

GALT MILE NEWS

MAY 2012

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MYERS BREAKS NEW BEACH PLAN

GALT MILE BEACH FIX SCHEDULED IN 2013

By Eric Berkowitz

It's no revelation that our beach has been rapidly dwindling from the effects of tidal erosion. Since Broward County's beaches are uniformly under attack, the Broward County Shore Protection Project was authorized in 1965 for county-wide federal participation in beach erosion control (Section 301 of Public Law 89-298, October 27, 1965). In 1965, the projected cost of \$1,093,000 seemed reasonable. The Project divided the County's deteriorating shoreline into three zones. The North Zone (Segment I) is about three miles of coast from the Palm Beach County line to the Hillsboro Inlet. The Middle Zone (Segment II) includes the roughly 10 miles of beach running from the Hillsboro Inlet to just north of Port Everglades. The South Zone (Segment III) ranges from John U. Lloyd Beach State Recreation area for 8.1 miles through Dania, Hollywood Beach, and Hallandale Beach to the Dade County Line.

The original plan engaged the Army Corps of Engineers to supervise the pumping of sand dredged from five "borrow" sites north of Pompano Beach in Segment I and transported by ship to the coastal zones awaiting renourishment. This comprehensive effort would add in excess of 2.5 million cubic yards of sand to our shrinking beaches and widen them by 50 feet to 100 feet depending on the degree of need. The county anticipated recovering almost half of its outlay from the Federal Government, whose primary objective is the protection of \$4 billion in upland property from storm damage. Of course, we also appreciate that visitors spend \$9 billion annually to roll in the retreating sand.

Renourishment of the South Zone (Segment III) was completed in March 2006 using 1,700,000 cubic yards of sand from the offshore borrow sites. Since 21.3 miles of Broward County's 24 miles of beaches were originally declared "critically eroded" by the Coastal Engineering Section of the Florida Department of Environmental Protection (FDEP), 13.5 miles have either been restored and/or are currently under maintenance.

Sand Plan Sinks

Following completion of the Segment III renourishment, monitors from Nova Southeast University Oceanographic Center and a coalition of outside engineers joined county scientists to examine the environmental impact of the south county beach fix and use the data to enhance environmental mitigations for the next stage (Segment II) of the County's coastal rescue plan. After an 18-month monitoring period (as mandated by the Florida Cabinet), their report documented finding two new species of coral federally designated as "threatened" in 2006.

While recording some deterioration to the nearshore hardbottom environment following the Segment III renourishment, the report admits an inability to determine whether the disturbance was project-related or consequenced by Hurricanes Dennis, Katrina, Ophelia, Rita, Wilma and/or two unnamed nor'easters, which all blasted across the site in 2005 and any of which may have caused the damage in its entirety.

When FDEP notified the Broward Biological Resources Division that these new corals should be added to the list of protected marine organisms prior to the upcoming Segment II project, communications inexplicably broke down. When asked by GMCA officials about the Segment II project, County beach officials were largely non-responsive throughout 2008 and 2009, focusing instead on additional erosion control devices, a nondescript hunt for sand and other puerile distractions.

Enigmatically, former beach boss and project Guru Stephen Higgins also never responded when FDEP requested a mitigation plan for the endangered coral and sat idly by as the project's State permit expired on June 4, 2009 and the Federal permit expired a few weeks later on July 16, 2009. Although former FDEP Secretary Michael Sole, who worked with Stephen Higgins in Broward when he was tagged by Charlie Crist to run FDEP, collegially extended the lapsed Segment II State permit for an additional five years, the County would have to renegotiate the regulatory minefield prerequisite to a new federal permit before pulling the stalled renourishment project out of limbo.

Shortly after Higgins fell asleep at the wheel, a municipal conflict threatened the project. Despite the fact that the Galt Mile Community Association played a critical role in actualizing the south county's Segment III renourishment by winning Cabinet approval in 2003, Hollywood and Hallandale hoteliers and politicians later colluded in a stealth campaign to hijack the sand earmarked for Fort Lauderdale's beaches while the Segment II approval languished.

Enraged by the south county attempt to usurp Segment II renourishment resources and leery of County's incredibly irresponsible gaffe, when Broward County asked the City of Fort Lauderdale for permission to perform a sand bypass at Port Everglades on January 6, 2009, a frustrated City Commission immediately passed City Resolution No. 09-11, "strongly opposing" the project and insisting that Broward first complete the promised Segment II renourishment of Fort Lauderdale's beaches.

To underscore their anger, City officials posted a page on their web site entitled "Help Save Fort Lauderdale Beach," which provides the email addresses of the County Commissioners and states "The Fort Lauderdale City Commissioners need your help to make sure that Fort Lauderdale is not pushed to the back of the line. Let Broward County know that you oppose the proposed Port Everglades Sand Bypass Project and that you want them to implement the Segment II Beach Renourishment Project as promised."

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Broward Beach Boss Eric Myers Outlines New Plan To Renourish Ft Lauderdale's Shrinking Beaches

Beach...Continued

Eric Myers Revives Renourishment

The Project lacked a palpable pulse when Deputy Director Eric Myers of Broward's Environmental Protection and Growth Management Department stepped up in 2011 and rescued the plan from oblivion. Working with County Commissioner Chip LaMarca, the FDEP, the Galt Mile Community Association and participating north and south county beachfront municipalities, Myers elicited an agreement to cooperate from every party with standing.

Myers' argument was simple. The project's overall engineering success depends upon the segments being accomplished in concert. Addressing Segments II or III alone is akin to fixing three of four broken legs on a chair. The Broward County Department of Environmental Protection and the Army Corps of Engineers agreed that the project's ultimate success is contingent on the problem being addressed unilaterally. Each segment contributes to the overall stability of the shoreline. Unless Segment II was completed, the entire enterprise would fail.

