

GALT MILE NEWS

THE OFFICIAL PUBLICATION OF THE GMCA

MAY 23: RIVERWALK BURGER BATTLE™ V



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What Trumps Living Alone? *A Full House*



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Fort Lauderdale, FL 33305



Independence Hall

Assisted Living Facility #4416

1639 NE 26th Street
Fort Lauderdale, FL 33305



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Assisted Living Facility #6649

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Margate, FL 33063

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Animal House

accessible to other members. An association member who trains service animals has the same rights of access and obligations of liability for damage caused by an animal in training as an association member with a disability who is accompanied by a service animal. Associations are not required to modify or provide any vehicle, premises, facility, or service to a greater degree than is required for members who are not disabled.

The statute also provides that a service animal owner need not submit proof of its training, and that an association is limited to asking whether an animal is a service animal and which tasks it has been trained to perform. If a service animal poses a direct threat to the health and safety of others, it may be removed. However, allergies and fear of animals are legally insufficient for removal. While an association may not demand a security deposit as a precondition for access, the animal's owner is responsible for its care and any damage it may cause. If forced to remove a service animal, an association must provide the disabled owner with the option of using the facilities without the service animal.

Any person who denies or interferes with a disabled member's association access rights, or otherwise interferes with the rights of either a person with a disability or a member engaged in training a service animal, commits a second degree misdemeanor, punishable by imprisonment of up to 60 days or a fine not to exceed \$500.

As confusion surrounding this issue gained momentum, officials in no-pet associations acclimated to walking on eggshells. Given the inconsistencies, contradictions and inherent conflicts among Disability Laws; statutory fiduciary requirements; and relevant provisions in an association's governing documents, association officials are ill-advised to treat decisions about therapeutic animals casually. To avoid the costly consequences of questionable judgments clouded by emotion or ignorance, a vast majority of no-pet associations defer to their association attorney when vetting owner requests for service and/or emotional support animals.

During the past decade, there has also been an epidemic of pet owners who abuse Federal and State disability laws to fraudulently circumvent an association's no-pet rules. By soliciting documentation evidencing a fictitious infirmity from a complicit medical professional, owners have sought to immunize themselves against association repercussions for harboring a house pet in contravention of the governing documents. The practice angers their disabled neighbors. Although medical confirmation is not legally required, most disabled applicants voluntarily submit a letter from their physician to allay simmering community suspicions of fraud - created and fueled by scamming applicants who are not disabled. They also resent when pet owners illegally exploit their personal hardships to feed Fido quiche at Sunday brunch on Las Olas or swim with a pet iguana in the community pool.

On February 6, 2014, Representative Jimmie Smith (R - Lecanto) filed House Bill 849 (HB 849), which expands on Florida's Service Animal Statute (Chapter 413.08, F.S.). Senate Bill 1146 (SB 1146) is a companion bill filed in the Senate on February 20, 2014 by Senator Thad Altman (R - Melbourne). Sponsors claimed that the legislation would help clarify Disability entitlements while addressing burgeoning abuse.

During the 2014 Legislative Session, bills were filed in the Statehouse and Senate that would prospectively impact how requested service animals must be integrated into no-pet and pet-friendly community associations. Currently, two Federal Laws - The Americans with Disabilities Act (ADA) and Fair Housing Act (FHA) - as well as a Florida Statute (Chapter 413.08, F.S.) dictate how associations must accommodate animals that provide therapeutic benefits to disabled persons.

Initially authored by Senator Tom Harkin (D - IA) and signed into law by President George H.W. Bush in 1990, the federal Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities in employment, the provision of public services, and in public accommodations. This prohibition requires associations to provide reasonable accommodations to disabled persons. One such accommodation provides that a disabled person is entitled to be accompanied by a service animal in all areas of an association property that is otherwise open to members. The association may not inquire about the nature of a person's disability, but may ask if an animal is required because of a disability, as well as which tasks the animal has been trained to perform. The association may remove a service animal if it is out of control and the animal's handler does not take immediate action to remove it, or if the animal is not housebroken.

The federal Fair Housing Act (FHA), which is actually Title VIII of the Civil Rights Act of 1968, was signed into law by President Lyndon B. Johnson during the King assassination riots and builds on the Civil Rights Act of 1964 and the Voting Rights Act, the centerpieces of Johnson's Presidential legacy. The FHA prohibits any person from discriminating in the sale or rental of a dwelling based on a handicap. Failure of an association to provide a reasonable accommodation to a disabled person, which includes permitting the use of service animals, may constitute a violation of the prohibition on discrimination based on a handicap. Accommodation of untrained emotional support animals (AKA assistance animals) may also be required under the FHA if it's reasonably necessary to allow a person with a handicap an equal opportunity to enjoy and use housing.

Florida law (Chapter 413.08, F.S.) provides that an individual with a disability is entitled to equal privileges of access in public accommodations, public employment, and housing. The Statute mirrors the federal right of a disabled association member to be accompanied by a trained service animal in all areas

The bills intensify the criminalization of infractions, affirming that any person, firm, corporation or their "agents" who deny or interfere with the rights of a disabled person or the trainer of a service animal, is guilty of a misdemeanor of the second degree. Along with the punishment already prescribed in Section 775.082 and Section 775.083 (imprisonment of up to 60 days or a fine not to exceed \$500), guilty persons also "must perform 30 hours of community service for an organization that serves individuals with disabilities, or for another entity or organization at the discretion of the court, to be completed in not more than 6 months."

The bills also concede that laws meant to protect the disabled are being surreptitiously manipulated by opportunistic association members seeking to keep a house pet in a no-pet building by fraudulently circumventing association rules they contractually adopted upon consummating association membership when closing on their unit.

