Lauderdale Isles Civic Improvement Association, Inc. www.ourlicia.com Spring 2017 Issue

PRESIDENT'S MESSAGE



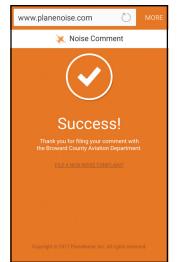
By Dirk Lowry

Hello again it's that time of the season to have some information about what's been

have to attend and have a presence in great numbers to show sup- Isles. Some who have made comments about the Board or the port against the invasion of the noise generated by the flight path changes. The meetings will be posted and there will always be a representative on the board to provide input and get back with any changes, meeting notices or scoop we my need to further our 18th. If anyone would like to join our Noise Committee please cause. There have been some conversations about looking at a feel free to provide your information at the next meeting. Look legal remedy through a lawyer. As I understand it, this will move for additional information about the Isles inside this edition. the 150 program back until a resolution is made through the Court. Second it will cost a small fortune unless a firm will take ing to provide. Support your local Yacht Club. it pro-bono, which is unlikely. It should be noted that the Board Hurricane season will be upon us before we know so be prepared. been put forth through meetings, educating ourselves and securing/schmoozing contacts within the system. A fee would have to

be collected from our residents and with the fact that only about 150 of our 750 residents drop the \$20.00 yearly dues, collecting a \$50, \$100 or more from each household would not fly. We try to keep the comments and the Board info within our own commugoing on in the Neighborhood. It seems the nity due to the fact that many of those outside do not get our Part 150 will soon get underway and there will be meetings we Newsletter and the updates we make available to people in the Committee have not paid any dues and in some cases haven't attended any or many of the meetings we have had reference the Noise problem. There will be an update at our meeting on the Remember the Yacht Club and the many activities they are start-

and the Committee consists of volunteers and a lot of time has Here's looking forward to seeing you at the meeting. We now have coffee and munchies available prior to the meeting. well and stay safe.



At the May 18th General Meeting:

Are you using the App to file noise complaints?

At the May 18th LICIA General Meeting, bring your smartphone and show our Board Members at the sign-in desk that you have the Noise Complaint App installed on it. They will verify from reports provided by BCAD that you have actually filed complaints - and you will receive a raffle ticket for the drawing being held at the end of the meeting. Two lucky neighbors will win \$50 gift certificates to Flanigan's.

Haven't installed the app on your phone yet? Bring your phone to the meeting and our staff will help you install it. Then you'll be entered into a separate drawing for app "newbies," and one person will win a \$50 gift certificate to Flanigan's.

Don't know what the Noise Complaint App is? You'd better come to the meeting. See more info about the May 18th General Meeting inside this issue

At the May 18th General Meeting:



City of Fort Lauderdale Vice Mayor **Bruce Roberts**

As Vice Mayor, Bruce Roberts is continuing a long and distinguished career of serving the citizens of Fort Lauderdale and working to enhance, improve and strengthen the community.

INSIDE THIS ISSUE



WANT TO SUE OVER AIRPORT NOISE?

DOCK 954-555-1212

IS IT LEGAL?

AGENDA

Note
Location

Location

Location

Lauderdale Isles Yacht Club

Whale Harbor Lane

- Pre-meeting: Sign In & Dues Payment

- Pre-meeting: Smartphone App Verification
- Pre-meeting: LIYC Presentation
- 1. Opening Statement (President)
- 2. Opening Statement: (Vice President)
- 3. FLPD Report
- 4. Code Enforcement: Inspector Jorge Martinez
- 5. New Business:
 - Vice-Mayor Bruce Roberts Presentation
 - Walter Duke Presentation
 - Dr. Sorenson Presentation
- 6. Old Business:
 - -Committee Reports
 - Airport Noise Committee
 - New River Preservation Committee
 - Welcome Committee
 - LIWMD Report
- 7. Drawings for Flanigan's gift certificates
- 8. Adjournment

Note: Previous meetings minutes and treasurer's reports are are approved at the monthly Board of Directors Meetings.