In a February 3, 2012 letter to Fort Lauderdale Mayor Jack Seiler, Myers explains how a new upland source of sand could enable a Segment II renourishment in 2013. On March 6th, he presented project details to the City Commission. A long time coming, his presentation was music to the Commission, despite Commissioner Charlotte Rodstrom's eccentric notion that a higher roadside wave wall would better protect the marine environment (Myers politely explained was it was atypical for a renourishment project). Mayor Jack Seiler answered with a March 13th letter to Broward Mayor John Rodstrom supporting Myers' plan to renourish Segment II with upland sand. On April 2, 2012, Myers outlined the plan to association officials attending a Galt Mile Community Association Presidents Council meeting at the Galleon.

Two months earlier, angry Galt Mile officials suddenly blasted Broward Commissioner Chip LaMarca when he began delivering an update about beach renourishment. Given the shrinking beach's critical importance to the neighborhood's economy and its residents' quality of life, Galt Milers and their associations were passionately vested in its rescue for more than a decade. Annually

since before the Millennium, Galt Mile residents had been repeatedly assured by Broward officials that their severely eroded beach would be renourished "next year". Enthusiasm was slowly replaced by a numbing cynicism as frustrated residents increasingly reacted to empty county promises like rats on a shock plate. A protective veneer of hopeless disbelief veiled an explosive anger. While attempting to impart some good news about the project's revival, LaMarca inadvertently pulled off an emotional scab and loosed a decade of disappointment. Ironically, LaMarca had been working with Myers to salvage the frozen project. Immediately after the outburst, LaMarca and GMCA officials agreed that Myers should personally bring the neighborhood up to speed.

While running through the revised project's planning, design, and implementation for association officials, Myers addressed its scope, sand source, cost and the Segment II timetable. The following is a blended summary of the two presentations made to the neighborhood association and the City Commission.

New Sand Source for Segment II

Myers explained that he is submitting a Joint Coastal Permit (JCP) application for the placement of 750,000 cubic yards of sand mined from an upland sand source along two separate portions of the Segment II shoreline. The plan to rehabilitate 5.2 miles of beach is based upon a shoreline condition and change analyses, sand source investigations, environmental considerations and expected regulatory hurdles. The northern section runs from NE 4th Street in Pompano Beach to the Ocean Colony Condominium in Lauderdale-by-the-Sea. The southern section extends from Commercial Boulevard to Terramar Street in Fort Lauderdale (and includes the Galt Mile). Marketing itself as the "Dive Capital of Florida," Lauderdale-by-the-Sea has been conflicted about participating in a project that interferes with the Scuba industry's agenda. He pegs the combined cost of construction and nearshore hardbottom mitigation at roughly \$33 million. Indirect costs for planning, design, permitting, construction management and environmental monitoring are estimated at \$12.5 million for a total project cost of \$45.5 million.

In addition to a beach berm – the above water material that comprises the active shoreline (i.e. sand, shingles, shells, beached jetsam & flotsam) - the project will include construction of a back beach dune to fortify areas where shorefront development is most vulnerable to erosion (wind and coastal storm effects), such as the Galt Ocean Mile, the beachfront single family home community in Lauderdale Beach, and the shoreline along the Hugh Taylor Birch State Park finger streets. The initially wide sand berm constructed on the heavily eroded upper portion of the beach profile will gradually "equilibrate" and flatten to a shape more consistent with the natural beach.

As the berm face flattens and sand travels down the slope, it could reach and perhaps directly cover and degrade nearshore hardbottom areas immediately adjacent to the beach system. Along the Segment II shoreline, these highly sensitive ecosystems are intermittently located relatively close to the waterline. For example, the hardbottom behind the Plaza East Condominium beach is just 300 feet from the waterline. To minimize damage to this protected ecosystem, regulations will require construction of a somewhat narrower beach than at Broward coastal sites where the hardbottom is farther offshore.

The bellwether change in Myers' plan is the sand source. Every scrap of relevant project documentation, from the Army Corps of Engineers Final Environmental Impact Statement to the original plan that was permitted by the State, targeted Segment I (the waters off Deerfield Beach) as a sand "borrow site" adequate for both Segment III and Segment II renourishments. In May of 2007, former Broward Beach Administrator Stephen Higgins reported "Since borrow area No. 1, which has enough material with which to construct Segment II, now has a higher percentage of rock in it after removing sand for Segment III, we will have to explore an alternative sand source." To swallow this whopper, one must believe that a team of world-class marine engineers was intellectually ambushed by a third grade miscalculation. The percentage of other materials will increase. Higgins' explanation—although scientifically viable—was irrelevant. In fact, Deerfield Beach informed the County that it wanted to conserve the offshore sand for its own use and told Higgins to take a hike.

This unanticipated stumbling block subsequently drove an intensive search for sand. County engineers and project planners explored other local offshore deposits, remote sources of domestic sand (e.g. offshore central FL at Canaveral Shoals in Brevard County and in the Gulf of Mexico at Tom's Hill off Lee County), non-domestic sand sources like Bahamian aragonite and recycled glass cullet (finely-ground scrap glass). To his credit, Myers turned this project lemon into lemonade.