The legislation provides that "A person who knowingly and willfully misrepresents herself or himself, through conduct or verbal or written notice, as using a service animal and being qualified to use a service animal or as a trainer of a service animal commits a misdemeanor of the second degree, punishable as provided in Section 775.082 and Section 775.083 and must perform 30 hours of community service for an organization that serves individuals with disabilities, or for another entity or organization at the discretion of the court, to be completed in not more than 6 months."

Prescribing the same "expanded" penalty for those who interfere with the rights of the disabled or falsely claim that their house pet is an "emotional support animal" would hopefully deter either practice. Efforts by association advocates to add language that penalizes medical professionals who assist residents in fraudulently obtaining a therapeutic animal were blocked by sponsors.

Unfortunately, instead of equipping associations with the ability to properly investigate legitimate requests for therapeutic animals from disabled unit owners, the bills collapse into dogma. By providing that association officials may not ask about the nature or extent of an individual's disability, nor elicit evidence of a service animal's qualifications or training, the legislation functionally precludes the association from determining whether the animal provides a medical benefit or is simply a house pet.

When an association fulfills a fiduciary obligation to use due diligence in vetting the request - as mandated by statute to insure equal enforcement of association rules - if it attempts to learn about a claimed disability or whether an animal is anything more than a pet, the association could violate State Law. In short, while making it a misdemeanor to perpetrate a fraud on the association, the bills simultaneously make it a crime to uncover that fraud. In burdening associations with this "Catch-22" dogma, the legislation does a disservice to all disabled association members by unnecessarily perpetuating community suspicions - especially when untrained support animals provide therapeutic benefits that aren't readily apparent.

Evidently unaware that they are legally superfluous, a growing number of conniving unit owners have been submitting identification cards and/or embossed certificates to verify the medical necessity for requested companion animals. The dubious documentation is issued by scores of websites that provide bogus "Certification Kits" including ID Cards, ID Tags and animal vests with disability logos for \$50 to \$300. Exploiting a niche market in a business model dominated by organized crime, after making the specious assertion that "Every person in America may have some form of disability," the website operator reels in the mark with "A simple financial transfer will instantaneously turn your family pet into a welcome guest at restaurants, airlines and housing venues that prohibit animals." Bringing the deception to new heights, one site intimates that Federal Law requires the fake cards to be reissued annually - engineering a future income stream.

Since the Federal Law governing emotional support animals provides that any untrained animals - from ants to alligators - might theoretically improve a psychological impairment, an overwhelming majority of abuses involve masquerading house pets as emotional support animals. In contrast, service animals are well trained, and by definition include only dogs and miniature horses. Effectively training a service animal can take two years and cost from \$20,000 to \$40,000. Since their medical efficacy is usually explicit, service animals are seldom used to cloak a fraud.

Association attorney Yeline Goin is Executive Director of the Community Association Leadership Lobby (CALL), an organization that actively advocates on behalf of Florida's condominiums, cooperatives and homeowner associations. Following an April 8th meeting she convened with bill sponsors and Disability Rights Florida, an advocate for the disabled, the parties agreed that the legislation's credibility would be improved by the removal of references to emotional support animals, given their chronic involvement in fraudulent requests.

Continued on page 12

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COMMISSIONER BRUCE ROBERTS



Train Horns:
Quiet Zones or the Funny Farm?

"In his April 2014 Newsletter, District 1 City Commissioner Bruce Roberts refers to "Quiet Zones" that are under consideration by the Broward and West Palm Beach Metropolitan Planning Organizations (MPO) and the Florida Department of Transportation (FDOT). Although most South Florida residents enjoy a hand-waving knowledge about the All Aboard Florida (AAF) rail project, familiarity with Quiet Zones is largely limited to residents in communities exposed to a daily blast cacophony by locomotive horns.

All Aboard Florida (AAF) – a subsidiary of Florida East Coast Industries (FECI) – is a planned high-speed passenger-rail service connecting Miami and Orlando with stops in Fort Lauderdale and West Palm Beach. FEC envisions 110 mph trains whisking South Florida sun-worshipping tourists to Central Florida's fantasy Mecca while enabling visiting Mickey fans to conveniently dip their toes in world-renowned South Florida Beach sand. In addition to the significant new stream of tourism revenue, the State and regional economies will benefit from major infrastructure improvements along the route and myriad new construction jobs. The jump in rail traffic will also relieve overcrowding along chronically gridlocked I-95.

AAF will double the existing tracks between Miami and Cocoa before veering west and laying new tracks along the BeachLine Expressway to Orlando International Airport, where a proposed Intermodal Transit Facility will serve as one of the project's terminal hubs. In February, Governor Rick Scott committed \$213.5 million in state funds toward construction of a people-mover complex integrating Orlando International Airport with the planned Intermodal Transit Facility at the airport. As corporate heir to Henry Flagler's storied FEC rail corridor – a central player in the State's developmental history – FEC Industries will underwrite the \$1.5 billion rail project, although taxpayers could take a hit for ancillary improvements.

A daunting drawback dogs the project. People who live or work in neighborhoods where local streets intersect the tracks fear a relentless auditory assault by brain-numbing train horns. In 2011, the Federal Rail Adminis-

tration (FRA) implemented a requirement that locomotive horns issue 15 - 20 second blasts as a warning to drivers at public highway-rail crossings. Currently, about 14 freight trains make daily trips along the route. All Aboard Florida is planning to schedule an additional 32 passenger trains between the hours of 6 a.m. and 9 p.m., 16 northbound and 16 southbound, threatening nearby communities with roughly 50 daily blasts. While the project also prompts concerns about traffic delays at railroad crossings, this issue pales compared to devastating toll that noise pollution would take on many communities.