Regarding LICIA Meetings: - Audio recordings of all meetings are made for the purpose of creating minutes. All attendees at LICIA General Meetings must sign in at the front desk. All General Meetings are held at the Yacht Club. Board of Directors/Committee meetings are held at Abiding Savior Church.

From the Editor's Desk

By Geoff Rames

- Electronic Version: There is always an e-copy of the newsletter, including past editions, available on our website www.ourlicia.com
- Many thanks the contributors in this issue: Dirk Lowry, The LICIA Airport Noise Committee, Audrey Edwards, Jackie Zumwalt & "W.S."
- Treasurer's Reports and previous meetings minutes should be available soon at www.ourlicia.com.

LICIA encourages you to submit articles for the newsletter.

Letters & articles may be submitted by email to:

grames.licia@gmail.com

All submitted materials will become the property of the association and may be printed in this newsletter or reprinted by any other interested publication. Deadline for submission: 25th of month prior to publication.

Lauderdale Isles Civic Improvement Association, Inc., PO Box 121255, Fort Lauderdale, FL 33312



AIRPORT NOISE

To sue or not to sue, that is the question...



·.. W.S.

By The LICIA Airport Noise Committee

No information provided below can be construed as legal advice. This article is written by the LICIA Noise Committee members, who are not attorneys, and was written for general information and to enlighten our neighbors.

As many of you know, new departure procedures were introduced at the Fort Lauderdale-Hollywood International Airport (FLL) in September 2014. Since then, the quality of life has changed for residents in Lauderdale Isles and several surrounding communities in the Riverland area. FLL is owned by Broward County.

LICIA's Noise Committee started its work on the airport noise issue in February 2015. At this time we are undergoing the Part-150 Noise Compatibility Study (Part-150). We were told by Broward County Aviation Department (BCAD) that the study should take about three years. Because members of our committee were active, we managed to be appointed to the two decision making committees for the Part-150. This enables us to be in the loop of the study as much as possible, and hopefully be able to address noise abatement and mitigation issues. Most airports have noise abatement procedures that address residential communities that are located close to an airport. Our goal is to get the FAA and Broward County Aviation Department (BCAD) to agree to departure procedures that will eliminate excessive noise in our community.

Some residents have expressed a desire to start an individual lawsuits, or a class action lawsuit. If you believe that a lawsuit is the way to go, this is your choice, and you should pursue legal actions as an individual.

These are some points about legal measures that need to be addressed.

- If we started a lawsuit as a community then all possible negotiations and relations that the noise committee have established would be gone. It would become potentially impossible to address the issue through the Part-150 study, as we would become an adversary, and we should expect that no government authority would advocate on our behalf.
- In addition to the Part-150 Study we must be aware of the Florida Metroplex Project that introduces NextGEN. The current Part-150 study is crucial for us, as its may impact the Metroplex's departure procedures for our area going forward.

To learn more about Metroplex and NextGen see references below.

The noise issue with Phoenix Sky Harbor Airport (PHX) is a good example to know about and follow in the news. The FAA changed the departure procedures in Phoenix in September 2014 as part of the national NextGen program that will eventually come to Fort Lauderdale too. PHX is owned by the city of Phoenix. The city filed the suit in June 2015. The suit is still ongoing. Lawsuits of this kind can drag for many years. Contrary to what some armchair 'experts' post on the Internet about this issue, there are no quick and easy fixes.

Some residents have suggested a class action lawsuit. Noise related class action lawsuits are really "primarily on the grounds that individual issues of harm, impact, and damages would predominate over common issues" ('Airport Noise Litigation in the 21st Century'). We encourage everyone to review the "Airport Noise Litigation in the 21st Century" for educational purposes, and if necessary share this with your attorney.

We hope that the materials that we provided are helpful. **Resources:**

Florida Metroplex Project

http://www.metroplexenvironmental.com/fl_metroplex/fl_outreach.html

NextGEN Metroplex

https://www.faa.gov/nextgen/snapshots/metroplexes/

"Airport Noise Litigation in the 21st Century: A Survey of Current Issues"

http://www.kaplankirsch.com/portalresource/
Airort Noise Litigation in the 21st Century As Published.pdf

Filing Noise Complaints is Critical now!