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Sand located offshore in Broward County generally consists of between 50% and 80% calcium carbonate material, is slightly finer than the native beach sediments, and have between 1% and 3% fines, by weight. The sand is generally dark gray in color when first placed of the beach, but lightens to a medium gray within a few days. Using sand extracted from an offshore borrow area requires a dredge operating between offshore reefs; the deployment of pipelines that extend from an offshore offloading area and navigate through coral reefs to the target beach; and staged hydraulic pumps to distribute the sand over the beach. Large maritime vessels that dredge sand and lay pipeline can wreak havoc on the marine environment while steaming across a coral reef; exponentially inflaming the renourishment's expensive and dilatory regulatory nightmares.

Instead of running this painful regulatory gauntlet to cover a Segment II beach with gray sand, Myers decided to buy compatible sand harvested from upland commercial mines north and northwest of the county and truck it 125 miles to Fort Lauderdale. To buttress their newly renourished beach, Hollywood recently trucked in 87,000 tons of sand from the Ortona Sand Mine in La Belle, Florida (Glades County). Owned by E.R. Jahna Industries, Inc., a dredge sucks sand from the bottom of an artificial lake, filters out pebbles, extracts water, removes silt or clay and sorts the sand by grain size.

Sand products from these upland sand mines are almost exclusively silica sand, typically have larger average grain sizes and a smaller fines fraction than material found in the offshore borrow areas, and are generally light yellow in color. Due primarily to their imperceptibly larger grain size, these sources are more stable and produce less post placement turbidity in the nearshore environment. Originally deposited 5 million years ago when the shoreline ran up the spine of the state, they also more closely match the color of our native beach sediments than sand dredged from offshore borrow sites.

Galt Mile Beach: Segment II Plan Protocols

Since the construction methodology for renourishing a beach using mined sand is significantly different from using sand dredged offshore, certain new challenges must be addressed. The sand must be delivered to the beach by truck, stockpiled, transferred to off-road equipment, and placed mechanically on the beach. Traffic on regional thoroughfares and local streets along the route will be temporarily affected by the hauling and placement of material during the construction process. The project will also require several accessible and sufficiently sized dedicated staging areas for the delivery, handling, transfer and temporary stockpiling of sand material.

For the Segment II project, Myers surmised "One access point will be required for the Pompano Beach/LBTS portion and three or four sites for the Fort Lauderdale renourishment." Myers told the Presidents Council that it would be optimal if access points were located north and south of Galt Ocean Mile - possibly Palm Avenue in LBTS and near Oakland Park Boulevard in Fort Lauderdale, respectively. Another access point located in the vicinity of NE 18th Street and A1A in Fort Lauderdale could service the southernmost beach fill.

While moving the sand overland instead of stomping through delicate hardbottom should eliminate many environmental pitfalls, the Segment II project will still elicit intense regulatory and public scrutiny. Federal permit applications will have to address 1) the project's purpose, 2) the amount of sand fill required, 3) the sand placement areas and 4) the type of sand that will be placed. Compared to the problems threatened by offshore dredging, pipeline damage to the reef and high turbidity levels from stirred sand at the borrow sites and the beach, muting the environmental impacts of spreading the upland sand should be a cakewalk. Instead, project planners will have to allay regulatory concerns about the variability of materials at the source, and enforce Quality Assurance and Quality Control (QA/QC) protocols throughout the construction period. Myers assured attendees "Using the upland sand sources for the Segment II project will be viewed more favorably by the regulatory agencies and public environmental protection interests than sand dredged from offshore."

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FORECLOSED

By Eric Berkowitz

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days of the order.

In the context of this bill, the order would mandate that the parties explain to the Judge why a final judgment shouldn't be entered immediately. Passidomo's handiwork severed one of two required hearings from the process and raised the bar on defendants, who can currently thwart a fast-track foreclosure just by showing up. If lenders failed to respond, the bill would allow the association to file default motions that push the foreclosure to final judgment and sale. The bill would also enable associations to request case management conferences for the express purpose of fixing a timetable with deadlines.

When delinquent borrowers who renegotiate mortgage terms with their lenders strike an acceptable accommodation, everybody wins. The homeowner stays put and avoids a crushing fiscal upheaval. The lender gets paid, albeit not as much and/or more slowly than originally anticipated. Unfortunately, renegotiations also provide homeowners and lenders with an effective delay tactic.

By securing a court-approved extension to supposedly modify loans they stopped paying long ago, homeowners who engineered strategic foreclosures can squeeze a few more months of rental income from properties on the chopping block. On the flip side, banks have used this ostensibly altruistic maneuver to postpone taking title, delaying their statutory "safe harbor" financial obligations to struggling associations. When the property is part of an association, parties on both sides of this loophole force association members to finance the delays.

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ASSOCIATION MORTGAGE FORECLOSURE BILL BITES THE DUST

Although Florida's foreclosure filing spree has cooled, the knee-deep case load it created is choking Florida courts. The state's 1.7 million vacant homes are considered stones around Florida's economic neck. The huge backlog of Florida foreclosures mired in judicial limbo clouds surrounding communities with eroding structures while banks are left holding portfolios filled with bad paper. When major lenders like Citibank and Bank of America lack legitimate documentation, they also lack incentive to pursue a speedy judgment after clearing the mortgage from their books as a loss. As a result, foreclosures in Florida take almost two years (676 days) to perfect, more than twice the national average.

Naples Representative Kathleen C. Passidomo's House Bill 213 was intended to prod lenders into reviving stalled cases and hopefully lift 368,000 Florida foreclosures out of hopelessly clogged dockets and into the market. By playing hide and seek with the presiding Judge, Florida lenders have molded foreclosure delays into an art form.