This FRA Train Horn Rule (49 CFR Part 222) mandates a blast volume between 96 dB (decibels) and 110 dB. Those "Nervous Nellies" at the Centers for Disease Control (CDC) consider sound levels above 85 dB hazardous. While a 9 second blast at 120 dB can turn your ears into cauliflower, repeated exposure to slightly lower volumes can cause Noise Induced Hearing Loss (NIHL). Just ask residents in the Davie neighborhood bordering the South Runway at Fort Lauderdale/Hollywood International Airport.

Fortunately, Federal Law also provides for the designation of "Quiet Zones", sections of rail line, at least a half-mile in length, that include one or more public rail crossings at which approaching locomotives are not required to sound their horns - subject to the Locomotive Engineer's discretion. To offset the increased risk of omitting the warning blast, federally approved Quiet Zones require supplemental safety measures by local jurisdictions.

Ordinarily, railroad crossings have a set of two gate arms, each of which blocks traffic on one side of the tracks. When a train approaches, the arms swing down across their respective oncoming traffic lanes. Unfortunately, it doesn't prevent self-medicating motorists from playing "Chicken" by jumping into the adjacent unblocked lane to skirt the lowered gate and beat the train. To secure a "Quiet Zone" designation, a city or county must make the crossing idiot-proof via one of 5 optional FRA-approved methodologies.

They can create a 4-gate quadrant system by adding two more gates, thereby blocking all lanes in either direction on both sides of the track. A consulting traffic engineer might alternatively recommend installing raised concrete medians to block lane-jumpers. To save the cost of additional equipment, a more drastic accommodation would alter crossing sites into one-way venues, with both standard gates placed on the same side of the track to block all lanes of oncoming traffic. Finally, intersecting thoroughfares can be temporarily or permanently closed, obviating the need for a nerve-frying warning blast every ten to fifteen minutes. Depending on the number of crossings and the types of safety features, the Federal Rail Administration has estimated that site enhancement costs for a city or county would minimally average \$30,000 apiece. State lawmakers and local public officials have asserted fleshing out Quiet Zones "from scratch" can cost local governments \$150,000 to \$250,000 per rail crossing.

Here's the rub. Although Florida East Coast Industries has agreed to pay for the standard safety upgrades at public crossings, including a single set of gates w/lights, constant warning time and power-out indicators, it won't pay for consulting studies or quiet-zone enhancements. After drawing a line in the sand with the official announcement, "Our significant investment allows the local governments to focus on seeking the funds for any additional infrastructure improvements needed to improve the grade crossings to the level of quiet zones should they seek this designation," AAF President Mike Reininger agreed to help local governments land federal grants and make safety upgrades. According to FEC Vice President Bob Ledoux, the substantial technical improvements that FEC is making to the existing tracks may qualify certain crossings for a quiet-zone designation without further enhancement.

While South Florida officials may consider these outlays modest in comparison to the anticipated regional tourism benefits from planned AAF hubs in Miami, Fort Lauderdale and West Palm Beach, Treasure Coast jurisdictions between Palm Beach and Cocoa are spitting blood. St. Lucie County Commission Chairwoman Frannie Hutchinson explains "I don't think it's fair for St. Lucie County taxpayers to pay for this expense when there's no benefit for us. They don't have plans for a stop here at this time or in the future." The new AAF trains will pass through 27 crossings in Martin County, 26 in St. Lucie and 32 in Indian River, many of which are in heavily populated downtown areas or thriving tourist locales.

Despite an absence of any formal State funding apparatus, in January Vero Beach took a page from St. Lucie Village and West Palm Beach (as well as Broward and Palm Beach Counties) and passed a resolution framing their intention to squeeze Tallahassee for a State grant. Fort Pierce, along with Indian River, Martin and St. Lucie Counties plan to follow suit. In February, Manager Fred Wise of the State Rail office confirmed that a similar application submitted by West Palm Beach in November was still under review.

In April, U.S. Representatives Patrick Murphy (D – Jupiter) and Lois Frankel (D – West Palm Beach) turned up pressure on FEC to pay for the incremental improvements. On April 16, 2014, they co-authored a letter to U.S. Transportation Secretary Anthony Foxx, asking that he address these local concerns with AAF before approving their application for an inexpensive Federal loan.

EASILY REMOVE AND PLACE ON YOUR FRIDGE

SUN

MON

TUE

WED

11 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

Mother's Day

African Violet Show & Sale
Mother's Day Brunch
Flamingo Gardens, Davie
Info.: 954-473-2955

12

13

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

14

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

Pompano Beach Fishing Rodeo
(Through 5/17)
Pompano Beach
Info.: 954-942-4513

18 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

Double Road Race
DC Alexander Park (500 Seabreeze Blvd.)
6:30 to 11:30 a.m.
Info.: 786-354-2355

19

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

20

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

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

21

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

25 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

Riverwalk Sunday Arts
Esplanade Park along the New River
11 a.m. to 2 p.m.
Info.: 954-468-1541

26 Memorial Day 5K Classic
Weston Regional Park, Weston
7:30 a.m.
Info.: raceinfo@memorialday5kclassic.com

Memorial Day Concert:
The Indian River Pops and Robert Sharon
Chorale with the New Gardens Band
Mizner Park, Boca Raton, 7 p.m.
Info.: 561-393-7995

27

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

28

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

1 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

Sunday Jazz Brunch
Riverwalk, Downtown FL
11 a.m. to 2 p.m.
Info.: 954-396-3622

2

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

3

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

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

Moonlight Sea Turtle Walks
Museum of Science & Discovery
9 p.m. to 1 a.m.
Info.: 954-713-0930

4

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

Moonlight Sea Turtle Walks
Museum of Science & Discovery
9 p.m. to 1 a.m.
Info.: 954-713-0930