With the introduction of the Smartphone App, the number of noise complaints filed from Lauderdale Isles has skyrocketed. For instance, in January, just over 13,000 complaints were filed. **THIS IS GOOD.** However, these complaints originated from only 120 households and **THIS IS BAD**. The number of households filing complaints is an important part of the statistics used for the Part 150 study. We need to increase this number (there are 700 households in Lauderdale Isles.)

The next time we experience Airport Noise, take five minutes and go to some of your nextdoor neighbors and ask if you can file a couple of complaints for them. That's all we need to get that "Number of Households," figure where it should be. If you want to ultimately resolve our noise issue, this is critical.

From the Part 150 Study:

- "Task 3.9: Review of Noise Complaint Data
Description: 'This task will review noise complaint information maintained by the BCAD during the past five years with particular focus on complaints filed since the upgraded parallel runway opened."



At the May 18th General Meeting

BEFORE THE MEETING:

- 1. As mentioned on the cover page of this issue, neighbors attending this meeting need to bring along their smartphone and show it to the board members manning the sign-in desk. If you meet two simple conditions, you will be entered in the evening's two drawings for \$50 gift certificates to Flanigan's:
 - Your phone must have the noise app installed on it
 - You must have filed noise complaints this year using the app. We will verify this using noise complaint reports we have obtained from BCAD. One drawing entry per smartphone/household.
- 2. If you don't have the app installed on your smartphone yet, bring it along and board members will help you install the app at the meeting. And we will enter you into a separate drawing for app "newbies." One drawing for app newbies: \$50 gift certificate to Flanigan's.

The drawings will be held at the end of the meeting.

OUR FEATURE PRESENTATION

Vice-Mayor Bruce Roberts will be our main presenter for the evening. On March 10, 2009, voters elected Bruce Roberts as Fort Lauderdale City Commissioner representing District I. District I is in the north part of the City. He was reelected for a second three-

year term on March 13, 2012. In January 2015, he ran unopposed for his final 3 years as Commissioner. He will be termed out in March of 2018. **Bruce will be running for Mayor of Fort Lauderdale that same month**.

As many of you know, he also served as Chief of Police for FLPD for many years. He is very knowledgeable in all aspects of City government, and after his presentation, he will take a few questions from the audience.

AND MORE PRESENTATIONS

Our District IV Commissioner Romney Rogers will also be termed out in March 2018. As you all know, he has always gone to bat 100% for our neighborhood on any of the issues we have faced in the past several years including canal dredging, airport noise, the Davie Marina situation, and more.

There are two gentlemen who have announced they will be running for Romney's seat, and they will be attending the meeting to introduce themselves. This will not be a debate, rather just a getacquainted session. They are:

- -Walter Duke (former mayor of Dania Beach)
- Dr. Ben Sorenson

We will also have our standing committee reports and munchies available before the meeting.

It'll be another great meeting. Don't miss it!

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CODE ENFORCEMENT: DOCKS

To rent or not to rent, that is the question...



W.S.

You've just got to love Nextdoor:

- "It's OK to rent out your dock in Lauderdale Isles."
- "You can't rent your dock in Lauderdale Isles"
- "Dock for rent in Lauderdale Isles"

If you attended the LICIA General Meeting in February you enjoyed an informative presentation by staff from the City's Code Compliance Department. And quoting Dick Eaton, Code Compliance Manager from that meeting: "It is illegal to rent your dock in Lauderdale Isles."

That's it - the end to this question once and for all. There are only two neighborhoods in the City where the renting of residential docks is permitted. Both of these neighborhoods are in the far east part of Fort Lauderdale.



"My neighbor, who rents his dock, said it's OK to rent your dock because we were annexed into the City." Wrong. When we were in unincorporated Broward County, prior to annexation in 2002, it was illegal to rent your dock then, too.

"My real estate agent friend told me it's legal to rent your dock in Lauderdale Isles." Wrong. Ask Code Enforcement, not your Real Estate Agent friend.