Filed by Passidomo and Sarasota Representative W. Gregory Steube (co-sponsored by Ormond Beach Representative Fred Costello and District 91's George Moraitis), the bill sought to

equip condos, co-ops and HOAs with an expedited option available only to lenders under current law. Streamlining a cumbersome 1993 process to fast-track foreclosures, Passidomo wanted to arm associations with the right to file an "Order to Show Cause," demanding that a Judge review the file of a frozen foreclosure and set a hearing within ninety (90)

Beach...Continued

There are two downsides to this revised renourishment plan, cost and scheduling. Delivering mined sand to the beach is estimated to cost 20% more than sand dredged offshore. Although the price of the upland sand is \$15.2 million more than sand harvested offshore, the combined cost of equipment, mitigation and Environmental Monitoring is \$7.9 million less. Since the costs of planning/engineering/permitting/etc. and contingency funds remain the same, the overall project price will jump from \$38.3 million to \$45.6 million, a \$7.3 million increase.

Myers said that construction should commence in the fall of 2013. Regulatory land mines and/or possible Administrative Challenges to project permits could delay the schedule. Given the time required to load, transport, unload, stockpile and mechanically disburse sand pulled from the mine, using the upland sand source may require up to three seasons to place 750,000 cubic yards along the Segment II shoreline. Since renourishment activities are precluded during turtle nesting season, sand placement may only occur during the winter seasons of 2013-2014, 2014-2015, and (if necessary) 2015-2016. In comparison, if offshore sand were used, the 750,000 cubic yards of sand could be placed within 2 to 4 months, enabling completion of the entire project during the 2013-2014 winter season.

When asked how the project would roll out, given the Galt Mile Community's longstanding investment in the project's survival, Myers exclaimed that he favors renourishing the Galt Mile beach at the project's outset. When asked where the beach fix will start, Myers indicated that it would begin below Anglin's Pier on Commercial Boulevard and work its way south to Terramar Street in Fort Lauderdale before returning north to address the Pompano Beach/LBTS section of beach. According to Commissioner LaMarca, project funding is intact and available.

Since the benefits of Myers' plan far outweigh the drawbacks, GMCA officials consider it a no-brainer. While Myers has managed to get the involved jurisdictions pulling in the same direction and chill much of the animosity that flared when Broward dropped the ball, he also understands that many Galt Mile residents who've been repeatedly burned in the past won't buy into this plan until they see trucks filled with sand in the staging area. After all, this isn't the first time we've been told that the beach will be renourished "next year". •

Foreclosure...Continued

To plug this license to extort, the bill provided that attempts to extend the foreclosure timetable must be accompanied by arrangements to pay applicable condominium, cooperative or homeowners' association assessments. Notwithstanding whether an extension was requested by the homeowner or the lender, unless the association is paid any assessments that accrue during the settlement period, the deal is off. If the parties claimed they were trying to settle a case, either the homeowner, the bank or both had to pay assessments throughout pendency.

A licensed Real Estate attorney, Passidomo is intimately familiar with the practice of "staying without paying." One week after five of the nation's largest banks agreed to pay \$25 billion to settle civil claims arising from robo-signing and other illegal foreclosure practices, on February 17th, San Francisco assessor-recorder Phil Ting released the results of a foreclosures audit concluding that 84% of the foreclosures reviewed reflect lender fraud and/or faulty documentation.

Yale Law School professor Ray Brescia, an expert in housing law commented, "This number around 80 percent is not a number we have not seen before," referencing similar reports nationwide that underscore the stunning number of mortgages that didn't belong to the foreclosing lender. When Register of Deeds Jeff Thingpen of Guilford County, North Carolina, examined 6,100 mortgage documents last year - from loan notes to foreclosure paperwork - 4,500 showed the telltale signature irregularities of documents that were illegally "robo-signed". When mortgage instruments were repeatedly repackaged for investors, loan ownership was often relegated to guesswork.

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The Price of a Promise?

"In 2002, when lawmakers in the Florida House and Senate drew election districts that were neither compact nor community based, campaign advantages that were brazenly engineered for Republican incumbents elicited a political gerrymandering challenge to the skewed redistricting process. As a stupefied electorate looked on in disbelief, the challenge was rejected by the Florida Supreme Court because compactness and adherence to community boundaries "are not constitutionally required" [In Re: Constitutionality of House Joint Resolution 1987, 817 So. 2d 819, 832 (Fla. 2002)]. In short, the Florida high court reminded the electorate that until gerrymandering was outlawed in the State of Florida, legislators could legally rig their own elections.

Following decades of mutely watching their legislators arrogantly create election districts blemished by incumbent and party advantages, Florida voters in 2010 finally took back a process that lawmakers had long ago turned on its head. Since the electorate approved Constitutional Amendments 5 and 6, Florida standards for the new decade's redistricting plan require compact, community based and contiguous election districts. They also prohibit boundaries from being drawn to favor incumbent lawmakers or any political party.

STRATEGIC THINKING VS LOYALTY

After approving newly drawn election districts for the Statehouse, on March 8, 2012 (one day before the 2012 Legislative session ended), the Florida Supreme Court kicked the Florida Senate's redistricting plan back to square one. Senators are normally term-limited after two four-year terms. By manipulating how voting districts were renumbered in their plan, Senators expected to control which two-year election cycle each of their fellow incumbents fell into, enabling them to serve for up to 10 years in the upper chamber.

In rejecting the scheme, incredulous Justices wrote "Adopting a renumbering system that significantly advantages incumbents by increasing the length of time that they may serve by two years most assuredly favors incumbents. Further, purposefully manipulating the numbering of the districts in order to allow incumbents to serve in excess of eight years would also appear to frustrate the intent of the voters when the term limits amendment was adopted."