8 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

Caribbean Jazz Matazz
Broward Center for the Performing Arts
7 p.m.
Tix.: 954-462-0222

9

10

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

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Museum of Science & Discovery
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Info.: 954-713-0930

11

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7 p.m.
Info.: Bob Pearlman: 954-547-4063

Moonlight Sea Turtle Walks
Museum of Science & Discovery
9 p.m. to 1 a.m.
Info.: 954-713-0930

MAY 11 & 25: LBTS Farmer's Market, El Prado Park, 9 a.m. to 2 p.m.
MAY 11 & 25: Tango By the Sea, Anglin's Square Plazas, 5 to 7 p.m.
MAY 15: Book Talk: Senior Centers Can Enhance the Quality of Life for Older Adults, Main Library, 1 to 2 p.m., Info.: 954-357-7443
MAY 15: Gipsy Kings with Ole' Nays, Hard Rock Live, 8 p.m., Tix.: 954-797-5531
MAY 17: Cher: Dressed to Kill Tour, BB&T Center, 7:30 p.m., Tix.: 800-745-3000
MAY 24: Kinfolks Soul Food Festival, Central Broward Regional Park (Lauderhill), 3 p.m., Info.: www.ilovesoulfood.com
MAY 24-25: Delray Beach Craft Festival, The Tennis Center on Atlantic Ave., 10 a.m. to 5 p.m., Info.: 954-472-3755
MAY 25: Israeli Dance Festival, Broward Center for the Performing Arts, 7 p.m., Tix.: 954-462-0222
JUNE 8: Weezer, Hard Rock Live, 7 p.m., Tix.: 954-797-5531
JUNE 12: Moonlight Sea Turtle Walks, Museum of Science & Discovery, 9 p.m. to 1 a.m., Info.: 954-713-0930

MAY / JUNE

ONE SOURCE FOR COMMUNITY HAPPENINGS

THU

FRI

SAT

UPCOMING EVENTS

<p>15 2014 Dania Beach Marine Flea Market (Through 3/16) Mardi Gras Casino, Hallendale Info.: 954-920-7877</p> <p>G.M.C.A. Advisory Board Meeting Nick's Italian Restaurant, 11 a.m.</p>	<p>16 Relay for Life Joseph Carter Park 6 to 10 p.m. Info.: 954-564-0880</p> <p>Friday Night Tunes Lovie (Top 40) Joseph C. Carter Park 7 to 10 p.m. Info.: 954-828-5363</p>	<p>17 Music-By-The-Sea ATA & Commercial Blvd 6:30 to 10:30 p.m. Info.: 954-771-2900</p> <p>Covenant House Florida 5K on ATA The Parrot Lounge Reg: 6 a.m.; Start: 7 a.m. Info.: 954-568-7916</p>
<p>22</p>	<p>23</p> <p>Riverwalk Burger Battle™ V Huizenga Plaza 7 to 10 p.m. Info.: 954-468-1541</p>	<p>24 Music-By-The-Sea ATA & Commercial Blvd 6:30 to 10:30 p.m. Info.: 954-771-2900</p> <p>Great American Beach Party Fort Lauderdale Beach Info.: www.fortlauderdale.gov/events</p>
<p>29</p>	<p>30 Ft. Lauderdale Bus Loop Downtown to Beach Route 6 p.m. to Midnight Info.: 954-574-6000</p> <p>Ft. Lauderdale Spring Home Design & Remodeling Show (Through 6/1) Broward County Convention Center Info.: 305-667-9299</p>	<p>31 Music-By-The-Sea ATA & Commercial Blvd 6:30 to 10:30 p.m. Info.: 954-771-2900</p> <p>Fishing for the Dream Tournament (Through 6/1) Lighthouse Point Yacht Club Info.: 954-667-9299</p>
<p>5</p> <p>Moonlight Sea Turtle Walks Museum of Science & Discovery 9 p.m. to 1 a.m. Info.: 954-713-0930</p>	<p>6</p> <p>West Palm Beach Antiques Festival (Through 6/8) South Florida Fairgrounds, WPB Info.: 941-697-7475</p>	<p>7 Music-By-The-Sea ATA & Commercial Blvd 6:30 to 10:30 p.m. Info.: 954-771-2900</p> <p>Household Hazardous Waste & Electronics Drop-Off Mill Pond Park 9 a.m. to 2 p.m. Info.: 954-828-4732</p>
<p>12 Counting Crows with Todd the Wet Sprocket Hard Rock Live 7:30 p.m. Tix.: 954-797-5531</p> <p>G.M.C.A. Advisory Board Meeting Nick's Italian Restaurant, 11 a.m.</p>	<p>13</p> <p>Jesus Christ Superstar Aena Spectacular BB&T Center, 8 p.m. Tix.: 800-745-3000</p>	<p>14 Music-By-The-Sea ATA & Commercial Blvd 6:30 to 10:30 p.m. Info.: 954-771-2900</p> <p>The Lion, The Witch, & The Wardrobe Broward Center for the Performing Arts 7 p.m. Tix.: 954-462-0222</p>

JUNE 15
Father's Day BBQ
Fairchild Tropical Gardens, 10:30 a.m. to 2:30 p.m.
Info.: www.fairchildgarden.org

JUNE 17, 18, 19, 24, 25, 26
Moonlight Sea Turtle Walks
Museum of Discovery & Science, 9 p.m. to 1 a.m.
Info.: 954-713-0930

JUNE 21
Fort Lauderdale Hurricane Expo 2014
War Memorial Auditorium, 10 a.m. to 2 p.m.
Info.: 954-828-6702

JUNE 21
Amateur Sand Sculpting Contest
Pompano Beach Pier, 9 a.m. to Noon
Info.: www.thesandlovers.com

