site (www.galtmile.com)... within the "Weather" page. Links to the CALL site as well as current hurricane advisories, tracking maps of current active weather events, links to the National Hurricane Center, the National Weather Service, the National Climate Center, the Storm Prediction Center and dozens of other relevant disaster sites are available. The GMCA web site also carries the complete text of Poliakoff's disaster plans detailed here. Access to Fort Lauderdale's "Hurricane Gateway" and dozens of Broward County hurricane fact sheets covering everything from pets to utilities are provided. Also found are lists of local shelters, a broad range of municipal services and how to obtain a re-entry pass required for return to the Barrier Island after or during an evacuation. Be smart...be safe...be informed...read the plan. •

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(3/2)
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| Royal Ambassador #708
(1/1)
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| Commodore #804
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Beaches...Continued

The County's rescue effort is slated for a November start date. Prior to that it was scheduled to start in July - before that - May. Broward residents and local officials have good cause for exhibiting what has developed into a borderline paranoia regarding the County beaches' life expectancy. The project was originally expected to begin years ago. Despite the critical importance of the beach to Broward's (and Florida's) economy as well as playing a central role in every Broward resident's (and millions of visiting tourists') lifestyle, certain officials have chosen to pander to special interests whose stated intention was to delay, and hopefully derail, the rescue effort. The initial delays stemmed from what appeared to be environmental concerns. Although the County meticulously addressed every outstanding environmental issue to the satisfaction of every major environmental agency, the delays persisted. As it became clear that certain bureaucrats were playing politics with the County's and the State's well being, angry residents and their local representatives asked Florida Attorney General Charlie Crist to look into the chronic procrastination. The Attorney General's stated intention to verify the legitimacy of the delays seems to have helped affirm the November start date.



Hurricane Frances crystallized the issue, offering a frighteningly graphic demonstration of the dangers that communities confront when unprotected by a buffering beach. What little protection existed before Frances is now a memory. Years of unnecessary delays to Broward's renourishment project have come home to

roost! Without the beach to "run interference" against malevolent weather events, the potential for visitors like "Ivan" to be reclassified from "dangerous" to "lethal" increases exponentially.

Addressing the urgency to begin renourishment, Beach Erosion Administrator Higgins explained that the beach is the only protection for people, condominiums, businesses, roads and homes during a catastrophic weather event. Broward Beach Coalition spokesperson William Colletti echoed Higgins' concern. "This should be a wake-up call to federal regulators that beach renourishment is critical." The Coalition, chaired by Galt Mile Community Association Presidents Council Chairman Pio Ieraci, is comprised of residents, businesses, employees, civic associations, government and environmentalists with a stake in preserving Broward's beaches. Its membership includes residential and commercial property owners whose homes and livelihoods are at high risk from storm surge in addition to wind and rain every hurricane season. Frustrated by the frivolous delays to the beach restoration, Colletti exhorted, "We shouldn't have to wait for evacuation routes to be eroded, hotels and people's homes to fall into the ocean and for there to be no beach for turtles to nest on." Speaking to the critical protection that only a beach renourishment can bestow, Mayor Giuliani emphasized, "We have to have all of this done before next hurricane season," adding optimistically, "which obviously it will be." We hope she's right! •

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Beaches...Continued

protective requirements stipulated by a veritable gauntlet of environmental agencies and interest group, the plans dilatory pace has drawn the ire of thousands of heretofore patient residents of the Barrier Islands. For years, County and City officials of beachfront communities have warned of the dangers inherent in the exposed, beachless shoreline. The beach not only protects people from the severity of hurricane events, it buffers \$billions in upland property from the full catastrophic impact of "drop-ins" like Frances. Watching city crews using front loaders to relocate tons of displaced sand back to the paper thin beach reinforced Mayor Giuliani's disappointment and impatience with the sluggish plodding progress suffered by the renourishment effort. "It's your first line of defense, It is vital that it is there." Giuliani remarked.

Broward County's beach erosion administrator, Steve Higgins, characterized the loss of beachfront as "potentially dangerous". Higgins elaborated, "As you lose beach, you lose future storm protection, and you lose the recreational opportunities for visitors," referring to the basis for Broward's tourism tax base. "As the beach disappears you're exposing property to damage, and there is about four billion dollars worth of property that could be vulnerable." The fact that you may not own any of that property is irrelevant, we will all have to pay for it if damaged - the public portion in our taxes, the privately owned assets in our insurance premiums...which will skyrocket when commensurately adjusted! As of Saturday, September 4th, it would be appropriate to add the cost of rehabilitating Surf Road to that figure. As Mayor Giuliani intimated, what's next?