Plans submitted for the high court's approval by both houses created more Republican districts than those with Democratic voter majorities, despite the almost 500,000 voter edge held statewide by Democrats over Republicans in Florida. While the new Constitutional standards were somewhat distorted in the judicially approved house plan, they were virtually ignored in the Senate maps. In addition to giving incumbents an extra two years in the upper body, districts in the Senate proposal were shaped so that no incumbent senator would face an election challenge from another incumbent. As if to demonstrate their disdain for the electorate's constitutional intent, 23 of the 40 redrawn Senate districts magically featured GOP majorities. A flustered Florida Supreme Court dropped the hammer, rejecting the Senate plan by a 5-2 vote.

The decision forced Governor Rick Scott to call a Legislative Special Session that extended the redistricting process to March 27th. A Senate plan with token changes that was generated during the special session was passed in the House by a party line vote and submitted to Attorney General Pam Bondi, who had 15 days to forward it to the Florida Supreme Court or send it back.

Deprived of their former right to openly rig elections, lawmakers who were used to selecting their voters were suddenly facing nerve-wracking elections wherein voters actually select their lawmakers. Beset by unprecedented career jitters, Statehouse Representatives, State Senators and Congressional candidates began frantically swapping constituencies, changing chambers or jumping the aisle to exploit any legal election advantage, no matter how small.

Galt Mile residents witnessed this new phenomenon up close and personal. On January 11, 2012, 150 Galt Mile residents took an early evening stroll to the Beach Community Center. After grabbing a chair in the auditorium, they settled in to watch a patented presentation by Congressman Alan West. After pinning a box full of medals on a local Vietnam Vet, orchestrating a paramilitary parade around the auditorium, whizzing through an hour-long Q & A hosted by GMCA President Pio Ieraci and delivering a disheartening eulogy for the American Dream, the District 22 Congressman sealed the dinner hour tryst by enshrining the mutual loyalty that bound West to his Galt Mile constituents.

Two weeks later, West packed his bags and bugged out, announcing, "After much prayer, reflection and discussion with my close friends and family, I am announcing today my decision to seek reelection in Florida's proposed 18th Congressional district. I have always believed the state of Florida would be best served by having both Congressman Tom Rooney and myself in the House of Representatives working to solve our nation's most pressing problems." Loyalty aside, when the redistricting process soured West's re-election chances, he cut a quick three-way deal with the 16th Congressional district's Tom Rooney (R-Fla.) and former Florida House Majority Leader Adam Hasner (R-Boca Raton) to swap constituencies like collectibles.

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To insure that the fast-tracked mortgages excluded loans plagued by uncertain ownership, Passidomo's bill required the plaintiff to provide documentation that proves entitlement to a foreclosure judgment, such as an original promissory note or documents establishing that a note was subsequently lost.

Claiming that any diminution of due process is a slippery slope en route to a rights bonfire, consumer advocates correographed dramatic opposition to the legislation. On February 29th, two busloads of property rights advocates and homeowners in foreclosure descended on the Capitol and conducted demonstrations protesting the bill. They were joined by Orlando Representative Darren Soto, who railed against it on the House floor.

Later that day, HB 213 passed a full House vote by 94 yeas vs. 17 nays. It was sent to the Senate on March 5th and referred to the Senate Judiciary Committee and the Senate Banking and Insurance Committee, where it was ghosted while awaiting consideration by the Senate. Its companion legislation – Senate Bill 1890 filed by St. Petersburg Senator Jack Latvala – had been parked on the calendar since March 2nd, after passing the Judiciary Committee on February 20th by a vote of 5 yeas vs. 2 nays and struggling through the Senate Banking and Insurance Committee on February 27th by a vote of 6 yeas vs. 4 nays. Despite the legislation's popularity with associations, its potential for kick starting somnolent properties and its perceived benefit to Florida's economy, HB 213 was marked for death by the omnipotent lending lobby.

Before the bills died, there was a last gasp attempt to piggy back the order to show cause language onto Senator Jeremy Ring's Senate Bill 670 (and accompanying House Bill 671), legislation regarding residential liens. The order to show cause language was never approved for placement in either of the two bills. In fact, after being placed on the Special Order Calendar on March 7th, they were also ignored by the Senate. The alternative legislation was supposed to be considered on March 9th. It wasn't.

Tallahassee's most influential trade organization refused to allow passage of a provision believed to be the bill's most important consumer protection. Under current law, lenders have five years to seek a deficiency judgment – payment for any outstanding loan balance in excess of the property's value. The bill would have reduced that period to one year. When executive vice president of government affairs for the Florida Bankers Association, Anthony DiMarco, disapproved of the provision after its passage in the Statehouse, Passidomo might as well have packed her bags and headed back to Naples. The jig was up. •



Orlando Representative Darren Soto Rails Against Foreclosure Bill

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Tom Rooney would move his campaign to the newly formed 17th Congressional district on the west coast, which includes a sizable Republican constituency carved from the western part of his former 16th Congressional district. West will run in Rooney's former home District, which is re-numbered from 16 to 18 under the new plan and based in Port St. Lucie. Adam Hasner abandoned a U.S. Senate bid against Bill Nelson and stepped into the G.O.P. vacuum left by West in Congressional District 22.

In an attempt to explain why he abandoned his soon to be former constituents, West left a parting note to voters in the district that launched his political career, "As a 22-year United States Army veteran who commanded troops in combat, one should never underestimate my ability to be a strategic thinker. My voice for the restoration of constitutional principles for our Republic shall continue to resonate through Florida and on Capitol Hill." In a heartbeat, the loyalty he prized weeks earlier became fodder for a strategic shot at career advancement.