JUNE 28
Davie Pro Rodeo
Davie Pro Rodeo Arena, 9 a.m. to Noon
Info.: 954-680-8005

JULY 4
July 4th Family Celebration and Fireworks Show
Fort Lauderdale Beach
Family Activities: 12:30 to 4:30 p.m.
DJ Music & Games: 4 p.m.
Live Music & Entertainment/Fireworks: 9 to 9:30 p.m.
Info.: 954-396-3622

JULY 4
Lauderdale-by-the-Sea July 4th Events
El Prado Park
Parade: 10 to 11:30 a.m.
Food, Fun, Games & Contests: 11:30 a.m. to 3 p.m.
Fireworks: 9 to 9:30 p.m.
Info.: 954-640-4252

JULY 27
Beach Diving Clinic with Gold Coast Scuba - FREE
Datura Ave Portal, El Mar Drive south of Commercial Blvd.
Fireworks: 10 a.m. to Noon
Info.: 954-616-5909

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

JUNE 6: First Friday Food Trucks, Flamingo Gardens, 5 to 9 p.m., Info.: www.flamingogardens.org
 Fridays: Aruba Beach Cafe's Friday Fun Fest Pig Roast, 4 to 7 p.m.
 First Saturday of Every Month: Beach Cleanup, Commercial Blvd. & the Beach LBTS (Meet at Pavilion), 9 to 9:30 a.m., Info.: 954-776-1000
 First Saturday of Every Month: North Beach Art Walk, 3280 NE 32nd St, 7 to 11 p.m., Info.: 954-537-3370
 Second Saturday of Every Month: Beach Sweep, 9 a.m. to 12 p.m., Info.: 954-474-1835
 Sundays: Tour-the River Ghost Tour, Stranahan House & Water Taxi, 7:30 p.m., Tix.: 954-524-4736
 Saturdays: Saturday Night Under the South Florida Stars, Fox Astronomical Observatory at Markham Park, Sunset to Midnight, Info.: 954-384-0442
 Daily: Yoga on the Beach, Ocean Manor Resort (4040 Galt Ocean Dr.), 9:30 a.m. (weather permitting), Mats supplied, \$10 donation, Info.: 754-779-7519 or 516-840-1455.

When gubernatorial deputy press secretary John Tupps announced "We need to make sure that all communities touched by the rail line are heard during the development of this project. We also need to ensure that there are protections in place for Florida's environment," Murphy asked Governor Scott to use \$10 million budgeted by the Florida Senate to help pay for Quiet Zones. However, when State Senator Joe Negron (R - Stuart), the lead Senator on the Joint Legislative Budget Commission, learned that his Treasure Coast constituents wanted to scuttle the project, he said that he wouldn't support the appropriation during budget negotiations with the Statehouse.

At the end of the day, public officials in every jurisdiction along the FEC corridor, notwithstanding whether or not they are project beneficiaries, will have to find sufficient revenues to equip crossings in flourishing neighborhoods with Quiet Zone status. Since AAF is not likely to spend more than the \$1.5 billion already committed, and the State typically offers no grant opportunities for Quiet Zone improvements, to avoid force feeding the entire nut to local taxpayers, Commissioner Roberts points out that Broward and Palm Beach County MPOs are stalking a Federal TIGER grant (Transportation Investment Generating Economic Recovery) to defray costs. If they hit pay dirt, every impacted City and County will jockey for a seat on the bandwagon.

Grant terms mandate a 20% funding match by applicants and no more than \$150 million of the 2014 \$600 million TIGER grant pool can be monopolized by any State. It would substantially lower the taxpayer bite for modifying the 68 crossing sites in Broward and 114 in Palm Beach County. The local MPOs and the State FDOT have strapped on the afterburners in a feverish race to complete the regulatory documentation by the TIGER program's April 28th application deadline. For the rest of Roberts' April 2014 constituent message - Read on... - [editor]"

FROM VICE-MAYOR BRUCE G. ROBERTS
April/May 2014

NE 55th Street Bridge: At the 2/18/14 Regular Commission Meeting, the contract to repair this bridge repair was finally approved. Throughout the City ten bridges have been identified in urgent need of repair and the responsibility of the City. Two other bridges in District 1 are located in the Bermuda Riviera neighborhood. I will keep you updated on when this project will start, what the impact to the area will be and an estimated date of completion.

Florida East Coast Quiet Zones: The Broward MPO will be holding a workshop in the next month to discuss quiet zones. City Staff, along with some elected officials from the jurisdiction along the FEC corridor, will be in attendance. The Broward MPO is currently working with the FDOT on quantifying the existing crossing conditions, the upgrades being proposed by the FEC Industries as part of the AAF project, and any additional upgrades/improvements necessary to be eligible for quiet zone designation. The Broward MPO and the West Palm MPO would like to pursue a joint future Federal Transportation Investment Generating Recovery (TIGER) grant application to assist with funding these crossing improvements along the corridor.

The Free Uptown Link Shuttle Bus Has Arrived: The Uptown business neighborhood has been busy during the past year. Working with City staff, many businesses have organized to create an association now known as Envision Uptown. The primary goal is to recruit, retain and expand business in the commercial area around Executive Airport. One of the earliest issues identified was the need for public transportation within this economic hub. Consequently, City staff was able to obtain a three-year grant to address the issue. Tri-Rail's Uptown Link has now started service (Monday-Friday; 10am to 3pm) that offers easy access to and from local restaurants, businesses, hotels, schools and the Cypress Creek Tri-Rail Station. It is air-conditioned and wheelchair accessible, and has two routes serving the Cypress Creek Road area between Calvary Chapel and Radice Corporate Park. Just WAVE and RIDE - it's free! If you should have any questions, please call 954-828-8000, or visit the website at <http://fortlauderdale.gov/transportation/moving.html> for a schedule.