"It's legal to rent your dock in Lauderdale Isles as long

as you get a business license from the City." Wrong. The City will not issue a business license for dock rentals.

Besides being illegal, there are some other considerations about renting your dock. Attorney Marc Ecolin, in his articles in the Waterfront Times, has addressed this subject several times:

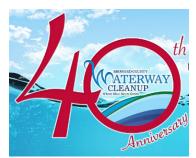
- If the person renting your dock stops paying you: "Once the truth comes out in court, the transaction is found to be unenforceable since it was never permitted in the first place...." "Hold on, I've heard stories of dock owners using some Florida statute that didn't require them to go to court and they were able to sell the boat.'... A careful reading of these statutes will show that they are designed for use by licensed boat yards and dock facilities with all permits in place and not for enforcing an otherwise unenforceable contract" (Marc Ercolin, Waterfront Times, June 2016)
- "Insurance is another issue to consider. As you might guess, a standard homeowners policy might not actually cover many of the pitfalls and liabilities incurred from running a backyard marina. The situation becomes even more difficult if your area isn't zoned to allow dock rentals. Even in the best of circumstances where the policy in the past might have covered a situation, it might not do so in the future should your carrier find out about your "under the radar" dock rental business. (Marc Ercolin, Waterfront Times, Dec. 2014.)
- "...if the craft is abandoned at the dock, the homeowner has no enforceable contract allowing for removal without possibility facing many legal and civil liabilities. This can prove in the end very unprofitable." (Marc Ercolin, Dec. 2014).

We are not giving legal advice in this article. We are merely quoting what Code Enforcement and a well known attorney/author have stated.

ACTION IN THE ISLES

THE 40TH ANNUAL MIASF **WATERWAY CLEANUP**

The Broward County Waterway Cleanup on March 4th was a huge success. This year the event was held at the Lauderdale Isles Yacht Club, thanks to the new club owners. Pam Stolorz, the Site Coordinator for the Cleanup, did a great job running the show. We had 70 participants, 14 boats, and 4 kayaks, so the canals were super-busy. The morning started out with a great breakfast spread by the Yacht Club, compliments of LICIA. Thanks to a very low tide, volunteers were able to pull loads of stuff out of the water and from the rocks on the south side of the river. The dumpster quickly filled to the brim with all the debris brought in. Great fishing poles, compliments of Chuck at Sailorman, were awarded for the most unique, cutest, and ugliest items found. The "Trash Bash" afterwards at Lauderdale Marine Center provided great food, music, and prizes - and an open bar. Thanks to all the neighbors who participated.









Nice breakfast snacks by the Yacht Club

The staff sets up for sign-in



The docks are crowded with boats arriving for sign-in



With so many boats arriving, the docks nextdoor at the boat ramp filled up too.



Pete Sheridan pulls up to the dock nicely . Little known fact: many years ago, Pete honed his docking skills as Captain of the Staten Island Ferry.



The boats head out to their assigned areas





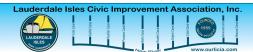
The kayakers work the shoreline





Low tides allow this crew to climb into the rocks







And our volunteers get the job done:







The crew on shore worked non-stop.





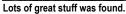


Numerous pieces of fine furniture were brought in











Cutest item found







Lisa Samuels & Pam Stolarz did a great job coordinating the event







The prize winners show off their fishing rods from Sailorman





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Proposed Rezoning of the South Side of the New River



Davie Marina Update

By Audrey Edwards LICIA New River Preservation Committee Chairperson

Surprise, surprise As we rounded the wagons in preparation for the rezoning hearing that was to held on Wednesday, March 1st, 2017 in the Davie Town Hall, we found out that not only was the hearing cancelled, the petitioner (Sandra Roberts) withdrew her application to rezone the her property located at 3514 W SR 84 from Residential to Commercial Marine. Why did she withdraw the petition you ask? Because she sold the property to Rick Obey, a boat broker (for a mere \$1.7 million). Mr. Obey has also bought the two parcels next to it (under the corporation name of Marine Consulting, Inc.). He states his intentions are to take all three of his properties and have them platted into one parcel. Doing that would allow a dock that could run along just about the whole curve in the river. According to Mr. Obey, he wants it to remain residential. According to our sources, Mr. Obey rents approximately 25 docks at Marina Bay. Not only was the rezoning issue dropped, the code issues were dropped against the previous owners.