When West jumped ship, Jupiter Democrat Patrick Murphy, a CPA and small businessman who planned to challenge West in District 22, followed the Tea Party icon to District 18, where he hopes to overcome West's \$5.8 million to \$1.4 million campaign finance advantage. Democrat Lois Frankel, the mayor of West Palm Beach, previously declared her Congressional candidacy in District 22.

Since Frankel and Hasner both herald from Palm Beach County, the race was forming up without a hometown favorite for Broward voters. District 2 Broward County Commissioner Kristen Jacobs did the math. The redrawn Congressional District was flush with newly infused Democrats. Having served 4 terms on the Broward board, Democrat Jacobs decided to take a run at Frankel and threw her hat in the ring.

With two players from that County up north and Jacobs giving Broward Democrats a familiar name on the ballot, political pundits wondered if a local Republican would have the juice to jump into the pond fearfully vacated by West. The only logical choice was Jacob's District 4 peer on the Broward Board of County Commissioners, Chip LaMarca.

Years spent as "the man behind the curtain" in South Florida Republican politics enabled LaMarca to quietly amass political markers from here to Tallahassee. Over the past year, the Broward Board's sole Republican was tagged repeatedly to press the County's agenda in the Republican State Capitol. Having helped revive the beach renourishment project, secured funding for key infrastructure projects like the Port Everglades expansion and shielded the popular Galt Ocean Mile Library from the County Commission's budgetary death squad, LaMarca's stock in District 4 was never higher. With local icons like former Congressman E. Clay Shaw in his corner, LaMarca's prospect for landing an all-expense paid two-year stay in Washington

D.C. looked good.

LaMarca, however, had a problem that rarely afflicts public officials. When faced with a unique opportunity for political advancement to a national arena, LaMarca weighed the toll it might take on his credibility. Two and a half years earlier, he made promises to a constituency that took a flyer on a marginally experienced County Commission candidate. He enumerated specific campaign objectives for public safety, economic recovery, beach renourishment, job creation and shutting down a pork trough that fueled Broward's longstanding reputation as an ethical slop sink. Conflicted over whether he had sufficiently delivered on his commitments, LaMarca exclaimed "It would be disingenuous to run for a different office so quickly."

Placing his constituents before his shot at political ascendancy, LaMarca declined the fast track to Capitol Hill and decided to finish what he started. Galt Mile residents who've become acclimated to LaMarca's penchant for quietly getting the job done were pleased to learn that "strategic thinking" hadn't compromised his loyalty.

In his Early April Newsletter, LaMarca explains the rationale for his decision to his Galt Mile constituents, reviews the projects currently on his plate and snapshots the County's economic progress. He touches on the impending beach renourishment, the competitive enhancements to Port Everglades infrastructure and explains his leading role in Broward becoming a "Six Pillars" community. LaMarca also applauds the recent drop in Broward unemployment, outlines the continuing growth in tourism and stresses the importance of a vital Marine Industry. For details, read on... - [editor]*

Continued on page 11

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THERE IS STILL MUCH MORE FOR ME TO DO HERE AT HOME

By Chip LaMarca, Broward County Commissioner

As I am sure you have read, for the past few weeks, I have been reflecting on the opportunity to run for Congressional District 22, an opportunity which I did not create, but felt I needed to explore. I am sure you have read the same stories in the newspapers and on the blogs, as well as heard the same comments I have. Now you will hear from me-in my own words. As your elected representative on the Broward County Commission I owe all of those I represent an explanation as to why I considered this opportunity.

I had a very clear mission and that was to "test the waters" for this opportunity. I formed an exploratory committee to ask the people about the viability of my candidacy. I spoke with people who I respect for good, honest advice; people like Congressman E. Clay Shaw, my Congressman for 26 years. He was very supportive of me and I believe that his support would have evened out the playing field from any endorsements that had been rolled out in an effort to keep me out of the race.

I was encouraged to do this, by many people who I consider to be looking out for my best interest, which includes my family, friends, supporters, Republicans and Democrats alike. The most encouraging suggestions came from community and business leaders in both Broward and Palm Beach counties.

In the end, it was clear that the best thing to do for my political aspirations would be to run for Congress. According to the research, it was certainly within reach. However, the right thing to do for the people of Broward County, for the people of District 4, for everyone who has told me that I am asking the right questions and trying to bring common sense to a process that desperately needs it, is to stay the course at the Broward County Commission.

There is still much more for me to do here at home. We have a critical beach renourishment project that will play a part in the success of the travel and tourism industry of Broward County. We have critical infrastructure projects at Port Everglades that will determine where we will fall in the strategic ports initiative both with Tallahassee and Washington, DC.

As you know this role for me has always been about creating jobs and growing our economy. If you read the Sun-Sentinel this week you saw the good news that we received- unemployment in Broward County fell from 8.6% to 8.3%. Broward County is much better off when compared to our neighbors to the north and south as well as overall unemployment for the State. Palm Beach County is at 9.6%, Miami-Dade County is at 9.9%, and The State of Florida is at 9.6%.

Broward has certainly positioned itself better as compared to the surrounding counties, but this would not have been possible without the Greater Fort Lauderdale Alliance and the business community that are bring new businesses to Broward County, as well as working to retain and support the struggling companies that are already working to employ Broward residents.

Just this week I was honored to be named as a co-chairman of the Six-Pillars Strategic Planning process for Broward County. The Six Pillars process is being led by The Florida Chamber Foundation at the state level, and is meant to help communities throughout the State of Florida prosper and create high paying jobs by creating a visioning process which looks to a 20-year horizon. Six Pillars will be addressing these topics which have been deemed critical to economic success in the future: talent supply & education, innovation & economic development, infrastructure & growth leadership, business climate & competitiveness, civic & governance systems, quality of life & quality of places. In order to become a Six Pillars Community, a community, county or region in Florida must complete a 10-step process focused around the Six Pillars for Florida's Future framework.