Ft. Lauderdale Launches Nextdoor, A Virtual Neighborhood Watch: The Fort Lauderdale Police Department and the City of Fort Lauderdale Neighbor-

hood Support Office are proud to announce a partnership with Nextdoor (www.nextdoor.com), a free, private, social network for neighborhoods. This network will help facilitate virtual neighborhood watch programs to help improve neighbor-to-neighbor communications. Each neighborhood within the City has its own private Nextdoor neighborhood website, accessible only to residents of that neighborhood and police personnel. Residents can use their website to get to know their neighbors, ask questions and exchange local advice or recommendations. Nextdoor provides a central hub for neighbors to share information about recent incidents, safety issues, local events, school activities, upcoming garage sales, lost pets, and much more. Neighborhoods establish and self-manage their own Nextdoor website. Information shared on Nextdoor is only visible to verified members. Fort Lauderdale Police Department personnel will be able to post important information, such as crime updates to Nextdoor sites within the City. "In this day and age, it is vital for neighbors to unite, communicate and know their neighborhood. Nextdoor makes it easy for neighbors to establish virtual neighborhood watch and help our officers' combat crime," stated Chief Frank Adderley. Nextdoor was specifically designed to improve the lines of communication between neighbors in order to build stronger communities. All members must verify that they live within the neighborhood. Information shared on Nextdoor is password protected and cannot be accessed by the general public, nor can the information be found on Google or other search engines. The City of Fort Lauderdale has been mapped into eighty-six (86) different neighborhoods. Those interested in joining their neighborhood's Nextdoor website can visit www.nextdoor.com and enter their address. If Nextdoor is available in their area, they can immediately sign up. If a Nextdoor website has not yet been established for their area, active and engaged neighbors are invited and encouraged to introduce Nextdoor to their neighborhood. If you have questions about the Nextdoor website for your neighborhood you can contact Ryan Henderson at RHenderson@fortlauderdale.gov or www.help.nextdoor.com.

National Complete Streets Award for City's Complete Streets Policy: I am pleased to announce that the City has been recognized as a national leader in making streets safer and more convenient for everyone who uses them by the National Complete Streets Coalition, a program of national non-profit Smart Growth America. The ranking of policies celebrates the communities that have done exceptional work in the past year, and identifies these policies as a model for communities across the country. Ft. Lauderdale's Complete Streets Policy (FLCSP) ranked 3rd nationwide in their review of the 83 policies adopted in 2013. The National Complete Streets Coalition (NCSC) conducts an annual assessment of all Complete Streets policies and ranks them according to 10 elements of an ideal Complete Streets policy. The recognition is for FLCSP passed by the City Commission on October 1, 2013, which encourages planners and engineers to design and build streets that are safe and convenient for everyone, regardless of age, ability, income or ethnicity, and no matter how they travel. The City has also developed a Complete Streets Manual that serves as an implementation guideline to the design elements that the City would like to see on each type of street within the City. The NCSC reviewed all policies that were passed in the US in 2013 and scored each according to 10 elements of an ideal Complete Streets Policy; vision and intent; all users and modes; all projects and phases; clear, accountable exceptions; network; jurisdiction; design; context sensitivity; performance measures; and implementation. Ft. Lauderdale scored 89.6 points out of 100 in their ranking. Highest score was 94.4 (Littleton, MA). Our Transportation & Mobility Department (TMD) drafted the City's policy as part of the Broward Metropolitan Organization (MPO) Complete Streets initiative. The TMD has begun implementing the policy through the incorporation of Complete Streets Elements in existing projects being designed., e.g. along SR A1A, the Dixie Highway Complete Streets Project, and the NE 13th Street Complete Streets Project. The department has also held a Complete Streets Training for City staff, FDOT staff and Broward MPO staff. Nationwide, a total of 610 jurisdictions in 48 states have Complete Streets policies in place. See more information about the winning policies and evaluation criteria at <http://www.smartgrowthamerica.org/complete-streets-2013-analysis>.

Continued on page 14



Commissioner Chip LaMarca's May 2014 Newsletter

On Sept. 9, 2003, 7.5 tons of WTC scrapsteel was specifically smelted for use in the ship's bow stem, the foremost part of the ship that cuts through the water. Overseeing the event was Navy Capt. Kevin Wensing, who reminisced "Those big rough steelworkers treated it with total reverence. It was a spiritual moment for everybody there."

*Also there when the trade center steel first arrived, foundry operations manager Junior Chavers recalls when he touched it with his hand, "hair on my neck stood up. It had a big meaning to it for all of us." Chavers described the pervading sentiment at the foundry and the shipyard "They knocked us down. They can't keep us down. We're going to be back." Not surprisingly, the ship's official motto is "Never Forget." To see how this tidbit befits Commissioner LaMarca's May 2014 update, read on... - [editor]**

Broward County Update

By Commissioner Chip LaMarca

I was honored to host the mayors and city managers from district 4 for our second Mayors Summit in April to discuss the key issues in our community. Our focus was on beach re-nourishment, economic development, tourism, human services, transportation and the proposed convention center expansion and hotel. These are quality of life issues and it's of utmost importance that we have an open dialogue about how we can work together to better serve our residents, businesses and visitors.

I am pleased to report that the Broward County Supervisor of Elections will be adding the Coral Ridge Mall as an additional early vote location for the upcoming elections this year. This site will provide better access to early voting for those living and working near the beach.

More good news! Broward County received a check from the Army Corp of Engineers for \$10.1 million, which is the reimbursement for the beach re-nourishment project completed in 2006 in Segment III (Hollywood, Dania Beach and Hallandale Beach). This project added \$1.4 billion to county property values along the beach and the beach attracts 13.4 million visitors a year, spending \$10.6 billion annually in Broward County.