Two days later (Monday, September 6th), Higgins toured the overall damage to the County's shoreline. North Broward took the worst hit owing to Frances' nearby Palm Beach landfall. In Deerfield Beach, beach-stabilizing rock piles that are usually covered were completely exposed. Sand stripped from John U. Lloyd Beach State Park and Fort Lauderdale Beach was painstakingly collected from both sides of A1A using front-loading bobcats and deposited back to the now smaller beaches. Bob Fortier of the Fort Lauderdale Parks Department evaluated Frances' toll on the beach, "It's terrible, we've lost 40 feet of shoreline, easy." Fort Lauderdale Mayor Jim Naugle expressed a desire to expand the beach North of Sunrise Boulevard and add dunes. Fort Lauderdale is scheduled for beach renourishment in the second phase of the County's renourishment project, after the desolated Hollywood beaches are revived. The majority of Dania's Beach wound up in the adjacent parking lot - closing access for weeks. Dania Beach Manager Ivan Pato admonished, "There is hardly any beach left." Higgins described Hallandale Beach as, "lower than it was and probably a little skinnier, too, but mostly lower". Hallandale City Manager Mike Good added, "The beach is usable but there are limited areas with sand." At Hollywood Beach, which at high tide is devoid of sand, the sea walls took the full brunt of the hurricane's storm surge. Hollywood residents watched the ocean wash over the Broadwalk and Surf Road all the way to A1A. In evaluating the Hurricane's county-wide shoreline impact, Higgins said, "It was significant damage - but not surprising for the event. It underscores the need to keep a healthy beach because as you lose beach, you lose protection against future storms."

Continued on page 6

Before...Continued

Water Seepage Coverage

Covers water damage from wind-driven rain or water entering from a source other than an opening in the building (e.g. through stucco or around window frames.)

Additions, Alterations, Improvements and Betterments Coverage

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Even assuming that one maintains adequate coverage, there is a risk that not every insurer will survive extraordinary claims. Andrew brought many insurance companies to their knees. Careful consideration must be given to the financial strength of the insurer. Keep in mind that the lowest quote is not always the most secure coverage.

It is imperative that a reserve fund be maintained for contingencies and to cover deductibles. •

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#1 Real Estate Office on Galt Ocean Mile!

Serving the Galt Ocean Mile residents with more than 20 years of professional service.
Over 40 Agents to Serve All Your Real Estate Needs!

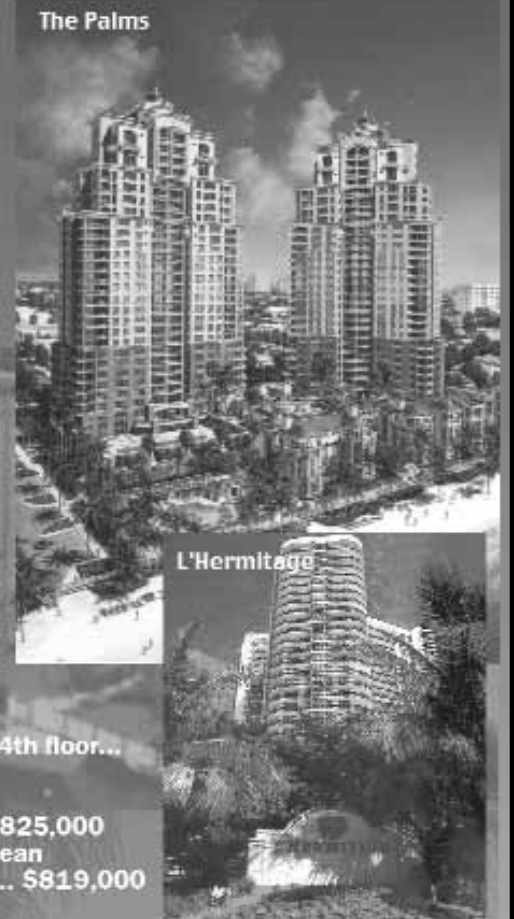
Best Deepwater Properties!

- Las Olas - Spacious 3/3, Pool, Renovated offered at \$899,000
- Landings Deepwater Intracoastal 3/3 Villa offered at \$1,575,000
- Great Selection of new Condos in Miami, Fort Lauderdale & Palm Beach
- One Bedroom Oceanfront starting at \$166,000
- Two Bedroom Ocean Views starting at \$300,000



CARL S. MARZOLA
President, CRS, CIPS

- Brand New Oceanfront Condos starting at \$800,000
- Have 3 to 12 unit, great cash flow, owner will assist with finance
- Great selection of Beach Area Motels & Hotels - from 40 units to 100 units. New Intracoastal hotel/condo prices starting from \$200,000
- Townhomes available starting from \$300,000 and up
- Rentals Available (Annual/Seasonal)
- Restaurant Opportunities Available
- Fantastic deals at L'ambiance:
 - Corner unit, 3 bedrooms/2 baths, 14th floor... **LOWEST PRICE \$537,000**
 - SE corner, marble floors, 3 bedrooms/2 baths, 11th floor... \$825,000
 - SE corner decorator ready, direct ocean views, 17th floor, 2 parking spaces... \$819,000



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Galt Ocean Mile • Fort Lauderdale