Continued on page 14

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WED



13 Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

Mother's Day Brunch at Flamingo Pond
Flamingo Gardens
10 a.m. to 2 p.m.
Tix.: 954-473-2955

14 Shark
(Through 11/4)
Museum of Art | Fort Lauderdale
Info.: 954-525-5500

Commissioner Roberts: Pre-Agenda Meeting
Beach Community Center, 6 p.m.
Info.: 954-828-5033

15 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.

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

Pompano Beach Fishing Rodeo
(Through 5/19)
Pompano Beach
Info.: 954-942-4513

20 Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

21

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

Pompano Beach Fine Food and Wine
Sheraton Suites Cypress Creek
(555 NW 62nd St in Fort Lauderdale)
Tix.: 954-941-2940

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

27 Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

28 Memorial Day KidzFest
9:30 a.m. to 4:30 p.m.
Flamingo Gardens
Info.: www.flamingogardens.org

Memorial Day 2012 Beach Bash
Aruba Beach Cafe
12 to 7:30 p.m.
Info.: 954-776-0001

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

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

3 Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

Sunday Jazz Brunch
Riverwalk, Downtown FL
11 a.m. to 2 p.m.
Info.: 954-828-5985

4

Commissioner Roberts: Pre-Agenda Meeting
Beach Community Center, 6 p.m.
Info.: 954-828-5033

5 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.

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

Moonlight, Sea Turtles, & You
(Through 7/24)
Museum of Discovery & Science
9 p.m. to 1 a.m.
For Dates.: 954-713-0930

10 Urban Gourmet Market
1201 E. Las Olas Blvd.
9 a.m. to 4 p.m.
Info.: 954-462-4166

11

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

La Cage Aux Folles, Broadway
(Through 6/24)
Broward Center for the Performing Arts
Tix.: 954-462-0222

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

Moonlight, Sea Turtles, & You
(Through 7/24)
Museum of Discovery & Science
9 p.m. to 1 a.m.
For Dates.: 954-713-0930

ADDITIONAL EVENTS

MAY 13: Mother's Day Brunch, Fairchild Tropical Gardens, 10:30 a.m. to 2:30 p.m., Reservations.: 305-256-8399

MAY 16: Melissa Etheridge Live, Hard Rock Live, 8 p.m., Tix.: www.ticketmaster.com

MAY 16: Joan Rivers Live, Hard Rock Live, 8 p.m., Tix.: www.ticketmaster.com

MAY 17: G.M.C.A. Advisory Board Meeting, Nick's Italian Restaurant, 11 a.m.

MAY 19 - 20: Florida Gold Coast Dive Championship, Fort Lauderdale Aquatic Complex, 10 a.m. to 6 p.m., Info.: 954-467-8179

JUNE 2: Jazz in the Garden 2, Lighthouse of Broward Sensory Garden (650 N Andrews Ave), 7:30 p.m., Tix.: 954-463-4217

JUNE 6: Business Education Seminar Series: Marketing & Branding your Business, War Memorial Auditorium, 6 to 8 p.m., Info.: 954-828-4347

MAY / JUNE

ONE SOURCE FOR COMMUNITY HAPPENINGS

THU

FRI

SAT

UPCOMING EVENTS IN OUR AREA

17 BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr)
7 p.m.
\$5/person for 3 boards

Artwalk Las Olas
Las Olas Blvd., 6 to 9 p.m.
Info.: 954-258-8382

18 Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
6 to 8 p.m.

19 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

Buckler's 22nd Annual Craft Fair
(Through 5/20)
Aircraft Expo Center-S Florida Fairgrounds
Info.: 386-860-0020

24 BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr), 7 p.m.
\$5/person for 3 boards

25 Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
6 to 8 p.m.

Ft Lauderdale Spring Home Design
& Remodeling Show
(Through 5/28)
Broward County Convention Center.
Info.: 305-667-9299

26 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

31 BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr), 7 p.m.
\$5/person for 3 boards

1 Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
6 to 8 p.m.

Neil Diamond
BankAtlantic Center
Tix.: 954-835-7000

2 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

North Beach Art Walk
Broward Art Guild - A1A, 32 & 33 Streets
7 to 11 p.m.

7 BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr), 7 p.m.
\$5/person for 3 boards

Moonlight, Sea Turtles, & You
(Through 7/24)
Museum of Discovery & Science
9 p.m. to 1 a.m.
For Dates.: 954-713-0930

8 Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
6 to 8 p.m.

9 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

14 BINGO
Southpoint's North Lounge
(3400 Galt Ocean Dr), 7 p.m.
\$5/person for 3 boards

2nd on 2nd Thursdays Block Party
200 Block SW 2nd Street
5 to 9 p.m.
Info.: 954-468-1541

15 Jazz on the Square
The Village Grille
Commercial Blvd. & A1A
6 to 8 p.m.

Roger Waters
BankAtlantic Center
Tix.: www.ticketmaster.com

16 Riverwalk Urban Market
227 SW 2nd Ave.
8 a.m. to 1 p.m.
Info.: 954-298-5607

Gun and Knife Show
(Through 6/17)
War Memorial Auditorium
Info.: 954-828-5380

June 19, 20, 26, 27, 28
July 3, 5, 10, 11, 17, 18, 19, 24
Sea Turtle Walks
Museum of Discovery & Science, 9 p.m. to 1 a.m.
Info.: www.mods.org

June 22
Live MMA Professional Fights
War Memorial Auditorium
Doors Open at 7 p.m. First Fight at 8 p.m.
Tix.: 786-543-1177

June 24
Stonewall Summer Pride
Wilton Manors
12 to 10 p.m., Parade starts at 7 p.m.