It ain't over till this fat lady sings, and there's no singing yet. We still have issues at hand. Number one are the large yachts that have occasionally docked on the river that are taking up too much of the river to make a safe passage. Just last month, while rounding the bend in the river, Captain Gerard Robinson (of Whale Harbor Lane) was outbound on his 45' sailboat, when boat was struck by an incoming vessel. Larger vessels docked on the river have been and are creating an unsafe waterway. Sadly, with the boat ramp on the west side of the neighborhood, and the inexperienced boaters that are free to use it, it is only a matter of time until we have a serious incident.



It is very difficult for two boats to pass at this point on the river

LIWMD Update

Canal Dredging Assessments

We attended the City Commission Conference Meeting on April 19th, when the Commission saw the results of the Canal Dredging Rate Study conducted by the consulting firm Stantec. The Commission appears to be moving forward on an annual assessment for waterfront property owners throughout the City to maintain canals on a 7 year dredging cycle. Most of the waterfront properties in Lauderdale Isles have 65' of canal frontage; those homeowners can expect to pay a yearly assessment of \$171.60 for canal dredging, in addition to their regular taxes.

You may recall that last year, we asked Jackie Zumwalt to do a quick analysis of home sales in the Isles: waterfront vs non-waterfront. The result was that waterfront homes sell for roughly \$100,000 more. That means the City receives more revenue in taxes for waterfront homes, which means we already pay more for canal-front living. So why are we being assessed on top of this? Good question, but we don't think we're going to win this argument. (You might want to ask Vice Mayor Roberts about it at the May General Meeting.)

Who owns our canals?

From the rate study, we also discovered that the City says our canals are not owned by the City, but rather our canals are owned by the South Florida Water Management District. This is news to us, and also to Pete Sheridan ,who was one of the founding members of LIWMD in 1970. This seems illogical, since when we were annexed by the City in 2002, the legal description of the annexed area obviously included our canals. If true, this has lots of ramifications for Lauderdale Isles. Next stop for LIWMD: The Property Appraiser's Office. Stay tuned.

Geoff Rames & Ken Stauch



WATERWAY ISSUES - Who to call:

- Alligators (& Crocodiles) Problems

FWC Nuisance Alligators: 1-866-FWC-GATOR

-Pollution/ Oil Spills:

7:30 –5:00 Ft. Laud. Customer Service:954-828-8000 Evenings/Weekends: FLPD 954-764-HELP

-Large Debris/Dead Animals in the water:

Ft. Laud. Customer Service 954-828-8000

-Injured Manatees

FWC: 1-888-404-FWCC

-Sinking or Sunk Boats

FLPD 954-764-HELP or 911 for emergencies

-Unsightly or Derelict Boats/ Boats too wide for canal:

Ft. Laud. Code Enforcement: 954-828-5207

-Lawn Service Firms disposing debris in canal: FLPD 954-764-HELP

-Illegal Dock Construction/Pilings/Dredging

Code Enforcement: 954-828-5207

-Large snook swimming off your dock: Don't call

anyone, get your fishing rod fast.

Snook season on the east coast, including our waterways, closes May 31st.

Davie Rezoning, continued

Another issue is the Senate Bill 1149, that is the one that annexed Hacienda Village into Town of Davie in 1984. On the last page it is stated that "All zoning within that portion of the Town of Davie that was formerly known as Hacienda Village is preserved as it existed immediately prior to the effective date of this act". (Anyone wishing for a copy of SB1149, please contact Audrey at **ttbnatb@aol.com**, it will be emailed to you ASAP.)

Through the hard work of Capt. Bob Franks, we have (finally) found out who's got jurisdiction up in this part of the river, it is the Coast Guard (all the way to 441). Captain Franks has had positive communication with the Coast Guard. As a matter of fact, the coast guard is currently working on updating regulations for the New River.