Broward County has a number of key transportation projects underway. The 595 Express lanes opened in April. I-595 is Broward County's major east-west thoroughfare used by residents and visitors to get to work, shops, entertainment venues, the airport, the Port, the beaches and it is also vital to the shipment of freight and goods around South Florida. Improving mobility along the I-595 corridor isn't just a necessity for residents and visitors, it will have a significant impact in South Florida's economy.

In addition, the Florida Department of Transportation will be reconstructing A1A from Sunrise Boulevard to NE 18th Street in Fort Lauderdale with one lane in each direction, a dedicated north-bound turning lane and a wide beachfront promenade on the east side with a paver sidewalk and decorative, turtle-friendly lighting and landscaping. They will be adding wide bicycle lanes in both directions and constructing two pedestrian crosswalks. Construction is expected to begin by August 2014 and be completed by March 2016 at a cost of \$10.1 million.

Lastly, Broward Navy Days hosted the 24th Annual Fleet Week as Port Everglades welcomed the USS New York, USCGD Dependable, and USCGC Bernard C Webber to Broward County. The USS New York is an amphibious transport dock ship that was forged with recycled steel from the wreckage of the twin towers at the World Trade Center. Hundreds of Sailors, Marines and Coast Guardsmen participated in a week of activities, demonstrations and community service projects. I hope you had the opportunity to meet and talk with some of our great military personnel.

If there is anything that we can do to assist you, please do not hesitate to contact our office at 954.357.7004 or by email at clamarca@broward.org. You can also stay up to date by viewing our website www.broward.org/commission/district4, where you can sign up to receive email updates from our office. I look forward to continuing to make Broward a better place to live, work and play.

As always, it is an honor to serve you.

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

"In his May 2014 Newsletter, District 4 Broward Commissioner Chip LaMarca lists agenda items from a District 4 Mayor's Summit, affirms that an early voting site convenient to the Galt Mile was finally approved, announces receipt of a long-awaited federal reimbursement for the Segment III beach renourishment, discusses in progress transportation projects and recalls Broward Navy Days events during Fleet Week. In this final item, LaMarca refers to the USS New York, a warship fitted with skeletal steel salvaged from "Ground Zero" and named after the State and City where an unfathomable catastrophe unfolded on September 11, 2001.

Less than a year after the insidious 9/11 attacks, in a September 7, 2002 ceremony aboard the USS Intrepid Sea-Air-Space Museum docked in New York City, former New York Governor George Pataki announced "On September 2001, our nation's enemies brought their fight to New York... The USS New York will now bring the fight to our nation's enemies well into the future."

State names are ordinarily reserved for submarines. However, Governor Pataki wrote a letter to then Secretary of the Navy Gordon England, requesting that he break with tradition and name a surface ship after New York to commemorate the victims and heroes of 9/11. The request was granted on Aug. 28, 2002, nine days before the accommodation was announced at the ceremony on the Intrepid. Actually, this would be the sixth time that a ship was named for New York in U.S. Naval history (excluding the USS New York City, a 1979 nuclear powered attack submarine decommissioned in 1997).

Steel salvaged from the World Trade Center (WTC) wreckage and acquired by Governor Pataki was tested and approved by the Navy for use in constructing an amphibious transport dock ship of the San Antonio class, a new class of warship designed for missions that include anti-terror special operations. After being melted down at a foundry in Amite, Louisiana and sent to Northrop Grumman Ship Systems (NGSS) shipyard in Avondale, LA, 24 tons of scrap steel from the World Trade Center was incorporated into LPD-21, a 684-foot amphibious transport dock ship later christened the USS New York. It carries a crew of 360 sailors and can deliver 800 combat-ready Marines ashore by helicopters and assault craft (along with helicopters, the flight deck can handle the MV-22 Osprey tilt-rotor aircraft).

Fifth in a series of new LPD-17 San Antonio class warships, others in the series named for places relevant to 9/11 include the USS Arlington, commemorating the site where another hijacked jetliner struck the Pentagon, and the USS Somerset, named for the Pennsylvania county where United Flight 93 crashed as its passengers battled hijackers, thwarting plans to murder countless others at another Washington target.

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Animal...Continued

An army of association attorneys across the state have raised concerns about the bills. Citing how the legislation criminalizes "interfering with" the rights of a disabled person, Tripp Scott Attorney Lindsey Raphael asks "What will be considered interference?" An association specialist in the firm founded by the Galt Mile's former Broward Commissioner and Senate President Jim Scott, Raphael is concerned that any association effort to simply verify the medical necessity of a request will trigger accusations of interference in order to prevent the exposure of a false claim.

Raphael's concern begs the question, if associations are functionally barred from investigating requests, how will incrementally criminalized fraudulent requests be exposed? Unless a perpetrator spontaneously confesses to committing a fraud, the "crime" will be immune to detection, rendering the provision functionally unenforceable. In essence, the provisional fraud deterrent included in the bills is an empty threat veiled in political window dressing. At best, it may generate sufficient confusion to scare off a few potential violators – and possibly some col- luding medical professionals.

Disparaging a bill provision that empowers people who train support animals to do so in their condominium units – arbitrarily vitiating prohibitions against commercial enterprises in thousands of residential Florida community associations - veteran association attorney Donna Berger questions "whether or not someone who claims to be training service animals for use by disabled persons is actually running a commercial venture out of his or her unit and whether or not the local and federal fair housing laws would supersede the association's private restrictions banning such usage." A qualified animal trainer can surely find a more appropriate venue to educate untrained 200-pound Rot- tweilers than in close proximity to elderly residents and young children.