July 4
4th of July Spectacular
Off A1A and Las Olas Blvd, Fort Lauderdale Beach
11 a.m. to 9:30 p.m.
Info.: <http://ci.flaud.fl.us/events>

July 14 - 15
The 20th Annual International Mango Festival
Fairchild Tropical Garden
9:30 a.m. to 4:30 p.m.
Info.: www.fairchildgarden.org



First Saturday of every Month: Beach Cleanup, Commercial Blvd & the Beach LBTS, 9 to 9:30 a.m., Info.: www.lbts.com
Second Saturday of every Month: Beach Sweep, 9 a.m. to 12 p.m., Info.: 954-474-1835
Wednesdays: Yoga in the Garden, Bonnett House, 8 to 9 a.m., Info.: 954-563-5393 ext. 137
Tuesdays and Thursdays: Yoga with Ali Hecht, Esplanade Park, 6:30 p.m., Info.: 954-732-0517
Mondays and Wednesdays: Cardio Mix with Josh Hecht, Esplanade Park, 6:30 p.m., Info.: 954-732-0517
Sundays: Tour-the River Ghost Tour, Stranahan House & Water Taxi, 7:30 p.m., Tix.: 954-524-4736

**FOR A COMPLETE LISTING OF
EVENTS, GO TO THE
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The framework serves as an organizing force for strategic planning at local, regional and state levels. It provides a means of harnessing fragmented viewpoints into a common and consistent conversation so that thoughtful and productive planning can take place.

Broward has also benefited from 26 consecutive months of tourism growth. The Greater Fort Lauderdale tourism industry continues to surge, fueled by 11.1 million visitors from around the world spending \$9.06 billion. However, Broward is still missing one thing that will help set us apart from other destinations, and I have met with anyone and everyone in the travel and tourism industry who I can get an appointment with, in order to re-engage the conversation of creating a true, world-class convention center hotel.

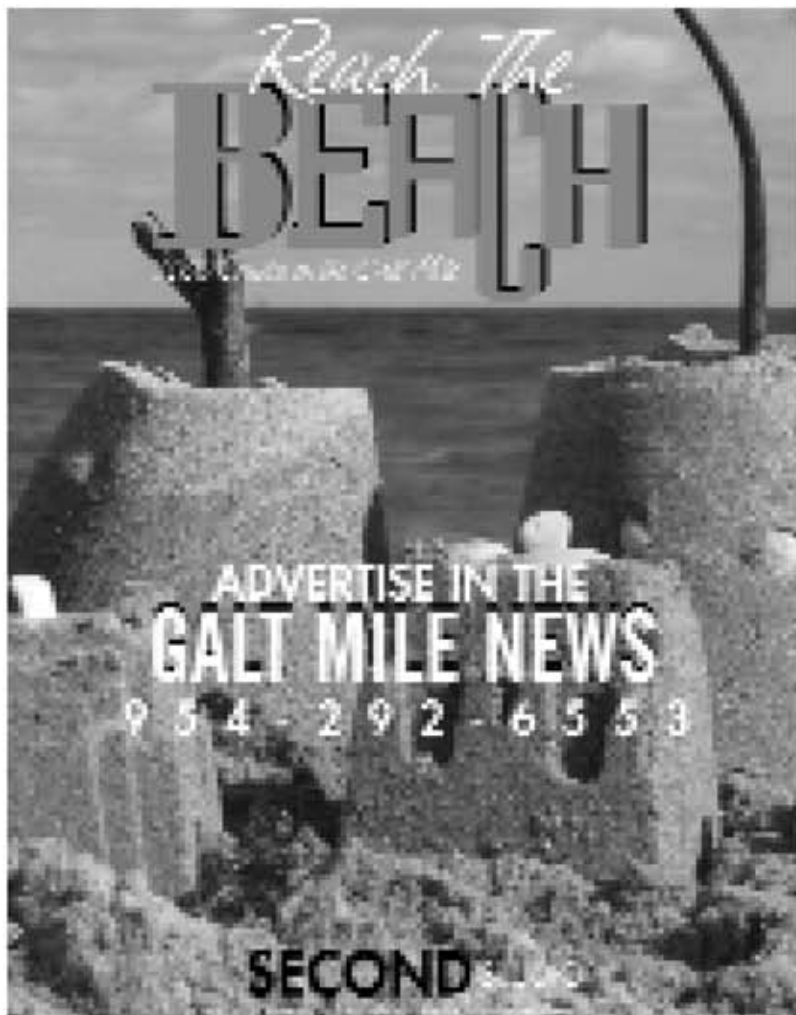
Additionally, I have met with leaders in our marine industry, an industry that is critical for the success of our economy. Think about the Boat Show and the economic impact of the world's largest boat show here in Broward County.

These meetings have given me one clear vision. I need to stay the course and continue the important work right here in Broward County. There will be time for other endeavors in the future. However, I have seen first-hand that the government closest to the people is most effective. So this is where I will continue to serve, and I cannot thank you enough for allowing me to do so.

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 updated by viewing our website www.broward.org/commission/district4, as well as sign up to receive email updates from us.

As always, it is an honor to serve you.

Chip LaMarca
Broward County Commissioner, District 4



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PUBLISHER/COVER PHOTOGRAPHY

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

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Eric Peter Berkowitz

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PRINTER

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