What can you do? This is the easy part, send a letter/email. Request that the USCG docking policy leaves 50% of the New River open for safe navigation. Your letters of support will go a long way! When you send your note to Chief Wooten, make sure you identify what part of the New River you are concerned about. (the South Fork of the New River, east of 441, West of 195). Tell Chief Wooten the conditions you've experienced as you've traveled this part of the river (i.e., hard to make the turn in the river with the wide beams of the boats docked, etc.). Let the Chief know how narrow our part of the river is (85'-100'), and that the boats with the wide beams are not allowing for safe navigation. If you would like to email your letter of support to Chief Warrant Officer Wooten, his email address is:

robert.wooten@uscg.mil

His physical mailing address is: Chief Warrant Officer Wooten Waterways Management Division 100 MacArthur Causeway Miami, FL 33139

A huge thank you to all of the great neighbors who took the time to go to our meetings at St. Ambrose Church, went to the meetings in Davie, went to the City Council meetings, kept your head buried in the Statute books, called Code Enforcement, got a stop-work order from the major of Davie, did research (by land, by sea, by air), went to the Army Corp of Engineers, went to Zoning hearings, sent emails, contacted your politicians, made phone calls, and may have even said a few prayers. Whatever YOU did, it worked! Thank you.

And, the next time you happen to see Commissioner Romney Rogers, our City Manage Lee Feldman, our mayor Jack Seiler, or any of the councilmen from Fort Lauderdale, please make sure to thank them for having our back. Commissioner Rogers took the time to go Davie's zoning hearings in support for us, the City sent staff to the zoning hearings in opposition of the rezoning & the city also wrote a resolution in opposition of the rezoning.







RAMBO The Hero of Key Largo Lane By Jackie Zumwalt

As you probably know, Rambo is very actively involved in keeping the Iguana, squirrel and the nightly rodent population out of his yard, & has become very popular on Key Largo Lane. He has a catch

and release policy which I enforce. He is very good with the "DROP IT!" and the "LEAVE IT!" commands.

He and his buddy Finn from Key Largo lane joined their respective owners at the Broward Humane Society Walk For The Animals. They were part of the "Cruising Canines Pack" & a great time was had by all. If you go on the Broward Humane Society website, there is a video of events and a view of Rambo enjoying the water pools set up for the dogs to cool off at the end of the walk.

Rambo loves his walks in Lauderdale isles, looking for lizards and squirrels and meeting the neighbors. The two photos are of Finn (camera shy) and Rambo at the Walk for Animals and with Misha who is well known on Okeechobee Lane.







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THE REFRIGERATOR LIST

Updated May. 2017

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Fort Lauderdale Police Non-Emergency	954-764-HELP
Fort Lauderdale Customer Svc. (24 hrs)	954-828-8000
including Water/Sewer/Trash/Canal Cleaning	
Airport Noise Complaints *	866-822-7910*
City Hall	954-828-5004
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Code Enforcement	954-828-5207
Commissioner Romney Rogers	954-828-5028
Animal Control (Broward County)	954-359-1313
Broward County Mass Transit	954-357-8400
Comcast Good luck!	800-266-2278
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Crimestoppers	954-493-TIPS
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i	

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HAVE SOME FUN



Have you read your recently received City of Fort Lauderdale Parks & Recreation Playbook? It's full of information about parks & facilities, special events, adult and

youth classes, camps for kids and clubs for 55+, sporting events and dog friendly places to visit.



Free concert series every Friday night from June 16-August 4 beginning at 7 pm at Holiday Park. The list of bands will be posted soon on

the website and includes a wide variety of music and a great time had by all.

Adult classes include Ballroom dancing, yoga, Pilates, Tai Chi, Zumba and Adult Athletics offered include pickleball, spoftball, volleyball and Disc Golf. Location, cost and times listed in the book.

Club 55+ is a program that encourages active adults to enjoy endless opportunities at 11 City parks for a discounted annual membership of only \$55 and includes Art, Bocce, dancing, social club and gardening. There is also a great Health & Wellness program including yoga, golf, pickleball and a variety of exercises.

For more information, go to www.fortlauderdale.gov/parks

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