Lamenting the legislation's failure to balance the rights of the disabled with the rights of homeowners who seek to live in a pet-free environ- ment, Berger observes "The overarching question is whether the need for some people to have emotional-support animals is more worthy of protection than the need for other people to live in a pet-free environ- ment – either due to allergies, phobias or other compelling factors." The sizable number of pet-free buildings across the state speaks to the importance of these criteria to a comparable percentage of Florida homebuyers.

Although federal and state laws provide for the removal of companion animals that compromise health or safety, they specifically exclude ani- mal phobias and pet allergies, inferring that these threats are too rare and/or insufficiently harmful to warrant such removal. While the decision to live in an environment that prohibits animals may be a matter of personal preference for some homeowners, Berger's observation is not without merit. According to the Honor Society of Nursing at Baptist Health South Florida, "Animal phobia is a type of anxiety disorder called a specific phobia. Specific phobia is one of the most common types of anxiety disorders, affecting 13 percent of women and 4 per- cent of men within a 1 year period. Zoophobia, or fear of animals, is the most common specific phobia." The Administrative Panel on Labo- ratory Animal Care (A-PLAC) in the Environmental Health and Safety Office of the Dean of Research at Stanford University concludes "In the United States, an estimated 40 to 50 million people currently suffer from allergies. Hypersensitivity to household pets is a common problem in the population as a whole."

The Allergy and Asthma Foundation of America concurs, stating "From 15 percent to 30 percent of people with allergies have allergic reac- tions to cats and dogs. Reactions to cat and dog allergens (proteins in pet dander, saliva or urine) that land on the membranes that line eyes and nose include swelling and itching of the membranes, stuffy nose and inflamed eyes. A pet scratch or lick can cause the skin area to be- come red. When inhaled, the allergens combine with antibodies. This can cause severe breathing problems – coughing, wheezing and short- ness of breath – in highly sensitive people within 15 to 30 minutes. Sometimes highly sensitive people also get an intense rash on the face, neck and upper chest. For about 20 percent to 30 percent of people with asthma, cat contact can trigger a severe asthma attack. Cat aller- gies also can lead to chronic asthma." As intimated by Berger, it would

Continued on page 13

appear that animal phobias and pet allergies are neither rare nor harmless. In contradiction of this skewed assumption, a bill provision that enumerates medically necessary tasks which justify the need for a service animal includes "alerting an individual to the presence of allergens."

Most association members, even those living in no-pet communities, unreservedly support the legitimate use of medically prescribed service animals by their disabled neighbors. However, they have little reason to support legislation that prevents no-pet associations from stopping the fraudulent intake of house pets by neighbors who aren't disabled. Unless the bogus prohibition against fraud was fitted with teeth, the legislation's survival would remain a long shot.

In fact, the legislation was in serious trouble by mid-April. While HB 849 was unanimously approved in each of its 3 Committee stops, companion bill SB 1466 was only approved by the Senate Committee on Commerce and Tourism and had yet to be vetted by the Senate Community Affairs and Judiciary Committees – a daunting obstacle during the Session's final weeks. On April 23, the full House approved HB 849 by a vote of 114 Yeas vs. 0 Nays. With SB 1146 frozen in calendar sludge, sponsors raced the House Bill directly to the 3 Senate vetting Committees. Since bills don't whiz through 3 Senate Committees in a week without a powerful Rabbi (i.e. the Senate President or Majority Leader) greasing the gauntlet, it was consigned to the cornfield. Should sponsors seek to revive the legislation next year, providing associations with discreet methodology for exposing fraud would quell the controversy and relieve the lingering stigma fueled by abuse. •

WINE AND WEALTH WEDNESDAY

HOSTED BY:

Frank Nickey
Associate Vice President –
Financial Advisor
RBC Wealth Management

GUEST SPEAKER:

Jack Goldin
Oppenheimer Funds

DATE & TIME:

Wednesday, May 28th
6:30 - 8:00 p.m.

PLACE:

33rd Street Wine Bar
3337 NE 33rd St.
Ft Lauderdale, FL 33308

Beverages and light appetizers will be served. Seating is limited to a maximum of 15.

Please RSVP to Frank Nickey at (954) 766-7223 or frank.nickey@rbc.com



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Dates To Remember (Apologies for the tardy calendar):

- 4/8/14: Groundbreaking Ceremony – Executive Airport New Building for US Customs & Border Protection - 8:30 a.m.
- 4/8/14: Telephone Townhall Meeting: Commissioner Roberts will host a Telephone Town Hall Meeting to interact with neighbors on a variety of issues related to City initiatives, events, programs, etc.
- 4/14/4: Pre-Agenda Meeting at Imperial Point Hospital, South Entrance; 6 p.m.
- 4/15/14: Commission Meetings: Conference and Regular
- 4/17/14: Commission Prioritization Setting Meeting FY 2015 Budget Cycle; 8 a.m. – all day.
- 4/28/14: Joint Commission and Budget Advisory Board Meeting; 7p.m.
- 4/29/14: Follow-Up Commission Workshop with Historic and Preservation Board; 7 p.m.

Graffiti Hotline: I have had many calls regarding graffiti. If you notice any as you pass through our City, you can report it to the Graffiti Hotline at 954-828-6402.

Office Contact: Robbi Uptegrove – 954-828-5033; email: ruptegrove@fortlauderdale.gov

In addition to hosting two pre-agenda meetings twice a month, I am also available to attend your HOA meetings to update your neighborhood on what is going on in the City as well as answer any questions/concerns you may have. Please contact Robbi to schedule.

Email List: If you would like to be on our email list so that you receive information pertaining to the City – especially District 1 (i.e. news releases, meeting notices, events), please let Robbi know and she will add you. •



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